

TO: M/DGHR – Linda S. Taglialatela
FROM: Marvin Green
DATE: January 3, 2012
**SUBJECT: Initial Grievance Submission for Final Agency Review
with Request for Interim Relief**

In accordance with 3 FAM 4434.1, I hereby file the following grievance. This grievance falls within the definition of a grievance provided in 3 FAM 4412(c)(2) (violation, misinterpretation or misapplication of applicable law, regulation, or published Agency policy affecting the terms and conditions of employment), in 3 FAM 4412(c)(5) (falsely prejudicial information in the official personnel record), On March 9, 2011, I received my final Employee Evaluation Report for the rating period beginning September 27, 2010 and ending February 28, 2011 which contained numerous falsely prejudicial, inaccurate and procedurally defective statements. Attachment 1. These violations have prevented me from having a complete and accurate EER documenting my performance for the rating period and caused the 2011 Commissioning and Tenure Board to deny me tenure. I am currently scheduled to be separated from service on January 19, 2012. I request interim relief under 3 FAM 4431(b)(2).

I will file a supplemental submission within thirty days.

I request the following relief,

1. The expunction of the objectionable statements in the EER in question, to be identified in my supplemental grievance submission.
2. That my revised OPF, with the objectionable information removed, be reviewed by a reconstituted 2011 Commissioning and Tenure Board.
3. In the event that I am denied promotion by the reconstituted Board, a one year extension of time to allow one further review for tenure.
4. Attorneys fees if warranted;
5. All other appropriate relief deemed just and proper.

Please note that Andrew Large, AFSA Staff Attorney, is assisting me with my grievance.

Marvin Green
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Attachments

1. February 2011 EER