

State Inv  
17 Aug  
2012

MEMORANDUM OF UNDERSTANDING BETWEEN  
THE FOOD AND DRUG ADMINISTRATION AND THE NATIONAL TREASURY  
EMPLOYEES UNION

This memorandum of understanding (MOU) was negotiated pursuant to Article 25 of the Collective Bargaining Agreement (CBA) between the Food and Drug Administration (FDA) and the National Treasury Employees Union (NTEU). The MOU pertains to alternative work schedules within the Office of Shared Services (OSS), except that it does not apply to the Employee Resource and Information Center.

The FDA asserts that it was not obligated to negotiate concerning core hours because it believes that subject is covered by the CBA. However, to achieve an amicable resolution to the negotiations, it nevertheless agrees to be bound by the terms of this agreement concerning core hours. NTEU asserts that the subject of core hours is a mandatory subject of bargaining under the CBA.

Alternative work schedules within OSS will be administered pursuant to Article 25 of the CBA and the attached OSS Directive. Specifically and as set forth in the Directive:

The core hours for OSS employees are 10:00 a.m. to 3:00 p.m., Monday through Thursday.

The flexible bands applicable to OSS flexible work schedules (*Any 8, Any 40, or Any 80*) are:

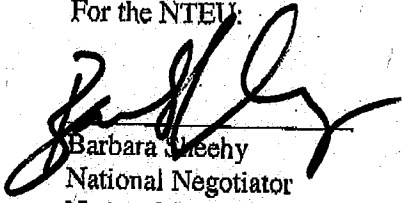
- 1) for the purpose of satisfying the basic work requirement - 12:00 a.m. to 11:59 p.m., Monday through Friday, and
- 2) for the purpose of working credit hours only - 12:00 a.m. to 11:59 p.m., Saturday through Sunday

Employees shall not work more than 10 hours on any one day without advance approval from management.

This MOU shall be effective when executed by the parties. It shall remain in effect for six (6) months from the date of execution. After six (6) months, either party may reopen the MOU at any time. If the MOU is reopened, its terms shall remain in effect until changed through the collective bargaining process. As an exception to the foregoing, should a new FDA/NTEU CBA that is inconsistent with the terms of the MOU become effective prior to the expiration of this MOU, the parties shall

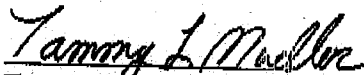
promptly meet and negotiate to the extent necessary to bring the MOU into conformance with the new CBA.

For the NTEU:

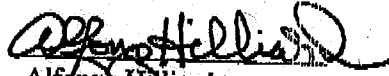


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Executed:

August 25, 2005