

Final Language 04/19/05

**SIDEBAR**

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Should the successor to the current President of Council 220 be designated as a 100% or 50% official time user, the successor will have the option of requesting a relocation to Central Office (at no expense to the Agency) for the purpose of using the additional agency provided space on the ground floor of the East High-Rise Building.

Should the successor elect not to request a relocation, the additional agency provided space on the ground floor of the East High-Rise Building will immediately revert to the Agency within sixty (60) days.

In this situation, the successor will discuss the possibilities of additional agency assigned space (if he/she does not currently have such space) with his/her Regional Commissioner. However, there will be no bargaining on successor space. ←

*Reg A. Smith* 4/19/05  
*J. W. Johnson*  
*Elizabeth Joseph*

*WJ*

~~DISCONTINUED PLANNING DEBATE?~~  
*Ann Moran*

FROM : AFGE LOCAL 2006

FAX NO. : 215 597-2406

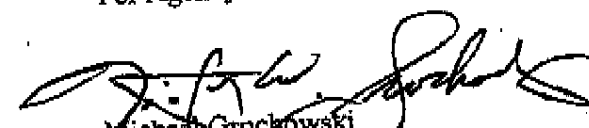
Apr. 28 2005 12:10PM

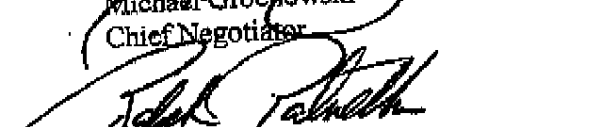
PE

### Side Bar Article 30 Official Time


When the Agency offers early out retirement, all 100% AFGE union representatives as of the effective date of the National Agreement may request and will be approved for early out retirement regardless of whether the union representative's component is included in the early out offering.

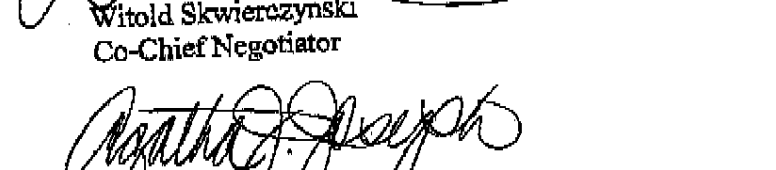
For Agency:

  
 Michael Grochowski  
 Chief Negotiator

  
 Ralph Patinella  
 Chief Spokesperson

For AFGE:

  
 Witold Skwierzynski  
 Co-Chief Negotiator

  
 Agatha Joseph  
 Co-Chief Negotiator

3/18/05

~~← APPROPTS for 100%ers !!~~


SID-BAR

4/19/05  
[Handwritten signature]

~~Letter of Understanding~~


The Agency will bargain changes to existing overtime roster procedures to the extent required by 5 USC Chapter 71.

For Agency:

  
Michael Grochowski  
Chief Negotiator

  
Ralph Patinella  
Chief Spokesperson

For AFGE

  
Witold Skwierczynski  
Co Chief Negotiator

  
Agatha Joseph  
Co Chief Negotiator

Date: 3-17-05

FROM : AFGE LOCAL 2006

FAX NO. : 215 597-2406

Apr. 28 2005 12:08PM P3

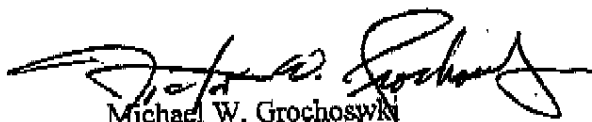
4

March 17, 2005

To: Witold Skwierczynski, Co-Chief Negotiator, AFGE  
Agatha Joseph, Co-Chief Negotiator, AFGE

Subject: Letter of Intent Regarding the Establishment of a Shift 2 in OHA Hearing Offices

Article 10, Appendix D provides Management with the authority to establish a second shift in OHA hearing offices. If Management decides to implement a second shift in accordance with the provisions of Article 10 in any OHA hearing office, such decision will be made by the Associate Commissioner for the Office of Hearings and Appeals.

  
Michael W. Grochoski  
Agency Chief Negotiator

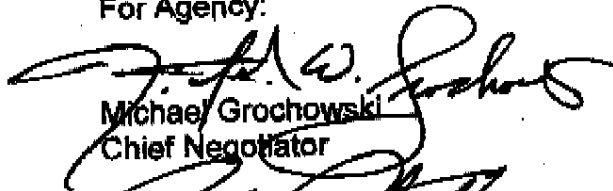
SID-SAR

4/19/05  
WS 4/19/05

~~Letter of Understanding~~

The parties agree that employees may, with advanced approval, earn credit hours for the performance of representational activities under 5 USC Chapter 71.

For Agency:

  
Michael Grochowski  
Chief Negotiator

  
Ralph Patinella  
Chief Spokesperson

For AFGE

  
Witold Skwierczynski  
Co Chief Negotiator

  
Agatha Joseph  
Co Chief Negotiator

Date: 3-17-05

FROM : AFGE LOCAL 2006

FAX NO. : 215 597-2406

Apr. 28 2005 12:11PM RE

6

# STATEMENT OF WITHDRAWL WITHOUT PREJUDICE

## 2004 Contract Negotiations

Date: March 17, 2005

The Union hereby withdraws the following language without prejudice:

### Article 10 - Hours of Work

The Union hereby withdraws, without prejudice, the following language:

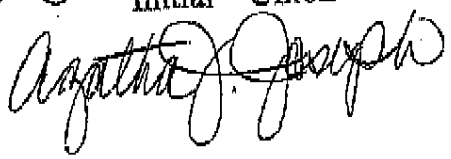
*"Overtime will be distributed as equitably as possible among qualified employees."*

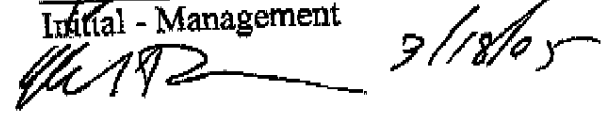
  
Initial - Union

3/18/05

  
Initial - Management

3/18/05





4/19/05

*[Handwritten initials and date]*  
4/19/05

Side Bar Article 11

The Agency agrees to honor the September 13, 2001 sidebar to the Outline for the New Relationship regarding an additional 500 square feet of space in the HWSSC for Council 224.

~~THIS DOES NOT PRECLUDE IMMEDIATE IMPLEMENTATION~~  
THE PARTIES ARE ENCOURAGED TO COMPLY W/ THIS SIDEBAR EXPEDITIOUSLY.

For Agency:

For AFGE

Michael Grochowski  
Chief Negotiator

Witold Skwierczynski  
Co-Chief Negotiator

*[Handwritten signature of Witold Skwierczynski]*

Ralph Patinella  
Chief Spokesperson

Agatha Joseph  
Co-Chief Negotiator

*[Handwritten signature of Agatha Joseph]*

*[Large handwritten signature of Ralph Patinella]*

4/19/05

4/19/05

Side Bar Article 11—General Committee Space

Space and furnishings provided for General Committee use in the Local 1923 union office will continue through the life of the contract.

General Committee space and furnishings as provided for in the 1990 National Agreement (and specifically identified below) will continue through the life of the contract.

<u>Region</u>	<u>Location</u>
New York	In the Village
Dallas	In the Regional Office
Kansas City	In the MAMPSC
Chicago	<del>In the Regional Office</del>
San Francisco	In the WNPSC
Philadelphia	In the MATPSC
Seattle	In the Regional Office
Denver	In the district office
Boston	In the Coast Guard Building

150 SQUARE FEET  
TO BE DETERMINED  
(LOCATION)  
4/19/05  
W.S.

For Agency:

For AFGE

Michael Grochowski  
Chief Negotiator

Witold Skwierczynski  
Co-Chief Negotiator

Ralph Patinella  
Chief Spokesperson

Agatha Joseph  
Co-Chief Negotiator

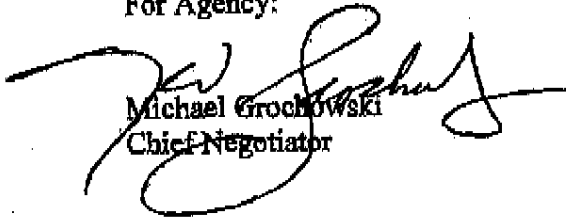
  
  
4/19/05



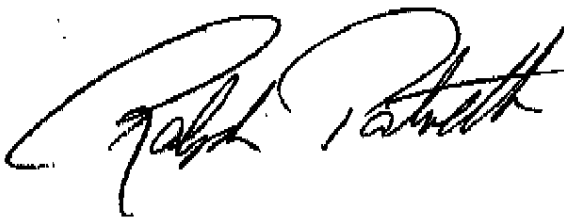
Side Bar—Article 11

There will be no bargaining during the term of this Agreement on any successor space.

For Agency:

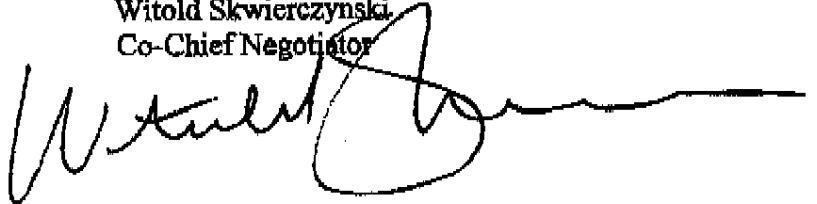
  
Michael Grochowski  
Chief Negotiator

Ralph Patinella  
Chief Spokesperson



For AFGE

Witold Skwierzynski  
Co-Chief Negotiator



Agatha Joseph  
Co-Chief Negotiator



4/19/05

04/28/2005 11:40 +00111111110

11/1/03 PAGE 10

LETTER OF INTENT

IF THE AGENCY RELOCATES  
THE SOUTH EASTERN PSC  
W/I THE TERM OF THIS  
AGREEMENT, AFGE LOCAL  
2206 WILL BE AFFORDED  
THE OPPORTUNITY TO BARGAIN  
IN ACCORDANCE W/ A-11.

IN ADDITION, TO THE SQUARE SPACE THEY OCCUPY IN  
THE LOCAL WILL  
BE GIVEN AN ADDITIONAL 200 SQUARE  
FEET TO BE USED AS CONTIGUOUS SPACE.

FOR THE AGENCY

*[Signature]*  
*[Signature]*

FROM : AFGE LOCAL 2006

FAX NO. : 215 597-2406

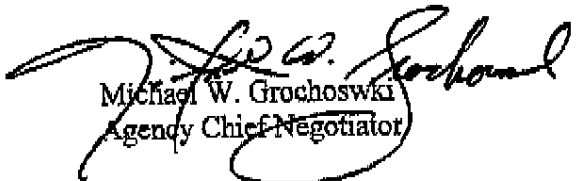
Apr. 28 2005 12:08PM *ff*

March 17, 2005

To: Witold Skwierczynski, Co-Chief Negotiator, AFGE  
Agatha Joseph, Co-Chief Negotiator, AFGE

Subject: Letter of Intent Regarding the Awards Program for AFGE Bargaining Unit Employees

Management will implement the new performance awards process for AFGE bargaining unit employees as described in Article 17 of the SSA-AFGE National Agreement following the implementation of the Performance Assessment and Communication System (PACS) as described in Article 21 of the SSA-AFGE National Agreement.

  
Michael W. Grochoswki  
Agency Chief Negotiator

FROM : AFGE LOCAL 2006

FAX NO. : 215 597-2406

Apr. 28 2005 12:11PM *RS*

*12*

# STATEMENT OF WITHDRAWAL WITHOUT PREJUDICE

## 2004 Contract Negotiations

Date: March 17, 2005

The Union hereby withdraws the following language without prejudice:

### Article 21 - Performance

*The Union hereby withdraws, without prejudice, the following language:*

*"The employee performance system, in its entirety and its application will be fair, equitable, reasonable and related to the employee's position description."*

*3/18/05*

*[Signature]*  
Initial - Union

*[Signature]* *3/18/05*  
Initial - Management

*[Signature]* *3/18/05*

04/28/2005 11:40 +001111111110

PAGE 15

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RB 4/19/05

*[Handwritten signatures and initials]*

Side Bar—Article 21

Any Union official who has not performed Agency work within the past 12 months will be considered a trainee to a new position for appraisal purposes in accordance with Article 21.

Union officials who move from 100% official time to 50% or less official time positions and who need to be returned to training for their Agency assigned position will be sent on a staggered basis.

For Agency:

*[Signature of Michael Grochowski]*  
Michael Grochowski  
Chief Negotiator

For AFGE

*[Signature of Witold Skwierczynski]*  
Witold Skwierczynski  
Co-Chief Negotiator

Ralph Patinella  
Chief Spokesperson

*[Signature of Ralph Patinella]*

Agatha Joseph  
Co-Chief Negotiator

*[Signature of Agatha Joseph]*

4/19/05

Handwritten notes: "70 14-637", "4/12/05", "3:15 pm", and initials "WS".

Side Bar Article 25

The Parties agree to the following sunset provisions for arbitration:

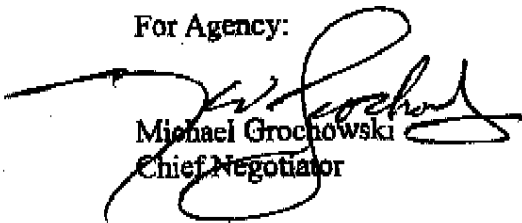
- Invocations prior to April 6, 2000—within 6 months from the effective date of the new agreement, case must be scheduled and heard within 1 year thereafter or grievance is withdrawn.
- Invocations beginning April 6, 2000—within 1 year from the effective date of the new agreement, case must be scheduled and heard within 1 year thereafter or grievance is withdrawn.
- Invocations after the effective date of the new agreement—1 year to schedule from the assignment of the arbitrator and heard within 1 year thereafter or grievance is withdrawn.

The timeframes are not applicable if the parties mutually agreed to extend the timeframes or due to circumstances beyond the parties' control (i.e., illness of the arbitrator, weather-related problems).

If a hearing is delayed by:

- a. the Agency's failure to participate in the timely scheduling of the hearing, the Union may proceed in accordance with Section 4 of Article 25 with an additional six months to do so.
- b. the Agency's failure to present its case on the scheduled date, the parties agree that the case will be rescheduled and heard within one year.

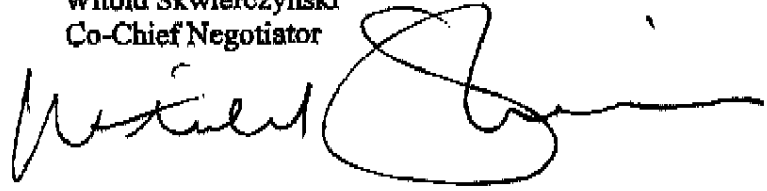
For Agency:



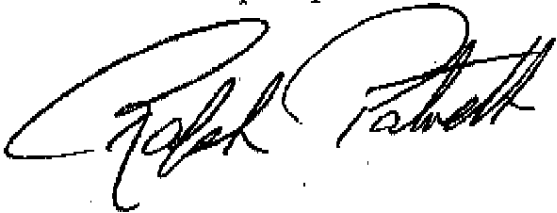
Michael Grochowski  
Chief Negotiator

For AFGE

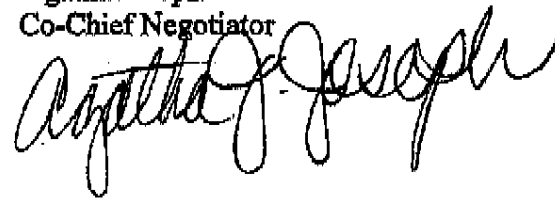
Witold Skwierczynski  
Co-Chief Negotiator



Ralph Patinella  
Chief Spokesperson



Agatha Joseph  
Co-Chief Negotiator



4/19/05


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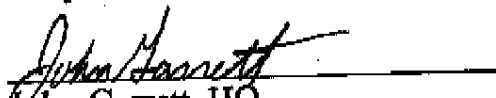
### BREAKOUT OF OFFICIAL TIME


<u>Component</u>	<u>100%</u>	<u>50%</u>	<u>Hours</u>
DOC	1	3	6,015
Field	4	77	142,500
OHA	2	13	24,100
OQA	1	2	4,550
HQ	2	23	41,035
PSC	2	17	31,800
	12	135	250,000

The General Committee agrees to the above breakout of 100% and 50% positions and hours for each component upon implementation of the National Agreement.

The General Committee will meet once per year in the fall beginning in 2006 to recalculate the above breakout of hours and 50% positions. All ratios will be calculated based on the bargaining unit employee population for each component as of October 1<sup>st</sup> of the new fiscal year. Appropriate increase adjustments will be given to the smaller components, if necessary, from the total bank of hours.

  
 Agatha Joseph, PSC

  
 John Garrett, HQ

  
 Jim Marshall, OHA

  
 Mary Policare, DOC

  
 Witold Skwierczynski, Field

  
 Earl Tucker, OQA

April 14, 2005  
 Date

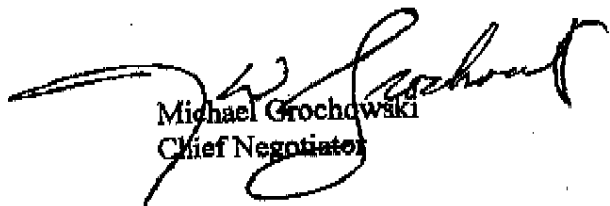


Side Bar—Article 30

AFGE will be granted an additional 500 bank hours in the third year of the contract.

For Agency:

For AFGE



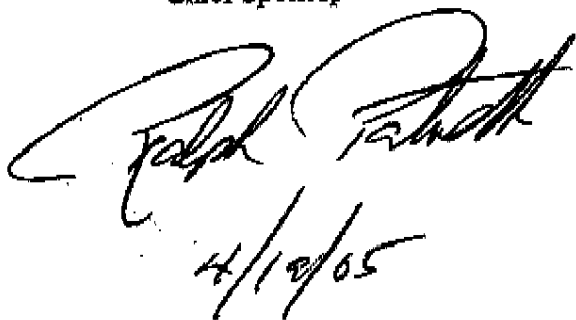
Michael Grochowski  
Chief Negotiator



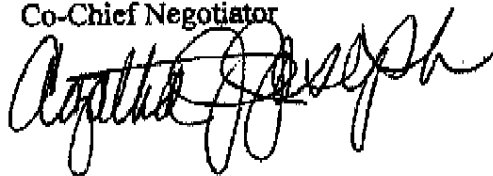
Witold Skwierczynski  
Co-Chief Negotiator

Ralph Patinella  
Chief Spokesperson

Agatha Joseph  
Co-Chief Negotiator



Ralph Patinella  
4/19/05



Agatha Joseph

### Side Bar Article 41 Flexiplace

AFGE has requested to withdraw its entire proposal in Article 41 concerning the topic of Flexiplace. The Agency agrees to also withdraw its counter proposal for Article 41 on the topic of flexiplace based on the common understanding of both parties that the topic of flexiplace: 1) has not been fully discussed, explored, negotiated or bargained in exchange for other concessions during term negotiations for the 2005 National Agreement; and 2) that the topic of flexiplace is not intended by either party to be "covered by" the 2005 Term Agreement. Both parties agree that the current conditions of employment regulating flexiplace will remain in effect unless and until either party exercises its statutory right to give notice of a proposed change and fulfill any resulting statutory bargaining obligation. ~~Both parties agree that no arbitrator is empowered to determine that either party may not propose a change in the current flexiplace arrangements during the term of the 2005 National Agreement in accordance with that party's statutory rights.~~

*WS*

For Agency:

*3/17/05*

*[Signature]*  
 Michael Grochowicki  
 Chief Negotiator

*[Signature]*  
 Ralph Patinella  
 Chief Spokesperson

For AFGE

*3/17/05*

*[Signature]*  
 Witold Skwierczynski  
 Co-Chief Negotiator

*[Signature]*  
 Agatha Joseph  
 Co-Chief Negotiator