

## § 1471.8

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in attendance, recesses, continuances, and adjournments; and take any other appropriated procedural action which, in the judgment of the designated representative, will promote the purpose and objectives of the hearing.

(b) A prehearing conference may be conducted by the designated representative of the Panel in order to:

(1) Inform the parties of the purpose of the hearing and the procedures under which it will take place;

(2) Explore the possibilities of obtaining stipulations of fact;

(3) Clarify the positions of the parties with respect to the issues to be heard; and

(4) Discuss any other relevant matters which will assist the parties in the resolution of the dispute.

(c) An official reporter shall make the only official transcript of a hearing. Copies of the official transcript may be examined and copied at the Office of the Executive Director in accordance with part 1411 of this chapter.

### § 1471.8 Report and recommendations.

(a) When a report is issued after a hearing conducted pursuant to §§ 1471.6 and 1471.7, it normally shall be in writing and, when authorized by the Panel, shall contain recommendations.

(b) A report of the designated representative containing recommendations shall be submitted to the parties, with two (2) copies to the Executive Director, within a period normally not to exceed thirty (30) calendar days after receipt of the transcript or briefs, if any.

(c) A report of the designated representative not containing recommendations shall be submitted to the Panel with a copy to each party within a period normally not to exceed thirty (30) calendar days after receipt of the transcript or briefs, if any. The Panel shall then take whatever action it may consider appropriate or necessary to resolve the impasse.

### § 1471.9 Duties of each party following receipt of recommendations.

(a) Within thirty (30) days after receipt of a report containing recommendations of the Panel or its designated representative, each party

shall, after conferring with the other, either:

(1) Accept the recommendations and so notify the Executive Director; or

(2) Reach a settlement of all unresolved issues and submit a written settlement statement to the Executive Director; or

(3) Submit a written statement to the Executive Director setting forth the reasons for not accepting the recommendations and for not reaching a settlement of all unresolved issues.

(b) A reasonable extension of time may be authorized by the Executive Director for good cause shown when requested in writing by either party prior to the expiration of the time limits.

(c) All papers submitted to the Executive Director under this section shall be filed in duplicate, along with a statement of service showing that a copy has been served on the other party to the dispute.

### § 1471.10 Final action by the Panel.

(a) If the parties do not arrive at a settlement as a result of or during action taken under §§ 1471.5(a)(2), 1471.6, 1471.7, 1471.8, and 1471.9, the Panel may take whatever action is necessary and not inconsistent with 22 U.S.C. 4110 to resolve the impasse, including but not limited to methods and procedures which the Panel considers appropriate, such as directing the parties to accept a factfinder's recommendations, ordering binding arbitration conducted according to whatever procedure the Panel deems suitable, and rendering a binding decision.

(b) In preparation for taking such final action, the Panel may hold hearings, administer oaths, take the testimony or deposition of any person under oath, and issue subpoenas as provided in 22 U.S.C. 4110(c)(2), or it may appoint or designate one or more individuals pursuant to 22 U.S.C. 4110(c)(1) to exercise such authority on its behalf.

(c) When the exercise of authority under this section requires the holding of a hearing, the procedure contained in § 1471.7 shall apply.

(d) Notice of any final action of the Panel shall be promptly served upon the parties, and the action shall be binding on such parties during the

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term of the agreement, unless they agree otherwise.

(e) All papers submitted to the Executive Director under this section shall be filed in duplicate, along with a statement of service showing that a copy has been served on the other party to the dispute.

**APPENDIX A TO CHAPTER XIV—CURRENT ADDRESSES AND GEOGRAPHIC JURISDICTIONS**

(a) The Office address of the Board is as follows:

1900 E Street, NW., Room 7469, Washington, DC 20424. Telephone: Office of Executive Director, FTS—254-9595; Commercial—(202) 254-9595. Office of Operations, FTS—254-7362; Commercial—(202) 254-7362

(b) The Office address of the General Counsel is as follows:

1900 E Street, NW., Room 7469, Washington, DC 20424. Telephone: FTS—632-6264; Commercial—(202) 632-6264

(c) The Office address of the Chief Administrative Law Judge is as follows:

1111 20th Street, NW., Room 416, Washington, DC 20036. Telephone: FTS—653-7375; Commercial—(202) 653-7375

(d) The Office addresses of Regional Directors of the Authority are as follows:

- (1) *Boston Regional Office*, 441 Stuart Street, 9th Floor, Boston, MA 02116. Telephone: FTS—223-0920; Commercial—(617) 223-0920
- (2) *New York Regional Office*, 26 Federal Plaza, Room 241, New York, NY 10278. Telephone: FTS—264-4934; Commercial—(212) 264-4934
- (i) *Philadelphia Sub-Regional Office*, 325 Chestnut Street, Mall Building, Room 5000, Philadelphia, PA 19106. Telephone: FTS—597-1527; Commercial—(215) 597-1527
- (3) *Washington Regional Office*, 1133 15th Street, NW., Suite 300, Washington, DC 20005. Telephone: FTS—653-8452; Commercial—(202) 653-8452
- (4) *Atlanta Regional Office*, 1776 Peachtree Street, NW., Suite 501, North Wing, Atlanta, GA 30309. Telephone: FTS—257-2324; Commercial—(404) 881-2324 or 881-2325
- (5) *Chicago Regional Office*, 175 W. Jackson Blvd., Suite 1359-A, Chicago, IL 60604. Telephone: FTS—886-3468 or 886-3469; Commercial—(312) 353-6306
- (i) *Cleveland Sub-Regional Office*, 1301 Superior Avenue, Suite 230, Cleveland, OH 44114. Telephone: FTS—293-2114; Commercial—(216) 522-2114

(6) *Dallas Regional Office*, Downtown Post Office Station, Bryan and Ervay Streets, P.O. Box 2640, Dallas, TX 75221. Telephone: FTS—729-4996; Commercial—(214) 767-4996

(7) *Kansas City Regional Office*, City Center Square, 1100 Main Street, Suite 680, Kansas City, MO 64105. Telephone: FTS—758-2199; Commercial—(816) 374-2199

(i) *Denver Sub-Regional Office*, 1531 Stout Street, Suite 301, Denver, CO 80202. Telephone: FTS—327-5224; Commercial—(303) 837-5224

(8) *Los Angeles Regional Office*, 350 So. Figueroa Street, 10th Floor, World Trade Center, Los Angeles, CA 90071. Telephone: FTS—798-3805; Commercial—(213) 688-3805

(i) *Honolulu Sub-Regional Office*, Room 3206, 300 Alamoana Blvd., Honolulu, Hawaii 96850. Telephone: FTS—556-0220 through San Francisco FTS Operator; Commercial—(808) 546-8355

(9) *San Francisco Regional Office*, 530 Bush Street, Room 542, San Francisco, CA 94108. Telephone: FTS—556-8105; Commercial—(415) 556-8105

(e) The Office address of the Panel is as follows:

1730 K Street, NW., Suite 209, Washington, DC 20006. Telephone: FTS—653-7078; Commercial—(202) 653-7078

(f) The geographic jurisdictions of the Regional Directors of the Authority, are as follows:

State or other locality	Regional office
Alabama	Atlanta
Alaska	San Francisco
Arizona	Los Angeles
Arkansas	Dallas
California	Los Angeles/San Francisco <sup>1</sup>
Colorado	Kansas City
Connecticut	Boston
Delaware	New York
District of Columbia	Washington, DC
Florida	Atlanta
Georgia	Atlanta
Hawaii and all land and water areas west of the continents of North and South America (except coastal islands) to long. 90¼E	Los Angeles
Idaho	San Francisco
Illinois	Chicago
Indiana	Chicago
Iowa	Kansas City
Kansas	Kansas City
Kentucky	Atlanta
Louisiana	Dallas
Maine	Boston
Maryland	Washington, DC

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State or other locality	Regional office
Massachusetts	Boston
Michigan	Chicago
Minnesota	Chicago
Mississippi	Atlanta
Missouri	Kansas City
Montana	Kansas City
Nebraska	Kansas City
Nevada	San Francisco
New Hampshire	Boston
New Jersey	New York
New Mexico	Dallas
New York	Boston/New York <sup>2</sup>
North Carolina	Atlanta
North Dakota	Kansas City
Ohio	Chicago
Oklahoma	Dallas
Oregon	San Francisco
Pennsylvania	New York
Puerto Rico	New York
Rhode Island	Boston
South Carolina	Atlanta
South Dakota	Kansas City
Tennessee	Atlanta
Texas	Dallas
Utah	Kansas City
Vermont	Boston
Virginia	Washington, DC/ Atlanta <sup>3</sup>
Washington	San Francisco
West Virginia	Washington, DC
Wisconsin	Chicago
Wyoming	Kansas City
Virgin Islands	New York
Panama/Limited FLRA jurisdiction	Dallas
All land and water areas east of the continents of North and South America to long. 90°E, except the Virgin Islands, Panama (limited FLRA jurisdiction), Puerto Rico and coastal islands	Washington

<sup>1</sup>San Francisco includes the following California counties: Monterey, Kings, Tulare, Inyo, and all counties north thereof. All counties in California south thereof are within the Los Angeles jurisdiction.

<sup>2</sup>New York includes the following counties: Ulster, Sullivan, Greene, Columbia and all counties south thereof. All counties in New York state north thereof are in the jurisdiction of Boston.

<sup>3</sup>Washington, DC includes the following counties in Virginia: Alexandria, Fairfax, Fauquier, Loudoun and Prince William. All other counties within Virginia are in the jurisdiction of Atlanta.

[46 FR 45881, Sept. 15, 1981]

APPENDIX B TO CHAPTER XIV—MEMORANDUM DESCRIBING THE AUTHORITY AND ASSIGNED RESPONSIBILITIES OF THE GENERAL COUNSEL OF THE FEDERAL LABOR RELATIONS AUTHORITY UNDER THE FOREIGN SERVICE LABOR-MANAGEMENT RELATIONS STATUTE

The statutory authority and responsibility of the General Counsel of the Federal Labor Relations Board are stated in section 4108 subsections (1), (2) and (3), of the Foreign Service Labor-Management Relations Statute as follows:

SECTION 4108 FUNCTIONS OF THE GENERAL COUNSEL

The General Counsel may—

(A) investigate alleged unfair labor practices under this chapter,

(B) file and prosecute complaints under this chapter, and

(C) exercise such other powers of the Board as the Board may prescribe.

This memorandum is intended to describe the statutory authority and set forth the prescribed duties and authority of the General Counsel of the Federal Labor Relations Authority under the Foreign Service Statute, effective February 15, 1981.

1. *Case handling*— A. *Unfair labor practice cases.* The General Counsel has full and final authority and responsibility, on behalf of the Board, to accept and investigate charges filed, to enter into and approve the informal settlement of charges, to approve withdrawal requests, to dismiss charges, to determine matters concerning the consolidation and severance of cases before complaint issues, to issue complaints and notices of hearing, to appear before Administrative Law Judges in hearings on complaints and prosecute as provided in the Board's and the General Counsel's rules and regulations, and to initiate and prosecute injunction proceedings as provided for in section 4109(d) of the Foreign Service Statute. After issuance of the Administrative Law Judge's decision, the General Counsel may file exceptions and briefs and appear before the Board in oral argument, subject to the Board's and the General Counsel's rules and regulations.

B. *Compliance actions (injunction proceedings).* The General Counsel is authorized and responsible, on behalf of the Board, to seek and effect compliance with the Board's orders and make such compliance reports to the Board as it may from time to time require.

On behalf of the Board, the General Counsel will, in full accordance with the directions of the Board, initiate and prosecute injunction proceedings as provided in section 4109(d) of the Foreign Service Statute: *Provided however*, That the General Counsel will initiate

and conduct injunction proceedings under section 4109(d) of the Foreign Service Statute only upon approval of the Board.

C. *Representation cases.* The General Counsel is authorized and has responsibility, on behalf of the Board, to receive and process, in accordance with the decisions of the Board and with such instructions and rules and regulations as may be issued by the Board from time to time, all petitions filed pursuant to sections 4111 and 4118(c) of the Foreign Service Statute. The General Counsel is also authorized and has responsibility to supervise or conduct elections pursuant to section 4111 of the Foreign Service Statute and to enter into consent election agreements in accordance with section 4111(g) of the Foreign Service Statute.

The authority and responsibility of the General Counsel in representation cases shall extend, in accordance with the rules and regulations of the Board and the General Counsel, to all phases of the investigation through the conclusion of the hearing (if a hearing should be necessary to resolve disputed issues), but all matters involving decisional action after such hearings are reserved by the Board to itself. In the event a direction of election should issue by the Board, the authority and responsibility of the General Counsel, as herein prescribed, shall attach to the conduct of the ordered election, the initial determination of the validity of challenges and objections to the conduct of the election and other similar matters, except that if appeals shall be taken from the General Counsel's action on the validity of challenges and objections, such appeals will be directed to and decided by the Board in accordance with its procedural requirements. If challenged ballots would not affect the election results and if no objections are filed within five days after the conduct of the Board-directed election under the provisions of section 4111 of the Foreign Service Statute, the General Counsel is authorized and has responsibility, on behalf of the Board, to certify to the parties the results of the election in accordance with regulations prescribed by the Board and the General Counsel.

Appeals from the refusal of the General Counsel to issue a notice of hearing, from the conclusions contained in a report and findings issued by the General Counsel, or from the dismissal by the General Counsel of any petition, will be directed to and decided by the Board, in accordance with its procedural requirements.

In processing election petitions filed pursuant to section 4111 of the Foreign Service Statute and petitions filed pursuant to section 4118(c) of the Foreign Service Statute, the General Counsel is authorized to conduct an appropriate investigation as to the authenticity of the prescribed showing of interest and, upon making a determination to proceed, where appropriate, to supervise or conduct a secret ballot election or certify the validity of a petition for determination of eligibility for dues allotment. After an election, if there are no challenges or objections which require a hearing by the Board, the General Counsel shall certify the results thereof, with appropriate copies lodged in the Washington, DC, files of the Board.S8010

II. *Liaison with other governmental agencies.* The General Counsel is authorized and has responsibility, on behalf of the Board, to maintain appropriate and adequate liaison and arrangements with the Office of the Assistant Secretary of Labor for Labor-Management Relations with reference to the financial and other reports required to be filed with the Assistant Secretary pursuant to section 4117 of the Foreign Service Statute and the availability to the Board and the General Counsel of the contents thereof. The General Counsel is authorized and has responsibility, on behalf of the Board, to maintain appropriate and adequate liaison with the Foreign Service Grievance Board with respect to functions which may be performed by the Foreign Service Grievance Board.

III. To the extent that the above-described duties, powers and authority rest by statute with the Board, the foregoing statement constitutes a prescription and assignment of such duties, powers and authority, whether or not so specified.

[46 FR 45882, Sept. 15, 1981]