

MEMORANDUM OF UNDERSTANDING

The following agreement is between the Department of Veterans Affairs (VA), Veterans Health Administration (VHA) (Employer) and the National Federation of Federal Employees (NFFE), VA Council of Consolidated Locals (Union) regarding Revision to VA Handbook 5013 Part II, Policy for the Title 38 Proficiency Rating System.

1. Proficiencies ratings will be in accordance with Article 16 of the Master Agreement and VA Handbook 5013, Part II.
2. Timeframes will be consistent with VA Handbook 5013, Part II. Article 16, Section 3 and 6 references to professional standards boards are replaced by VA Handbook 5013, Part II.
3. Local Management will meet with local Union officials to discuss the revision to VA Handbook 5013, Part II and to discuss the training needs for both Union officials and employees regarding the revision. Local union officials may request that representatives receive training offered to understand the impact on working conditions for bargaining unit employees. Training of union officials and bargaining unit employees regarding VA Handbook 5013, Part II will occur on duty time.
4. Management and Union can develop joint FAQs to assist employees with the rollout of VA Handbook 5013, Part II.
5. Should there be a national training offered, one national representative will be afforded an opportunity to attend.
6. When the Employer is notified of an employee's concern relative to assigned workload the Employer will consider employee input relative to workload, equitable assignments of work in accordance with Article 12, Section 4.
7. Generally, the progress review occurs near the mid-point of the appraisal period (e.g., February, March, April for employees on board as of October 1).
8. Employees dissatisfied with their proficiency rating may discuss their rating with the rating official and/or approval official. If the rating is not changed based on these discussions, the employee may submit concise comments concerning their proficiency report as provided for in VA Handbook 5013, Part II, for inclusion in their electronic personnel folder (eOPF).
9. Employees under an opportunity to improve period, may provide feedback and submit evidence to support satisfactory performance. The supervisor will meet with the employee at regular intervals to discuss progress and provide feedback during an opportunity to improve period.

10. This MOU does not prevent the Department from making future changes to VA Handbook 5013. If the Agency implements changes to VA Handbook, 5013 Part II, that impact working conditions the agency will meet its labor obligations.
11. If either party is made aware of issues related to conditions of employment that may affect employees after this MOU is signed, both parties agree to discuss and work to mutually resolve the issues for the affected employees.
12. Both parties reserve the right to re-open bargaining on this MOU by providing a minimum of 60 days advance written notice requesting negotiation.
13. This MOU will expire at the issuance of a successor MOU related to VA Handbook 5013, Part II, or the termination of or replacement of VA Handbook 5013, Part II, or by a request to reopen by either party.
14. Copies of this MOU will be distributed to management and the NFFE local president/or designee at each NFFE local within (10) ten days of signature and publishing of VA Handbook 5013, Part II. This MOU will be posted on VA LMR website.

Ian B. Oliver 190721 Digitally signed by Ian B. Oliver 190721
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Bruce Oliver
Labor Relations Specialist
Department of Veterans Affairs (VA)

02/21/2023

Date

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Jeffrey Shapiro,
President
NFFE-IAM, DVA Council

02/21/2023

Date

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Date