



National Association  
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April 7, 2023

██████████ Recording Secretary  
NALC Branch 142  
6310 Chillum Place, NW  
Washington, DC 20011-1404

**APPEAL NO. 22**  
**Keith Hooks**

In accordance with Article 11, Section 4 of the Constitution of the National Association of Letter Carriers and Article 11 of the Constitution for the Government of Subordinate and Federal Branches (CGSFB), the following are the findings of the Committee on Appeals in the above captioned matter.

This appeal concerns the disposition of charges against Keith Hooks, the President of Branch 142, brought by ██████████ pursuant to Article 10 of the CGSFB. The charges, which were incorporated in a document, dated May 31, 2022, alleged that Brother Hooks, while serving as President, neglected and failed to discharge the duties of his office. At the Branch meeting on September 7, 2022, the Branch received the conclusions (but not the underlying facts) of an investigating committee which had found that Brother Hooks was guilty of three of the four charges. The members voted to accept the committee's recommendation, and tabled discussion of the appropriate penalty. Brother Hooks now challenges the Branch's decision.

Upon review of the record in this appeal, we conclude that this appeal must be sustained because the investigating committee's written report did not fulfill the requirements of the Constitution. Article 10, Section 3 of the CGSFB specifically provides that "It shall be the duty of the committee to find the true facts and report to the Branch. . . . The committee, after completing its fact-finding duty will present to the Branch **a written report of the facts elicited.** . . ." (emphasis supplied).

In this case, the May 31 charging document alleged four specific violations: (1) that President Hooks failed to seek from management an extension of time limits on 367 grievances; (2) that President Hooks alleged inactions with respect to the grievances created legal liability for the Branch; (3) that President Hooks allegedly refused to have newly elected Branch officer ██████████ trained for the position of Recording Secretary; and (4) that following a vacancy, President Hooks improperly assigned an interim Recording Secretary. The committee's written report dated September 7, 2022 did not include any findings of fact with respect to the alleged violations. Instead, the report included only four sentences: the first summarizing the alleged violations, and the rest asserting the following conclusory statement:

*Through interviews with Branch 142 Officers, Stewards and Region 13 National Business Agent [REDACTED] and the documented evidence provided, the committee finds that there is evidence to support the Article 10 charges filed by Recording Secretary [REDACTED]. Specifically, as these charges relate to the processing and/or handling of grievances after the death of Formal A Representative [REDACTED] on November 9, 2020. The committee also finds that there is no merit to the charge President Keith Hooks violated Article 16, Section 2 of the Branch 142 By-Laws when assigning an interim recording secretary.*

While it was certainly proper for the committee to express its view that there was evidence to support three of the charges, that statement, by itself, cannot stand as a substitute for a full, narrative account of the underlying facts and an explanation of why that evidence supported the allegations in the charging document. Indeed, Article 10, Section 3 of the CGSFB expressly provides that the issue upon which the Branch must vote is "whether or not the facts, ***as found by the committee***, sustain the charge." (Emphasis supplied.) Here, the Branch did not have any fact findings to consider. We conclude that it was not proper for the Branch to sustain three of the charges against Brother Hooks based only on the unsupported recommendation by the investigating committee.

Accordingly, it is the decision of the Committee that this appeal must be, and hereby is, **SUSTAINED**. The Branch's finding that appellant was guilty of three of the charges is hereby vacated.

Sincerely and Fraternally,

[REDACTED]  
Committee on Appeals

[REDACTED]  
Committee on Appeals

[REDACTED]  
Committee on Appeals

CC:

[REDACTED]  
Keith Hooks, Appellant