

MEMORANDUM OF UNDERSTANDING

CDL SOP Implementation for Forest Service Job Corps Employees Hired Prior to October 31, 2019

THIS MEMORANDUM OF UNDERSTANDING (MOU) is between the United States Department of Agriculture, Forest Service, Job Corps (Management), and the National Federation of Federal Employees, IAMAW, Forest Service Council, Locals 1697, 1840, and 1855 (Union), hereafter referred to as “the Parties.” This MOU documents the Parties’ agreement on the procedures and appropriate arrangements to be observed in implementing the Commercial Driver’s License (CDL) requirements established by Management for current Forest Service Job Cop employees hired on or before October 31, 2019. This MOU is a Supplemental Agreement under Article 11 of the Master Agreement between the Parties.

The Parties agree:

- 1) The CDL Standard Operating Procedure (CDL SOP) dated 11/20/2019 will apply to all new employees of Job Corps Civilian Conservation Centers hired on or after November 1, 2019, in a position description (PD) that requires a CDL. The application of the CDL SOP to employees hired on or before October 31, 2019, (hereinafter “Pre-SOP employees”) in a position description (PD) that requires a CDL is modified according to the terms of this MOU. A conflict between a provision of the CDL SOP and a provision of this MOU is settled in favor of the MOU for Pre-SOP employees. Where there is no conflict between this MOU and the CDL SOP, follow the CDL SOP.
- 2) Where Center Directors choose to appoint an employee as a commercial motor vehicle (CMV) trainer, Pre-SOP employees may be given priority consideration for the CMV trainer’s services, upon request, according to their date of hire.
- 3) Immediate supervisors will communicate and coordinate with Pre-SOP employees prior to scheduling reasonable amounts of official time to be used by the employee in preparing for and obtaining their CDL.
- 4) Timelines for Pre-SOP Employees
 - a) Employees will have 30 days from the effective date of this MOU to obtain their CDL Permit. After obtaining their CDL permit, employees will have 90 calendar days to obtain their CDL.
 - b) Extensions may be granted according to the provisions of the CDL SOP.
- 5) If a Pre-SOP employee is unable to obtain his/her CDL within the required timeframe, and it is documented that the employee is at fault, he/she will be removed from federal employment in accordance with 5 C.F.R.
- 6) Pre-SOP employees who are in a PD that requires a CDL may utilize and follow the Agency’s Reasonable Accommodation (RA) policy and procedures as needed.
- 7) Management will comply with Article 30 “Employee Training” of the Master Agreement in administering any training provided to assist Pre-SOP employees in their responsibility to obtain a CDL as required by their PD.

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- 8) The effective date of this MOU is the date that the last person listed below signs and dates this Agreement. Either party may elect to modify this agreement utilizing the procedures in Article 11 of the Master Agreement effective September 13, 2019.

The MOU and its terms will remain in effect until such time as either party elects to renegotiate its terms, or a regulation, rule, policy or new Master Agreement language render it ineffective.

FOR THE UNION:

BEVERLY TOBIN FORD Digitally signed by BEVERLY TOBIN FORD
Date: 2020.02.05 11:57:11 -06'00'

Beverly Tobin Ford
NFFE – IAMAW, FSC VP, Job Corps

Date

FOR MANAGEMENT:

JEANNE WEIHRAUCH Digitally signed by JEANNE WEIHRAUCH
Date: 2020.02.24 11:56:11 -07'00'

Jeanne Weihrauch, Special Assistant to the Director
USDA, Forest Service, Job Corps National Office

Date