

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE
U. S. DEPARTMENT OF LABOR (DOL)
AND THE
NATIONAL COUNCIL OF FIELD LABOR LOCALS (NCFLL)
AFGE, AFL-CIO**

I. INTRODUCTION

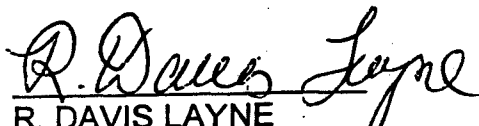
This is a Memorandum of Understanding entered into by the U. S. Department of Labor and the national Council of Field Locals (NCFLL), AFGE, AFL-CIO, in accordance with the provisions of Article 53, Supplemental Agreements, of the DOL-NCFLL Agreement.

II. SUBJECT

This MOU concerns SWU-OSHA-00-00-30, which proposed the deployment of the IMIS Web Forms: OSHA 31/55 and Consultation forms 60/66/10.

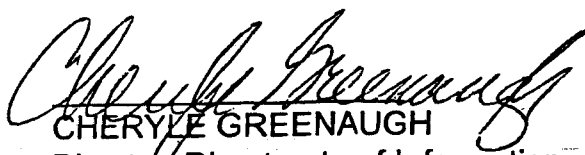
1. The parties agree that the OSHA 31/55 is a program planning document that is not to be used for either individual performance evaluation or time and attendance reporting.
2. A copy of this MOU will be provided to all bargaining unit employees.


FOR OSHA:


R. DAVIS LAYNE
Deputy Assistant Secretary

FOR THE NCFLL:

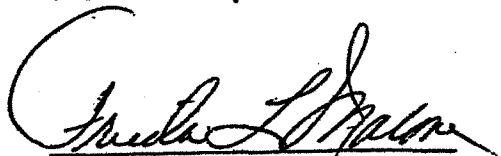

KEN MAGLICIC
Vice President


CHERYLE GREENAUGH
Director, Directorate of Information
Technology

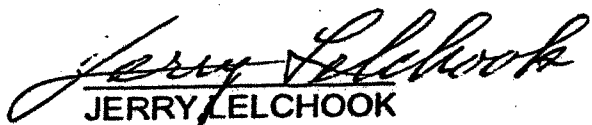

JIM WEYRAUCH
Vice President



CAROL QUALLS
Departmental Labor-Management
Relations Specialist



FRIEDA L. MALONE
OSHA Labor Relations Specialist



JERRY LELCHOOK
Director of Labor-Management Relations



RON YARMAN
Acting President, NCFL

11-20-00

Date



Reply to the Attention of:

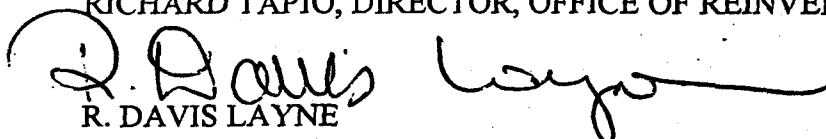
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OFFICE

MEMORANDUM FOR: REGIONAL ADMINISTRATORS
CHERYLE GREENAUGH, DIRECTOR, INFORMATION
TECHNOLOGY
BRUCE SWANSON, DIRECTOR, CONSTRUCTION
PAULA WHITE, DIRECTOR, FEDERAL STATE
OPERATIONS
STEVEN WITT, DIRECTOR, TECHNICAL SUPPORT
RICHARD TAPIO, DIRECTOR, OFFICE OF REINVENTION

FROM:


R. DAVIS LAYNE
Deputy Assistant Secretary

SUBJECT: Memoranda of Understanding Regarding CSHO Physicals and
IMIS Form 31/55

Attached are Memoranda of Understanding (MOU) for the Compliance Officer (CSHO Physical Program and the recently finalized IMIS Web Forms OSHA 31/55 and Consultation Forms 60/66/10. The CSHO Physical MOU supersedes the MOU of the same subject dated August 26, 1988. This revision finalizes an effort begun in 1997. There are two substantive changes to this MOU:

- removal of the grandfather clause regarding employees hired on or before August 26, 1988, which stated "A bargaining unit employee hired on or before (E.O.D.) who does not meet the physical requirements of the position, will either be waived or be offered a position at retained pay."
- removal of the provisions/procedures for obtaining a waiver, which stated "in the event a bargaining unit employee hired after the signing of this MOU fails to meet the physical requirements based upon the medical examination, a waiver will be considered by the Department. In the event that a waiver is not granted to an employee an accommodation will be considered". The waiver provision was never used; reasonable accommodations have been and continue to be the norm for addressing post-employment failures to meet physical requirements.

The MOU regarding the deployment and implementation of the IMIS Form OSHA 31/55 was concluded to ensure that there was complete understanding between OSHA management and the NCFLL that the form is a program planning document and is not to be used for "... either individual performance evaluation or time and attendance reporting."

Please ensure that bargaining unit employees receive a copy of each of these Memoranda of Understanding. If you have any questions concerning these documents, please call Frieda Malone on 202-693-1800. Thank you for your cooperation.

Attachments