



DEPARTMENT OF VETERANS AFFAIRS  
OFFICE LABOR-MANAGEMENT RELATIONS  
WASHINGTON DC 20420

APR 30 2010

Ami Pendergrass, Esq.  
AFGE/NVAC  
P.O. Box 6328  
Cleveland, Ohio 44101

Dear Ms. Pendergrass:

This is in response to your grievance dated March 18, 2010 regarding official time for the 2010 AFGE Legislative Conference (LegCon) held on February 21-24, 2010 in Washington, DC. In your grievance you allege violations of Article 4 and 45 of the VA/AFGE Master Agreement, 5 U.S.C. §7102, "various contractual, past practice, and locally negotiated agreements as it relates to travel time" and "any and all other relevant articles, laws, regulations, customs and past practices not herein specified." We deny any violation of the statute or the Master Agreement.

In the grievance you specifically allege that the VA fully or partially denied official time and associated travel time to bargaining unit members who attended the 2010 LegCon. This information is too vague to allow the Department to formulate a response. If you have details regarding what participants were denied official time that you believe should have been granted, and the amount of official time you believe they were improperly denied, please provide that information.

As a remedy, you request as much as 32 hours of official time be granted to all bargaining unit employees who attended the conference, without specifying what sessions you believe were appropriate for official time in accordance with the VA/AFGE Master Agreement. Please provide more information on the sessions you believe are appropriate for official time. You also request as much as eight (8) hours of official time for employees who had to travel to Washington, DC to participate in the conference. We request that you also provide details of the specific participants who had to travel to Washington, DC and the amount of time they used to travel to the LegCon.

In your grievance, you include a copy of a detailed agenda that we had never had the opportunity to review. Despite a number of requests for more information from AFGE, and this issue coming up every year, we always receive an agenda with little to no information to allow us to provide a proper recommendation on what we believe should be appropriate for official time. Based on the additional information included in the detailed agenda, we agree that union representatives should be provided three (3) hours of official time if

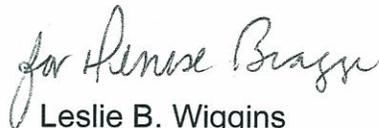
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they attended the Workshops on Labor Management Forums and Equal Employment Opportunity; and, 2.5 hours for those who attended the General Session on Monday, February 22, 2010. We also agree to provide official time for the Breakfasts on Wednesday and Thursday based on the information provided by Mr. Bill Wetmore that this time was used for union representatives to speak with the legislative staffers. We have always recommended official time for Legislative Appointments.

We do not believe the Master Agreement requires facilities to provide official time for travel to this activity. However, if facilities have negotiated or have an established past practice to provide such official time, the facility should follow its negotiated agreement or past practice, in accordance with the July 27, 2003, Master Agreement negotiations Ground Rules MOU.

If you have any questions, please contact Denise Biaggi-Ayer. She can be reached at (202) 461-4129 or [denise.biaggi@va.gov](mailto:denise.biaggi@va.gov),

Sincerely yours,

A handwritten signature in cursive script that reads "for Denise Biaggi".

Leslie B. Wiggins  
Deputy Assistant Secretary  
for Labor-Management Relations