

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE FOOD AND DRUG ADMINISTRATION
AND
THE NATIONAL TREASURY EMPLOYEES UNION
ON
VOLUNTARY FOREIGN INSPECTION INCENTIVES**

1. The undersigned representing the Food and Drug Administration (FDA) and the National Treasury Employees Union (NTEU) respectively, agree that the provisions in the attached Associate Commissioner of Regulatory Affairs, (ACRA) memorandum of September 29, 2003, satisfies the obligations of the parties as provided in the April 1, 2003 interim memorandum of understanding (MOU) concerning Voluntary Foreign Inspection Incentives.
2. Accordingly, upon execution of this MOU, the April 1, 2003 interim MOU will expire and the approved recommendations in the ACRA's attached memorandum of September 29, 2003 will become effective.
3. The parties further agree that the provisions of Article 27, **Awards**, of the FDA/NTEU collective bargaining agreement will not govern the incentive pay program described in the paragraph 1 of the attached ACRA memorandum of September 29, 2003.
4. Within 12 months after the effective date of this MOU, the parties will evaluate the implemented recommendations.
5. This MOU and the provisions in the attached ACRA memorandum of September 29, 2003 will expire upon expiration of the current FDA/NTEU collective bargaining agreement, or on the effective date of its successor, whichever occurs first.

For the FDA:

SIGNED

Malcolm L. Frazier
DRFDD, Southeast Region
Chief Spokesperson

For the NTEU:

SIGNED

Barbara Sheehy
National Negotiator

Execution Date: 10/16/03

Attachment



Memorandum

Date September 29, 2003

From John M. Taylor, III
Associate Commissioner for Regulatory Affairs

Subject Voluntary Foreign Inspection Program Improvement - FDA/NTEU MOU

To Barbara Sheehy
National Rep - NTEU

Enclosed is the outline of my review and consideration of the recommendations submitted to my attention by the joint FDA (ORA)/NTEU Voluntary Foreign Inspection workgroup (VFI). In addition, I would like to acknowledge my appreciation of the collaborative effort of the workgroup in their deliberations under what can be considered a difficult situation given the logistical factors encountered in bringing the group together. As reference, my charge to the workgroup (as required under our current MOU) was as follows:

To develop options (incentives) for consideration that would:

- Improve the voluntary foreign inspection program;
- Increase participation in the program by a greater number of employees;
- Encourage and promote the program as a viable mechanism to accomplish the Agency's foreign inspection commitments; and
- Expand training options that support the program

After careful consideration and consultation with ORA senior managers, my decision regarding each recommendation is outlined in the chart below.

Voluntary Foreign Inspection Workgroup Recommendations	ACRA's Decision
<p>#1. Employees will be given a total of \$300 of incentive pay for each standard foreign inspection trip. If during the course of the standard trip assignments are cancelled that result in a reduction in inspection time due to circumstances out of the employee's control while they are in travel status, the employee will receive the \$300 award.</p> <p><i>Note: Work products must be fit for use in accordance with IOM requirements. Incentive awards will be issued twice per year (mid year and end of year).</i></p> <p><i>Note: NTEU and FDA will need to sign an MOU agreeing that this pay will not be a part of the CBA Awards Program.</i></p>	<p>Approved, ORM to coordinate with ORO/DFI</p> <p>Accepted - For the purposes of this memorandum and agreement the standard foreign inspection trip is considered to be 3 weeks in length.</p>

