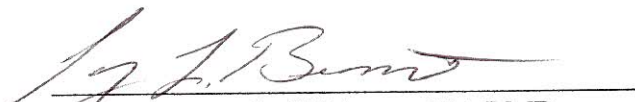


## Memorandum of Agreement

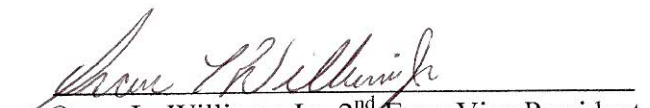
The following constitutes an agreement between the Department of Veterans Affairs, Veterans Canteen Services (VCS) and the American Federation of Government Employees, (AFL-CIO) National Veterans Affairs Council #53, concerning a supplemental review over the removal of a non-Veteran preference eligible VCS Title 38 Excepted Service employees appointed in accordance with the provision of Title 38 USC §7802 (5).

1. The national parties voluntarily enter into this agreement, with the understanding that non-Veteran preference eligible VCS employee is not being given any additional rights to a third party review of a removal action under 38 USC §7802 (5).
2. Adverse action for this MOU shall consist of a removal. In responding to a removal action, the VCS employee will be entitled to local union representation.
3. Processing a VCS Removal Action the following shall apply under this agreement:
  - An employee against whom a removal action is proposed is entitled to a thirty (30) day advance written notice, unless the crime provisions are invoked. The notice will state the specific reasons for the proposed removal action. VCS management officials agree that the employees shall be given up to eight (8) hours of time to review the evidence on which the notice of action is based and that is being used to support the action. Additional time may be granted on a case by case basis. Upon request, one copy of any document(s) in the evidence file will be provided to the employee and/or his/her designated representative.
  - The employee or his/her representative may respond orally and/or in writing as soon as practical but no later than fourteen (14) calendar days from receipt of the proposed action notice. The response may include written statements of person having relevant information and/or appropriate evidence. VCS management officials have the right to restrict the response time to seven (7) days when invoking the crime provisions.
  - The meeting with the VCS Regional Manager or his/her designee will be face-to-face at the employee's duty location, unless the parties by mutual agreement agree to teleconference.
  - Extensions for replying to proposed removal action may be granted for good cause.
  - The appropriate VCS Regional Manager or his /her designee will issue a written decision at the earliest practical date.
  - The written decision shall include the reason for the removal and a statement of findings and conclusions as to each charge. The written decision shall include the name and address where an appeal of the removal can be filed.


- The written decision will be rendered within five (5) working days prior to the effective date.
4. A VCS employee or his/her representative may submit a written request for a supplemental review no later than ten (10) working days from receipt of the decision letter by the VCS Regional Manager. The written request must be submitted to the VCS Associate Director of Operations or his/her designee, Veterans Canteen Service #1 Jefferson Barracks Road Building 25, St. Louis, MO 63125.
  5. The national parties agree this review will be by teleconference, upon a mutual time and date, once the written submission has been received by the VCS Associate Director of Operation or his or her designee. The VCS Associate Director of Operations or his/her designee will render a written decision letter to the employee and the Union Representative within ten (10) working days after the written submission and or face-to-face meeting.
  6. In the event the VCS employee is in the same city and/or location as the VCS Associate Director of Operations or his/her designee will be face-to-face on a mutual time and date.
  7. The decision of the Associate Director of Operations or his/her designee is final and is subject to no further supplemental review.

  
 Larry Bennett, Staff Director VA LMR  
 For Department of Veterans Affairs (VA)

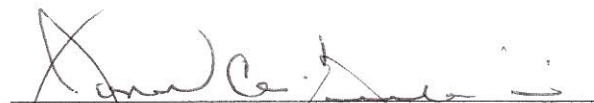
10/27/2015  
 Date

  
 Oscar L. Williams Jr., 2<sup>nd</sup> Exec Vice President  
 AFGE National Veterans Affairs Council #53

10/27/2015  
 Date

  
 Tanya Gent, Associate Director Resources &  
 Support  
 For VHA Veterans Canteen Service (VCS)

10/27/2015  
 Date

  
 James Zeveski, VHA Labor Consultant  
 For Veterans Health Administration (VHA)

10/27/15  
 Date