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## APPENDIX A

### **Memorandum of Understanding between the U.S. Department of Labor and the National Council of Field Labor Locals, AFGE**

#### Introduction

This is a Memorandum of Understanding (MOU) entered into between the U.S. Department of Labor (DOL) and the National Council of Field Labor Locals (NCFLL), AFGE, AFL-CIO, in accordance with the applicable provisions of the master DOL-NCFLL Agreement.

#### Subject

The Department and the NCFLL enter into this Understanding with respect to the subject of Leave Restriction.

1. Leave restrictions may be imposed to remedy situations of leave abuse. In imposing leave restrictions, management may utilize instances of leave abuse during no more than the prior twelve month period of time as the basis for the restrictions. Normally, absences which have been requested and approved in advance, as specified in the Department regulation (DPR 630, Subchapter 1-1.d.), will not be used as a basis for determining that there is leave abuse. Leave abuse may be present when:
  - a. proper procedures are not followed in requesting leave;
  - b. the pattern of taking leave is disruptive to the mission of the office; or
  - c. prior leave patterns may indicate a misuse of leave
2. When concerns arise about an employee's use of leave, the supervisor should raise and discuss the concerns with the employee at the earliest opportunity.
3. If these efforts do not remedy the situation, the supervisor should issue a written notice to the employee concerning the problem and warn the employee that if the problem is not corrected, leave restrictions may be imposed. The written notice may not be grieved.
4. If leave restrictions are to be imposed, the employee will be advised in writing of the problem and the appropriate restrictions which are to apply. The leave restriction should deal with the specific identified leave abuse problem and the procedures which

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must be followed to obtain leave. Leave restrictions may be in place for no longer than six (6) months. The Department and the NCFLL have agreed to the two attached prototypes for a Restriction and a Warning Memorandum.

This Memorandum of Understanding will be effective August 1, 1994.