

**MEMORANDUM OF UNDERSTANDING**  
**between**  
**National Archives and Records Administration**  
**and**  
**American Federation of Government Employees**  
**Council 260**

Pursuant to negotiations between the above parties regarding the Phased Retirement Pilot Program impact on bargaining unit employees, and in the spirit of cooperative labor relations, the parties agreed to the following:

- 1) This MOU will be implemented in accordance with NARA (policy/regulation) ###, and applicable laws, rules and regulations. In the event of discrepancy with NARA Policy, the MOU governs.
- 2) Bargaining unit employees may apply for NARA's phased retirement program.
- 3) NARA's phased retirement program will be implemented fairly and equitably. All applicants will be evaluated in accordance with the criteria in Supplement to Operating Statement 2015-XX.1.
- 4) Except as otherwise expressly provided by law or regulation, a phased retiree is treated as any other employee on a part-time tour of duty for all other purposes. (5CFR 831.1715)
- 5) Consistent with AFGE's certificate to represent the NARA bargaining unit, the unit status of bargaining unit employees who move to phased retirement will not change. Management will ensure that the classification of phased retirees' positions is consistent with AFGE's certificate of representation.
- 6) Phased retirees retain the ability to take part in alternative work schedules and telework.
- 7) Phased retirees may serve as official union representatives. Contingent upon workload considerations and supervisory approval, phased retirees may also participate in special emphasis programs and other employee organizations on duty time to the extent permitted by NARA policies.
- 8) Bargaining unit employees participating in phased retirement will have their positions classified and performance plans handled in accordance with the National Agreement between AFGE and NARA. The Agency retains full control of the assignment of duties to a position and who performs those duties.
- 9) When an employee applies for phased retirement, management may return the application with questions before making a final decision.
- 10) Employees that are not selected to participate in NARA's phased retirement program will be notified within 15 calendar days. Such notification will include an explanation of the specific reason(s) for the decision based on approved criteria in Supplement to Operating Statement 2015-XX.1.
- 11) A bargaining unit employee who applies for but is not selected to participate in NARA's phased retirement program may file a grievance pursuant to the negotiated grievance procedure.
- 12) Management will provide statistical data regarding bargaining unit employee participation in NARA's phased retirement program, including the number of

applications and extensions, acceptance and denial rates, completion rates, and the number of employees who transfer to other agencies.

- 13) Employees will receive a phased retirement annuity estimate within a reasonable amount of time of submitting the request to [phasedretirement@nara.gov](mailto:phasedretirement@nara.gov), normally within 30 days. Employees will be notified by Human Capital staff responsible for providing the calculation, if the calculation is expected to take longer than 30 days,
- 14) Management and union representatives will meet to discuss the formal mentoring and knowledge transfer program beyond that provided for in the knowledge transfer guide before it is instituted.
- 15) Upon signatures of the parties listed below, this MOU will be effective.

 9/4/15

ASHBY CROWDER                      DATE  
Executive Vice President  
AFGE Council 260

 9/4/15

SEAN CLAYTON                      DATE  
Chief Human Capital Officer  
NARA