

MEMORANDUM of UNDERSTANDING

This Memorandum of Understanding (MOU) is entered into effect by and between the American Federation of Government Employees Council 260 (AFGE) and the National Archives and Records Administration (the Agency) Regarding the Office of Equal Employment Opportunity's Special Emphasis Program (SEP)

In consideration of the mutual promises contained herein, the parties to this MOU agree that the Office of Equal Employment Opportunity's (EEO Office) SEP will be implemented upon the effective date of this MOU. As negotiations on this program have been completed by both parties in good faith, and the considerations agreed to by the parties have been incorporated into the SEP and/or in this MOU, the parties agree as follows:

Item 1: Management will ensure that any employee who has Special Emphasis Program Manager (SEPM) collateral duties is evaluated, for purposes of mid-year and annual performance appraisals, only on those critical elements and performance standards in the employee's performance plan, which at the time of this MOU, does not include SEPM collateral duties. Collateral duty assignments performed as a SEPM will not be used to lower or decrease an employee's performance appraisal rating.

Item 2: In the implementation and execution of the SEP, the Agency shall ensure that Article 4, Sections 2 and 3 of the National Agreement, as well as all other applicable portions of the National Agreement, are followed. This Item of the MOU is not an admission by the Agency that any portion of Article 4 has not been adhered to by the Agency, but instead, confirms the Agency's continued commitment to compliance with the National Agreement.

Item 3: Bargaining unit employees will inform an AFGE Union representative of their interest to apply for the SEPM collateral duty position. The AFGE Council 260 will compile a list of bargaining unit employees for SEPM collateral duty assignments, without preview of the bargaining unit employees' application, for referral to and consideration by the Director of the EEO Office. AFGE Council 260 will provide this list to the Director of the EEO Office no later than two working days after the vacancy announcement closes. The Director of the EEO Office will select any bargaining unit SEPMs from among the candidates referred by AFGE Council 260, after those employees have submitted applications to the EEO Office. Non-bargaining unit SEPMs will be selected through the application process by submitting applications to the EEO Office without any union involvement. Final selection authority for all SEPMs rests solely with the Director of the EEO Office. Within a year of the date of this MOU, the Agency and AFGE Council 260 will review this process and make appropriate adjustments to the process.

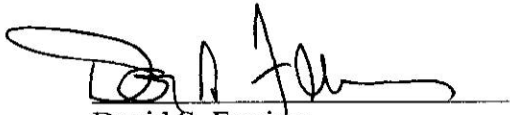
Item 4: The Agency will permit Union representatives to be considered for and to participate as SEPMs provided there is no conflict of interest that would compromise the neutrality of the Program. The Union will ensure that union representatives who serve as SEPMs recuse themselves from their SEPM responsibilities when they are involved representing a bargaining unit employee during the EEO complaint process, or other circumstances arise that create a conflict of interest. The Agency reserves the right to remove any SEPM if they do not comply with the EEO policies and regulations.

Both parties agree to abide by the terms of this MOU and this MOU will be considered a part of the National Agreement between the Agency and AFGE Council 260 into Article 4 Section 2 until such National Agreement is renegotiated.

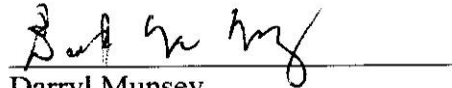
This MOU shall be effective upon the date it is executed by both parties.

For the Agency:

For the Union:



David S. Ferriero
Archivist of the United States
National Archives and Records Administration



Darryl Munsey
President
AFGE Council 260

30 July 2013
Date

8/1/13
Date