



MEMORANDUM OF UNDERSTANDING



The parties to this Memorandum of Understanding (MOU) are the National Federation of Federal Employees Local 1998 (NFFE) and the Department of State (Department). To overcome the issue of whether or not a NFFE representative is entitled to official time to represent a client before the Merit Systems Protection Board (MSPB) under the terms of the Master Agreement, the parties agree that for all MSPB representation cases:

1. That the Employer will allow the NFFE Union representative to use his/her allotted official time to work on the MSPB case and represent before the MSPB as necessary.
2. That the NFFE representative may request additional official time as needed, in accordance with Article 7, Section 6, of the Master Agreement, but will make a sincere effort to only use official time from that allotted under the terms of the Master Agreement including when acting for another Union official in accordance with Article 7, Section 5(b).
3. That if additional official time is requested from the Regional Director (RD), the NFFE representative will present detailed information as to how the allotted official time was exhausted so that the RD can render the appropriate decision on approving the requested additional official time. When circumstances warrant, additional time may also be requested prior to the week's normal allotment being used or exhausted; i.e. there is only six (6) hours of allotted time available but 10 hours is being requested.
4. That the Department will provide the NFFE Local 1998 VP two additional hours of official time beyond the normal allotted official time when requested in accordance with this MOU for MSPB work already performed in non-pay status.
5. That NFFE Local 1998 acknowledges that as of the signing of this MOU, other than the two hours noted in number 4 above, the Department does not owe the NFFE 1998 VP any other time associated with MSPB work already performed.

By their signatures below, the parties agree that this resolves the institutional grievance filed by NFFE on March 30, 2010 re: Official Time.

Colin Patrick Walle
Union President
NFFE Local 1998

Steven J. Polson
Chief Labor-Management
Department of State

Rob Arnold
Union Vice President
NFFE Local 1998

4/12/10

DATE