

Memorandum of Understanding between the American Federation of Government Employees Local 3607 (the Union) and the Environmental Protection Agency (EPA) Region 8 regarding the “COOP 2” exercise July 8 and 9, 2008

The parties enter into this agreement to address matters related to working conditions associated with EPA’s “Continuity Of Operations Plan” (COOP) exercise in July 2008 (COOP2 exercise). The purpose of the COOP2 exercise is to test EPA’s ability to perform essential functions in the event that one or more of EPA’s facilities is unavailable due to unforeseen circumstances (severe weather, civil disturbance, terrorist act, or other event).

1. EPA agrees to provide the Union access to the raw and summary results of any exercise participant surveys. EPA will provide the Union a briefing and summary of the exercise evaluation by July 31, 2008. The parties agree to meet and confer regarding these results.
2. The parties agree that the Montana Operations Office hours of operation and availability as a work site will not be affected by the COOP2 exercise.
3. By July 3, 2008, EPA agrees to make reasonable efforts to remind or notify all “COOP essential” personal and their alternates of their status as COOP essential personnel or alternates.
4. Excepting “COOP essential personnel” or their alternates, the parties agree that Region 8 Denver office and Golden laboratory office employees with existing “regular telecommuting” arrangements and who have telecommuted since June 1, 2008 will not be asked to work at an alternate work location as a part of the COOP2 exercise. The parties affirm their mutual commitment that the 1998 “AFGE/EPA Flexiplace Program” agreement establishes EPA and employee rules, rights and responsibilities for telecommuting.
5. Aside from the exceptions noted in this agreement, regardless of work schedule, the parties agree to make every reasonable effort to have non-regular telecommuter Denver office and Golden laboratory bargaining unit employees work from an alternative work station either July 8 or July 9, 2008. Management officials are authorized to make rare exceptions from employee participation in the COOP2 exercise.
6. An alternative work station is a location besides the employee’s regularly assigned work station in the Denver office or Golden laboratory. The Acting Regional Administrator will authorize in writing a blanket telework approval for the period covered by this exercise. EPA will provide the Union with a copy of this blanket approval. Generally employees covered by this blanket approval are expected to work from their primary residence. Rare exceptions to this requirement may be made on a case by case basis by agreement between individual employees and their supervisor.

7. EPA agrees to continue its existing practices regarding granting employee leave during the COOP 2 exercise. Article 25 of the parties existing "Master Collective Bargaining Agreement" (MCBA) establishes EPA and employee rules, rights and responsibilities for leave. EPA agrees not to cancel any existing leave or refuse to grant any leave solely because of the COOP2 exercise.
8. EPA agrees not to cancel employees' previously approved official travel arrangements solely because of the COOP2 exercise. EPA agrees to consider employees travel requests for the week of July 7 – 11, 2008 for necessary official travel.
9. EPA agrees to operate the Region 8 Computer Support Center, Library, Employee Information Center, and Records center with contractor or Senior Environmental Employee (SEE) staff during the COOP2 exercise. EPA agrees to operate these support functions with their normal services and business hours during the COOP2 exercise. By July 7, 2008 EPA agrees to provide instruction by email to all Denver office and Golden Laboratory employees on how employees can access EPA provided long distance telephone services by telephone from their alternate duty location.
10. EPA agrees not to harvest any personal information from employee owned computers used during the COOP2 exercise.
11. Credit hours may only be accrued at an alternate location with specific advance supervisory approval.
12. The parties recognize that some circumstances may prohibit some employees from working from an alternate work location July 8 or 9. Those should attempt to schedule an alternative telework / COOP2 practice day prior to July 9.
13. Employees and supervisors should plan in advance the portable work employees will perform at the alternative work location. This is particularly important to plan for those employees whose primary work responsibilities are usually considered non-portable.

For the Union:

<i>-signed-</i>	6/27/08
Dave Christenson, President AFGE Local 3607	Date

For EPA:

<i>-signed-</i>	6/27/08
Jane Chadbourne, Director Human Resources Program, EPA Region 8	