

From: Nelson, Kevin, VBAHOUS

Sent: Thursday, May 16, 2013 4:57 PM

To: Reilly, Valorie, VBASPT

Cc: Lee, Alma L SAMVAMC; Burke, Mary-Jean; Williams, Oscar L Jr.; Wetmore, William H.; Anderson, Sona, VBASDGO; Avant, Jan, VBALROK; Bump, David, VBAMIW; Davis, Sandra J., VBACHGO; Tyler, William, VBASLOU; Miranda, Bonnie (SES), VBAVACO; Rubens, Diana (SES), VBAVACO; Kupec, Jill, VBAVACO; MacDONALD, Edna, (SES), VBANASH; Mackin, Patrick, VBAVACO; Tickner, Lucas, VBAVACO; Murphy, Julie (VHA)

Subject: Management's Response - DTB-Mandatory Overtime

Hi Valorie,

In regards to the demand to bargain request on mandatory overtime, it is management's position that we have met our obligation under the overtime MOU provisions dated 06/30/11, which states in part; ***"Should management extend or re-implement mandatory OT beyond FY2011, the union will be informed and the parties will adhere to this MOU."*** However, in the spirit of partnership and maintaining a positive working relationship, we are more than willing to engage in post-implementation discussions regarding your concerns with mandatory overtime for the File Clerks and Claims Assistants. We would also like to address your concerns regarding how local Regional Office management will work with employees who have commitments, child care issues, etc.

We would like to schedule a meeting to discuss these matters with the Mid-Term Bargaining team on Friday, May 17th or Tuesday, May 21, 2013.

In regards to the demand to bargain regarding Fast Letter 20-13-05, it is management's position that this matter is outside the scope of collective bargaining. As you are aware, this letter provides Guidance Regarding Special Initiative to Process Rating Claims pending Over Two Years. In accordance with Section 7106 (a) of the Federal Statute - Management Rights, this section of the statute gives discretion for management to exercise rights in several important areas. These areas include making decisions on the structure of the organization, how work will be assigned, and what personnel actions will be taken. Organizational decisions by management may decide its mission and define the organizational structure. In assigning work to employees, the Statute affords management the right to determine what work will be done, when it will be performed, and which part of the organization is responsible for it; and to decide which duties are to be assigned to each particular position. Rights in this section cannot be waived or relinquished through collective bargaining.

We are hopeful that we can work together to resolve these matters. Thanks.

Kevin Nelson

Labor & Employee Relations Specialist -VBA OHR

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