**Frequently Asked Questions**

1. **Where can I find the new VA/AFGE master agreement?**

<http://www.va.gov/LMR/AFGE_Master_Agreement_Final.pdf>

1. **What is the effective date of the new contract?**

The effective date of the new contract is March 15, 2011, therefore the new master agreement is currently in effect and is legally binding on the parties.

1. **When can I negotiate my local supplement?**

The attached Memorandum of Clarification explains that the VA and AFGE Chief Negotiators have agreed to require local union and management representatives to attend the VA-AFGE joint training on the new master agreement prior to the beginning of negotiations of local supplemental agreements.

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1. **Does the local supplement have to be approved by anyone outside the facility?**

Yes. When bargaining of a local supplemental agreement is completed, the respective parties shall forward the signed agreement to the Office of Labor Management Relations and the Union for review. The national parties shall review the Local Supplement within 30 calendar days of its receipt. In the event either of the national parties determines there is a conflict with the Master Agreement, they shall forward a written document to the respective local union and the other national party identifying the conflict for resolution at the local level.

1. **What about existing MOU's and Supplements born from the 1997 agreement?**

Local Supplemental Agreements and MOUs will stay in effect as long as they do not conflict with the new Master Agreement.

1. **Can you explain what changes in official time allocations and use of official time are in the new contract?**

Each leadership team, after confirming its understanding of the changes in the contract, should sit down with the local union officials and discuss how the changes will be implemented locally. Local allocations of official time which exceed the new allotment of official time for AFGE Locals will remain in effect.

Union representatives will be on official time while performing all representational duties including “pre-decisional involvement” at the local facility. Time which in the past has been used “as needed” by the stewards should be included in the calculation of official time and should be counted when reporting official time.

Union representative participation in committees, training, joint labor-management forums, quality programs and other activities as provided in the contract shall be considered official time not duty time. The Master Agreement provides for specific language to clarify when official time will not be counted against any allocated official time as described in the agreement.

**6a. How will the Union receive a change in official time under Section 10 of Article 48?**

Determining a Change:

* Determine the current official time allocation;
* Determine the amount of bargaining unit employees represented by the local union on March 15, 2011;
* Use the formula in section 10A – is it more or less than the current allocation?;
* If you do the calculation and determine that the current local allocation of official time (via written local agreement or past practice) is greater than the formula in Article 48, above the Master Agreement, then the current amount continues and no increase is given. (Refer to Section 10(C.)(1.));
* If the current local allocation is below the 4.25 calculation, the local union should get the increase no later than May 14, 2011 (60 days after the Master Agreement became effective based on the number of bargaining unit employees onboard on March 15, 2011). When this occurs, local management and the local union have an opportunity to discuss/negotiate local implementation concerns. Some issues that may be discussed include: when the allocated time will be taken; which representatives will receive time and the amount of time; procedures for informing management of changes in representatives; and, so on. If the union is proposing more time than mandated by the contract, seek guidance from LMR. If the parties are engaged in negotiation of official time issues and have not reached agreement by May 14, 2011, any increase in official time resulting from the application of the formula in Article 48, Section 10 A must be effective immediately, whether or not any bargaining over other issues is complete. Bargaining over these other issues should continue until agreement or impasse.

Important Notes:

* The formula based calculation is done every six months from the initial calculation (no later than May 14, 2011).
* The local union is free to negotiate for additional official time than what is given to them under Article 48, Section 10. (Refer to Section 10D) If a local Union uses up the time in Article 48, Section 10, they can request additional time and the Department will either grant it or not grant it on a case by case basis. If this issue arises and you need assistance, please contact LMR.
* All official time requested and given, regardless of how it is received, needs to be tracked by the local facility.
1. **Can I dictate/decide how the Union uses their official time?**

Nothing has changed in this regard. Once the Union has been approved official time in accordance with law and/or the contract, the Union decides how a representative uses the time. The processes for requesting and using official time need to be negotiated locally so that normal operations can be maintained while the Union exercises its right to use official time. However, a representative may not use official time for conducting internal union business, to include the solicitation of membership, election of labor organization officials, and collection of dues. 5 USC 7131 (b).

1. **Should we use the same calculations for official times with our other unions in our facility?**

No. The new Master Agreement between the Department of Veterans Affairs and AFGE applies only to AFGE bargaining unit employees. Every other national union has an official time article in its master agreement that should be followed.

1. **When can we start sending electronic notices of changes in working conditions to the union?**

Article 49, Section 4 (A) provides for notifications of changes in working conditions in writing by U.S. mail, personal service, **or electronically** to the appropriate union official. Email notices will only begin once the Union has either successfully completed training or has been offered and declined the training. (Please see Memorandum of Clarification related to Article 49, Section 4.) Contact your local OIT to provide this training to the union.



1. **When can we get training and guidance?**

VACO LMR and the VA / AFGE National Training Committee have developed a joint Labor/ Management training on the new Master Agreement. Training will begin in May. The first tier of training will be to train trainers for both union and management. The second tier will be to deploy these union/management training teams to conduct training for additional facilities. It is expected that the first tier will be completed by June 2011 and the second tier by the end of the fiscal year. Additional details about training dates will be sent out soon.

In addition, the Department will develop a Managers’ Guide to the master agreement. Although this tool will be created to assist VA managers and supervisors, it will be consistent with the information the parties develop in joint training. The master agreement and related information is available on the LMR website at <http://www.va.gov/lmr/>