

Date: Friday, February 24, 2006
To: All NCFLL Bargaining Unit Employees
From: Barbara Brandt
Re: Electronic Official Personnel Folder



National Council of Field Labor Locals, AFGE/AFL-CIO

National Council of Field Labor Locals
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The Department recently notified the National Council of Field Labor Locals that it intends to convert our Official Personnel Folders (OPF) to an electronic format, as required by the administration's E-Government initiative. I led a team of my fellow national officers in a bargaining session last week in the National Office to negotiate appropriate arrangements for management's change.

I want to thank Richard Coon, Bill Henson, Nancy Nolan and Dempster Wheeler for their invaluable service on our bargaining team. It was a daunting task, and I appreciate the hard work each of them put in!

All agencies are expected to be online with Notifications of Personnel Action, Standard Form 50 (SF-50) by the end of April 2006. Since April 2005 SF-50's have not been distributed to some employees as a result of the mess that the National Finance Center (NFC) brought to us. The Department has decided to move forward with the e-OPF, believing that the new system will remedy that issue. My concern is that using e-OPF to correct problems with the NFC could bring a bigger mess than we had to start with. But the decision to do so is management's.

Effective April 2006, SF-50's from January 2006 to present are supposed to be online. The next stage will be to "back scan" paper OPF's. This involves scanning all documents in your current OPF for inclusion in your E-OPF. The Department made the decision to scan only OPF documents that OPM recommends be retained, not all the discretionary documents that may be in your OPF now. The reason for not scanning all documents may be budgetary. Management elected to have contractors do the scanning, as is management's right.

There will be a "rollout" of agencies, with BLS being the first on the schedule. Between April and November of 2006, OPF documents for all employees will be scanned and brought online.

On the positive side, employees in the field, who may never have seen their OPF, will now have access through the Internet. That's absolutely a good thing.

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The down side, in my opinion, is that not one change related to E-Government has been implemented in the Department without major glitches. There is no reason to believe that e-OPF will be different.

In addition, management informed us at the outset of bargaining, that some OPF's had already been purged and that some documents (those not required by OPM) were actually destroyed. The NCFLL immediately requested that all destruction of ANY records cease. However, documents in approximately 1500 files had already been purged and destroyed

Management provided the following information on the files that have already been purged and those in which some documents may have been destroyed:

- Dallas Region – 364 files in BLS/SOL/VETS/MSHA
- Chicago Region – 197 files (191 in BLS/ 6 in MSHA)
- Boston Region – 70 file in BLS
- San Francisco Region – 237 files (149 in BLS/ 33 in RSOL and VETS/ 24 in MSHA/ 15 in OSHA/ 16 in EBSA and OASAM)
- Atlanta – 20 file in BLS (NOT shredded, only purged)
- Philadelphia – 550 files (NOT shredded, only purged).

The Department will continue to purge the remaining OPF's, separating the files into documents required by OPM, and other discretionary documents. However, the Department has agreed not to destroy discretionary documents for now. The timelines for maintaining those documents are outlined in the attached Memorandum of Understanding.

The NCFLL believes that the Department may have committed an Unfair Labor Practice in taking these actions before we bargained. We are discussing what actions should be taken in response.

In the meantime, I urge each person to review their OPF and obtain copies of any documents that they feel may be important. This may be especially important for those within a few years of retirement. Copy and preserve those documents that bear information that may be crucial to your retirement. Since BLS is first on the block, I urge BLS employees to review their OPF's without delay.

You have the right to see your OPF. You must request a review of your OPF through your supervisor, and I urge you to do so via email, with a copy of the E-mail directed to your Steward. Keep in mind that the Department has a strict e-OPF schedule to which they are adhering. You should not delay making your request to review your OPF.

If you have any questions, please feel free to contact me.

**MEMORANDUM OF UNDERSTANDING
BETWEEN
U. S. DEPARTMENT OF LABOR
AND
NATIONAL COUNCIL OF FIELD LABOR LOCALS
(NCFL)**

INTRODUCTION

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

SUBJECT

This MOU concerns the impact and implementation of the Department's converting Office of Personnel Management (OPM) Official Personnel Folders (OPF), from a paper file to an electronic file. The accurate and secure retention of employee information is of paramount importance to both the Department and the NCFL. The parties agree to the following:

BACKGROUND

The Department shared its proposal to implement the E-Gov initiative e-OPF with the NCFL. While the NCFL does not concur with the Department's established roll-out schedule, it enters into this MOU with the Department to achieve the most effective appropriate arrangement and procedures possible to serve the interest of its bargaining unit.

TERMS OF THE AGREEMENT

1. The Department shall notify employees when electronic Official Personnel Files (e-OPF) are accessible on-line. The e-OPF Help Desk will take the appropriate action to resolve technical difficulties with the e-OPF system as they occur. Employees will be notified by email of personnel actions placed in their e-OPF. The Department is not responsible for resolving e-mail related problems for employees who elect to receive notification of personnel actions and access the e-OPF system by other than the DOL managed e-mail system(s).
2. The Department shall distribute an instructional CD-ROM on how to access e-OPF. In addition, the Department will post an e-OPF User Guide on RegionNet. Sufficient time to review the instructional CD-ROM will be considered hours worked.
3. Management will remove or purge documents from the OPF that are not specifically required by OPM regulation. Management will retain those documents purged from employees OPF, and make them available upon request

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of the employee for a period of 90 calendar days after employees have full access to their e-OPF, after which, all document removed in preparation of scanning will be destroyed.

4. Those bargaining unit employees whose OPF's were purged in preparation for scanning and the purged documents destroyed will be notified of the type of documents removed from official records.
5. The Department shall provide an "All Employee Notice" by email and hard copy at least 45 days prior to shipping the OPF's offsite. Such notification will include the e-OPF agency roll-out schedule. Employee requests for access to records in their OPF will be handled by the DOL official with custody in accordance with applicable OPM guidelines.

The "All Employee Notice" will include a cut-off date for requesting the OPF, to protect the employee's right to review the file and to allow HR adequate time for preparing for the scanning process.

6. Management will adhere to its roll-out schedule barring extenuating circumstances. The proposed roll-out schedule allows for an assessment period prior to completing the back-scanning process.
7. Results of the BLS pilot will be shared with the NCFLL prior to full DOL implementation. Changes (s) made to the program at the conclusion of the BLS back-file conversion, will be subject to the provisions of Article 2 of the DOL-NCFLL Agreement.
8. Employees will receive an automatic e-mail notice when electronic personnel actions are added to their OPF.
9. Employees will have the capability to print or save documents digitally from their e-OPF.
10. Upon request and under extenuating circumstances, e.g. long term leave or temporary loss of access to the e-OPF system, employees may obtain a hard copy of their personnel actions from their servicing human resource office.
11. E-OPF will be accessible through a secure internet environment 24/7 subject to normal maintenance outages.
12. Secure passwords will be required. Passwords will be selected by employees in accordance with DOL Security Regulations. Employees will not be required to share passwords in accordance with DOL's Annual Security Awareness Training.
13. Paper records will be archived for a period of one year or the maximum time allowable by OPM guidelines and/or regulations. Available paper records in archive can only be retrieved at the request of the servicing Human Resources


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Office. Retrieval of hard copy records will be made for employees with a bona fide purpose, e.g. resolving disputes identified by employees.

14. The Department shall allow former employees to continue to have access to the e-OPF system for a period of 90 days after separation from Federal Service or when DOL relinquishes custody, whichever comes first.
15. Supervisor and manager access to an employee's OPF will be governed by applicable federal regulations and OPM guidance.
16. Management will establish and maintain security during the transfer of the OPF's.
17. The Department will place this MOU on RegionNet and will provide digital copies the NCFLL officers and all members of the Regional Collective Bargaining Committees.

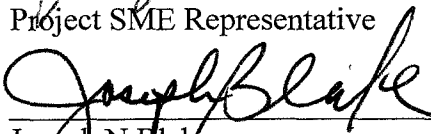
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Director, Office of Workforce Planning
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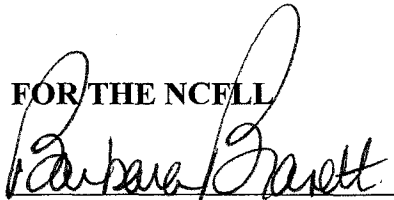

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2/16/06
Date



Roll-OUT Schedule for Scanning OPF's

OPF's Prepared for Scanning by:	AGENCY:	Number of OPF's:
05/11/06	BLS <i>QUALITY REVIEW</i> →	2,537 OPF's
06/30/06		BLS Pilot Complete
07/01/06		Assessment of Pilot
09/01/06	OIG, SOL, VETS	1,318 OPF's
09/15/06	MSHA	2,155 OPF's
09/29/06	OSHA	2,150 OPF's
10/13/06	EBSA, OASAM	1,628 OPF's
10/27/06	ESA (OWCP/OLMS/OMAP)	1,926 OPF's
11/10/06	ETA, ASP, CFO, OPA, OCIA, ODEP, OSBP, ILAB, WB, O/SECY	1,933 OPF's
11/22/06	ESA (WH/OFCPP)	1,911 OPF's



E-OPF Timeline

Activity*	Time Period	FY 2005		FY 2006												
		Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
HR Access to SF 50's	Nov 05 - Mar 06	←————→														
Employee Access to SF 50's	Apr 06					PP 06 FOR APRIL ↔										
BLS Back-File Scanning Pilot	May 06 - Jun 06								←————→							
Assessment	Jul 06 - Aug 06										←————→					
Scanning for Rest of DOL	Sep 06 - Dec 06													←————→		

* - Proposed with a Go/No Go decision to be made prior to the implementation of each phase.