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AFT Local 1581
AFL-CIO

October 5, 2010

John Benavente
General Manager
Guam WaterWorks Authority
578 North Marine Corps Drive
Tamuning, Guam 96913

Dear Mr. Benavente,

Buenas Yan Hafa Adai!!! Thank you so much for your letter on October 1, 2010. While we appreciate you finally corresponding with us in writing, the untimeliness of your response to my July 9th Letter is further evidence of bad faith on the part of GWA and the CCU. 2 GARR §5112. Miscellaneous Provisions. States:

- a) *It shall be the mutual responsibility of department heads or their designees and employee organization representatives to negotiate in good faith with the objective of reaching an agreement by diligent and serious exchange of information and views, and by avoiding unnecessarily protracted negotiations.*

From the very beginning the negotiation process with GWA has been incredibly protracted, with your negotiating team refusing to come to the table in a timely manner. This is also evidenced by your refusal to sign the contract that your chief negotiator was supposedly empowered to negotiate. If the tentative agreement that your negotiator signed off on had something in it that was unacceptable to the CCU you should have notified us immediately and returned to the negotiating table in a timely manner. Unfortunately, none of this was done and now you commit further unfair labor practices by attempting to interfere with the relationship between GFT and our members.

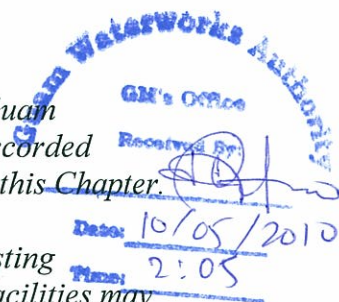
In your letter you state that you received a complaint from a former employee of GFT, Robert Koss, and some how you seem to think that this as justification for breaking the law. 4GCA Chapter 10 states:

§ 10111. Unfair Labor Practices.

The provisions of this Section apply to all government of Guam management officials and to all employee organizations accorded exclusive recognition to represent public employees under this Chapter.

(a) Management officials are prohibited from:

(2) dominating, sponsoring, controlling or otherwise assisting employee organizations, except that routine services and facilities may be furnished impartially to such organizations consistent with other provisions of this Chapter;



You cannot dominate or control how we ratify our collective bargaining agreements. You cannot dominate or control how we communicate with our members. You cannot dominate or control how we run our union and to put in writing that you will not sign a contract until we prove to you that we have communicated to our members to your satisfaction is written evidence of your attempt to dominate and control our union.

Your October 1, 2010 letter along with all of the other evidence of bad faith will be forwarded to the appropriate federal agencies as well as in the form of an unfair labor practice complaint to DOA unless the following happens:

1. You send a chief negotiator that is empowered to make decisions, back to the negotiating table by next week.
2. The negotiator allots a minimum of 20 hours per week to negotiate in good faith with the objective of reaching an agreement until a new tentative agreement is signed off on.
3. Once a Tentative agreement is reached the CCU meets and votes within 14 days.
4. If for some reason the CCU doesn't vote to accept the agreement then you must send your negotiator back to the table within 5 days with specific objections to specific provisions.

After so much time has passed there are provisions we need to address. First and foremost are wages for our members. We believe that the CCU is empowered by law to set wages for GWA employees. This then makes wages subject to negotiations. If you refuse to negotiate wages we will also consider that an unfair labor practice unless you have an AG's opinion or a Summary Judgment specifically stating that negotiating wages for GWA workers is illegal.

I look forward to your timely response and returning to the negotiating table to conclude these negotiations in good faith.

Si Yu'os Ma'ase,

Matt Rector

President

GFT, Guam's Local Union