

Resolution Agreement between Management and Union  
Reference: Use of Health Screening Questionnaire Forms

The following agreement is entered into by the USDA Forest Service (Management) and the NFFE-FSC (Union) to resolve the issue described below.

1. Background: On February 7, 2007, direction was erroneously issued to the field that a new OMB-approved Health Screening Questionnaire (HSQ) form be used by all Forest Service employees. That direction was subsequently rescinded on February 28, 2007, after it became clear that negotiations between labor and management would be necessary in order to implement a new HSQ form. This left a situation in which a number of employees, following direction they had received, had used the new OMB-approved HSQ form rather than the "old" HSQ form that should have been used. Subsequently, the Union raised the question as to whether these individuals should continue on their path toward taking the Work Capacity Test (WCT) or if they would be required, or given the option, to file and be evaluated via the old form.
2. It is emphasized that this agreement pertains only to NFFE-FSC bargaining unit employees. It does not pertain to Administratively Determined (AD) employees or external applicants newly hired, including those hired since issuance of the February 7 and 28 letters.
3. Other than the exceptions listed in paragraph 4 below, employees who completed the new HSQ form this year are authorized to complete and submit the old (current) HSQ form, within 21 days of being notified, if they so desire by giving written notice to their supervisor. They are not, however, required to do so. It is emphasized that this is entirely an employee decision.
4. This choice is not available to the following employees:
  - a. those who previously filled out a new HSQ form and have already been referred to a medical practitioner. Employees who have been referred to a medical practitioner are expected to proceed with the examination process, since that process is the same under the old and new HSQ forms.
  - b. those who have already passed the necessary, applicable WCT. Employees who have already passed a WCT can simply be issued the appropriate Incident Qualification Card; there is no need for them to fill out a different HSQ form and re-take the Work Capacity Test.
5. The above provisions constitute the complete agreement of the Parties.

/s/ William R. Dougan      4-16-07  
Union Representative      Date

/s/ Gary M. Samaha      4-17-07  
Management Representative      Date