

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 VHA Directive 1023 Waivers to VHA National Policy as it relates to NFFE Bargaining Unit Employees (BUEs) (hereinafter referred to as BUEs).

1. The Department agrees to remove the chain of command requirement and associated timeframe for VHA Operating Unit Employees in Paragraph 2k of VHA Directive 1023 Waivers to VHA National Policy.

2. The Employer will meet labor obligations for the location(s) covered by the waiver if the process to be waived involves a negotiated practice or triggers an obligation to bargain. BUEs can find active waivers after the publication of this Directive on SharePoint site:
<https://dvagov.sharepoint.com/sites/VACOVHACBI/VHAPolicyWaivers>

3. Local management may consider recommendations from the local NFFE union on policies to seek waivers for in accordance with VHA Directive 1023, Waivers to VHA National Policy.

4. Pursuant to Article 2 of the VA/NFFE Master Agreement, if the Employer establishes a chartered process action, performance improvement team, or like task force or workgroup dealing with conditions of employment or personnel practices affecting bargaining unit employees concerning waivers requested in accordance with VHA Directive 1023, the Union will be given the opportunity to designate at least one representative to that group.

5. This MOU does not prevent the Department from making future changes to VHA Directive 1023, Waivers to VHA National Policy. If changes result in a change of working conditions of BUEs that is more than de minimis, NFFE will be provided notice and an opportunity to bargain.

6. Copies of this MOU will be distributed by the Employer to the NFFE local president or designee at each NFFE local upon execution of this MOU. This MOU will be posted on VACO LMR website.

1/10/2024

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Cathyrine Michael, Labor Relations Specialist
Department of Veterans Affairs (VA)
Signed by: CATHYRINE MICHAEL

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Jeffrey Shapiro

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1/10/2024

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