

July 16, 2008

**Memorandum of Understanding
Between NRC and NTEU
Concerning a Pilot Work Schedules Program**

The NRC and NTEU are interested in providing flexibilities in work schedules to employees that will enhance and preserve NRC's position as the best place to work in the federal government. The parties agree to under the principles of partnership to establish a pilot program to demonstrate additional scheduling flexibilities as follows:

1. The pilot will be implemented in the New Reactors Office (NRO) on August 17, 2008 and will run for thirteen pay periods. The pilot will begin at the start of a pay period, and terminate at the end of a pay period.
2. This pilot will be available to employees who are NRO employees and working for NRO. NRO employees who are detailed or serving a rotation in another office will not be able to participate in the provisions of this pilot while detailed outside of NRO. NRC employees who are serving a detail or a rotational assignment to NRO will be eligible to participate in this pilot for the duration of their detail to NRO.
3. Employees may choose to continue their current work schedule or with supervisory approval may work a flexible schedule as defined in this agreement.
4. As detailed in 6 and 7 below, employees wishing to participate in the pilot will submit a proposed work schedule to their supervisor for approval indicating their preferred hours of work for each day of a pay period. Employees may not work regular or credit hours on Saturday or Sunday or a federal holiday. The schedule for full time employees may mirror a compressed work schedule such as a 5/4/9 or a 4-10 or even a regular 10 days, 8 hour schedule. It is not necessary that an employee schedule the same number of hours each work day. There will be a revised form 707 that will be available on the NRO website.
5. For purposes of pay and scheduling, the holiday schedule for all full time employees participating in the pilot will be 7:30 a.m. to 4:15 p.m.
6. For purposes of start-up of the pilot, all NRO employees wishing to participate in the pilot will submit a proposed schedule on NRC 707 by August 6 to their supervisor. Management will review all of the proposals that are received by this deadline and inform employees by August 11, if the proposal as submitted has been approved.
7. After the pilot has been implemented on August 17, 2008, employees who later wish to join the pilot will submit a form 707 to their supervisor and the supervisor will within seven workdays, review and advise the employee if the proposal as submitted has been approved.
8. Employees who work more than six continuous hours during a day must schedule a 45 minute unpaid break during the work period.
9. The core hour will be 10:30 a.m. to 11:30 a.m. the first Monday of each pay period.

10. Employees may start their work day as early as 5 a.m. and end as late as 11 p.m. Employees who participate in the pilot will not be entitled to night premium pay for any non-overtime hours worked.
11. Employees may account for up to 11.25 hours a day (including regular hours, credit hours earned/used, leave used, etc.) This limit does not apply to overtime that is ordered or requested/approved.
12. Credit Hours
 - A. Because these are flexible schedules, all employees who choose to work a flexible schedule will be eligible to participate in the credit hour program.
 - B. Credit Hours earned in a day plus regular hours and time off for that day cannot exceed 11.25 hours. The existing weekly program maximum of 10 hours per week and the 3.25 hour daily cap are eliminated for participants in the pilot and the 0.5 per incident cap is changed from per earning to per day.
 - C. As currently required by law and regulation, full time employees may only carryover a maximum of 24 credit hours from one pay period to the next. Employees who work a part-time schedule may carryover an amount that is prorated based on the number of hours that the employee works.
 - D. Credit hours may be earned between 5 a.m. and 11 p.m. The earning and use of credit hours is subject to supervisory approval per Article 31.15 of the Collective Bargaining Agreement (CBA).
 - E. The use of the NRC Form 710 will be mandatory for planning purposes and the form need not be revised if actual credit hours differ from the plan. Employees record and supervisors review and approve all actual credit hours earned and used in the HRMS time and labor system.
13. Supervisors may deny an employee's requested schedule based on whether the workload supports the schedule, such as office coverage and training, participation in collaborative projects and need for direct supervision. In addition participation may be denied or limited based on an individual employee's performance, conduct and/or identified attendance issues. If a request is denied, the employee may request that the next level supervisor review the denial. If a meeting is held as part of the denial review process, NTEU will be notified in accordance with Article 4 of the CBA. There will be no grievance or other review process available during the pilot program.
14. Employees will only be required to submit a new schedule prior at the start of a pay period, if there are any changes to the employee's previous schedule. When a supervisor finds it necessary for an employee to change a previously approved work schedule, the employee will be notified as far in advance as possible. The employee may inform the supervisor of any personal needs and/or preferences. If the change is for more than one pay period, the employee will be given the opportunity to follow the procedure in Section 7 of this MOU. If an employee is to be terminated from participation in the pilot, Section 31.12.3 of the CBA will be followed.
15. All policy and practices that are not specifically addressed or changed in this agreement will remain in effect.

16. The parties will gather evaluative data throughout the pilot. An initial analysis of the data will take place during the seventh pay period. The program will be evaluated on the basis of employee and management satisfaction and impact on mission accomplishment, including customer service. It will also be evaluated on the ease of administration. During the eleventh pay period the cumulative data on the pilot will be analyzed and at this time management will determine whether it wishes to continue, modify or terminate the pilot at the end of the thirteenth pay period. If the parties agree the pilot may be continued and or modified. If a decision is made to terminate the pilot, employees will be notified and will return to the schedule that they were working before the pilot began.

For NTEU

Dale Yeilding, President, NTEU Chapter 208 Date

For NRC

Michael Johnson, Director, Office of New Reactors Date

Angela Bolduc, Chief, Employee/Labor Relations and Work Life Branch Date