

operations where ornaments may be caught in the machine, in areas where fire hazards restrict ornamentation, or where agency regulations prohibit the wearing of any insignia on uniforms prescribed by the agency, e.g., police, guards, and firefighters.

Where an employee has direct and frequent contact with the public, the size of the insignia and their use may be subject to reasonable restrictions. Insignia which serve to create emotional reactions and disciplinary problems may, under special circumstances be subject to restrictions.

Agency rules regarding the right to wear insignia must be administered in a consistent and nondiscriminatory fashion.

(6) Employee Right to Distribute Campaign Material

Employees have the right to distribute material for or against a labor organization in nonwork areas during nonwork time. This right exists regardless of the identity of the labor organization.

Restrictions may be imposed where they are clearly warranted by fire or safety hazards, where they are necessary to maintain production and/or discipline, or where they are required by regulations of appropriate authorities which do not contravene the purpose of the Statute. In the interest of health and safety, reasonable restrictions regarding littering may be imposed on the distribution of campaign literature. Any restrictions must be reasonable, nondiscriminatory and not designed to obstruct the employees' right under the Statute to organize.

(7) Right To File Personal Grievances

Any employee, regardless of labor organization membership, may bring matters of personal concern to the attention of appropriate officials in accordance with applicable law, rules, regulations, and established agency policies, and may choose his or her own representative (subject to the selected individual's eligibility, willingness, and availability) in a grievance under the agency procedure.⁴ In processing a grievance under a negotiated grievance procedure, the employee may be represented only by the exclusive representative even if the exclusive representative is willing to allow non-union representation.⁵ The employee may also decline any

⁴ 5 U.S.C. 7114(a)(5): Note, however, that only matters excluded from the negotiated procedure may be raised under the agency grievance procedure. 5 U.S.C. 7121(a)(1) provides that the negotiated procedure is the exclusive procedure for matters which fall within its coverage.

⁵ National Federation of Federal Employees, Local 1001 and Department of the Air Force, Vandenberg Air Force Base, California, 15 FLRA No. 154.