

May 25, 2012

MEMORANDUM

TO: HHS/FDA Chapter Presidents

RE: Credit Hours on Saturday

SUMMARY: HHS has affirmed that bargaining unit employees in FDA may earn credit hours on Saturday.

On May 18, 2012, NTEU received the attached courtesy notice from HHS stating that bargaining unit employees in FDA may earn credit hours on Saturday in spite of the fact that the HHS and NTEU Consolidated Collective Bargaining Agreement is silent with respect to this issue.

The attached courtesy notice also provides flexible bands for FDA on Saturday. Although NTEU agrees that FDA bargaining unit employees may earn credit hours on Saturday, we do not agree that there is a contractually negotiated flexible band as set forth in the agency's notice to NTEU.

Please be advised that if HHS attempts to enforce such flexible bands, NTEU will file a grievance. If you have any questions, comments, or suggestions regarding this matter, please contact Keisha Williams via e-mail at [REDACTED] or at [REDACTED] extension [REDACTED].

Colleen M. Kelley
National President

Attachment



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Office of Assistant Secretary for Administration
Washington, DC 20201

Friday, May 18, 2012

VIA REGULAR MAIL AND EMAIL (Kelley) and Email (Rukstele)

Colleen M. Kelley
National President
National Treasury Employees Union
1750 H Street, N.W.
Washington, D.C. 20006

Re: Notice of FDA position on earning Credit Hours on Saturday

Dear Ms. Kelley:

Article 25, Section 4 of the HHS/NTEU Collective Bargaining Agreement (CBA), as worded, does not state Flexible Bands for credit hours for FDA on Saturday.

This Notice is to clarify any ambiguity with respect to the ability of FDA employees covered under the CBA to earn credit hours on Saturday and to state affirmatively that employees can earn credit hours on Saturday.

The flexible band for Saturday is:

5:00 AM - 10:30 AM (arrival band)
2:30 PM - 9:00 PM (departure band)

Please contact Ken Brown, [REDACTED] and/ or via e-mail at [REDACTED] if you have any questions. Thank you in advance your support.

Sincerely,

/S/

Kenneth Brown, J.D.
National Labor Relations Officer,

cc: Keisha Williams