

Article 11 – Contracting Out

- The purpose of this article is to outline rights and responsibilities related to contracting out work that is performed by AFGE bargaining unit employees.



VA/AFGE Master Agreement: Workplace Restructuring 4

Article 12 – Details and Temporary Promotions

- The purpose of this article is to explain rights and responsibilities related to management's right to effect details and temporary promotions.



VA/AFGE Master Agreement: Workplace Restructuring 5

**Article 12, Section 1
General**

- What is a "detail"?
 - Temporary assignment of an employee to a different position:
 - For a specified period of time
 - With the employee returning to their regular duties at the end of the detail



VA/AFGE Master Agreement: Workplace Restructuring 6

**Article 12, Section 1
General**

- Management Responsibilities
 - Document details longer than one week in OPF/eOPF
 - Analyze details outside duty station and allow duty time for travel as needed
- Employee Responsibilities
 - Document details of less than one week in eOPF



VA/AFGE Master Agreement: Workplace Restructuring 7

**Article 12, Section 1
General**

- Management will notify the local union president of all details:
 - No changes to conditions of employment
 - At least weekly
 - Changes to conditions of employment
 - Reasonable advance notice
 - If known far enough in advance, no later than 10 days prior to detail
 - Continue weekly
- Management will notify the appropriate union official in advance if they detail a union rep away from the rep's duty station.

VA/AFGE Master Agreement: Workplace Restructuring 8

**Article 12, Section 1
General**

Canvass qualified employees for volunteers

Volunteers = Opportunities	Volunteers > Opportunities	Volunteers < Opportunities	No Volunteers
Detail all	Detail in order of seniority	Detail all	
		Select in least seniority order	Select in least seniority order

Offering Details of 10 or More Days

VA/AFGE Master Agreement: Workplace Restructuring 9

**Article 12, Section 2
Temporary Promotions**

- Assignment of an employee to a higher grade level of work for more than 10 consecutive work days with the expectation that the employee will return to regularly assigned duties



VA/AFGE Master Agreement: Workplace Restructuring 10

**Article 12, Section 2
Temporary Promotions**



VA/AFGE Master Agreement: Workplace Restructuring 11

**Article 12, Sections 1 and 2
Recap**

≤ 10 days	<ul style="list-style-type: none">• Detail• No change in pay
11 to 60 days	<ul style="list-style-type: none">• Detail• Temporary promotion
> 60 days	<ul style="list-style-type: none">• Competitive promotion procedures

VA/AFGE Master Agreement: Workplace Restructuring 12

Article 12, Section 5
Details for Medical Reasons

Details for Medical Reasons

Employee Responsibilities:
Voluntarily request temporary reassignment along with medical certification of condition

Management Responsibilities:
Review the request, consider rules, regulations, and medical considerations, and accommodate the request if possible

VA/AFGE Master Agreement: Workplace Restructuring 13

Group Activity

Article 12 Knowledge Check

VA/AFGE Master Agreement: Workplace Restructuring 14

Article 12
Who Has the Responsibility?

- Notify union president of all details
- Document details > 1 week
- Request temporary reassignment for medical reasons
- Initiate temporary promotion at earliest possible date

VA/AFGE Master Agreement: Workplace Restructuring 15

Article 13 – Reassignment, Shift Changes and Relocation

- The purpose of this article is to explain rights and responsibilities related to voluntary or involuntary reassignments, including those that involve a shift change or a duty location change.



VA/AFGE Master Agreement: Workplace Restructuring 16

**Article 13
What is a Reassignment?**

- ***** "...a change of an employee from one position to another while serving continuously within the Department, without promotion or demotion." *****

Article 13, Section 1A



VA/AFGE Master Agreement: Workplace Restructuring 17

**Article 13
Types of Reassignments**

- Reassignments can be to a different:
 - Position
 - Shift
 - Building
 - Building and shift
 - Relief position on a continuing basis
 - Facility (different duty station)



VA/AFGE Master Agreement: Workplace Restructuring 18

Not Reassignments under Article 13

Title 38 Employees	All Employees
<ul style="list-style-type: none"> Reassignments in connection with reductions in force Reassignments related to issues of professional conduct or competence 	<ul style="list-style-type: none"> Reassignments related to: <ul style="list-style-type: none"> - Discipline - Investigations - Performance - Workers' Compensation - Reductions in Force (RIF) - Reasonable Accommodation

VA/AFGE Master Agreement: Workplace Restructuring 19

How do you know Article 13 applies?

VA/AFGE Master Agreement: Workplace Restructuring 20

Article 13, Section 1 General Rules

- All reassignments will be documented in the employee's eOPF.
- Reassignments shall not be used as punishment, harassment or reprisal.
- Seniority is the criterion for selecting volunteers.
- Reassignment to positions that provide specialized experience or have known promotion potential must be made on a competitive basis.
- An employee whose duty station changes involuntarily not for cause or due to promotion is entitled to relocation expenses in accordance with regulations.

VA/AFGE Master Agreement: Workplace Restructuring 21

**Article 13, Section 2
Local Bargaining**

- Article 13 requires local negotiation on matters including:
 - Manner of posting of job notices for reassignment
 - Submitting voluntary requests
 - Consideration of requests
 - Notification of reassignments
- * Article 47 explains local bargaining.



VA/AFGE Master Agreement: Workplace Restructuring 22

**Article 13, Section 3
Shift Change and Relocation**

- *****“Employees may request to relocate or change shifts with the same position, title, series, service and advancement potential.”****
- There must be a vacancy.
- Seniority will be considered.
- Management reserves the right to make assignments that assure effective management of the work force.



VA/AFGE Master Agreement: Workplace Restructuring 23

**Article 13, Section 4
Voluntary Requests for Reassignment**

- To work a particular shift within a work area (e.g., days, evenings and nights)
- To work in a particular work location within the same shift (e.g., Building 4 second/pm shift)
- To work in a particular building or work unit (e.g., Building 5 or Building 4-5E)
- To be given relief assignments within the same shift on a continuing basis
- To be reassigned to another facility

VA/AFGE Master Agreement: Workplace Restructuring 24

Manager's Checklist for Voluntary Requests

- Does the reassignment need to be made on a competitive basis?
- Does the reassignment request meet all the requirements of this agreement?
 - Is there a valid vacant position?
 - Does the employee meet all the position's requirements?
 - Is the employee performing at an acceptable level?
- What is this a reassignment for? Consider reassignments in this order:
 - 1) Within the work area
 - 2) Within the building and/or service
 - 3) Within the duty station

VA/AFGE Master Agreement: Workplace Restructuring 25

**Article 13
More on Voluntary Requests**

- Employee reassignment requests will remain on file until the employee rescinds it or the request reassignment is effected.
- Employees who voluntarily request reassignment to a lower graded position are to be apprised in writing of the effect of such an action and other possible alternatives.
- An employee who believes management has not acted appropriately can file a grievance under the negotiated procedures.

VA/AFGE Master Agreement: Workplace Restructuring 26

**Article 13, Section 5
Administrative/Involuntary Reassignments**

- Notify the union 30 days in advance
 - If not possible, advise union of reason for shortened notice period
- Provide union with:
 - Reason for reassignment(s)
 - Number and type of positions affected
 - What's being done to minimize impact on employees
- If the union requests, engage in collective bargaining as appropriate

VA/AFGE Master Agreement: Workplace Restructuring 27

Article 13, Section 9
Reassignments for Medical Conditions

- Right to request reassignment due to medical condition
- Medical certification required
- May be subject to federal physician review
- If operationally feasible, reassignment granted:
 - Within employee's service/section
 - Commensurate with limitations/qualifications



VA/AFGE Master Agreement: Workplace Restructuring 28

Group Discussion

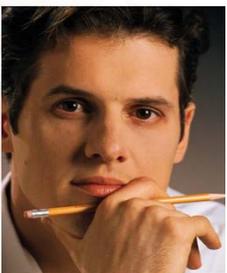
Reassignment Scenarios



VA/AFGE Master Agreement: Workplace Restructuring 29

Reassignment Scenario #1

- Two employees have engaged in verbal disputes on a number of occasions. Management decides to separate the employees by reassigning one to another shift.
- Under the Master Agreement what must management do to accomplish this?



VA/AFGE Master Agreement: Workplace Restructuring 30

Reassignment Scenario #2

- An employee who is in dietetics requests a reassignment to another shift to perform similar work based on her desire to pursue her degree.
- What are the considerations a manager must look at in considering the request?



VA/AFGE Master Agreement: Workplace Restructuring 31

Reassignment Scenario #3

- Two employees have requested reassignment to the same vacancy on another shift. There is no local agreement in place on reassignments.
- How does the manager handle the request?



VA/AFGE Master Agreement: Workplace Restructuring 32

Article 28 – Reduction In Force

- The purpose of this article is to:
 - Describe the exclusive procedures the Department will take in the event of a Reduction In Force, reorganization, or transfer of function
 - Protect the interests of employees while allowing the Department to exercise its rights and duties in carrying out the mission of the Department
 - RIFs will be handled in accordance with law and regulations
 - Title 38 employees get the same RIF rights as Title 5

VA/AFGE Master Agreement: Workplace Restructuring 33



