

MEMORANDUM OF UNDERSTANDING

Appeals Workload Distribution Initiatives

The following constitutes an agreement between the Department of Veterans Affairs, Veterans Benefits Administration (VBA) and the American Federation of Government Employees (AFGE), AFL-CIO, National VA Council (NVAC) #53, (Union) regarding the Appeals Workload Distribution Initiatives.

1. The two Appeals Workload Distribution Initiatives are the assignment of Appeals Modernization Act (AMA) cases to Decision Review Operations Center (DROC) Washington D.C. (DROC DC) Rating Veterans Service Representatives (RVSRs) and the assignment of legacy appeals to DROCs Seattle and St. Petersburg Decision Review Officers (DROs).
2. Regarding assigning legacy appeals to DROC Seattle and St. Petersburg DROs, volunteers will be solicited from qualified employees. If more employees volunteer than are needed, seniority as defined locally will be the deciding factor. If less employees volunteer than are needed, the least senior employees as defined locally will be assigned legacy appeals work.
3. Employees will be provided initial and/or refresher training as necessary under this initiative. Employees may request additional training. Employees will be on excluded time for approved training.
4. Employees affected by this initiative will have a 90-day acclimation period for Output. During the 90-day acclimation period, employees will receive informal (non-punitive) quality reviews on the newly assigned case types. The 90-day acclimation period will begin when the employee is initially assigned work under this initiative.
5. Consistent with procedures set forth in the Master Agreement, local bargaining may take place at individual facilities that does not conflict with negotiated national policy and agreements.
6. Management will not hold an employee accountable for factors or extenuating circumstances which affect performance that are beyond the employee's control.
7. After implementation, if either party is made aware of issues that may affect employees, both parties agree to discuss the issues and work to mutually resolve the issues for the employees. Should discussions not resolve the issues, the parties will implement the negotiating process to the extent required by statute.
8. Management shall provide a copy of this MOU to the local president and/or designee at each AFGE local within 10 days of the date this MOU is signed.

Jessica R. Minnich
For the Agency

Paul H. Fleming
For AFGE/NVAC

Date