

Procedures and Arrangements to Apply to Moratorium on Length of Service
Awards for NFFE Bargaining Unit Employees
MEMORANDUM of UNDERSTANDING

This MEMORANDUM OF UNDERSTANDING (MOU) is between the United States Department of Agriculture, Forest Service (Management), and the National Federation of Federal Employees, Forest Service Council (Union), hereafter referred to collectively as “the Parties.” This MOU is a Supplemental Agreement under Article 11 of the 2019 Master Agreement between the Parties, and it documents the Parties’ full and final agreement on those procedures and arrangements to apply to the moratorium on the recognition of Bargaining Unit Employees’ (BUEs) length of service (LOS) with Non-Monetary Awards under Article 17 of the Master Agreement while the Parties await a decision from the Federal Labor Relations Authority (FLRA) on the legality of the Agency’s past LOS Awards practice.

The Parties agree:

1. If the FLRA determines that the past LOS Awards practice and the corresponding language in Article 17 and its annotations are not contrary to law, the Agency will notify all employees by email of the end of the moratorium on Non-Monetary LOS Awards. The timeline described in #2 below will be clearly communicated in this notification email.
2. BUEs who normally would have received a Non-Monetary LOS Award in accordance with Article 17 during the moratorium will have up to 1 year from the date of the all-employee email notification to request of their supervisor, in writing, their retroactive Non-Monetary LOS Award.
3. Upon receiving the request described in #2, Management will provide the appropriate LOS Award option to those BUEs within 90 days.
4. In the event of an FLRA decision as described in #1, Management at the appropriate level may, at their discretion, issue retroactive LOS Awards to qualifying BUEs without waiting for employee requests.
5. This MOU becomes effective on the date of final approval by the Agency Head, or that date on which the thirty (30) day time limit for Agency Head review expires, whichever is earlier. This MOU and its terms will remain in effect until the 1-year deadline for BUE requests (outlined in #2 above) has past.

For Management:

**KATHRYN
LYNN**

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KATHRYN LYNN
Date: 2021.05.06 15:42:45
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Kathryn Lynn
Deputy Regional Forester, Region 9

For Union:

**CARL
HOUTMAN**

Digitally signed by CARL
HOUTMAN
Date: 2021.05.13 15:31:57
-05'00'

Carl Houtman
NFFE Forest Service Council