

MEMORANDUM OF UNDERSTANDING

The following constitutes an agreement between the Department of Veterans Affairs, (VA) and the American Federation of Government Employees, AFL-CIO, National Veterans Affairs Council #53 (NVAC) concerning VA Directive 0730 and VA Handbook 0730.

1. The national parties agree that the implementation of VA Handbook 0730 will allow local negotiations of various subjects, as requested by the local union, consistent with applicable laws and this MOU.
2. When a search of their workplace occurs, the employee has the right to be present and to request a union representative, unless a compelling safety or security issues exists.
3. The parties understand incumbent bargaining unit police officers must maintain a level of cardiovascular fitness, which, in the opinion of a qualified health care provider after an appropriate medical examination, is sufficient to permit the officer to safely participate in arduous physical activities. The Department may offer incentives for those officers who exceed their physical requirements. Such incentives are an appropriate subject for local negotiations.
4. Bargaining unit police officers have the option of having their annual medical examination performed by the Department's physician or employee's physician at the Department's expense ordered or offered in accordance with applicable laws and regulations. An examining health care provider will determine the tests that are necessary as part of the routine annual medical examination in accordance with the SF-78 or appropriate form that identifies the functional requirements and environmental factors.
5. Bargaining unit employees shall be entitled to additional compensation for any activity required by management that exceeds the basic 8 hour workday, the scheduled compressed workday or basic 40 hours workweek, such as for shift briefings and/or weapons issue and/or turn-in that employees are required to complete at the work site prior to and/or after their normal tour of duty.
6. Bargaining unit police officers placed on light duty shall be given a review to determine if their arrest authority and/or credentials need to be suspended while in a light duty status.

7. The national parties agree to the following change in VA Directive 0730, 2.g. (5), Police Unit Organization and Staffing: "All routine VA police duty shift schedules will have 30 minutes of overlapping patrol coverage built in, which includes 30 minutes non-paid time for a meal period." If a bargaining unit police officer is not able to take his/her 30-minute meal period, the officer shall be compensated in accordance with applicable laws and regulations.
8. When there is a change in the law governing police uniform allowances, management will notify the union and bargain as appropriate.
9. Upon receipt, the appropriate management official will provide a copy of this MOU to the local union president.

For the Department (VA)

10/8/08

Date

For the National VA Council #53

10-8-08

Date