



American Federation of Government Employees
Local 476

Affiliated with AFL-CIO

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September 17, 2015

MEMORANDUM FOR: Linda K. Hawkins, Director, Policy Development and Oversight
Division, AHE

FROM: Jerry Gross, Steward, AFGE Local 476

SUBJECT: Demand to Bargain – Office of the Chief Human Capital Officer (OCHCO)
Buyout September 2015

This will serve as AFGE Local 476's demand to bargain over the proposed buyout within the Office of the Chief Human Capital Officer (OCHCO).

I have attached the Union's preliminary demands regarding the proposed OCHCO Buyout Plan in the form of a proposed agreement. These are preliminary proposals only, and the Union reserves the right to bargain and amend or add proposals, in accordance with Article 49 of the collective bargaining agreement.

The Union has agreed to an abbreviated time frame for the employees' application window, acceptances of any offers, and separation date so that this buyout can be offered as a benefit due to the availability of year-end funds. Therefore, I hope that we can conclude this agreement quickly, formalizing our verbal agreement.

Please provide me with a list of the affected bargaining unit employees immediately, to ensure that the Union is able to provide any appropriate and necessary representation to each.

I will serve as the contact for this matter.

Local Supplement 68
between
U. S. Department of Housing and Urban Development
and
American Federation of Government Employees Local 476

SUBJECT: Office of the Chief Human Capital Officer (OCHCO) Buyout September 2015.

SCOPE: The scope of this supplement encompasses the implementation of buyouts and its impact on bargaining unit employees in the Office of the Chief Human Capital Officer (OCHCO) with separation dates no later than October 9, 2015. This supplement is not precedential and applies only to the current OCHCO buyout.

1. Preservation of Rights: Implementation of this agreement shall not diminish or waive any rights that the Union and bargaining unit employees have under the HUD-AFGE collective bargaining agreement, law, or government-wide rule or regulation, except as specifically included in this agreement.
2. Abbreviated Time Frame: The Union has agreed that OCHCO may offer the current buyout as a benefit to the affected employees under an abbreviated time frame in order to fully utilize funds available before the end of the fiscal year. Both parties recognized that the compressed time frame is a one-time exception to the terms of the Collective Bargaining Agreement due to the availability of year-end funding.
3. Application Window: The application window shall be open on September 17 and will close on September 22, 2015. Management will make all offers by September 25, 2015. In order to receive a buyout, employees must respond to management's offer no later than September 28.
4. Separation Date: The separation date shall be no later than October 9, 2015..
5. Buyout Plan: Management will update the July 2015 OCHCO Buyout Plan to conform to the terms of this agreement, and will provide a copy to the Union.
6. Buyouts to be Voluntary: Buyouts are voluntary. No adverse action will be taken against an employee for not accepting a buyout offer.
7. Employee Decision: The Department will cooperate fully with each employee's decision regarding whether to pursue or withdraw any other retirement application. The Department will take all steps necessary to support employees' decisions provided that such action is not expressly prohibited by law, statute, or government-wide regulations.
8. Application Submission: Employees applying for a buyout shall submit the request through electronic mail. Management will provide an appropriate email address that may be used to submit the buyout application. Employees must submit a complete application before the close of the buyout deadline in order to be considered.

- a. Employees are authorized to use government equipment and reasonable time to prepare and submit the request application.
 - b. Management will identify an OCHCO representative who can help any employee with scanning necessary documents.
 - c. The Department will notify the applicant by email that the application has been received within one business day of its submission.
9. Application Errors: An application shall not be considered incomplete merely due to simple application errors, nor will such errors affect the buyout amount for an employee. Management will immediately notify the employee if the application is incorrect and/or incomplete, and the employee will be permitted to submit a corrected application before the deadline.
10. Application Decision: Management will offer a minimum of five buyouts to affected bargaining unit employees. Offers will be based on service comp date (SCD), with preference being given to affected employees with the earliest SCD.
11. Retirement Benefits Questions: Management will provide all affected employees with the name, email address, and phone number of a specific person assigned to provide retirement benefit assistance upon notifying the employee. The contact person will be available to discuss eligibility for retirement and buyout, calculated estimated annuity, buyout and severance payment amounts, other personal considerations as appropriate, and questions about the retirement or buyout application.
12. No Adverse Impact: The offer, application for, and acceptance of a buyout will have no adverse impact on any bargaining unit employee, including but not limited to any telework arrangement or reasonable accommodation.
13. Leave: The employee's leave will be paid out in accordance with statutory and regulatory requirements.

Date: _____

For Management:

For the Union:

Linda K. Hawkins
Director, Policy Development and
Oversight Division

Jerry Gross,
Steward, AFGE Local 476