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Graham

UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D.C. 20548

21435

OFFICE OF GENERAL COUNSEL

In reply
Refer to: B-205655

April 1, 1982

Do not make available to public reading room

[Redacted]
441 Havilon Way
Smyrna, Georgia, 30080

Dear [Redacted]

We are in receipt of your letter dated March 6, 1982, with accompanying materials, concerning [Redacted] claim for back pay due to an extended detail of approximately two years.

As you may know, we closed this case pending the Air Force's compliance with our regulations in submitting this claim for our consideration under 4 C.F.R. Part 22. We are enclosing a copy of our letter to the Air Force giving notice of the problems with its submission. At that time, a copy was also sent to the union concerned: American Federation of Government Employees Local 2069. We are enclosing a copy of our letter to the Union, as well. The Air Force has not, as yet, made any response to this letter.

Upon receipt of your recent submission, we reopened this case to place your materials in our case file. In rendering any decision in this matter, due consideration will be given to your materials. However, since the Air Force has not yet complied with our regulations, we will again close this case for now. Upon the Air Force's compliance --if they choose to comply-- with our regulations, we will reopen this case and promptly resume consideration of this claim.

Since the Air Force is attempting to proceed with this claim under 4 C.F.R. Part 22, the role of the Union in this process is crucial. There should be a determination by the Union as to whether the Union wishes to participate in the 4 C.F.R. Part 22 process, or whether it would be more

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advantageous --if it is still available to you-- to proceed with final and binding arbitration. We suggest that you consult with the Union representatives involved to protect your interests.

Also, for your information, we have not yet decided whether, and to what extent, our Office will follow the Court of Claims' decision in [redacted] v. United States. That decision may have some bearing on [redacted]'s claim.

Sincerely yours,

Wm. Stewart Graham

Wm. Stewart Graham
Attorney-Adviser

Enclosures