



MEMORANDUM OF UNDERSTANDING

The National Treasury Employees Union (NTEU) and the Food and Drug Administration (FDA) have agreed to modify the provisions of the Transit Subsidy Program at FDA effective October 1, 2000 pursuant to the Executive Order (EO) 13150 entitled "FEDERAL WORKFORCE TRANSPORTATION" dated April 21, 2000, issued by President Clinton.

The FDA will abide by the new guidelines issued under (EO) 13150 and the agreement with the National NTEU Office. The EO requires Federal Agencies to fund a Transit Subsidy Program for eligible Federal employees to defray commuting costs incurred by qualified employees through the use of mass transportation and vanpools. This includes actual Transit Subsidy expense for each approved agency employee up to \$65.00 per month but does not permit retroactive reimbursement of transit expenses (Internal Revenue Service regulations under section 1.132-9 of title 26, Code of Federal Regulations).

The majority of the Agency's Transit Subsidy Program is being administered by the Program Support Center (PSC), Department of Health and Human Services (DHHS), however Regions that are administrating their own program must also follow the same agreement negotiated with NTEU. All Agency employees applying for transit subsidy are required to follow these instructions:

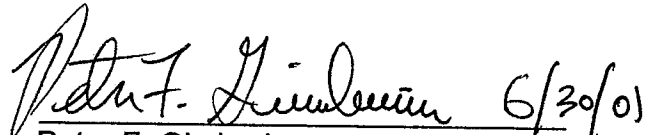
- submit a completed application to the PSC Program Coordinator (headquarters personnel are instructed to submit their applications to the PSC Program Coordinator located in the Parklawn Building and field personnel are asked to submit their applications to the PSC Program Coordinator in their region or the office administering their program) with a copy of the employee's most recent pay slip which is used to verify that the employee is actually working for FDA
- agree to relinquish any HHS or other parking passes or subsidies in order to participate in the Transit Subsidy Program
- agree that any unused transit subsidy will be deducted from their next quarter's benefit
- pick up their transit subsidy on time (within two weeks) or failure to do so may result in a decrease in the employee's benefit

- disregard the 80% language on the application
- allow PSC and other administrative servers 10 days after receipt to process an application
- adhere to the conditions set forth in Article 53 of the negotiated agreement that do not conflict with this agreement.
- in any FDA office where transshare is not available or costs are prohibitive, employees will be allowed to use SF-1164's for reimbursement of transportation costs.

Approved by

Mary L. Babcock
Director, Office of Human Resources
and Management Services

Approved by


Peter F. Gimbre're
National Treasury Employees Union