SUPPLEMENT 64

NATIONAL SUPPLEMENT
Between
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
And
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES
NATIONAL COUNCIL OF HUD LOCALS 222, AFL-CIO

SUBJECT: Office of Field Policy and Management (FPM) Voluntary Separation Incentive Program (Buyout)

SCOPE: The Scope of this Supplement encompasses the impact and implementation of the FPM Buyout Program on bargaining unit employees.

1. Buyouts to be Voluntary: All buyouts will be voluntary. An employee will not be identified for reassignment based upon a prohibited personnel practice, such as choosing not to accept a buyout.

2. Privacy: Buyout applicants' names shall be held confidential, to be used only by the Office of Human Resources (OHR). OHR may share the name of an applicant with Management only after the employee notifies OHR of his/her acceptance of the buyout.

3. Information to Employees: Management agrees to notify employees of the buyout option as soon as possible. All employees shall receive simultaneous official notice of the buyout. The notice shall list the parameters of eligibility and the process for application.

4. Competing Applicants: In the event more than one eligible employee applies for a single buyout, the deciding factor shall be service computation date (SCD). The employee with the earliest SCD shall receive the buyout. In the case of a tie, the employees' most recent entrance on duty (EOD) dates with the Department will be used. The employee with the earliest EOD date shall be approved for the buyout.

5. Application Approval/Rescission Process: Applications for buyouts may be submitted via facsimile machine, U.S. Mail or commercial delivery service, e.g., Federal Express, United Parcel Service etc. Applications may not be delivered by hand. It is the applicant's responsibility to insure that his/her application is submitted in a timely manner. Employees may rescind their application for a buyout at any time prior to its effective date.

6. Telecommuting: Management agrees that it will continue to implement telework in accordance with the Department's policy.

7. Further Measures: Management agrees that it will honor its labor relations obligations associated with further measures it may take to reach its ceiling level. Specifically, the union will be provided notice, and an opportunity to bargain over any such measures that may affect employees' working conditions.

8. Information to the Council: Management agrees to provide the Council with a report of the results of the buyout within 30 days of its completion. Management further agrees to provide the Council with additional reports in the event the buyout is extended.

9. Distribution: Management agrees to distribute the side bar to this Supplement along with the Supplement.

For Management:

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Chief Negotiator

Robert Etchison
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Team Member

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For the Union:

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HUD/AFGE SUPPLEMENT 64 SIDEBAR STATEMENT
BUYOUT ELIGIBILITY/CEILING LEVEL

BUYOUT ELIGIBILITY: In its submission to the Office of Personnel Management (OPM), Management articulated its rationale for requesting buyout authority. It advised OPM that approximately 75% of the positions targeted nationally would be at senior grade levels (e.g. Operations Specialist GS-14 and GS-15). In addition, it advised that specific field offices with excess staffing or staffing imbalances would be targeted. Management believes the positions it identified and OPM approved are consistent with this rationale.

The Union believes that Management's targeting process for the remaining approximately 25% of positions at grades GS-13 and below unduly and disproportionately restricted the pool of positions eligible for the buyout. The Union's proposal on eligibility would have expanded the pool of eligible positions.

Management believes that it is legally prohibited from agreeing to the Union's proposal, and, accordingly, declared it to be non-negotiable based on the position that it interferes with Management's reserved right to retain employees under Section 7106(a)(2)(A) of the Federal Service Labor-Management Relations Statute (Statute).

CEILING LEVEL: The Union proposed that FPM not hire from outside of the Department until it reaches its authorized ceiling level.

Management believes that it is legally prohibited from agreeing to the Union's proposal, and, accordingly, declared it to be non-negotiable based on the position that it interferes with Management's reserved right to make selections for appointments from any appropriate source under Section 7106(a)(2)(C) of the Statute.

Norman Mesewicz
2/14/05

J. Norton 2/14/05