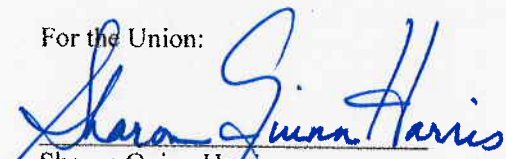


MEMORANDUM OF AGREEMENT (MOU) BETWEEN THE FOOD AND DRUG ADMINISTRATION (FDA) AND THE NATIONAL TREASURY EMPLOYEES UNION (NTEU) CONCERNING FDA'S UNILATERAL CHANGES TO THE FOREIGN INSPECTIONS PROGRAM:


NTEU and FDA agree to the following:

1. FDA agrees to immediately rescind the ORA Directive 13A, dated March 2009, thus returning to the status quo ante.
2. Employees who applied for membership to the Foreign Inspection Cadre between March 2009 and the present because they were required to consistent with ORA Directive 13A shall be allowed to withdraw their application/membership from the FIC. Employees must submit their withdrawal from the FIC no later than 60 calendar days after the effective date of this MOU.
3. In addition, FDA agrees to reimburse employees for reasonable personal time used (annual leave/credit hours/compensatory time/leave without pay) and/or reasonable expenses incurred to apply for/obtain an official passport. Employees must submit their request for reimbursement of reasonable personal time used and/or reasonable expenses incurred no later than 90 calendar days after the effective date of this MOU. In addition, employees must submit documentation explaining how the personal time used was in furtherance of applying for/obtaining an official passport as well as documentation supporting the expenditures.
4. Within 10 calendars from the effective date of this MOU, FDA agrees to issue an all hands broadcast e-mail informing those employees referenced in paragraph 2 above that they may withdraw from the FIC and/or be reimbursed for reasonable personal time used and/or reasonable expenses incurred to apply for/obtain an official passport.
5. Should FDA decide to make a change to the Foreign Inspection program in the future that is more than de minimis, FDA agrees to provide NTEU with notice and an opportunity to bargain consistent with law rule, regulation, and the Parties' Collective Bargaining Agreement.
6. NTEU agrees to withdraw the unfair labor practice charge, WA-CA-10-0033.
7. The effective date of this MOU is the date of the last signature below.

For the Union:


Sharon Quinn Harris
National Negotiator
6-16-2010
Date

For the Agency:


Kenneth Brown
National Labor Relations, HHS
06-15-2010
Date