

Forest Service Fleet Telematics Program

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 as it relates to the negotiable procedures and arrangements which will apply to the Agency’s Fleet Telematics Program.

The Parties agree:

1. **GPS Tracking.** GPS tracking will be used to support the objectives of Executive Order 14057 and to support the safety and security of government owned vehicles, especially in instances where a supervisor believes there has been an accident or an employee is missing. However, GPS tracking will not be used to monitor bargaining unit employees’ travel, time, and attendance, except when there is reasonable suspicion of misconduct (See also Master Agreement Article 4.19)
2. **Initiation of Management Inquiries.** Upon receiving an allegation or notification of potential misuse of a government-owned-vehicle (GOV), authorized Fleet Management personnel will access only the data necessary to provide notice of the alleged misuse to the appropriate field unit management. If the telematics data shared by Fleet Management personnel results in a management inquiry or investigation, Management will document in writing the following: (1) the alleged misuse, (2) facts supporting and/or refuting the allegation, (3) types and dates of the telematics data accessed, and (4) name of the management official conducting the inquiry or investigation. If the management inquiry or investigation leads to proposed discipline, all the above documented information will be provided to the employee and the provisions in Article 22.6.d. will be followed.
3. **Notification.** Management will notify employees of the initiation of the fleet telematics program by:
 - a. Preparing and distributing an email newsletter that describes the purposes of the telematics program, the types of data being collected, who will have access to it, and the phasing of the implementation;
 - b. Updating and redistributing the above notification annually or whenever substantial changes are made to system configuration and use; and
 - c. Placing a decal in a highly visible location on each vehicle to reference monitoring by telematics. Management will provide a chance for the Union to review the design of the decal before it is finalized.
4. **National Fleet Management SharePoint Site.** The national fleet management SharePoint website will be updated with informational materials describing the telematics program in an easily understandable format using clear and plain language.
5. **Data Retention.** Management will retain telematics data in accordance with USDA Departmental Regulation 3080-001: *Records Management* in addition to all other

government-wide laws and regulations addressing records management. It is understood that Zero Emissions Vehicle (ZEV) planning, as required by Executive Order 14057, requires the aggregation of location, fuel consumption, range, time of data, fueling, and other types of data beyond basic mileage, days used, and maintenance.

6. **Data Access.** The Agency's telematics system will be implemented in accordance with USDA Departmental Regulation 3140-001: *USDA Information Systems Security Policy* and other applicable government-wide laws and regulations. Specifically:
 - a. Users will be granted permission to system functionality through use of either pre-defined or customized roles designed to adhere to need-to-know and least privilege requirements;
 - b. Only authorized users will be able to access the system using dual factor authentication;
 - c. Every action within the system will be part of an audit log;
 - d. User group structures will be defined to restrict access to the lowest level of required access; and
 - e. Rules, exceptions, and notifications will be used to provide periodic standardized reports wherever practicable to avoid granting access to real time map data or trip histories.

7. **Access List.** The National Union President, or any Regional Vice-president may submit a request to the National Fleet Program Manager for a report listing the names, positions and organizational codes (up to Level 5) of the people who have had authorized access to the telematics system within the last year. This request will comply with the information request requirements of 5 USC 7114(b)(4) and not occur more frequently than annually. The handling and dissemination of this report by both Management and the Union will comply with all policies and regulations related to Personally Identifiable Information (PII).

Effective Date, Termination, or Modification

This MOU becomes effective on the date approved by the Agency Head or that date on which the thirty (30) day time limit for Agency Head Review expires. Either Party may request to extend, modify, or terminate this agreement consistent with Article 11 of the Master Agreement.

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