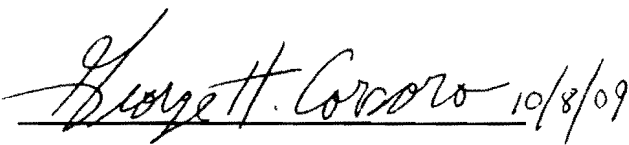


**Memorandum of Understanding
Between
U.S. Department of Housing and Urban Development
And
American Federation of Government Employees
Local 476**

SUBJECT: Office of Human Resources FY 2009 Buyout Program

SCOPE: The scope of this Memorandum of Understanding covers the impact and implementation of the Voluntary Separation Incentive Payment package (VSIP) on the Office of Human Resources bargaining-unit employees

1. Barring unforeseen circumstances, the Agency will submit a Voluntary Separation Incentive Payment package (VSIP), with broader scope than the OHR VSIP package, 2009-28, to OPM no later than November 1, 2009, that will provide buyout opportunities for additional Headquarters bargaining unit positions.
2. As part of this agreement, AFGE Local 476 agrees to the conditions set forth in the attached Local Supplement No. 46, and to forego further bargaining on any aspect of the Office of Human Resources VSIP package, 2009-28.

 10/8/09

George H. Corsoro, Director
L&ER Division

 8 Oct 09

Eddie Eitches, President
AFGE Local 476

Local Supplement #46
Between
U.S. Department of Housing and Urban Development
And
American Federation of Government Employees
Local 476

SUBJECT: Voluntary Separation Incentive Payments (Buyout) for AFGE Bargaining Unit Employees in the Office of Human Resources

SCOPE: The scope of this supplement encompasses the implementation of Buyouts and the impact on bargaining unit employees located in OHR with a separation date on or before December 31, 2009.

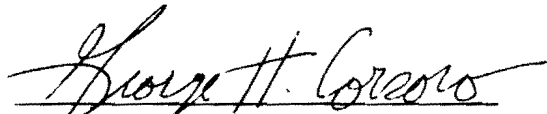
1. **Buyouts to be Voluntary:** Buyouts are voluntary. No adverse action will be taken against an employee for not accepting a buyout offer.
2. **Release of Information:** The identity of any employee applying for a buyout will be held confidential. The Office of Human Resources (OHR) is the only office authorized to have access to the buyout applications and the identity of any employee requesting a buyout. The employee's identity will be released to Management, only after he/she has submitted **a retirement application package** to OHR, Employee Service Center.
3. **Application Submission:** Employees may submit buyout applications by either of two transmission methods: electronic mail or facsimile. All applications must be submitted within the appropriate consideration period, irrespective of the transmission method. Applicants are authorized to use government equipment to prepare and submit the application.
4. **Notification of Receipt:** Employees will receive notification of receipt of the application by OHR within one (1) business day by electronic mail.
5. **Incomplete Applications:** Employees will be notified by electronic mail within two (2) business days if his/her application is complete. If the application is incomplete, the employee will be permitted to resubmit a corrected application.
6. **Competing Applicants:** In the event that more than one eligible employee applies for a single buyout, the employee with the earliest service computation date (SCD) will receive the buyout. In the event that two or more employees have the same SCD, the employee with the earliest entrance-on-duty (EOD) date with the Department will be used. In the instance where an additional tiebreaker is needed, the largest digit of the last digit of the employee social security number will be offered the buyout. The date and time of application submission will not be a factor in the selection process.


7. **Employee Rights:** All decisions regarding the eligibility, selection and/or rejection of positions/ employees for buyouts will not be based up any discriminatory factors or other violation of law, rule or regulation or the HUD/AFGE Agreement.
8. **Employee Notification:** All employees being offered the buyout within the specific program area will receive simultaneous electronic notification, which includes the buyout plan that will outline the parameters of eligibility and the process for application.
9. **Approval Period:** Within five (5) business days after receipt of the application, Management will advise each applicant if: a) the application is approved or disapproved and the reason(s); or b) application will be held in abeyance, upon the determination of other eligible employees applying for the buyout and the approval of a buyout.
10. **Application Window:** The application window will be no less than fourteen (14) calendar days.
11. **Retirement Benefits Questions:** Employees will be notified of a specific contact person assigned to provide retirement benefit assistance. This information will include but may not be limited to an employee's eligibility for retirement, calculate estimated annuity, buyout/severance payments, review any special personal considerations, such as insurance and respond to questions about the retirement application.
12. **Acceptance of Buyout/Rescission Process:** Employees may rescind their application/decision for a buyout at any time prior to the effective date of separation date stated in the buyout plan.
13. **Employee Decision Period:** Employees will have three (3) business days to accept or reject the buyout offer. The exception would be that employees might have less than three (3) business days to accept or reject the buyout offer to meet the required separation date stated in the buyout plan.
14. **Approved Applicants:** Approved applicants will have the right to change their departure date as long as the date is within the established buyout separation window.
15. **Waiver of Agency Restrictions:** Management agrees to consider each waiver request independently. Each waiver request shall meet the required statutory and/or regulatory waiver standards.
16. **Reporting:** An electronic report of the results of the buyout will be submitted to AFGE Local 476 within 30 days of its completion.
17. **Union Rights:** The parties agree that this supplement does not constitute a waiver of any union rights under the HUD/AFGE Agreement, law, rule, or regulation.
18. **Distribution of supplement:** An electronic copy of the signed supplement will be provided to AFGE Local 476 within 30 days of the completion of the negotiations.

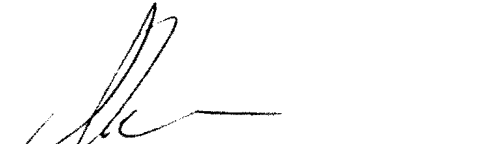
19. **Telecommuting:** This supplement will have no adverse impact on the Departments telecommuting policy.
20. **Work at home:** This supplement will have no adverse impact on an employee's Reasonable Accommodation to work at home.
21. **Local Negotiations:** Management agrees to provide the union notification of any subsequent changes to the bargaining unit employees' working condition, i.e., moves, details, and reassignments that may occur as a result of the buyouts.

SUBJECT: Voluntary Separation Incentive Payments (Buyout) for AFGE Bargaining Unit Employees in the Office of Human Resources (OHR)


MANAGEMENT

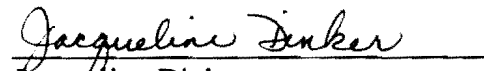

George H. Corsoro
Chief Negotiator



Lou W. Reese
Team Member

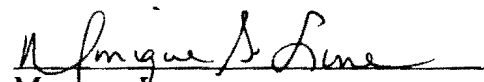

Iva F. Harpe
Team Member

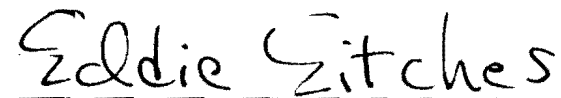
UNION


Holly K. Salamido
Chief Negotiator


Jacqueline Dinker
Team Member


Jaminta Fleming
Team Member


Monique Love
Team Member


Eddie Eitches
President, AFGE Local 476

Date: 10/8/09

Date: 10/8/09