

New Article 35

Old Article 5

Reorganization and Moves and Office Work Space Changes

5.1 Scope

This Article covers impact and implementation bargaining on reorganizations and changes to office space and physical moves of employees, including moves resulting from reorganizations. Other aspects of any reorganization will be subject to the notice and bargaining requirements of Article 49, Mid-term Bargaining.

5.24 Office Work Space Assignment

5.2.1 If an office or cubicle work station becomes vacant, only those employees who would receive a significant improvement in their work space will be eligible to move into the vacant space.

5.2.2 “Significant improvement” is defined as (1) moving from a cubicle to an enclosed office; 2) moving from an interior work space (cubicle or office) to a window work space (window or patio cubicle office); (3) an increase in the size of the employee’s work space (including a move from an office or cubicle with a column to one without); (4) a move which the employee identifies will result in a material impact on his/her improvement in the employee’s productivity; or (5) any other employee request that management and the Union mutually agree constitutes a significant improvement.

5.2.3. Selection of vacant work space from among eligible employees will be conducted pursuant to the current procedures agreed upon by the Parties for that office. Any changes to these procedures are subject to agreement by the Parties, or if no agreement is reached, bargaining in accordance with 5.5, below.

5.2.4 If an employee enters an organization through an individual personnel action (i.e., not as a result of a reorganization or general move), he/she shall be placed in the best and most appropriate available office space that is not ~~currently otherwise subject to assignment to another employee under the current procedures agreed upon by the Parties. under consideration by the parties for another use.~~ This exception does not apply to any temporary use of the space.

5.35 Meetings

Whenever management holds a formal meeting with employees concerning a move or reorganization, NTEU will be provided notice and an opportunity to attend and address employees in accordance with Article 4, Union Rights and Responsibilities, Section 4.3.

5.46 Official Duty Time

A reasonable amount of official duty time shall be granted to affected employees to meet with Union officials concerning matters under this article. Employees must obtain management approval for such purposes. If a request for official duty time for matters under this article is denied, an explanation for the denial shall be provided.

5.52 Union Notification and Bargaining

NRC agrees to notify the Union in writing of plans ~~to reorganize~~, to move, and of changes in personnel policies and practices as the result of ~~the reorganization or a move~~ that is not otherwise specifically covered by the preceding sections of this Article. in which the Union is entitled to negotiate on behalf of employees. The NRC agrees to notify the Union of plans ~~to reorganize or~~ relocate unit employees as soon as possible, but at least 21 days in advance of the proposed date of implementation. Where appropriate, the following information will also be provided:

- 5.52.1 A description of the change, including any proposed floor plan;
- 5.52.2 An explanation of why the change is necessary;
- 5.52.3 An explanation of how the change will be implemented;
- 5.52.4 A description of adverse impact on bargaining unit employees which management anticipates;
- 5.52.5 A proposed date of implementation.
- 5.52.6 Management may provide, at its discretion, a listing of alternatives to the proposed action that were considered.

5.5.73 ~~Union Response~~

~~When the NRC desires to reorganize and/or move unit employees, the NRC will notify the Union at least 21 calendar days prior to the proposed date of implementation and provide information contained in section 5.2. Copies of such notification to the Union will be sent by NRC to the President of the National Treasury Employees Union, Chapter 208, and the NTEU/NRC Field Representative.~~ If the Union desires to negotiate over the ~~impact and implementation of the~~ proposed reorganization and/or move, it shall provide proposals to the NRC within 10 calendar days after being notified. Alternatively, during this 10 day period it may submit a request pursuant to 5 U.S.C 7114 (b)(4) for any additional information deemed relevant and necessary. If the Union then wishes to bargain over the impact and implementation of a reorganization and/or move, it shall submit proposals to the NRC no later than 10 calendar days after the date of the NRC's response to its request. Extension of time frames may be granted on a case by case basis (e.g., to meet with employees, to brief the Union, etc.).