

Modifications to the Master Agreement between the Department of Veterans Affairs and the National Association of Government Employees based on the Global Settlement to Resolve Disputes

Background: On July 20, 2021, The National Association of Government Employees (NAGE), and the Department of Veterans Affairs (VA), collectively "the Parties", had a mutual desire to resolve the national and local disputes arising from the issuance and subsequent implementation of the Executive Orders 13836, 13837, and 13839, implementation of limitations on official time for employees described in 38 U.S.C. § 7421(b), and the renegotiation of a draft successor master agreement. Through settlement, the Parties agreed to modify limited existing language contained in the Master Agreement between the VA and NAGE. All other provisions of the Master Agreement between the U.S. Department of Veterans Affairs and the National Association of Government Employees dated September 27, 2016 and remains in effect.

Article 6 Official Time- Section 1: General Para. G

Current language: The Union, at the national level, may use 50% national official time from Section 2 below to perform national duties and 50% local official time from Section 3 below to perform local duties, to create a maximum of four (4) representatives at 100% official time. This can only be done by giving notice to VACO LMR. No more than two 100% official time representatives may come from one Local. This cannot occur until all grandfathered representatives are using official time consistent with this Article, specifically 1(E).

New language: The Union at the national level, may create a maximum of three (3) National Union Officials representatives at 100% official time, using 3,120 hours from Section 3 below. The Union may allocate the remaining 4,160 official time hours from Section 2(A) below up to 4 additional National Union Officials as long as none of the four (4) receives more than 80% official time in any combination of national and local official time. Allocations of national official time may only be accomplished by giving notice to VACO LMR. No VA facility will have more than one representative at 100% official time.

Changes: The new language in the revised contract provision allows for NAGE to create a maximum of three (3) 100% National Union Officials using 3,120 hours of official time that will be deducted from the increased bank in Article 6 Sec. 3. The new language in the revised contract provision also allows for NAGE to allocate the remaining 4,160 official time hours from the increased bank in Article 6 Section 3 to four (4) additional National Union Officials. However, the allocation of official time of the four (4) additional National Union Officials, either from the additional hours in the national official time bank of hours or local official time hours, cannot exceed 80%. The new language in the

revised provision restricts NAGE from having more than one (1) representative at a VA facility on 100% official time.

Article 6: Official Time- Section 2: National Union Representatives Para. A

Current language: The Department shall grant a total of 6240 hours per year of official time to the Union for allocation for National Union Representatives to conduct national duties. This grant of national official time may be used to make one national union representative to serve in a 100% official time capacity irrespective of the limitations in Section 1 above. The Union may determine the remaining allocations, but such allocations are subject to the limitations described in Section 1 above and consistent with the bargaining obligations in Section 4.

New language: The Department shall grant a total of 7280 hours per year national official time to the Union for allocation for National Union Representatives to conduct national duties. The Union may determine the allocation of national official time subject to the limitations described in Section 1 above and consistent with bargaining obligations in Section 4 below.

Changes: The new language in the revised contract provision requires the Department to grant 7,280 hours per year of national official time for National Union Representatives to conduct national duties. This is an increase of 1,040 hours per year under the language previously contained in Article 6 Sec. 2(A). The use of the additional 1,040 hours of official time is subject to the limitations detailed in the new language in Article 6 Sec.1 and is subject to bargaining obligations when triggered as detailed in Article 6 Sec. 4(C) and (D).

If you have any questions concerning the revised provisions of the National Master Agreement between the U.S. Department of Veterans Affairs and the National Association of Government Employees dated September 27, 2016, please contact VACO LMR Field Advisory Questions vacolmrfaqs@va.gov.