

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE FOOD AND DRUG ADMINISTRATION
THE HEALTH RESOURCES AND SERVICES ADMINISTRATION
AND
THE NATIONAL TREASURY EMPLOYEES UNION
CONCERNING THE IMPLEMENTATION OF QUICK HIRE**

The parties hereby enter into this memorandum of understanding (MOU), which will be in effect until such time as the Nationwide Consolidated Agreement is implemented. Once the Nationwide Consolidated Agreement is in effect, its provisions will govern merit promotions.

Quickhire (HHS Careers) is currently being used everywhere at HHS, with the exception of FDA and HRSA. There is, however, a Quickhire pilot program in some FDA offices. Quickhire is a software program that was created to help agencies meet the complex challenges of recruiting, evaluating and hiring the very best people. It is a service delivery mechanism that automates the federal hiring process. It takes the current federal hiring process content and uses the power of the Internet to build and post vacancies to the Department's web sites. All interested applicants can review vacancy announcements and answer position-specific questions while on the web site, and apply on-line. The system also allows applicants to create, edit and archive an electronic resumé. After the vacancy announcement closes, the Human Resources Office uses the system to automatically rate and rank candidates according to pre-established, objective Merit Promotion criteria. The best-qualified candidates are instantly identified and forwarded to selecting officials. Under Quickhire, performance appraisal ratings may be considered by the selecting official, but they are not used in the rating process. Applicants may determine the status of their application by logging on to USAJOBS.

The parties agree to the following terms and conditions for the implementation of Quickhire:

1. A hardcopy of this MOU will be distributed to all Food and Drug Administration (FDA) and Health Resources and Services Administration (HRSA) employees as soon as practicable, but no later than 10 workdays of after it is signed.
2. The Employer agrees to follow all of the applicable provisions of Articles 36 and 21 in the FDA/National Treasury Employees Union (NTEU) and the HRSA/NTEU Collective Bargaining Agreements respectively, and nothing in this MOU shall interfere with, affect or supplant any of those rights. Any applicant who meets the basic qualifications and selective factors will be rated/ranked against the rating criteria.
3. Screening questions, if utilized by the Employer, will relate to the position to be filled and the qualifications required for that position. All screening questions will be validated by the Employer prior to use in Quickhire. The Employer will periodically

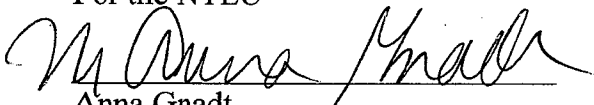
review screening questions and check them for compliance with law, rule or other governing requirements. Should the Employer conduct validation studies, copies of such studies will be made available to the Union.

4. For bargaining unit employees who are not already assigned an agency computer and email account, the Employer will establish an email account and provide access to a computer terminal and the internet at his or her regular duty station to ensure that all employees have online access to vacancy announcements and the electronic application process. Where available, the Employer will permit Employees to check out, and take home, a laptop with wireless internet connection capability at no cost to the employee. Employees will be permitted to use the Employer's computer, internet, and email system to prepare and submit applications for Employer positions during non-duty time, for example, flex time, break time and lunch periods. Computer, internet, and email access under this MOU shall be available during extended periods of time of not less than sixty (60) minutes prior to duty hours and post-tours of duty. For each vacancy announcement, all bargaining unit employees will be granted continuous access to computer, internet, and email for the period of the vacancy announcement until either selection or cancellation occurs.
5. The Employer will continue to maintain the privacy and confidentiality of all applicants' personal identifiable information that is stored or maintained in the Quick Hire system.
6. The Employer will ensure that vacancy announcements in the Quick Hire system contain all instructions and information provided for in Articles 36 and 21 in the FDA/NTEU and HRSA/NTEU Collective Bargaining Agreements, respectively.
7. In order to be considered under the automated staffing system, applicants must transmit an electronic application and all required supplemental materials via the automated staffing system website and facsimile, as indicated in the vacancy announcement, before midnight Eastern Standard Time on the closing date of the vacancy announcement. If sending an electronic application poses a hardship, applicants may contact the issuing HRC prior to the closing date for assistance. Reasonable accommodations, including submission in person or by mail, will be made in accordance with applicable law. Employees may request and be granted, assistance with the automated staffing system. Such assistance will be on duty time. Within 24 hours of receipt, the Employer shall confirm receipt of any supplemental materials submitted through the automated staffing system.
8. In the event an employee applicant experiences any difficulty "building" their resume or applying for a job via Quick Hire, he or she may seek assistance by contacting the Rockville Human Resources Center (RHRC). If sending an electronic application poses a hardship, applicants may contact the RHRC prior to the closing date for assistance. Reasonable accommodations will be made for good cause.
9. Each applicant will receive an e-mail from the Quick Hire automated system, generally within 24 hours of submission, confirming receipt of the application, in addition to any

other notification requirements under Article 36 of the FDA/NTEU Collective Bargaining Agreement and Article 21 of the HRSA/NTEU Collective Bargaining Agreement. Thereafter, the applicant may log on to the Quick Hire website to check the status of his/her application.

10. In accordance with Articles 36 and 21 of the FDA/NTEU and HRSA/NTEU Collective Bargaining Agreements respectively, eligible candidates will be evaluated against the knowledge, skills, and abilities needed for successful job performance in the position.
11. Within three (3) workdays of the referral of the best qualified list to the selecting official, each applicant may check the Quick Hire website to determine if s/he is: 1) qualified; 2) if not qualified, the reasons s/he were found not to be qualified, and; 3) whether the applicant was referred for selection.
12. Information concerning the selection is generally posted on the Quick Hire website within three (3) work days of the selection determination. All applicants may check the status of the selection determination on the USAJOBS website at any time.
13. The Employer shall ensure the security and protection of all private information submitted electronically via Quickhire. Upon request, Employer shall provide NTEU with documentation demonstrating the security measures in place, any breaches of security, and any Employer action taken to remedy any such security breach.
14. Except as specifically indicated in the foregoing proposals, all provisions of the National Agreements remain in full force and effect.
15. This agreement is effective upon signature and will expire on the implementation date of the HHS/NTEU Nationwide Consolidated Collective Bargaining Agreement.

For the NTEU



Anna Gnadt
National Negotiator
National Treasury Employees Union

Date: 7/3/08

For the HHS



Al Hilliard
Director, Labor & Employee Relations
Rockville Human Resources Center

Date: 7-2-08