

* GUIDELINES FOR PREPARING FACT FINDER'S REPORT
OF FINDINGS AND RECOMMENDATIONS

I. Suggested Headings

MEMORANDUM FOR:

FROM:

SUBJECT: Report of Findings (and Recommendations) in the Grievance
of

II. Suggested Format:

A. INTRODUCTION

This section should be brief. Reference appointing authority for the inquiry. Identify the employee who presented the grievance by name, title, grade and organization, and the date the grievance was filed. State the grievance in a clear, concise manner identifying the issues in contention. Specify the relief sought by the grievant. List by name, title and office those individuals contacted for information/interviews.

B. PROCEDURAL REVIEW (Examination of Procedures)

This section should be included in a grievance alleging improper application of regulation or misinterpretation of established policies and procedures. Each procedural requirement should be examined. Comments should be included relative to procedures or regulations used as references.

C. DISCUSSION AND ANALYSIS

This section should be written in a narrative style that will facilitate the reader's understanding of:

1. The issues in contention;
2. The relevant facts in an appropriate context to assess their weight;
3. The points of reference in regulation, custom or logic to which assessment must relate; and
4. The Fact Finder's reasoning that links facts with points of reference.

Begin the DISCUSSION AND ANALYSIS with a presentation of how the case developed. The series of events to describe the case development should generally be in sequential order. Identify the course of inquiry selected and explain how the facts were obtained. Reference and cite the various items of information of evidence relied upon in support of or against each issue. Present the issues at stake as they developed and the relevant contentions of each party toward the issues.

After the development of the case has been described, the issues should be considered in terms of valid points of references; regulations, precedents, customs of logic and equity.

Cite the appropriate references, i.e., Merit Promotion Program, Merit Pay Instructions. Line of reasoning should connect facts with appropriate

reference points in a manner that can lead to conclusions as to appropriate weight of evidence (i.e., preponderant or substantial). The report should discuss and answer all of the issues and questions which gave rise to the grievance or were raised by either party in their representations relative to the case. The report should not raise new issues or questions within itself which it fails to discuss and answer.

D. FINDINGS

This section should contain positive statements of what can be concluded about the issues that will lead to understanding and resolution. Findings should be soundly based in facts and reasoning presented in earlier sections of the report.

E. RECOMMENDATIONS (IF REQUESTED BY GRIEVANCE OFFICER)

This section should contain positive recommendations of courses of action that the Grievance Officer can accept and execute to resolve the case. Recommending statements should relate clearly to what has already been presented with little or no repetition, reference or argumentation needed. Recommendations must be consistent with law, regulation and Comptroller General Decisions and within the administrative authority of the agency. Recommendations may not be more punitive to the grievant and should be limited to significant courses of actions pertinent to the case. Care should be taken to avoid general program management recommendations that may be misconstrued as gratuitous and offensive. Recommendations may:

1. Sustain, reverse, or modify agency action.
2. Grant all, partial, or none of the relief requested.

III. SIGNATURE BLOCK

Type name with signature.

* Note

Normally, published policy/regulation that can be expected to be available to the Grievance Officer need not be attached; rather, material relied upon to base findings should be properly referenced or its meaning and pertinence explained in the body of the report with that portion of regulations relied on accurately cited. An exception may be made for the convenience of the Grievance Officer in such instances as: (1) there have been changes in the regulations, the timing of which has a bearing on the case; or (2) a short extract of a regulation that is vital to the reasoning process may assist in ready understanding without risk of taking that portion out of context of the total regulation. In addition, evidence received in the fact-finding inquiry process and used to base findings must be included as attachments or references, as appropriate.