


**Memorandum of Understanding between
the American Federation of Government Employees Local 3607 (the Union) and
the Environmental Protection Agency Region 8 (EPA)
regarding "COOP" testing and exercises**


The parties enter into this agreement to address matters related to working conditions associated with EPA's "Continuity of Operations Plan" (COOP) exercises. The purpose of a COOP exercise is to test EPA's ability to perform essential functions in an emergency.

1. EPA agrees to provide the Union access to the raw and summary results of any major COOP exercise participant surveys, excluding any personally identifiable information (PII). The parties agree to meet and discuss the results at the request of the Union.
2. An alternate work location is a location other than the employee's regularly assigned work station. All employees are encouraged to sign an Episodic Flexiplace Agreement with their manager for approval as soon as practicable in order to be prepared to telecommute in the event of a major COOP relocation exercise.
3. Under the special circumstance of a major COOP relocation exercise where telework/social distancing is being evaluated, the parties agree that the one-year service and minimum performance requirements contained in the AFGE National Flexiplace Agreement may be waived so that all employees have the opportunity to participate in COOP training.
4. EPA agrees to give reasonable consideration to employee travel and leave requests during a COOP exercise.
5. EPA agrees not to harvest any personal information from employee owned computers used during a COOP exercise.
6. When a major COOP relocation exercise is scheduled in advance, employees and supervisors should plan for the portable work employees will perform at the alternate work location. This is particularly important to plan for those employees whose primary work responsibilities are usually considered non-portable.
7. The parties recognize that some circumstances may prohibit some employees from working from an alternate work location during a scheduled major COOP relocation exercise. Although this should be a rare circumstance, those employees may be allowed to schedule an alternative COOP exercise day. These arrangements should be coordinated with the employee's supervisor in advance of the scheduled exercise.

8. Employees will be held harmless in the event that a COOP exercise impacts their ability to perform their regularly assigned duties. Employees may be requested to report results of a COOP exercise and will not be subjected to either discipline or performance-related action if they are reasonably unable to perform work at an alternate location.
9. The parties agree that the terms of this agreement shall not be used to seek or justify similar terms in other Regions, Labs, or Headquarters.
10. This agreement will be effective upon Agency head approval or on the thirty first day after signature, whichever is earlier, and will continue in effect for the life of the 2007 MCBA.
11. This agreement may be re-opened at any time by mutual consent of the parties.



Kimberly Gutierrez
Labor Officer
US EPA Region 8



David Christenson
President
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