



July 29, 2025

**VIA EMAIL**

Ms. Christina Ballance  
Executive Director, National Labor Relations Office  
U. S. Department of Health and Human Services  
200 Independence Avenue, SW  
Washington, DC 20201

**RE: National Grievance and Unfair Labor Practice Charge — Unilateral Implementation of an OPM Online Retirement Application (ORA) System in Violation of Article 10, 5 U.S.C. § 8336 and its implementing Regulations, and 5 U.S.C. § 7116(a)(1), (5) and (8).**

Dear Ms. Ballance:

Pursuant to Article 45, Section 9 of the 2023 National Agreement (2023 NA) between the Department of Health and Human Services (HHS or agency) and the National Treasury Employees Union (NTEU), NTEU hereby files this national grievance and unfair labor practice charge against HHS. As set forth more fully below, HHS has violated Article 3 of the 2023 NA and the Federal Service Labor-Management Relations Statute (the Statute) by unilaterally implementing an OPM Online Retirement Application (ORA) system without negotiations required by Article 3 of the 2023 NA and the law. This grievance is filed on behalf of all impacted bargaining unit employees.

NTEU recently learned that HHS implemented a new retirement system titled “OPM Online Retirement Application (ORA) system/FedHR Navigator,” which replaces the Government Retirement and Benefits (GRB) platform. On or about Saturday, June 28, 2025, bargaining unit employees were notified by email that the GRB platform was being phased out and employees would be unable to access the GRB platform starting Monday, June 30, 2025. In the same email, employees were also notified that the OPM ORA would replace the GRB platform, but that the new platform was not yet accessible. Upon information and belief, the OPM ORA platform is still not available for use by employees. In addition, the GRB platform has been rendered inaccessible by the agency. Because the GRB platform has been shut down, employees are no longer able to log into that platform to check any benefits data or otherwise retrieve the personal retirement information they had uploaded into that platform. Due to the timing of the notice sent to employees, many employees did not see the email notice until Monday, June 30, 2025, when they had already lost access to their retirement benefits data in the GRB platform.

Despite the change in working conditions for employees, HHS failed to provide NTEU with notice and the opportunity to bargain over the impact and implementation of the new GRB platform. HHS’ failure to provide notice and an opportunity to bargain the impact and implementation of this system prior to its implementation constitutes a breach of Article 3 of the 2023 NA. In addition, the agency’s actions constitute a repudiation of the 2023 NA, which is an unfair labor practice pursuant to 5 U.S.C. § 7116(a)(1), (5) and (8) of the Statute.

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The agency actions in not providing employees access to their retirement benefits and/or records during the transition period from the GRB platform to the OPM ORA platform violate several government-wide regulations, including 5 CFR § 831.106 (Agency Responsibilities). Section 831.106 outlines agency obligations and states that an agency must notify employees of their retirement rights and benefits, maintain and provide access to retirement records, and ensure proper coordination with the Office of Personnel Management (OPM). In failing to provide employees access to retirement benefits or records, HHS has violated its obligations under Section 831.106. In addition, 5 U.S.C. § 8336 (Immediate Retirement Eligibility) ensures eligible employees can apply for and receive retirement benefits at the proper time. If employees cannot apply for or access their retirement information due to system inaccessibility, HHS is obstructing their rights under this statute. The Federal Employees Retirement System Act (FERS) & Civil Service Retirement System (CSRS) Requirements require accurate recordkeeping, timely processing of benefits, and communication of benefit entitlements. By preventing employee access to records or benefit calculations, HHS is violating these obligations.

To remedy these violations, NTEU requests that HHS immediately: (i) cease and desist from violating Article 3 of the 2023 NA, regulations, FERS Act, and committing an unfair labor practice under the statute; (ii) make every employee whole who has been adversely impacted by the agency's actions; (iii) return to *status quo ante*, including reverting to the GRB retirement system while the agency fulfills its contractual and statutory obligation to bargain over this change in working conditions; (iv) post a notice in a prominent place at each agency facility, signed by the Secretary of HHS, stating that HHS has committed an unfair labor practice and thus violated the Statute and regulations by its actions as alleged herein; (v) pay NTEU reasonable attorney fees in accordance with the Back Pay Act; and (vi) grant to impacted bargaining unit employees and NTEU any other appropriate remedies that are authorized by law, rule and regulation.

NTEU requests that HHS schedule a meeting pursuant to Article 45, Section 9.B.2 of the NA within fourteen (14) calendar days of this filing. NTEU's representative in this matter will be National Negotiator Rocio Topete. Please contact her at [rocio.topete@nteu.org](mailto:rocio.topete@nteu.org) to schedule a meeting.

Sincerely,



Doreen P. Greenwald  
National President

cc: Rocio Topete, NTEU National Negotiator  
Ryan Soon, NTEU Deputy Director of Negotiations  
Ken Moffett, Jr., NTEU Director of Negotiations