

MEMORANDUM OF UNDERSTANDING

Field Examiner Production Element Modification

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 Field Examiner Production Element Modification from January 1, 2019 through June 30, 2019.

1. The parties agree that the provisions of the MOU will be retroactive to the original date of implementation.
2. Employee performance during the entire FY19 appraisal period will be given consideration for award and recognition purposes.
3. Employees will be provided with the updated performance standards along with an updated performance report for each previous month.
4. As a result of the retroactive change in the output element, if an employee was impacted by any of the following actions from January 1, 2019 through June 30, 2019, and the employee met the output element (fully successful or better) during this period, management will inform the local union and take the following action:
 - Withdraw Letter of Concern; and/or
 - Initiate the withheld WIGI; and/or
 - Initiate the withheld Career Ladder promotion; and/or
 - Restore Telework; and/or
 - Restore Alternate Work Schedule.
5. Bargaining unit employees who spend unreasonable time performing uncredited work may bring the matter to the attention of their supervisor. The supervisor will consider whether the uncredited time is fairly and equitably accounted for in the weighted action calculation and either allow excluded time or inform the employee that excluded time is not warranted. The employee may grieve the decision of the supervisor.
6. Management will not hold employees accountable for factors or extenuating circumstances that affect performance and are beyond the employees' control.
7. Local bargaining shall take place at individual facilities and may include substantive bargaining that does not conflict with negotiated national policy and agreements.
8. After implementation, if either party is made aware of issues that may adversely 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.

9. 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.

Kevin D. Nelson

Kevin D. Nelson
For the Agency

Paul H. Fleming

Paul H. Fleming
For AFGE/NVAC

07/24/19

Date