

AVS Collective Bargaining Agreement



REPRESENTATION



Article 2: Union Representatives

- **Section 1.**
- Union-designated representatives at each level of management.
- **Section 2.**
- One Principal Representative and one designee for each work location.

Article 2: Union Representatives

- **Section 4.**
 - Principal Representatives shall be granted four hours of official time with an additional four hours granted for each additional 35 employees, or thereof. This time can be delegated to other representatives.
 - PLUS additional time can be provided to perform valid representational duties.
 - Additional official time for negotiations, proceedings before the FLRA, investigations, formal discussions/meetings and meetings initiated by the agency.
- **Section 10.**
 - Forty hours for representation training.

Article 19: Professional Differences of Opinion

Employee complies; agency takes
responsibility.

Article 22: Local Office Policies and Procedures

- Office policies are not negotiated and do not require union agreement. However, certain issues found in the office policy may be negotiable if working conditions are affected.



WORK SCHEDULES AND WORK ASSIGNMENTS

Article 25: Certificate/Work Assignment Procedures

- **Section 5. What triggers:**
 - New certificate/work assignment is given to the office.
 - An existing certificate/work assignment is removed from the office.
 - A certificate/work assignment is moved from the current holder.
 - A new bargaining unit employee comes into an office.
 - A bargaining unit employee leaves the office.

Article 25: Certificate/Work Assignment Procedures

- **Section 4.** What is triggered:
 - Competitive process
 - Seniority process
 - Direct assignment
- **Section 6.**
 - Union notice and opportunity to provide views.

Article 26: Temporary Internal Assignments

- Section 2
 - Detail: assignment to a different position for specific period, during detail officially occupy and compensated for position of record.
 - Temporary Promotion: promotion to higher pay grade for specific time. May or may not be competitive if less than six months. Competitive if more than six months.
 - Resolves issue with Article 25 only applying to permanent assignments: non-competitive temporary promotions involving Certificate/Work Assignments will be made in a fair and equitable manner among qualified volunteers based on Flight Standards seniority. Absent volunteers, inverse seniority.

Article 43: Realignment of Workforce

- **Section 1.**
- Applies when: Reassignment of employee to a new position and/or location or abolishment of position as result of such things as transfer, merger or elimination of certificate, a facility/office closing, office relocation, severance of existing facility/office functions and/or services, facility/office consolidation, de-consolidation/de-combining, intra-facility/office or inter-facility/office reorganization.

Article 43: Realignment of Workforce

- The process when one of these occurs, resulting in relocation of employee:
- Consider if the duties can be performed in a virtual environment.
- Agency expedite existing selections awaiting release.
- Equally qualified volunteers will be solicited.
- If insufficient volunteers, inverse seniority will be used.
- Upon being notified of involuntary reassignment outside district boundary, receive priority consideration for vacancies within bargaining unit at same pay or lower pay grade within district boundary employee was originally located. Apply with an ERR or through normal application process. The right for priority consideration lasts one year or when a position is rejected.

Article 43: Realignment of Workforce

- In the Article, a.–e. describes information that is provided to employees.
- If ultimately placed in a lower-graded position, receive priority placement rights for two years. At the end of the two years and if employee does not reject a position offer, placed in pay retention. (HRPM EMP 1.9)
- RIF is the last recourse.
- All assignments made in accordance with Article 25: Certificate/ Work Assignment.

Article 49: Alternate Work Schedules

- 2008 Court of Federal Claims, primarily concerned with if employees could receive compensatory time and credit hours, dramatically impacted the availability of AWS when the AWS allowed for a schedule that exceeded 40 hours a week.
- March 2014 Court of Appeals for the Federal Circuit overturned and remanded. Finalized December 2015, freeing us up to expand.
- Article 49, Section 3, called for a reopener upon the court's issuing a final decision.
- The return of AWS! We negotiated an MOU extending AWS for FLSA non-exempt employees. Goes into effect December 25, 2016 (because DOI can't get there act together before then).

Article 49: Alternate Work Schedules

- FLSA non-exempt:
 - Compressed 4/10
 - 5/4-9
 - Flexible start time (8- , 9- and 10-hour days)
 - Flexible work schedule: Non-traditional work schedule as defined in HRPM LWS-par. 6(b).
- FLSA exempt:
 - 4/10
 - 5/4-9
 - Flexible work schedule: Non-traditional work schedule as defined in HRPM LWS-par. 6(b).
- Article 48, Section 4: AWS is an entitlement that cannot be denied unless agency shows adverse agency impact.



PAY AND
BENEFITS

Article 127: Pay

- By popular demand, FG pay!
- Lump sum 0.5 percent beginning of year of 2014, 2015 and 2016.

Article 119: Overtime

- **Section 1.**
 - Bargaining unit employees covered by FLSA (non-exempt) follow the FLSA regulations found in 5 CFR Part 551.
 - Bargaining unit employees not covered by FLSA (exempt) follow agency policy, HRPM PRE 3.1.
- **Section 3.**
 - Regular scheduled overtime must be made available to qualified employees in a fair and equitable manner.

Article 119: Overtime

- **Section 9.**
- Process for assigning accident/incident investigation.
- The agency will solicit qualified employees who desire to work overtime.
- Volunteers will select a week to be called for overtime, one primary and/or alternate.
- Management will assign weeks not selected via inverse seniority for primary and alternate positions.

Article 119: Overtime

- Even if an employee is on the list, he/she does not have to be available or answer the call.
- If employee on list does not answer, overtime is assigned in an equitable manner from those who indicated a desire to work overtime (off of the list).
- If no one on the list is available, overtime assignments are assigned in an equitable manner, using inverse Flight Standards seniority.

Article 119: Overtime

- Traveling
- For exempt, under agency policy, travel is hours of work when:
 - Travel falls during regular, scheduled overtime.
 - Travel involves performance of actual work or incident to work.
 - Travel during arduous and unusual conditions.
 - Travel results from event that could not be scheduled or controlled administratively by the FAA, another federal agency or DC.

Article 119: Overtime Traveling

For non-exempt, under FLSA, travel is hours of work when:

- Travel during work hours.
- Drive or perform work while traveling.
- Passenger on a one-day assignment.
- Passenger on overnight assignment away from official duty station during hours on a non-workday that correspond with normal work hours.

Article 120: Compensatory Time

- 2008 Court of Federal Claims compensatory time and credit hours not allowed. March 2014 Court of Appeals for the Federal Circuit overturned and remanded. Finalized December 2015, opening up the possibility for the return of comp time and credit hours.
- Article 120, Section 9, reopener allowed us to negotiate comp time back into existence following final adjudication.
- Comp time strikes back! We negotiated an MOU officially allowing BUEs to gain and use comp time. Goes into effect August 7, 2016 (recorded in CASTLE August 11, 2016).

Article 120: Compensatory Time

- Compensatory time for FLSA non-employees.
 - Under FLSA, comp time can be paid if requested by the employee for irregular or occasional overtime. Contrary to law for employees to be coerced, intimidated or forced to accept comp time instead of OT pay. Your choice!
- Compensatory time for FLSA exempt employees.
 - HRPM PRE-3.1 states comp time can be required by management for irregular or occasional overtime.

Article 121: Travel Compensatory Time

- Under Article 121, this is paid for travel that is not otherwise compensable under FLSA or agency policy to exempt and non-exempt employees.

10 percent
premium pay for
performing
supervisory-type
duties.

Article 125: Employee in Charge (EIC)

Article 90: On-the-Job Training

10 percent OJT training premium pay!

Article 38: Position Description

- PASS notified at least 30 days in advance of changing a position description.
- If you believe your PD is inaccurate then you can request a review.

Article 79: Dress Code

- No neckties and, yes, jeans.
- Dress appropriate for the circumstances.