

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
U.S. DEPARTMENT OF LABOR (DOL)
AND THE
NATIONAL COUNCIL OF FIELD LABOR LOCALS (NCFL)
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 (NCFL) AFGE, AFL-CIO, in accordance with the provisions of Article 60, Supplemental Agreements, of the DOL-NCFL Agreement.

Once ratified and approved, this Memorandum of Understanding will be duplicated by the Department and distributed to appropriate employees in the bargaining unit.

II. SUBJECT: This Memorandum of Understanding concerns the implementation of Area Office Safety and Health Programs/Committees.

The parties agree as follows:

1. The DOL and NCFL recognize that strong support by both union and management is necessary in order to meet the goals of the Voluntary Protection Program (VPP) which is the establishment of a model program to improve the health and safety in the work environment through the cooperative efforts of management and labor.
2. Recognizing that an effective site specific safety and health committee is an important component to any successful VPP initiative there shall be a committee established at each Area Office. The principal function of the Area Office safety and health committee is to foster the safety and health program, in each area office, in conjunction with the OSHA Regional Safety and Health Committee.
3. Committees will meet regularly, at least quarterly. Special meetings may be held as necessary. Advance notices of meetings will be given to members and meetings will be conducted pursuant to a prepared agenda. The committee will keep and maintain minutes of all meetings. Committee minutes will be shared with the Area Director and the OSHA Regional Safety and Health Committee.
4. The committee shall be comprised of both management officials and bargaining unit employees who are employed at the specific area office.

5. Except as noted in items 6, 7 and 8 each committee shall consist of four members (two assistant area director managers and two bargaining unit employees). Committee members, who are bargaining unit members, shall be selected by the NCFLL from within the area office. Committee members, who are management shall be selected by management, from within the area office.
6. The Manhattan Area Office/Queens District Office committee will be comprised of three bargaining unit members, 2 from the Manhattan Area Office and 1 from the Queens District Office, and 3 management members (Assistant Area Directors), 2 from the Manhattan Area Office and 1 from the Queens District Office.
7. The Long Island Area Office committee will be comprised of two bargaining unit employees, the Area Director and the Assistant Area Director, until such time as a second Assistant Area Director is available.
8. The Puerto Rico Area Office committee will be comprised of two bargaining unit employees and the Area Director.
9. Initially, the chairperson of each area office committee will be a management team member, selected by the Area Director, who will be appointed for an 18 month term. Thereafter, the chairperson will be rotated annually on an alternating management/labor basis. To be eligible to serve a member must have served on the committee for 6 months prior to be considered as a chairperson.
10. The Area Office Health and Safety committee will establish work groups for the purpose of working on specific projects. Once those projects have been completed the work groups will be disbanded.
11. Any committee issues not resolved by the Area Directors or recommendations not adopted by the Area Directors will be forwarded to the OSHA Regional Safety and Health Committee for review.
12. In arriving at a performance rating of record for those bargaining unit employees who worked on a committee during a given rating cycle, management will take into consideration those factors which were outside the employees control impacting the results achieved. Management will consider the work performed by a bargaining unit member of the committee under the section "Other Special Considerations" of the annual performance appraisal.

13. While recognizing that budgetary constraints are a major factor, all safety and health issues raised by the committee will be given every possible consideration.

14. Nothing in this MOU alters the terms and conditions of the DOL/NCFLR master agreement.

III. DURATION AND TERMINATION

This Memorandum of Understanding will take effect when it has been ratified by the NCFLR and approved by the Department of Labor in accordance with Article 60, Section 4 of the DOL/NCFLR agreement. It will remain in effect until the termination date of the master collective bargaining agreement, in accordance with the provisions of Article 61, Section 2 of that agreement.

IV. RATIFICATION AND APPROVAL

In accordance with Article 60, Section 4 of the DOL/NCFLR agreement, all Regional agreements are subject to ratification by the NCFLR and approval by the Department of Labor.

For the Department:

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Louis Ricca, Deputy Regional Administrator
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Lisa Levy, Area Director
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For the Union:

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Tom Rezsnyak, Regional Representative
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Ron Yarman 6/26/07
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