

New Article 4Old Article 4

Union Rights and Responsibilities

4.1 Exclusive Representative

The Union is the exclusive representative of the employees and it is entitled to act for all employees in the unit. It is responsible for representing the interests of all employees without discrimination and without regard to membership in the Union. The Union is also responsible, as an institution, for any breach of this Agreement; and, additionally, for any action of its Chapter officers and stewards which breach the Agreement.

4.2 Formal Meetings

The Union shall be given the opportunity to be represented at any formal discussion [as defined in 5 U.S.C. 7114 (a)(2)(A)] between one or more representatives of the NRC and one or more employees or their representatives concerning any grievance (to include settlement discussions on grievances, MSPB appeals and EEO complaints or ADR sessions, to the extent required by law), or any personnel policy or practices or other general condition of employment. Accordingly, ~~the appropriate steward will be given~~ advance notice of any formal discussion that is to be held. ~~If the appropriate steward or steward's designee is not available, the NRC shall contact~~ will be provided to the Chapter President (or designee), if available. This advance notice will be given unless management has been prevented from doing so due to an emergency. In situations involving a meeting with a large group of employees (such as a meeting with a ~~Branch, Division, or Office~~ or Agency), NTEU shall receive at least a three (3) workday notice of the meeting, unless mission requirement necessitates less notice. In such cases, the Union will be given as much advance notice as possible.

4.3 NTEU Formal Meeting Participation

At the start of each formal discussion, the NRC management representative will ask any representative who may be present to state his or her name. Furthermore, the NRC management representative will permit the Union representative to ask relevant questions, and to present a brief statement before the end of the meeting outlining the Union's position concerning the issues presented by management, and to have full participatory rights during the meeting to the extent accorded to other employees. Where the Agency determines it is in the best interest of the government, the Union shall have, subject to workload and space restrictions, up to ten minutes following the conclusion of the meeting to address the employees in private. When the issues to be discussed (in a formal meeting) have been listed in a written agenda, a copy will be forwarded to the Union prior to the meeting. NRC management has the right to control the meeting and to adjourn it as NRC management sees fit.

4.4 No Strike Clause

The Union agrees there will be no strike, work stoppage, sick-out, or slowdown. The Union further agrees there will be no picketing of the NRC in a labor-management dispute if such picketing interferes with the NRC's operations. The Union further agrees not to condone any such activity by failing to take action to prevent or stop such activity.