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## ARTICLE 1

# Coverage and Recognition

### Section 1 – Recognition

- A. The NCFLL is recognized as the sole and exclusive representative for all bargaining unit employees as defined in Section 2 of this Article.
- B. As the sole and exclusive representative, the NCFLL is entitled to act for and to negotiate agreements covering all employees in the bargaining unit. The NCFLL is responsible for representing the interests of all employees in the bargaining unit without discrimination.
- C. Management agrees that in regard to the NCFLL bargaining unit, it will not enter into any other agreement, understanding, or contract with any other organization, association, or union that shall contravene or violate this Contract except as required by law, higher regulation, or Executive Order. Management agrees that in regard to the NCFLL bargaining unit, it will not do anything by custom or practice that shall contravene or violate this Contract except as required by law, higher regulation, or Executive Order.
- D. The NCFLL shall be given the opportunity to be present at formal discussions between Management and bargaining unit employees concerning grievances, personnel policies and practices, and other matters affecting general working conditions of the employees in the bargaining unit. The parties agree that if a formal discussion between one or more representatives of the Department and one or more employees within the bargaining unit consists of mere reiteration of existing personnel policies and practices and other matters affecting general working conditions, the NCFLL need not be given the opportunity to be present.
- E. The following procedures will be used in providing notice to the NCFLL of a formal discussion and for the NCFLL to provide representation during any formal discussion.
  1. The NCFLL will specify a designated representative(s) in each DOL Region of the DOL-NCFLL Agreement, to be notified of a formal discussion initiated by the Department.

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2. The Department's notification will state the DOL Agency and component, date, time, location of the formal discussion, and include a brief description of the subject to be discussed.
  3. The designated NCFLL Representative(s) in 1. above will specify an NCFLL Representative (Steward, Regional Official, or National Official) normally from within the commuting area of the meeting site to attend any formal discussion for the purpose of representing the NCFLL and/or affected employee(s).

## **Section 2 – Coverage**

- A. The bargaining unit to which this Agreement is applicable consists of all employees stationed throughout the Nation in field duty stations of the Department outside the Washington, D.C. metropolitan area, except non-clerical employees of the Office of Labor-Management Standards, employees serving in temporary appointments of less than one year's duration, or employees excluded under Section 3 of this Article. Employees of the Employee Benefits Security Administration (EBSA) and OSHA field offices in the Washington, D.C. metropolitan area are included.
- B. Changes in the inclusions or exclusions of positions from the bargaining unit, including newly created positions, may be proposed by either party. If agreement cannot be reached, the matter may be referred to the Federal Labor Relations Authority as provided by Section 7105 of the Statute.

## **Section 3 - Exclusions from Coverage**

The following employees are excluded from the bargaining unit covered by this Agreement in accordance with the Statute:

- A. All Management Officials as defined in the Statute;
- B. All supervisors as defined in the Statute;
- C. Employees who act in a confidential capacity with respect to an individual(s) who formulates or effectuates management policies in the field of labor-management relations;
- D. Employees engaged in personnel work in other than a purely clerical capacity; and
- E. Employees engaged in administering the provisions of the Statute.

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## **Section 4 - Coverage of Agreement**

Management and the NCFLL agree that the terms and conditions of this Agreement apply to all employees in the bargaining unit.

## **Section 5 - Employee Orientation**

- A. The NCFLL will be afforded the opportunity to have appropriate material included in the Department's on-line new employee orientation website.
- B. When formal orientation sessions are held for new bargaining unit employees, a designated Union Representative will be permitted to make a presentation to the employees. Such presentation shall be part of the formal session with Management present, shall be approximately 15 minutes in length, and shall be limited to factual matters concerning employees' rights under the Collective Bargaining Agreement and the Federal Service Labor-Management Relations Statute. The presentation shall neither deal with internal Union matters nor be used for recruitment of Union membership.
- C. Formal orientation sessions are those coordinated, sponsored, or put on by the Regional OASAMs or any other DOL Agency.
- D. If the NCFLL Representative designated to attend the orientation session and make the presentation is not from the local commuting area of the orientation site, the provisions of Article 8 with respect to official time and travel expenses apply.
- E. In regard to a new bargaining unit employee who does not participate in a formal orientation session, the designated office Steward and new employee will be provided 15 minutes on official time to meet privately soon after the new employee comes on board.