



PED Settlement Agreement

This Agreement is entered into between Passport Services (the Agency) and NFFE Local 1998 (the Union) (collectively, "the Parties") regarding the Agency's enactment of a policy restricting the use and possession of personal electronic devices (PEDs) within Agency-controlled space. By entering into this Agreement, the Parties agree to withdraw all remaining, related actions (including FLRA Case No. SF-CO-15-0762, negotiability appeals 0-NG-3271 and 0-NG-3276; ULP charges SF-CA-15-0591, Case No. WA-CA-16-0021). The parties enter into this agreement in full resolution of Arbitrator Miller's order sustaining the Union's grievance titled "Electronic Device Ban Implementation". Any such case or appeal that has been filed by either Party related to the arbitrator's ruling are hereby withdrawn. Neither party will file any case concerning a past matter about which they knew or reasonably should have known at the time this Agreement was executed.

1. Upon request, BUEs nationwide will each be provided with a clear, lockable container for PEDs. For the purposes of this agreement, these containers are referred to as "PED mobile containers". Such PED mobile containers will hold a standard size cell phone. Provided that the features exist, the PED mobile containers will contain the following capabilities:
 - a. Slots/holes that a cell phone charger cord and a headphone cord can fit through (the headphones could then be used by employees).
 - b. Failing the existence of slots large enough, the containers will be able to accommodate standard-sized mobile chargers within the container.
 - c. That the PED mobile containers can be broken into in case of emergency.
2. The Agency will make every effort to obtain the PED mobile lockers within 90 days of signing this agreement (but no later than 180 days), and will communicate with Union National Officers as to the progress of the procurement.
3. Once the containers have arrived, employees will be able to keep the containers (with their cell phone or other personal electronic device) at their desk. Cell phones and other electronic devices may be powered on, but will be set to vibrate or silent while in areas containing passport applications. Employees using these containers will be considered in compliance with the PED policy.
 - a. Employees can carry the PED containers to the break rooms or lactation rooms, unlock the containers, and then use their cell phones/personal electronic devices.
 - b. Before the employee leaves the break room/lactation room or enters the PED ban zone, they must lock the device back in the container.
 - c. In order to prevent excessive waiting times, a sufficient number of unlocking devices will be located at the break room and lactation room. Unlocking devices will also be

provided at entry/exit doors to the office. Provided it will not violate any fire or safety codes, storage for the empty containers will also be at each exit.

- d. In the event PED mobile containers or the stationary lockers are damaged or missing necessary parts (e.g. keys), they will be repaired or replaced without unnecessary or unreasonable delay. The Agency will obtain additional PED containers when needed, so that the chance for employees to obtain cases is not limited to the initial offer/notice of their availability.
 - e. In the event of emergency (e.g. active shooter, earthquake) employees will be permitted to break open or leave with the PED containers.
4. BUEs will be briefed about the local emergency procedures, including the emergency phones at the Admin Assistant desk.
 5. Where future events (e.g. office renovations and moves related to employee break rooms and lactation rooms) propose to negatively impact employee ability to use their personal electronics in those rooms, the Agency agrees that these situations will be suitable for local renovation or move negotiations.
 6. The Agency will provide additional lockers capable of holding laptops. There will be sufficient lockers for a minimum of 13.75% of the government staff to store their laptop or tablet devices for the day. Use of these lockers will be on a first come, first serve basis. Daily locker selection will be on a first come, first serve basis.
 7. The Agency will make every effort to obtain and install the large laptop sized lockers within 180 days of signing this agreement, and will communicate with Union National Officers regularly in relation to the progress of the procurement.

Line of Sight

- 1) As renovations occur, the Agency has moved to installing cubicles with glass to enhance line of sight and to create a more "open" space (e.g. lighting). The Parties agree to limit the coverage of cubicle glass to ensure supervisory line of sight.
- 2) Bargaining unit employees (BUEs) are permitted to display/post work related materials on the windows of his/her cubical. All work related material(s) displayed/posted must be single sided, and the written material must be facing towards the interior of the cubical. Such materials will not cover more than 25% of the available surface space of the cubicle glass.

New Work Telephone Number

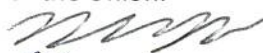

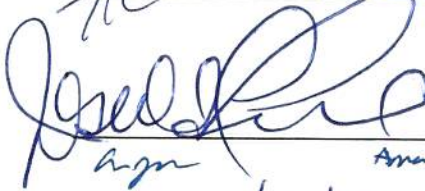

- 1) In situations where a BUE is assigned a new work telephone number on a permanent or indefinite basis, they may request 15 minutes of non-productive time to send notice of the change to his or her family and/or personal contacts. Such requests will be approved.

Break Times

- 1) To take urgent phone calls on their PED, BUEs are free to request changes to their break times on any specific day. Occasional changes may be permitted by the mutual agreement of the employee and their direct supervisor (or other appropriate member of management if their supervisor is unavailable).


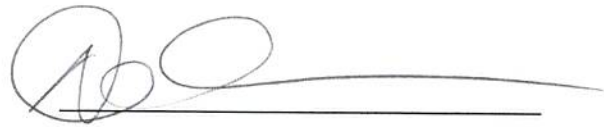
- 2) Provision one of this section does not apply when an employee is assigned to a task that is time-sensitive (e.g. the public counter).

For the Union:

 Rob Arnold
 JAMES LENSEN-CALLAS
 Josue Trinidad
 Annela Bodden

Date: 12/16/2016

For the Agency:

Date: 12/16/16