



DEFENSE LOGISTICS AGENCY
HEADQUARTERS
8725 JOHN J. KINGMAN ROAD
FORT BELVOIR, VIRGINIA 22060-6221

OCT 9 2009

IN REPLY
REFER TO J-13

MEMORANDUM FOR MR. BRUNSON EDWARDS AND MR. RICHARD FASO,
CHIEF NEGOTIATORS FOR DEFENSE LOGISTICS
AGENCY (DLA) ACTIVITIES AT PHILADELPHIA

SUBJECT: Locally Negotiated Operating Procedures (LOCNOPS) for Articles 6, 20, 24,
25, and an Addendum between DLA Activities at Philadelphia and
American Federation of Government Employees (AFGE) Local 62

The subject LOCNOPS, all dated September 16, 2009 except for Article 6, which is undated and was received on October 8, 2009, have been reviewed pursuant to Article 38, Section 5 of the Master Labor Agreement (MLA) between DLA and AFGE Council 169. Articles 6, 24, and 25, are hereby approved this date by both DLA Headquarters and AFGE Council 169.

Article 20 is approved with the understanding that under Sections 3a and 3b, once an employee has selected a start time between 0600 and 0730, it will remain fixed for the schedule, and with the understanding that for employees working a flexible schedule – not just maxiflex – holidays are capped at 8 hours by law.

The Addendum is hereby disapproved. As stated in Ms. Karen Hilliard's memorandum to you dated September 16, 2009, the Addendum addresses items that are not authorized to be covered as LOCNOPS in Article 38, Section 1 of the MLA. When the MLA is silent on a provision, the parties should request a delegation to bargain from this office and Council 169, explaining their rationale for so requesting.

Articles 13, 15, 21, 29, 30, 31, and 41 were previously approved in Ms. Hilliard's memorandum to you dated September 16, 2009.

If there are any questions on this matter, you may contact me at (703) 767-3404 or DSN 427-3404.

NEIL GLENICKI
Acting Staff Director
Labor and Employee Relations
Human Resources

Attachment

cc:

Mr. Frank Rienti, AFGE Council 169

LOCNOPS
ARTICLE S6
USE of OFFICIAL FACILITIES and SERVICES

Section 1.D. Use by Union

Management agrees to provide suitable space within DSCP for use by the Union. The space shall afford an appropriate degree of privacy and shall contain adequate furnishings to include desks, tables, chairs, locked filing cabinets, and access to the telephone system, internet, FAX machine & copy machine, or other ADP equipment. Additional items may be provided by mutual agreement. It is the responsibility of the union to ensure that all furnishings, items, equipment, etc., is used properly in accordance with all laws, rules, regulations, and local procedures.

Use of Electronic Communication (EC) Equipment:

Absent an official investigation or necessary business reasons, such as Personally Identifiable Information (PII) scans, computer files or cabinets used by AFGE Local 62 representatives for representational purposes shall be confidential. Management will not initiate access of any AFGE Local files without express permission from the Local President.

AFGE Local 62 will be allowed to use telecommunications (computer, fax, ADP equipment, etc.) to communicate within the AFGE Local to carry out representational duties.

List of Employees:

Management agrees to furnish AFGE Local 62 an up-to-date list of employees in the bargaining unit showing name, position, title, SCD, organizational code, FLSA code, and official duty station, twice a year (January and July). Additional information will be furnished upon request on a case-by-case basis in compliance with the Privacy Act, case law, and other existing laws, rules, and regulations.

Use of Government vehicles:

Government vehicles may be used for AFGE Local 62 representational duties, for which official time is authorized and will be used, provided,

- (1) A vehicle is available and formal request is made, and
- (2) The Local representative has made reasonable efforts to resolve the matter through the use of telephones, mail, etc.

If an AFGE Local 62 official is authorized to use a privately owned vehicle instead of a government vehicle, mileage will be paid at the appropriate rate in accordance with Federal Travel Regulations. Management will continue to provide the tools, equipment, and supplies necessary for the Union Officials to perform their duties.

Management agrees to provide suitable space within DSCP to the Union for the purpose of

conducting meetings and other Union business outside regular working hours, subject to change resulting from required management usage or by the host activity of the NSA compound.

Section 2.B. Use by Employees

Management and AFGE Local 62 agree to abide by all rules and regulations established by the Host activity as regards smoking, exercise facilities, security, parking, and all other working conditions controlled by the host activity for all tenant activities, such as DSCP.

Parking

Reserved Spaces - 758

BARGAINING UNIT

Employee of the Month	2
DSCP Open	484
*Disability – Permanent	40
*Disability - Temporary	20
Carpool	50
Union	15

EXCEPTIONS

NOTE:

Exceptions will be granted on a case by case basis requiring detailed justification and agreement between management and union.

*This number reflects a total number of spaces available for the two categories identified. The specific number of spaces will fluctuate among cited categories always remaining as a total of 60. This will be accomplished by phasing ending December 31, 2011.

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**LOCNOPS
ARTICLE S20
HOURS OF DUTY**

Subject to the conditions set forth in this article employees may elect a work schedule that meets their needs and fulfills mission requirements. These work schedules are:

Standard Work Schedule
Flexible Work Schedule
Compressed Work Schedule
Maxiflex Work Schedule

1. Standard Work Schedule

A standard work schedule is eight hours per day, five days per week. Employees choose arrival and departure times that remain the same for each work day. Employees may select start times from 0600 to 0900 hours and departure times from 1500 to 1800 hours.

2. Flexible Work Schedule

A flexible work schedule uses flexible bands of hours during which employees may vary their arrival and departure times on a daily basis and core hours during which the employee must be present for work. Employees must work eight hours per day, five days per week while on this schedule. Employee may "flex" arrival time from 0600 to 0900 hours daily and may correspondingly "flex" departure time from 1500 to 1800 hours daily. Core hours are 0900 to 1100 hours and 1300 to 1500 hours, Monday thru Friday.

3. Compressed Work Schedules

Compressed schedule options are as follows:

- a) 5/4/9 – This schedule permits eight nine hour work days and one eight hour work day per pay period, equaling a total basic work requirement of 80 hours. Employees complete the prescribed 80 hours of work in nine work days, thereby allowing a single scheduled day off each pay period. Employees select a daily set start time from 0600 to 0830 hours.
- b) 4/10 – This schedule permits four ten hour work days each week, equaling a total basic work requirement of 80 hours during a standard two week pay period. Employees complete the

prescribed 80 hours of work in eight work days, thereby allowing two scheduled days off each pay period. Employees select a daily set start time from 0600 to 0730 hours.

4. Maxiflex Work Schedule

A maxiflex work schedule uses flexible bands of hours during which employees may vary their arrival and departure times on a daily basis, identifies core hours during which the employee must be present for work, and provides for the completion of the work requirements in less than ten full work days. Under this plan employees may schedule no less than eight and no more than ten work hours per day.

Employees may "flex" daily arrival times as follows:

From 0600 to 0900 hours daily if electing an eight hour day

From 0600 to 0830 hours daily if electing a nine hour day

From 0600 to 0730 hours daily if electing a ten hour day

Employees may correspondingly "flex" departure times from 1500 to 1800 hours daily. Core hours are 0900 to 1100 hours and 1300 to 1500 hours Monday thru Friday.

5. Work Schedules

The Basic Work Requirement (BWR) is the number of hours which an employee is required to work or to account for by leave or holiday hours within the pay period. For full time employees the BWR is 80 hours per pay period. For part-time employees the BWR is the number of scheduled hours in a pay period.

Duty Hours are 0600 hours to 1800 hours

The normal administrative work week is Monday thru Friday

Each quarter all employees changing their work schedules must submit their work schedule requests to the first line supervisor for approval. Changes to existing work schedules (including changing to or from a standard, flexible, compressed or maxiflex schedule as well as changing the matrix arrangement of an existing compressed or maxiflex schedule) may be made during the work schedule open seasons, the first full administrative work weeks following January 1, April 1, July 1, and October 1 of each year. The work schedule submissions must identify the work schedule chosen by the employee. For maxiflex elections, the eight, nine and ten hour work days and any requested days off must be identified. For compressed schedules, the 5/4/9 or the 4/10 schedule, selected arrival time, and any requested days off must be identified. For standard work schedules, the set arrival and departure times must be established.

Approved schedule changes will be effective the first full pay period following the open season week.

All work schedule elections are subject to supervisory approval. Employees may make temporary modifications to their flexible work schedules during the quarter only with supervisory approval.

Supervisors should review all requested flexible work schedules to ensure adequate coverage

of assignments/services. Adjustments to employees' work schedules may be made by supervisors to avoid adverse impacts on the mission and/or workload requirements.

Management may limit the number of employees electing the same day(s) off within any work group. In the event of conflict regarding the choice of day(s) off, supervisors will first consider mission and workload needs. When a voluntary agreement cannot be reached amongst the remaining employees with conflicting schedules, seniority (service computation date) will be used to determine which employee(s) will be granted preference.

Management reserves the right to assign specific employees or groups of employees to particular work shifts in order to meet mission requirements.

Employees may be excluded from the maxiflex and/or compressed work schedules for periods of no less than one pay period in order to accomplish special projects or other relevant management directed actions. For purposes of attendance at training classes, assignment of temporary duty (TDY), or special schedule requirements (ex: court leave or jury duty) management may temporarily remove employees from the maxiflex work schedule. Employees attending training must report to the training sessions during the hours established for those classes. Employees should be notified of such changes prior to the beginning of the affected pay period.

If it is discovered that inclusion of employees/positions in a maxiflex and/or compressed work schedule has resulted in an adverse impact on the mission, the affected employees should be notified of the decision to exclude them and the reasons for the decision. Employees should be notified no later than the Monday prior to the effective date of the change, unless adherence to this notice period would have an adverse impact on the mission and/or work load requirements. Management may also remove employees from maxiflex work schedules due to attendance or productivity reasons.

All work performed within the boundaries of the elected work schedule is regarded as straight time for computation of pay.

Employees are required to work the number of hours scheduled for a day, be placed on leave, or use a combination of work and leave to total the scheduled number of hours for a given day.

The numbers of hours employees are to be paid for a holiday will be consistent with current law and/or governing regulations. Under the maxiflex schedule an official holiday falling within the pay period will account for 8 hours of the bi-weekly 80 hours basic work requirement. Under the compressed schedules an official holiday falling within the pay period will account for the number of hours regularly scheduled for the employee to work on that day.

Determining in-lieu-holidays under the compressed schedules will be accomplished in accordance with current law and/or governing regulations.

The minimum charge for either annual or sick leave is 15 minutes. Additional leave is to be charged in 15 minute increments.

The normal lunch period begins at 1100 hours and must be completed by 1300 hours. Each employee will take a lunch break of at least 30 minutes. Employees may request to extend this break without charge to leave, provided sufficient time remains in the flexible work day hours to make up the time before the end of the workday (1800 hours). **NOTE: An employee beginning an 8 hour work day at 0600 hours is required to extend the lunch period to 60 minutes, thereby accommodating the required core hours.**

All employees on flexible and maxiflex work schedules will sign-in in order of arrival and sign out in order of departure on the designated time and attendance document each work day. Signings will consist of employees' signatures and corresponding arrival and departure times. Work will commence and end at the times recorded.

Employees electing a standard eight hour work day or a compressed schedule with set arrival and departure times are not required to sign in or out.

CREDIT HOURS

Credit Hours are hours of work that can be performed and then used at a later time to fulfill the 80 hour basic work requirement. The purpose of credit hours are to vary the length of the workweek or workday and to allow employees paid time-off from work without charge to leave at a later date.

Only employees on flexible work schedules may earn credit hours.

Credit hours are hours worked in excess of the basic 80 hour work requirement, but may only be worked Monday through Friday between 6:00 a.m., and 6:00 p.m. Employees must request permission to work credit hours in advance and in writing (e.g. via e-mail or on plain bond paper), to his/her immediate supervisor (or the supervisor's designated representative). The written request must identify the number of credit hours the employee wants to work during the pay period and the times/dates the employee is requesting to work credit hours. Employees who work credit hours without advance approval will forfeit those credit hours. The supervisor will provide an expeditious written response to employees' credit hours requests, indicating if the request is approved/disapproved, in whole or in part, and if approved, identify the work to be performed by the employee while earning credit hours.

In order to use earned/accrued credit hours, employees must submit a leave request form as they would for any other type of leave request. Supervisory approval/disapproval for credit hour leave will be handled in the same manner as any leave request.

Employees can accrue a maximum of 24 credit hours to carry over from one pay period to the next. Hours earned in excess of the 24 hour limit will be forfeited. It is the responsibility of employees to monitor (track) their credit hour accrual and assure they do not exceed the 24 hour limit.

Credit hours must be earned prior to the pay period in which they are used. Credit hours may

be earned and used in 15 minute increments.

**SPECIAL PROVISIONS
EMERGENCY CLOSURE POLICY**

When weather problems or other emergency conditions exist, all normal work schedules are suspended during that period of time. Employees are expected to listen to news media outlets and/or call the DSCP work status number (215-737-DSCP) or (1-800-441-1837 then upon connection dial 737-3727) to obtain additional details. Every effort will be made to have the announcement made by 5:00 a.m. Telework & Flexi place employees are bound by the procedures in the DLA One Book, which state, "For DLA activities located outside the Washington Capital Beltway (including DLA HQ Complex) that are effected by emergency dismissal or closings, teleworkers working at an alternative worksite would normally be expected to continue working".

Closed All Day – In the event DSCP decides not to open for the day, this is a non-workday for leave purposes. There will be no charge to leave for employees who were in a pay status either the day before or after DSCP closes.

Early Dismissal – If an employee is on approved leave for the entire day, the employee will be charged a whole day of leave, as requested by the employee. These employees are unaffected by early dismissal announcements.

Employees who arrive for duty, and leave at the announced early dismissal time, will not be charged leave.

Employees who arrive for duty, and are on duty when the early dismissal announcement is made, but leave prior to the early dismissal time, will be charged leave but only for the time they left until the time of early dismissal.

Employees who arrive for duty, but leave before any early dismissal announcement is made, will be charged leave from the time they left work until the end of their regularly scheduled shift for that day.

Delayed Opening – When there is a delayed opening, the announced opening time is the official start of the day. Employees who choose to arrive at work prior to the revised opening time for that day may not begin work until the opening time. Employees arriving after the revised opening time for that day will be charged leave, as appropriate.

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**LOCNOPS
ARTICLE S24
ANNUAL LEAVE**

The use of annual leave is a right of the employee. Consistent with the needs of Management, annual leave, which is requested in advance, will be approved by the employee's immediate supervisor. It will be the responsibility of the employee, in consultation with the supervisor, to schedule annual leave so that it will not be forfeited.

Management agrees to follow all applicable annual leave regulations and this agreement.

Any conflicts between employees desiring the same time off will be resolved with discussion between employees and supervisor.

Annual leave may be approved for employees who request it after they were scheduled to report for work if circumstances warrant approval.

Paragraph H

Employees must first attempt to personally speak with their supervisor/ supervisors designated representative when calling to request emergency/unscheduled leave. Employees may not ask coworkers or friends to notify their supervisor/supervisors designated representative on their behalf. Barring some type of emergency, employees may not call to request emergency/unscheduled annual leave before 6:00 a.m.

The first-line supervisor's designated representative, preferably another management official, must be identified to employees. In the event that a supervisor's designated representative is a non-supervisory employee they may approve leave for a few hours or emergencies. However, any disapproval of leave requests may only be made by a management official. Otherwise, employees may contact any management official in the chain of command to request leave.

In the event the supervisor/supervisor's designated representative is unavailable to personally speak with, employees are permitted to leave a voice message or send an e-mail to their supervisor/supervisors designated representative to request leave. If it is necessary for an employee to leave a voice message or send an e-mail to their supervisor/supervisors designated representative, the employee must provide a phone number where they can be reached so the supervisor/supervisors designated representative can contact them and discuss their leave request. In the event emergency/unscheduled leave is not approved, management will grant leave for a reasonable period of time which will allow the employee to commute to work.

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Employees who report for duty and want to request leave in order to depart before the end of their shift must submit a leave slip and personally speak with their supervisor, or their supervisor's designated representative, to obtain leave approval before leaving the worksite. Barring an emergency, employees may not submit a leave slip (e.g., place it in supervisor's in-box) and depart without speaking with their supervisor/supervisor's designated representative.

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**LOCNOP's
ARTICLE S25
SICK LEAVE**

Section 2

Earned sick leave may be used for medical appointments, employee illness and for other reasons permitted by law and regulation.

Employees must first attempt to personally speak with their supervisor/supervisors designated representative when calling to request unscheduled sick leave. Employees may not ask coworkers or friends to notify their supervisor/supervisors designated representative on their behalf. Barring some type of emergency, employees may not call to request unscheduled sick leave before 6:00 a.m.

The first-line supervisor's designated representative, preferably another management official, must be identified to employees. In the event that the supervisor's designated representative is a non-supervisory employee, they may approve leave for a few hours or emergencies.

In the event the supervisor/supervisors designated representative is unavailable to personally speak with, employees are permitted to leave a voice message or send an e-mail to their supervisor/supervisors designated representative to request leave.

Employees who report for duty and want to request leave in order to depart before the end of their shift must submit a leave slip and personally speak with their supervisor, or their supervisor's designated representative, to obtain leave approval before leaving the worksite. Barring an emergency, employees may not submit a leave slip (e.g., place it in supervisor's in-box) and depart without speaking with their supervisor/supervisor's designated representative.

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ADDENDUM**Guidance/Procedures for Participation in National Training Conferences for Special Emphasis Program Committee Representatives**

The purpose of this policy is to provide guidance for participation in National Training Conferences (NTC) and to specify procedures for selection of attendees.

Every Directorate/Office has representation on each Special Emphasis Program (SEP) committee, and that representative is a direct reflection of management's commitment to a strong Equal Employment Opportunity Program. Therefore, I strongly encourage you to support NTC participation within these recommended guidelines.

Funds for National Training Conferences will be provided by command. This includes registration fees. The Command Fund cite must be used in order for travel and any conference fees to be charged to the Command Office. All requests for participation will be submitted to the EEO Office to ensure equitable representation throughout the command and EEO will act as the dispenser/controller of funds.

PROCEDURES

Participants will be chosen to attend using the following criteria:

The Special Emphasis Program National Training Conferences are only available to those employees who serve on EEO Special Emphasis Program Committees, or are actively involved in Special Emphasis Programs, or hold office in a national organization that promotes and supports the goals and objectives of EEO i.e. BIG, FEW, IMAGE, NAACP, FAPAC, etc.

If an employee participates on their own time in a national organization that supports EEO goals and objectives and holds a position within that organization, their attendance at NTC's should be authorized but will not be funded for registration, travel and lodging unless they also serve on a Special Emphasis Program Committee. However, excused leave should be considered if your employee requests to attend a NTC based on that status. It is requested that you contact the EEO office with that individual's name for verification.

The EEO Manager will decide which SEP representatives meet the criteria to attend. Directors will determine if the representatives from their directorate can be released from duty based on agency mission and workload.

Representatives must be active participants in the EEO Special Emphasis Program they have been chosen to serve on, as determined by the respective Special Emphasis Program Managers.

If managers and supervisors request to attend, decisions will be made based on directorate/office budget and mission constraints. In the event of an abundant number of requests, the lottery

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system will be utilized.

Special Emphasis Representatives will only be permitted to attend the conference that relates to their area of service, i.e. HEP members attend IMAGE.

We appreciate the level of service and commitment that is given by each representative and because of these efforts, DSCP will continue to provide educational and informative Special Emphasis Programs.

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