

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 *VA Handbook, 5975.1, Reasonable Accommodation & Personal Assistance Services*.

1. Upon implementation of the VA Handbook 5975.1, each NFFE local union and the national NFFE president shall be allowed to select a representative to attend a train-the-trainer class. NFFE representatives will receive training materials i.e., media presentations, handouts, etc. used to support training.
2. If the Department establishes a committee, NFFE will participate in accordance with the Article 2, section 13 of the Collective Bargaining Agreement.
3. The employee may appoint a representative to assist with the reasonable accommodation process. The designation must be submitted by the employee to the Department, in writing. If requested by the employee in writing, the designated representative may act on behalf of the employee. Union representatives may request official time to perform the representational duties.
4. On National reasonable accommodation committees or task forces, should travel be required to participate, the Department will provide travel and per diem following the parties Collective Bargaining Agreement and VA Federal Travel Regulation.
5. Upon request, NFFE may receive reports on funding and acquisition of assets related to accommodations, consistent with 5 U.S.C. Sect. 7114.
6. National Reasonable Accommodation Consultants (NRAC) shall ensure that any software, hardware and or furniture required as a reasonable accommodation is transferred with the employee whenever feasible should the employee transfer to another VA facility.
7. When an employee has incurred a serious workplace injury or illness but is ready to return to work if an accommodation is provided, VA will work with the employee to identify and provide an appropriate accommodation.
8. When all the facts and circumstances known to the VA make it reasonably likely that the individual will be entitled to an accommodation, but if the accommodation cannot be provided immediately, the VA may provide the individual with an interim accommodation that allows the individual to perform some or all the essential functions of the job, absent undue hardship.
9. Communication among the requestor, the Designated Management Official (DMO) and the Reasonable Accommodation Coordinator (RAC), is a priority throughout the entire process. Extensive discussions are not necessary in cases where the disability, the need for accommodation and the type of RA to be provided are obvious, as defined in the Handbook. However, if the need for an accommodation is not immediately obvious or if there are several options for providing accommodations; the employee, the supervisor and the RAC will enter an interactive process through which they will strive to arrive at an effective RA.
10. In the process of determining the RA for the employee, communication is of the most importance. It is important and essential that the parties work together to provide the best solution for the RA.

11. A copy of this signed MOU will be placed on the LMR website by Management within fourteen calendar days of signing this agreement and receiving 508 certification of the Rehabilitation Act of 1973 as amended.
12. This MOU will expire at the issuance of a successor MOU, newly implemented Collective Bargaining Agreement, or 3 years from the effective date of this MOU unless reopened by either party. Further, this MOU will automatically terminate when Handbook 5975.1 are cancelled or rescinded.
13. This MOU does not preclude the Department from making future changes to VA Handbook 5975.1. If change(s) are made to this Handbook that trigger a contractual or statutory duty to bargain, consistent with the Master Agreement, the Department will meet its bargaining obligations.

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Jeffrey Shapiro
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April 25, 2022

Date

Date

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Labor Consultant

Veterans Health Administration (VHA)

4/28/2022

Date