
Please see below.

ARTICLE 4

Midterm Bargaining

As used in this Article, bargaining during the term of the Agreement, otherwise referred to as “midterm bargaining” includes all aspects of negotiations from preliminary meetings on ground rules, if any, through mediation and impasse resolution processes when needed.

The parties will utilize information technology and electronic resources to communicate prior to bargaining. The parties also agree to utilize available technology in the bargaining process where efficient and cost effective and mutually agreeable.

A. National Bargaining

1. Notice of Change and Request to Bargain
 - a. Midterm collective bargaining between the Department of Labor and the National Council of Field Labor Locals (NCFL) is governed, in part, by the provisions of Article 2 of the DOL-NCFL Agreement.

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- b. Section 4 of Article 2 provides that the Department agrees to issue no regulation which alters the Agreement without being mandated by a change in law, Executive Order, Government-wide rules or regulations, judicial decision by a court of appropriate jurisdiction, or other higher authority.
 - c. Amendments to this Agreement or Departmental and/or Agency regulations may be required by mandated changes after the original effective date of the master labor Agreement. In Article 2, Section 5, the Department also agrees to transmit to the NCFLL changes proposed during the term of the Agreement but not specifically covered by the Agreement which relate to conditions of employment of employees in the bargaining unit and/or which may adversely affect such conditions. The NCFLL will also be notified of any other proposed changes which may impact upon working conditions.
 - d. In the circumstances described above, the parties agree that the NCFLL has 10 workdays from receipt of notice of a change in which to request bargaining concerning the proposed changes in the conditions of employment not specifically covered by the Agreement. The Union may be granted an extension to request bargaining for a specified number of days if agreed to by management.

2. Scheduling Midterm Bargaining Sessions

The parties will meet to bargain no later than 30 calendar days of the Department's receipt of a timely NCFLL request to bargain or unless a later time is mutually agreed to by the parties.

Midterm bargaining may be conducted during National Labor-Management Relations Committee meetings, or at other times as mutually determined by the parties.

3. Number of Members on Midterm Bargaining Teams

The number of employees representing the NCFLL at midterm bargaining for whom official time and travel expenses are authorized, normally not less than three, shall not exceed the number of members designated by the Department on its bargaining team (5 U.S.C. 7131(a)), unless otherwise agreed to by the parties.

4. Midterm Bargaining Proposals

Following the NCFLL initial bargaining request, the NCFLL shall state in writing its specific concerns or interests with regard to the Management proposed change and/or provide the Department with a counterproposal in contract language format. The NCFLL will provide the Department with its specific concerns and/or counterproposals as soon as possible but no later than 7 work days prior to the scheduled commencement of the bargaining.

5. Bargaining Site

Normally, the site for midterm bargaining between the Department and the NCFLL will be the Frances Perkins Building of the Department in Washington, D.C., unless specific agreement is reached on another site.

6. Other Services to the NCFLL

The Department will provide the NCFLL with the use of a caucus room, telephone, and, on an as-needed basis, the use of duplicating equipment.

E. Regional Bargaining

1. Notice of Change and Request to Bargain

For efficient and uniform communication between the parties to facilitate regional midterm bargaining, on the effective date of this Agreement, the NCFLL President or designee will submit to each of the six regional Offices of the Assistant Secretary for Administration and Management (OASAM) the NCFLL's regional representatives to whom management will send notifications of changes which may impact working conditions of bargaining unit employees. The designated Union representatives will not exceed 36 nationwide in totality and will not exceed 8 for any single regional OASAM.

At the same time, the NCFLL submits its designated representatives, it will also submit to each of the six regional OASAMs the names of two (2) designated union representatives who are the only union representatives authorized to request bargaining within the OASAM region. These designated Union representatives may, or may not, be part of the group of Union representatives designated to receive the notifications of changes which may impact working conditions of bargaining unit employees.

- a. Within a Region, when the Department or a DOL Agency decides to change the manner in which it exercises its reserved rights under 5 U.S.C. 7106(a) or (b) and where

such change will impact upon working conditions, the Department, through the Office of the Regional Administrator-OASAM, will notify the NCFLL, through its Regional designated representative, in writing of the proposed change. The representatives will also be notified of any other proposed changes which may impact upon working conditions.

- b. In the circumstances described above, the parties agree that the NCFLL has 10 workdays from receipt of notice of a change in which to request bargaining to the fullest extent allowable by law, rule, regulation, and this Agreement. The Union may be granted an extension to request bargaining for a specified number of days if agreed to by management. When the Union requests bargaining, it shall at the same time designate the individual with whom management is to coordinate for purposes of scheduling, location, identification of Union participants, etc.

2. Scheduling Midterm Bargaining Sessions

The parties will meet to bargain no later than 30 calendar days of the Department's receipt of a timely NCFLL request to bargain unless a later time is mutually agreed to by the parties.

3. Midterm Bargaining Forum and/or Site

Regional midterm bargaining may be conducted by the parties at its Regional Labor-Management Relations Committee (RLMRC) meeting, or at other times at a location mutually determined by the parties. The determination of the bargaining site should be based on cost effectiveness and efficiency.

4. Number of Members on Midterm Bargaining Teams

The number of employees representing the NCFLL at midterm bargaining for whom official time and travel expenses are authorized shall not exceed the number of members designated by the Department on its bargaining team (5 U.S.C. 7131(a)), unless otherwise agreed to by the parties. Management will inform the Union of the number of management team members within 3 workdays of receipt of a timely request to bargain.

