

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE FOOD AND DRUG ADMINISTRATION
AND
THE NATIONAL TREASURY EMPLOYEES UNION CHAPTER 282

This agreement is applicable only to Phase I of the consolidation of the FDA at White Oak and does not preclude negotiations, pursuant to the requirements of law and the provisions of the FDA/NTEU Collective Bargaining Agreement (CBA), on any topics or issues that may arise for subsequent phases. FDA shall appropriately notify NTEU of all changes that create an obligation to bargain.

- 1) The FDA shall provide parking on the site for every employee who is relocated to White Oak or hired to work at White Oak during Phase I and who commutes by vehicle.
- 2) The FDA shall make all reasonable efforts, working with appropriate authorities, to provide convenient public transportation for employees assigned to the White Oak site.
 - a) The FDA shall make its best efforts to secure permission for the Union to be represented on the Montgomery County FDA/White Oak Transportation Technical Group (which will include representatives of area transportation agencies). If the Agency is unable to obtain permission for the Union to be directly represented on that group, the parties shall establish a joint labor-management committee to address transportation concerns at the White Oak site, with two representatives from each side. The committee shall meet as often as necessary, but at least once a quarter unless the parties mutually agree that a meeting is unnecessary.
 - b) The FDA agrees to make good faith efforts to obtain financial resources to support telecommuting options, including satellite office sites, pursuant to Article 26 of the CBA, for employees assigned to the White Oak site during Phase I of the relocation.
- 3) The FDA and NTEU Chapter 282 are committed to continue monitoring the environmental safety of the White Oak site. A local health and safety committee shall be established with two representatives from each side to address health and safety issues specific to the White Oak Site, including, but not limited to, monitoring the progress of site cleanup throughout all phases until the safety of the site has been definitively established. The committee shall meet as often as necessary, but at least once a quarter unless the parties mutually agree that a meeting is unnecessary. This committee shall operate consistent with Article 50 and all other applicable provisions of the CBA.
- 4) Management offices shall be relocated to permit location of investigator offices more adjacent to the laboratories in which the investigators work in accordance with the attached floor plans.
- 5) Until one or more of NTEU's current offices is no longer necessary (i.e., because the population served has relocated), the FDA shall provide Chapter 282 with an office no smaller than Office Size F in the CDER Laboratory Building at the White Oak site in addition

to those provided under the CBA. After the additional office is no longer necessary, Union office space shall be governed by the CBA.

- 6) The parties agree that offices on the periphery of the building with windows and along the internal side of the peripheral corridors shall be allocated to bargaining unit employees in a manner approximately proportional to their percentage of the total FDA work force assigned to White Oak in Phase I. Accordingly, offices shall be allocated to bargaining unit employees in accordance with the attached floor plans.
- 7) The parties agree that the Union shall serve the FDA with its proposals, pursuant to Article 5, Section 18 of the CBA, concerning how function and grade will be used to assign specific employees to the work space which is being allocated to bargaining unit employees consistent with this agreement 180 days prior to the estimated occupancy date or July 1, 2002, whichever comes first. The parties shall schedule any necessary negotiations on this matter in an expeditious manner pursuant to Article 3 of the CBA.

For the NTEU:

For the FDA:

Dennis D. Broud
Steward, NTEU Chapter 282
Co-Chairman, White Oak Consolidation Committee
Lead Negotiator, White Oak Phase I Mediation Team

Russell J. Abbott
Director, Office of Management
Center for Drug Evaluation and Research

Richard L. Arkin
CVM Vice President and Steward, NTEU Chapter
282, Member White Oak Phase I Negotiation/
Mediation Team

Ernest G. Lunsford, Jr., P.E.
Director, Division of Facilities Planning,
Engineering and Safety

Joy B. Lazaroff
Executive Vice President & Steward, NTEU
Chapter 282, Member White Oak Phase I
Negotiation/Mediation Team

Edwin S. Campbell, Jr.
Labor Relations Officer

Ferrin Harrison
Treasurer and Steward, NTEU Chapter 282
Member White Oak Phase I Negotiation/
Mediation Team

Sharon Quinn Harris
NTEU National Counsel

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