


Memorandum of Understanding (MOU)
Between
Pension Benefit Guaranty Corporation
And
Independent Union of Pension Employees for Democracy and Justice
Concerning
Ground Rules for Negotiations of an Initial Collective Bargaining Agreement

As a result of the Parties mediating their disputes and in light of the MOU dated October 7, 2016 tentatively agreeing (TA), to thirty-two (32) Articles rolling over from the 2011 PBGC-UPE CBA, and to continue negotiating the twenty-two (22) identified Articles as well as the three (3) new proposals, the following rules will apply.


1. The Ground Rules dated November 24, 2015, will remain in effect, as modified by this MOU and the previous MOU dated April 25, 2016 regarding the amendment of the ground rules.
2. The MOU executed on October 7, 2016, contains the complete list of Articles the parties will continue to negotiate/mediate. Neither party is able to delete or add any Articles to the list without mutual agreement.
3. The parties will continue to meet and discuss these Articles before the Federal Mediation and Conciliation Service appointed mediator; the parties acknowledge that they will maximize the opportunities provided by the mediator insofar as use the available dates offered. Additionally, the Parties agree to meet without the mediator.
4. The parties will alternate selection and presentation of Articles.
5. To the extent possible, the Parties will provide written counters/modifications, pursuant to the ground rules, to each other at least 3 workdays in advance of meeting.


For the Agency:


Ilir M. Tsungu, Chief Negotiator
Date: October 13, 2016

For the Union:


Stuart Bernsen, Chief Negotiator
Date: October 13, 2016


Valda J. Johnson
10/13/2016


Evonne M. Daniel
10/13/2016

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into by the Independent Union of Pension Employees for Democracy and Justice ("IUPEDJ" or the "Union") and the Pension Benefit Guaranty Corporation ("PBGC" or "Employer") (together, the "Parties").

1. The Parties will continue to bargain over the following articles in the Collective Bargaining Agreement Between the Pension Benefit Guaranty Corporation and the Union of Pension Employees dated May 3, 2011 (the "PBGC-UPE CBA") as designated by the Employer:

- (1) Art. 3 Awards
- (2) Art. 7 Contracting Out
- (3) Art. 8 Data Requests
- (4) Art. 11 Distribution of Work
- (5) Art. 17 Equal Employment Opportunity
- (6) Art. 24 Interim Negotiations
- (7) Art. 29 Merit Promotions
- (8) Art. 32 Offices
- (9) Art. 35 Performance Management
- (10) Art. 53 Union Rights

2. The Parties will continue to bargain over the following articles in the PBGC-UPE CBA as designated by the Union:

- (1) Art. 2 Arbitration
- (2) Art. 10 Disciplinary and Adverse Action
- (3) Art. 19 Grievances
- (4) Art. 26 Leave and Absence
- (5) Art. 28 Mass Transportation Program

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- (6) Art. 46 Student Loans
 - (7) Art. 47 Telework
 - (8) Art. 56 Duration of Agreement
3. The Parties will continue to bargain over the following articles in the PBGC-UPE CBA as designated by both Parties:
- (1) Art. 9 Details and Temporary Promotions
 - (2) Art. 23 Hours of Work and Work Schedules
 - (3) Art. 41 Reassignments
 - (4) Art. 52 Union Representatives and Official Time and Meetings Between Union representatives and Employee
4. The Parties will bargain over all sections and topics contained in the articles in the PBGC-UPE CBA identified in #1, #2 and #3 above based on the corresponding proposals and modified proposals that the Parties have exchanged and have been bargaining over pursuant to the CBA Ground Rules dated November 24, 2015 (the "Ground Rules").
5. The Parties will continue to bargain over the following "new" articles proposed by the Union dated January 29, 2016:
- (1) Joint Committee to Review and Make Recommendations on Recruitment, Retention and Staffing (Union proposal 56)
 - (2) Building Lease, Office Location, Space, Construction (Union proposal 60)
 - (3) Actuarial Designation, Training and Study Program (Union proposal 62)
6. The Parties tentatively agree to the following articles contained in the PBGC-UPE CBA in accordance with Ground Rules Section III.D, subject to technical corrections such as names, cross references, and spelling:
- Article 1 Recognition and Coverage and Unit Clarification
 - Article 4 Business Cards
 - Article 5 Child Care

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Article 6	Conduct of Labor-Management Representatives
Article 13	Employee Orientation
Article 14	Employee Protection from Unreasonable Search
Article 15	Employee Rights and Civic Responsibilities
Article 16	Employer Rights
Article 18	Fitness for Duty Examinations
Article 20	Health and Safety
Article 21	HIV AIDS in the Workplace
Article 22	Holidays
Article 25	Labor-Management Relations Committee
Article 27	Leave Bank
Article 30	Merit Systems Principles and Accountability
Article 31	Notices to Employees
Article 33	Parking
Article 34	Part-Time, Probationary and Temporary Employees
Article 36	Personnel Records and Access to Information
Article 37	Position Classification
Article 38	Pro Bono and Volunteer Services
Article 39	Professional Fees
Article 40	Professionalism
Article 42	Reduction-in-Force
Article 43	Retirement

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- MCA 10/7/2016

- Article 44 Security and Safety Measures
- Article 45 Special Salary Rates
- Article 48 Temporary Light Duty
- Article 49 Training and Development
- Article 50 Travel
- Article 51 Union Access to Employer Facilities and Services
- Article 54 Waiver of Overpayment


7. The Parties have tentatively agreed on the attached article, Employee Assistance Program.
8. The March 6, 2012 agreement between the Parties on dues withholding remains in place.
9. The provisions of the Ground Rules, Section IX, concerning Union ratification and Agency Head review continue to apply.

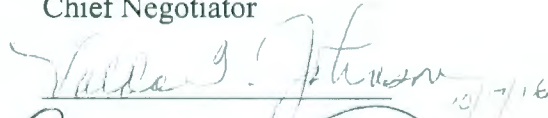

For the Employer


 ILIR TSUNGU
 Chief Negotiator

Date: October 7, 2016

For the Union


 STUART BERNSEN
 Chief Negotiator

 10/7/16

 10/7/2016

Date: October 7, 2016