

MEMORANDUM OF UNDERSTANDING

BETWEEN THE

U. S. DEPARTMENT OF LABOR

AND

AFGE, LOCAL 12

INTRODUCTION

This Memorandum of Understanding (MOU) is entered between the U.S. Department of Labor (DOL or Department) and Local 12, AFGE, AFL-CIO in accordance with the applicable provisions of the Collective Bargaining Agreement (CBA) between DOL and Local 12.

SUBJECT

This MOU sets forth the Agreement between DOL and AFGE, Local 12 to establish a forum to evaluate the implementation, functioning and the beneficial aspects of Telework.

BACKGROUND

DOL Management and Local 12 jointly recognize the mutual benefits of a flexible workplace program to the Department and its employees. In recognizing this benefit, both parties also acknowledge the needs of the DOL to accomplish its mission without diminishing employee performance or the operations of the Agency. Participation in the telework program must be consistent with mission accomplishment and customer service.

TERMS OF AGREEMENT

The parties agree to the following:

1. The renegotiated version of Article 12 – Telework (Article 12) that was initialed by the parties on February 17, 2011 will take effect on March 13, 2011 regardless of whether the parties have reached agreement on the remainder of the Articles reopened by Local 12. After March 13, 2011, all Agencies within DOL will be required to adhere to all of the provisions of the renegotiated Article 12, to include the use of only those forms therein, with regard to all employees in the Local 12 bargaining unit.
2. The parties hereby establish a Labor-Management Forum pursuant to Executive Order 13522 that will monitor and assess the operation of Article 12 to ascertain best practices by which Article 12 can be administered.

3. It is anticipated that several telework pilot programs will be identified within DOL Agencies, including OASAM and ETA. Telework pilot programs are defined as Agencies or sub-Agencies which will engage in a more robust telework program with expanded use of telework throughout the Agency or sub-Agency and provide information to OPM on management efforts to promote telework, as required by the Telework Enhancement Act. The ultimate goal of the telework pilot programs is to allow a more robust telework program with expanded use of telework throughout the Department. The Forum will analyze and evaluate the progress of any such telework pilots established.

4. The Forum will consist of an equal number of up to four Union representatives and four Management Officials. The parties agree that by March 22, 2011, the metrics described in Section 6 will be established by the Forum. In addition, no later than April 15, 2011, the parties will define a proposal for Departmental policy related to unscheduled telework, consistent with Article 12, and its immediate implementation. The parties agree that the Forum will be given advanced notice of any Agency's [or sub-Agency's] intention to create, alter, or terminate any telework pilot program.

5. The Forum will meet at least every two (2) weeks to discuss metrics, concerns, and recommendations from both management and the bargaining unit employees.

6. The Forum will develop metrics to serve as both guidelines and as goals by which to determine the success of all telework, to include the telework pilot programs, the Forum and cooperative labor-management relations. The parties agree that the Forum will have final authority with respect to all of these variables but that, at a minimum, the metrics will address the following:

a. What does success look like for this Forum? (Define "success" – where we are upon signing this MOU and how we get to where we would like to be. How do measure/determine whether or not we get there?)

b. How can teleworking improve the overall service provided to the public?

c. What will the Forum assess/need to assess to determine how to reach "success?"

d. Throughout this process, how did/does this Forum share information and did/does this approach work toward amicable interaction? Does this approach to sharing information lend itself to broader application throughout the Department?

e. Did/does the establishment of this Forum decrease the amount of negotiation needed for implementation?

f. Did/Does this Forum believe future interactions between Management and the Union will benefit from a forum approach to improving labor-

management relations, less formal or expeditious bargaining, and/or resolving workplace disputes?

g. The effect of telework on productivity and whether an increased amount of telework days and/or employee hours has a positive effect on productivity.

h. The effect of telework on absenteeism and whether an increased amount of days and/or employee hours has a positive effect on decreasing absenteeism.

i. How to measure employee morale in a quantifiable manner.

j. The effect of telework on morale and whether an increased amount of telework days and/or employee hours has a positive effect on morale.

k. What training requirements for both management and bargaining unit employees are useful, and who will be responsible for conducting this training.

It is recognized that these metrics may need to be modified to meet the requirements of the National Council on Federal Labor-Management Relations.

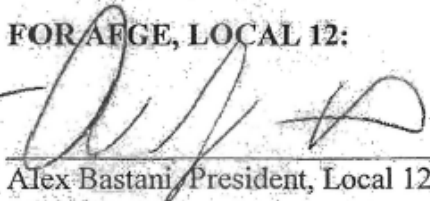
7. The Forum will meet for a period of at least six (6) months. During this time, the Forum will collect data on the above metrics from the effective date of this MOU until September 15, 2011, unless the Forum agrees otherwise by consensus. Whenever completed, the Forum will present its recommendations to the Telework Committee identified in Article 12 prior to October 31, 2011. Once the Forum presents its recommendations to the Committee, the Committee will then retain jurisdiction to evaluate the implementation, functioning and the beneficial aspects of telework. The parties agree, however, that, while the Forum is in existence, it will take the place of the Telework Committee.

8. Upon signature of this MOU the Forum will begin meeting within one week thereafter. Each side will name its designees for the forum within five work days of signature.

FOR THE DEPARTMENT:


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Director, Human Resources

FOR AFGE, LOCAL 12:


Alex Bastani, President, Local 12,
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