



American Federation of Government Employees
Local 476

Affiliated with AFL-CIO

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May 30, 2011

MEMORANDUM FOR: Janie L. Payne, Chief Human Capital Officer, A

FROM: Eddie Eitches, President, AFGE Local 476 *Eddie Eitches*

Subject: Demand to Bargain – Pilot Clearinghouse Program

This will serve as AFGE Local 476's (the Union's) demand to bargain over the Pilot Clearinghouse Program in accordance with paragraph 5 of Local Supplement 51 (March 11, 2011). Supplement 51 settled, in part, an Unfair Labor Practice complaint that the Union had filed with the FLRA against HUD. The Union has provided management with a proposed local supplement that provides the framework for a local pilot clearinghouse program addressing improved human resource allocation for Headquarters and Washington, D.C., field office employees, to which management has failed to respond.

Below are our preliminary proposals:

1. Written Responses: Management shall provide written responses regarding the Union proposal provided below within five business days of receipt of this memo.
2. Meeting Time: Management shall work with the Union to set a mutually agreeable meeting time within two weeks to negotiate the proposed Pilot Clearinghouse Local Supplement.
3. Establishment of Clearinghouse: The parties recognize the value of implementing a tool that will facilitate succession planning, improve resource allocation and workforce flexibility, and create a partnership between employees and management. A crucial component of workplace flexibility is the ability to temporarily or permanently reassign employees rapidly. The parties, therefore, agree to establish a central Personnel Clearinghouse for HUD Headquarters and Washington, D.C., field office employees.
4. Purpose of Clearinghouse: The primary purpose of the Personnel Clearinghouse is to provide employees with the opportunity to voluntarily rotate or permanently transfer to positions throughout HUD. The Clearinghouse also serves the purpose of improving workforce flexibility, facilitating both workforce retention and HUD's ability to respond to economic and other major events. The use of a Personnel Clearinghouse also provides the Department with the means for resolving personnel disputes outside of a formal process.

5. Clearinghouse Administration: The Personnel Clearinghouse will be placed in the Office of Human Resources (OHR), to be administered by OHR in coordination with the Union. HUD and the Union will jointly establish a Department-Union Clearinghouse Committee (the “Clearinghouse Committee”) consisting of two HUD representatives of the Agency and one Union representative. The Clearinghouse Committee’s responsibilities are as described below:
 - a) The Clearinghouse Committee shall develop policy, prepare guidance, and review requests from employees and management officials concerning temporary assignments, permanent transfers, swaps (see below), and other changes in position.
 - b) The Clearinghouse Committee shall issue decisions relating to positions changes covered by this Article. The decisions shall facilitate improved resource allocation.
 - c) The Clearinghouse Committee shall provide oversight and ongoing monitoring and evaluation of the Clearinghouse program as described below. In support of these functions, all Committee members shall have full access to position and vacancy rosters, assessments, analyses, reports, bargaining unit employee requests, and other information related to this Article.
6. Oversight of Need and Interest Assessments: The Clearinghouse Committee shall oversee the Need and Interest Assessments conducted by HUD, which shall include, at a minimum, the following elements related to workforce retention, mobility, and succession planning:
 - a) Management and employee interest in position mobility to support improved resource allocation.
 - b) Identification of all vacant positions.
 - c) Identification of positions at risk of vacancy due to retirement eligibility and transferability of incumbent’s skills.
 - d) Employee time in grade, education levels, and other criteria relevant to personnel promotion and transfer potential.
 - e) Additional study subjects for better and higher level utilization of the existing workforce, as recommended by the Clearinghouse Committee. The assessments shall be conducted annually, during the first quarter of each year, under the oversight of the Committee.
7. Database Management: As part of the Clearinghouse program, OHR shall maintain a set of databases as described below to facilitate filling of positions through non-competitive transfers and temporary assignments, and to identify eligible and interested employees.
 - a) Permanent Position Database: A database of vacant permanent positions within HUD that contains pertinent information such as job title and series, grade, qualifications, office and duty station. The Permanent Position Database will be available to employees seeking non-competitive transfers at the same grade level.

- b) Temporary Assignments Database: A database of temporary and short term work force requirements submitted by managers for special projects, temporary increases in program workload requirements, on-the-job training opportunities, and other reasons identified by the Clearinghouse Committee. The Temporary Assignments Database shall also include positions whose incumbent temporarily is or will be away from the position for 30 days or more.
 - c) Employee Database: A database identifying employees who voluntarily indicate an interest in a temporary assignment, training opportunity, and/or permanent reassignment by submitting information regarding their education, experience, specialized training and certifications. The Employee Database will include automated links to employee resumes.
8. Automated Vacancy Referral System: OHR shall establish an automated vacancy referral system that compares the Permanent Position and Temporary Assignments Databases with the Employee Database to provide hiring officials with appropriate referrals. The vacancy referral system shall provide, on a daily basis, real-time referrals of eligible and interested employees to the relevant hiring officials. The Clearinghouse Committee shall review the database and referrals at least once a week to monitor the effectiveness of the system's matching of temporary and permanent vacancies with qualified personnel seeking temporary transfer or permanent reassignment. This system shall support the appropriate human resource allocation opportunities.
9. Clearinghouse Reassignments: The Personnel Clearinghouse will facilitate a wide variety of both permanent and temporary reassignments of employees to different positions to provide appropriate internal promotions, cross-training, succession planning and emergency planning, to resolve personnel disputes and avoid adversarial actions, to improve workforce flexibility.
- a) OHR shall draft policy and guidance on the use of temporary and permanent reassignments, in accordance with direction provided and subject to review by the Clearinghouse Committee.
 - b) The policy shall include that all hiring officials seeking to fill either temporary or permanent vacancies must first attempt to fill those positions through the Clearinghouse.
 - c) OHR shall not permit vacancy announcements to be advertised outside the Department until after 60 days have elapsed following the announcement through the Clearinghouse without the referral of an eligible internal candidate.
 - d) OHR shall draft guidance on the use of temporary assignments to facilitate cross-training, eligibility for future promotions, and filling temporary Departmental needs. The guidance may include the creation of new programs that facilitate the rotation through related or complementary positions at equal or equivalent grade levels, temporary assignments to higher grade positions designed to expand an employee's skills, or cross-training through related offices in different regional offices. Such guidance shall be in

accordance with direction provided and subject to review by the Clearinghouse Committee.

- e) OHR shall draft guidance on the use of permanent assignments in order to meet changes in the Department's mission and to facilitate promotion of current employees.
10. Swaps: The Personnel Clearinghouse will facilitate the exchange of employees between permanent positions when the employees filling the positions are at the same grade level ("swaps"). Swaps shall be voluntary on the part of all employees and managers involved, and may be initiated by the Department or by the employees. OHR shall draft policy and guidance on the use of swaps for either permanent reassignments or for temporary cross-training purposes, in accordance with direction provided and subject to review by the Clearinghouse Committee. The Clearinghouse Committee shall review unfulfilled swap requests monthly, and shall facilitate appropriate employee swaps by identifying and contacting appropriate swap partners and supervisors.
11. Alternatives to Adversarial Action: The Personnel Clearinghouse shall facilitate temporary reassignments, permanent transfers, and other changes of position as an alternative to adversarial action. OHR shall draft policy and guidance on the use of reassignments in lieu of adversarial action in accordance with direction provided and subject to review by the Clearinghouse Committee. Such policy also shall include:
- a) The use of temporary reassignments of employees subject to investigation, disciplinary action, or performance action.
 - b) The permanent reassignment of employees to provide a "clean slate" condition when personality conflicts between an employee and supervisor or the work environment are not conducive to yielding satisfactory performance from the employee.
12. Monitoring: The Clearinghouse Committee and OHR shall monitor the Clearinghouse functions as follows:
- a) OHR shall prepare quarterly reports covering all Personnel Clearinghouse functions described in this Article that showing use of and effectiveness of the Clearinghouse programs. At a minimum, the reports shall identify all positions announced, filled, and remaining vacant and information about employee database submissions. Personal identifiers such as name may be redacted. OHR shall provide these reports within 30 days after the end of each quarter to the Clearinghouse Committee.
 - b) The Clearinghouse Committee will meet monthly to review Clearinghouse requests, the disposition of requests, and reports under this Article. The Clearinghouse Committee shall recommend appropriate follow-up actions to ensure the most effective use of the Personnel Clearinghouse possible. The Committee shall provide advice and direction to OHR for improving Clearinghouse activities based on assessment reports and Clearinghouse request, fulfillment, and disposition data.

These are preliminary proposals only, and the Union reserves the right to bargain or amend or add proposals, in accordance with Article 5 of the collective bargaining agreement. I will serve as Chief Negotiator.

Enclosure

Supplement 51

LOCAL SUPPLEMENT NUMBER 51

Between

U.S. Department of Housing and Urban Development (Management)

And

American Federation of Government Employees, Local 476 (Union)

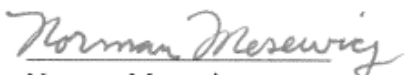
Subject: Swing Space in the Capitol View Building during Weaver Building Renovation

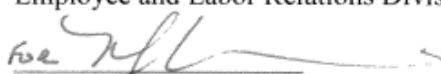
Scope: The scope of this supplement encompasses (1) the design of swing space in the Capitol View Building and (2) commitment for a Headquarters Clearinghouse Pilot Program.

- 1. Capitol View Building:** While the HUD Headquarters Weaver Building is undergoing renovation, affected HUD personnel will be relocated temporarily to floors 2,3, 4, and 5 of the Capitol View Building, which is located at 425 3rd Street, S.W., Washington, D.C. The Capitol View Building is located one block from the Federal Center SW Metro station.
 - a.** All individual swing space work stations in the Capitol View Building, for managers, non-bargaining and bargaining unit employees, will be thirty-six (36) square feet. Work panels will be a minimum height of forty-eight (48) inches.
 - b.** Management and the union will bargain work station assignments as each group of headquarters staff occupies swing space in the Capitol View Building.
 - c.** HUD will provide meeting rooms, teaming areas, privacy areas, file storage, break rooms, rest rooms, mail centers, and copy/printing/fax centers on the third, fourth, and fifth floors as well as on a portion of the second floor of the building. The second floor will have conference rooms and a large communal break area.
 - d.** HUD will provide regularly scheduled shuttle bus service for employees travelling between the Weaver Building and the Capitol View Building .
 - e.** Employees in the Capitol View Building will have access to the building's fitness center with exercise equipment and locker rooms available for their use. Employees will not be charged to use the center

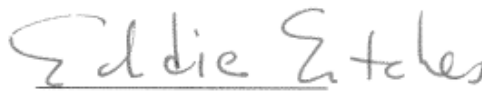
2. **Alternate Work Schedules:** Management agrees to provide employees with maximum flexibility in work schedules while assigned to swing space. This includes the availability of five-day-per-week telework and compressed schedules such as 10/4. Actual work schedules will be a matter of mutual agreement between the supervisor and the employee, subject to the grievance procedure.
3. **Future Bargaining:** Management will keep the union informed of construction-related plans/activity related to the scope of this supplement, and fulfill any bargaining obligations.
4. **Swing Space Schedule:** By executing this supplement, the union agrees to management's schedule for moving headquarters staff into the Capitol View Building swing space.
5. **Clearinghouse Pilot Program:** Management agrees to bargain promptly with the union, at a time mutually agreeable to the Parties, to implement the Headquarters Clearinghouse Pilot Program.

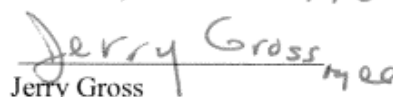
For Management:


 Norman Mesewicz
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For the Union:


 Eddie Eitches
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 Jerry Gross
 Negotiator

3/11/2011
 Date