



**Settlement Agreement Regarding
Performance Elements For:**



Contact Representatives, File Assistants, Cashiers, & Processing Clerks

April 28, 2010

U.S. Department of State
Passport Services

- Respondent -

- and -

Case No. WA-CA-09-0077

National Federation of Federal Employees,
Local 1998, IMAAW, AFL-CIO

- Charging Party -

This Settlement Agreement is entered into by and between the United States Department of State, Passport Services ("Management") and the National Federation of Federal Employees, Local 1998 ("Union"), collectively referred to as the "Parties." On December 7, 2007 Management notified the Union that changes would be made in the Performance Plan and Appraisal forms. The Union invoked its right to bargain that same day. On June 6, 2008 Management implemented a number of changes to the forms for Contact Representatives, Cashiers, Processors, and File Assistants. On November 21, 2008, the Union filed an Unfair Labor Practice charge (ULP) with the Federal Labor Relations Authority over changes to the appraisal form, alleging that Management had violated 5 U.S.C. 7116. The Parties now wish to fully and finally resolve this ULP, without the need for any further proceedings. The Parties hereby agree as follows:


1. This Settlement Agreement applies throughout the nationwide Passport Services bargaining unit. It only applies to direct-hire, bargaining unit employees (BUE), and does not apply to contractors who may perform similar duties as they are not represented by NFFE Local 1998.
2. Within one week of this Settlement Agreement being signed, Management will email this agreement and attachment to all affected BUE and copy the Union President on the email.
3. All Contact Representatives, File Assistant, Processing Clerks, and Cashiers shall be granted 30 minutes of official time, prior to April 30th, to read this Settlement Agreement and attachment.
4. Management agrees to provide notification to the Union of any future changes in performance elements and standards for these positions in accordance with Article 18, Section 5c.

5. Prior to December 1, 2010, Management shall hold at least one formal meeting in each office where the affected employees work for the purpose of gathering input and feedback from the affected employees on the content of the job elements to be used in 2011 for the affected positions. Employees shall be given ½ hour of official time within the week prior to the meeting to review their DS-7644 elements. The Union shall be invited to attend the formal meeting(s).
6. Management agrees to give due consideration to the input by the employees.
7. Management agrees that where work processes are not standardized (e.g., more steps required in typing/filing information request letters in one office compared to another), then nationwide production standards for those duties would not be implemented.
8. Management agrees that where changes in elements and standards are made, that they will be fair and reasonable.
9. Management acknowledges that the decision to implement changes in the performance elements for the affected employees, including establishing nationwide production standards, was a unilateral Management action.
10. Currently, because the non-critical Security Awareness Element was eliminated from the DS-7644, then no employees shall continue to have this as a separate performance element, apart from the requirements already standardized and included in Element 2 of the DS-7644.
11. The Charging Party (Union) agrees to withdraw Charge No. WA-CA-09-0077.

FOR THE UNION:




Colin Patrick Walle
Union President
NFFE Local 1998



Rob Arnold
Union Vice President
NFFE Local 1998

FOR MANAGEMENT:



Steven J. Polson
Chief Labor-Management Negotiator
Department of State