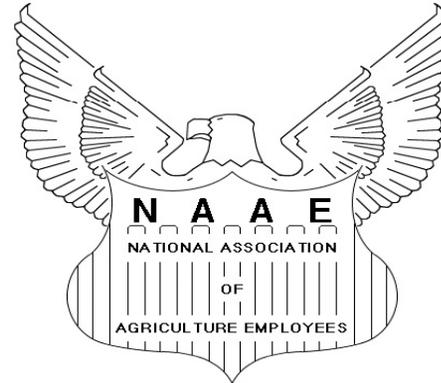


PPQ & NAAE Green Book Agreement Part III



United States Department of
Agriculture, Animal and Plant
Health Inspection Service, Plant
Protection and Quarantine

&



National Association of
Agriculture Employees

The PPQ & NAAE Green Book Agreement

This presentation will cover the following:

Article 29. Overtime and Premium Pay

Article 22. Negotiation Provisions

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Article 29. Overtime and Premium Pay

Section 1. Policy

A. Voluntary participation with mandatory backup system administered in a fair and equitable manner

B. Obligation to consult over changes

C. Local system should provide the employee with options.

1. ranking system using cumulative totals or a rotating list for voluntary and mandatory assignments.

2. The local parties should consider the use of daily volunteer lists with or without coverage periods/areas.

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Article 29. Overtime and Premium Pay

D. Initial consideration to employees who are **qualified** and **available**.

1. **Qualified** – when an employee normally performs all the duties required for an overtime assignment or after an appropriate amount of on the job training **or** when deemed qualified by the employee's supervisor to perform the overtime assignment.

The PPQ & NAAE Green Book Agreement

Article 29. Overtime and Premium Pay

2. **Available** – Parameters to be determined at the local level through local negotiations with the understanding that all employees in the local work unit will be considered part of the available pool of employees unless the employee has been provided a specific exemption by the supervisor and in consultation with the union, normally for a period of time not to exceed 90 calendar days and may be extended upon request.

The PPQ & NAAE Green Book Agreement

Article 29. Overtime and Premium Pay

E. The Parties recognize that when possible advance scheduling of overtime assignments is desirable.

F. Within 60 days of the completion of joint training on this Agreement, either party may request to renegotiate any local overtime assignment procedure agreement regardless of conformity of that local agreement with this Article.

The PPQ & NAAE Green Book Agreement

Article 29. Overtime and Premium Pay

Section 2. Overtime Assignment Principles

A. First consideration for an overtime assignment will be given to those employee who are qualified for the job and for which the job would be contiguous to or a continuation of the employee's tour of duty.

B. Employees may be required to perform all jobs in the same vicinity which can be reasonably initiated during the period for which they are receiving overtime compensation.

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Article 29. Overtime and Premium Pay

C. Supervisors assigned employee overtime only on an “as needed” basis and only as a last resort when all other eligible, qualified employees have declined the assignment or are not otherwise available.

D. If there are abuses of the negotiated overtime procedures by employees or the Employer, employees may take appropriate avenues of redress, including the use of the negotiated grievance procedures.

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Article 29. Overtime and Premium Pay

Section 3.0 Overtime Procedures

A. Local Overtime Procedures will include but are not limited to the following procedures:

1. reasonable advance notification
2. consideration for the safety and welfare of the employee as well as balancing work and family life when assigning overtime
3. consideration for the least cost to fill the overtime assignment
4. specification by which method employees will be contacted
5. employees may swap or exchange overtime assignments
 - a. must be between same or similar overtime assignments (e.g., full callouts for full callouts)

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Article 29. Overtime and Premium Pay

Section 4. Employee Exemptions

1. Article 31 Temporary Light Duty
2. no increase in costs
3. consultation with the union (formal discussion)

Section 5. Travel Between Multiple Job Sites During Overtime

Section 6. Premium Pay Principles

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Article 29. Overtime and Premium Pay cont.

Section 7. Night Differential Pay

Section 8. Commuted Travel Time (CTT)

1. notify union of any proposed changes

Section 9. Compensatory Time

1. may require in lieu of overtime pay
 - a. GS-10, Step 10
2. **not** for Title VII Overtime
3. Compensatory time granted like annual leave

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Article 29. Overtime and Premium Pay cont.

Section 10. Services Outside the Tour of Duty

Section 11. Training

Section 12. Access to Documents

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Article 22. Negotiation Provisions

Section 1. Purpose and Scope

- Establishes parameters and procedures for national negotiations, subordinate agreements and changes during their terms
- Negotiations above the local level will follow national negotiation procedures
- Establishes parameters and procedures for local negotiations over local level Employer-initiated changes that have local impact and other matters specifically delegated to the local parties by this Agreement; local level Union-initiated proposals and local renewal agreements

The PPQ & NAAE Green Book Agreement

Article 22. Negotiation Provisions

Section 2. General Provisions

A. All subordinate agreements and MOUs must be consistent with the terms of this Agreement OR are considered void. Existing MOUs or agreements may be reopened by the Employer when exercising a 7106(a) right or if such provision is shown to be a violation of law, rule, or regulation or the terms of this Agreement.

B. To the extent not prohibited by law, including the "covered by" doctrine, either Party, local or national, may propose changes in conditions of employment.

The PPQ & NAAE Green Book Agreement

Article 22. Negotiation Provisions

Section 2. General Provisions cont.

C. The Parties agree that responses to proposed changes in conditions of employment submitted in the context of bargaining under this Article will not deal with extraneous matters.

D. Subjects specifically delegated to the parties at the local level by this Agreement, include but are not limited to:

1. Local leave scheduling
2. Religious holiday observance
3. Shift rotation schemes as needed

The PPQ & NAAE Green Book Agreement

Article 22. Negotiation Provisions

Section 2. General Provisions cont.

4. Procedures for shift exchanges
5. Other negotiable items normally covered by local negotiations
6. Overtime assignment procedures (not contrary to this Agreement)
7. TDY rosters if not specifically outlined in Article 32 Domestic TDY

This does not mean each local is required to have an agreement.

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Article 22. Negotiation Provisions

Section 2. General Provisions cont.

E. Mandatory local review by the parties to begin within 120 days after the effective date of this Agreement

Requires renegotiation of items found to be in conflict with this Agreement

F. Issues on related topics will be consolidated for bargaining

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Article 22. Negotiation Provisions

Section 2. General Provisions cont.

G. Local agreements may be reopened:

1. At the request of either party seeking to renegotiate provisions nullified by changes in federal statute or Governmentwide rules or regulations
2. if either party produces evidence that parts of the agreement are being abused or interfere with the efficient operation of the organization
 - a. documentation necessary
3. by mutual agreement

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Article 22. Negotiation Provisions

Section 3. Procedures

A. Employer initiated changes

1. Notice of proposed changes served on the President of the Union/union representative according to procedures in Article 5
2. Time frames for union response
 - a. nationally: request briefing (15 days)
 - b. nationally: submit proposals (15 days after briefing or 30 days after initial notice)
 - c. locally: request briefing (4 days)
 - d. locally: submit proposals (10 days after briefing or 14 days after initial notice)

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Article 22. Negotiation Provisions

Section 3. Procedures

4. Failure to submit proposals and to request to negotiate is considered acceptance of proposals
5. Negotiations to begin within 30 days from receipt of proposals
6. Information requests
 - a. written denial
 - b. joint effort to resolve disputes with information requests
7. Outstanding information requests

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Article 22. Negotiation Provisions

Section 3. Procedures

B. Union initiated requests to bargain

1. Notice procedures in Article 5
2. (National) timeframes for Employer response
 - a. same as for Union at the national level
3. (Local) timeframes for Employer response
 - a. 7 days to request briefing from union
 - b. 14 days after initial notice to submit counter-proposals or notify union of no duty to bargain
 - c. negotiations normally begin with 14 days (no later than 30) after receipt of Employer's proposals

The PPQ & NAAE Green Book Agreement

Article 22. Negotiation Provisions

Section 4. Ground Rules for Negotiations at the Local Level

Consistency with the National Agreement

Agency Head Review

Section 5. Ground Rules Above the Local Level
(National/Regional)

Agency Head Review

The PPQ & NAAE Green Book Agreement

This presentation covered the following:

Article 29. Overtime and Premium Pay

Article 22. Negotiation Provisions

Questions?

The PPQ & NAAE Green Book Agreement

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