

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE
DEPARTMENT OF LABOR
AND THE
NATIONAL COUNCIL OF FIELD LABOR LOCALS, AFGE, AFL-CIO**

I. 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.

II. Subject:

This MOU concerns the impact and implementation of the OSHA National Emergency Management Plan (NEMP) relating to NCFLL bargaining unit employees.

III. Terms of Agreement:

1. While it is understood that it is management's prerogative and responsibility to determine training needs the parties agree that Specialized Response Team (SRT) members will be properly trained to perform their duties and responsibilities prior to being deployed. OSHA has identified the following course requirements for SRT members:

- OTT 3600
- OTT 3610
- OTT 222, or equivalent course
- OTT 331, or 335 or 312, or equivalent experience
- OTT 345
- OTT 346

While the initial priority is to provide training to SRT members, the 3600 course will be part of the OTT training curriculum and Compliance Officers will have the opportunity to apply to take this course subject to normal training procedures/requirements.

SRT members will be provided on-going training as specified in the NEMP. Currently this consists of one week of subject matter training and one week of exercises/drills on an annual basis.

Should the training requirements for SRT members change, the NCFLL will be advised of such changes.

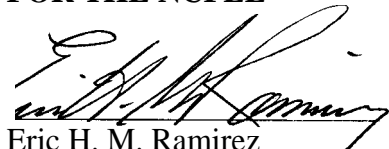
2. The base-line contents and protocols for "go-kits" equipment will be provided to SRT team members, including prescribed, maintenance requirements. SRT members will develop and maintain a list of additional specialized equipment for their respective teams.
3. At the time of an incident, SRT members will be contacted through existing routes of communication. SRT members will be compensated for hours worked in accordance with applicable statutes and regulations.
4. SRT members will be offered pre-exposure vaccines and prophylaxis as medically appropriate. Biological team members must be willing to follow the protocols established by the Office of Occupational Medicine in place at the time of an incident. This requirement will be made known to potential candidates during the solicitation for volunteers.
5. During solicitation of SRT membership, potential candidates will be advised that a security clearance may be required. Applicants will be informed that negative findings during background investigations for security clearances may result in disciplinary or adverse action.
6. Bargaining Unit employees' performance appraisals will not be impacted negatively because of any productivity impacts reasonably associated with time spent responding to a NEMP/REMP incident or related training.
7. While work schedules will be developed in conjunction with SRT members' input based on the needs of the particular incident, it is management's intent to ensure that SRT members, as well as other bargaining unit employees at the site during the incident response and/or any subsequent recovery period, have sufficient rest periods during an incident response so as not to compromise their personal safety and/or health.
8. The National Council of Field Labor Locals will be listed as a Stakeholder Contact and will be afforded the information and input afforded other stakeholders. The Secretary of the NCFLF will serve as the contact person.
9. The Department will disseminate this MOU to all OSHA bargaining unit employees.

FOR THE DEPARTMENT



Ruth McCully
Director, Science Technology and Medicine

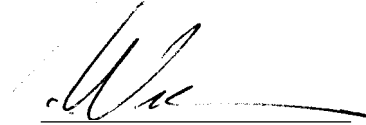
FOR THE NCFLF



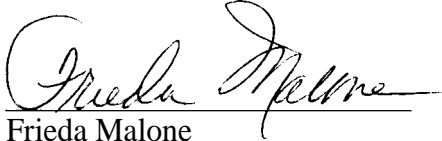
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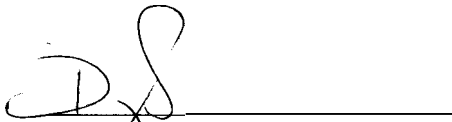
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May 5, 2004

Date