

NTEU Chapter 242 Lunch and Learn CBA Changes

April 26 and May 5, 2022

Brief History

- FDIC Proposed Changes to 15 Articles of the 2017-2020 Collective Bargaining Agreement in July 2020
- NTEU/FDIC Agree to Split Negotiations into Two Parts in January 2021
- FDIC Provides Proposals for Work Schedules, Telework, and Office Space in February 2021 and Negotiations Begin March 2021
- NTEU/FDIC Reach Agreement January 3, 2022

Negotiated Articles

- Article 19 Work Schedules
- Article 20 Telework
- Articles 51 and 52 Field and Regional Office Space



Work Schedules

Article 19



Article 19 Work Schedules-Changes

Expanded Hours to Earn Credit Hours

- Workdays as early as 5:00 a.m. and as late as 10:00 p.m.
- Saturday or Sunday, up to a maximum of eight hours total per weekend.

Eliminated Requirement to Use Credit Hours for Minimum of 30 Minutes

- An employee may request to earn or use credit hours in 15-minute increments.

Created Exception for Core Hours & Credit Hours for Unique Circumstances

Article 19 Work Schedules-Retained

- Flexible Work Schedule
- Alternative (AWS) and Compressed Work Schedules (CWS)
- Credit Hours with Maxiflex



Telework

Article 20



Article 20 Telework

FDIC encourages the use of the Telework Program for those projects/duties that can be effectively completed at home or at an alternative work site.

Telework supports FDIC's goal of enhanced employee flexibility and improved work/life balance, provided that the efficiency of the Corporation and its mission are not **adversely impacted**.

Eligibility to Telework

Telework ineligibility/exclusions greatly reduced in new contract

- Employees officially disciplined for
 - AWOL for more than 5 days in any calendar year
 - Reviewing, downloading, or exchanging pornography on a Federal Government Computer or while performing duties
- Exclusions are required under the Telework Enhancement Act of 2010

New Employees - Eligibility for Telework

Telework/Expanded Telework

Immediately eligible for
Traditional or Expanded telework
No longer barred from telework
for first 12 months

Home-Based Option (HBO)

Most eligible for Home-Based
Telework Option (HBO) after 6
months

Location of Telework Site

- Employee's residence is their primary telework site.
- With supervisory approval, employees may temporarily telework at alternative site within the US including Puerto Rico and non-contiguous states Alaska and Hawaii.
- Temporary international telework locations may be approved when the employee is performing mission-essential duties and such a temporary arrangement will be for the FDIC's benefit.

Types of Telework

Traditional Telework

Expanded Telework

Home-Based Option (HBO)

Remote Work Option (RWO)

Telework Election

- Employees received an individual email from FDIC telling them which TW programs they can apply for on April 8, 2022
- Must elect Telework option by May 20, 2022
- Complete a Telework agreement

Note: If telework denied, please request a written explanation of the reasons for denying the request

Telework Options

	Remote Work Option	Home-Based Option	Expanded Telework	Traditional Telework	
				Regular and Recurring	Ad Hoc / Situational
Telework Schedule	Full-time	Full-time	More than five days out of the office per pay period (including AWS/CWS)	Five or fewer days out of the office per pay period (including AWS/CWS)	As requested and approved by supervisor
Office Space	Shared Workspace	Shared Workspace	Shared Workspace	Dedicated Workspace (HQ/RO/AO)	Dedicated Workspace (HQ/RO/AO)
Stipend	\$1,000 annually	\$1,000 annually	N/A	N/A	N/A
Advance Notice for Reporting to Office	As much advance notice as possible (within 48 hours)	As much advance notice as possible (normally 24 hours)	As much advance notice as possible (normally 24 hours)	As much advance notice as possible (normally 24 hours)	N/A
Expenses for Travel to Duty Station	N/A	Travel to duty station will not be reimbursed	Travel to duty station will not be reimbursed	Travel to duty station will not be reimbursed	Travel to duty station will not be reimbursed
Duty Station*	Primary place of residence	Assigned FDIC facility	Assigned FDIC facility	Assigned FDIC facility	Assigned FDIC facility
Locality Pay Rate*	City/County of the employee's primary place of residence	Determined by the location of the employee's duty station	Determined by the location of the employee's duty station	Determined by the location of the employee's duty station	Determined by the location of the employee's duty station
Telework Location	Within the continental U.S.	Within the contiguous U.S.**	Within the contiguous U.S.**	Within the contiguous U.S.**	Within the contiguous U.S.**



Traditional and Expanded Telework

- Traditional Telework
 - Five (5) or fewer scheduled telework days per pay period. No more than five days total out of the office per pay period including AWS/CWS day(s) off.
 - Workspace-If RO/HQ employee, retain dedicated workspace. If field office employee, no assigned workspace. Hoteling/reservation system will be used.
- Expanded Telework
 - More than five (5) scheduled telework days per pay period including AWS/CWS day(s) off
 - Employee does not retain their own dedicated workspace

Traditional and Expanded Telework-Travel

- Travel to/from FDIC duty station is not work time, and not funded by FDIC.
- Travel expenses from/to locations other than the employee's duty station reimbursed in accordance with GTRs.
- Employee's residence will serve as primary remote work site.

Home-Based Option (HBO)

Employee works remotely 5 days per week when not required to report to an FDIC facility or other worksite (e.g., financial institution)

- Offered to employees whose overall work does not need to be regularly performed in the assigned office. Employees may still need to come to the office for meetings, trainings, or other collaboration.
- Employee's Duty station remains their assigned FDIC office—no changes in locality pay.
- No assigned office space/work station.

Home-Based Option (HBO)-Opt-in

- FO employees can opt into HBO at anytime. They do not need to wait for a change in the lease.
- RO Employees may opt-in during current 30 day period and during election period identified in the leasing process and prior to the approval of the Documentation of Need.
- An open season will be held every two years for RO employees but may be held more frequently upon mutual agreement.
- Outside of the “open seasons” or the leasing process, management may ask for volunteers to participate in the HBO.

Home Based Option (HBO)-Reporting to Office

- Supervisor can direct employee to report to the office when necessary to meet mission, staffing and workload requirements (e.g., meetings in the field office, training, collaborative team activities)
- Employees will be provided as much advance notice as possible, normally not less than 24 hours.
- When an employee's personal circumstances make it difficult to report to the office with minimal notice, supervisors are encouraged to consider alternative options to employee's onsite presence.

Home-Based Option (HBO)-Travel

- Employee's travel to their office is not work time, and not funded by FDIC.
- Travel expenses from/to locations other than the employee's duty station reimbursed in accordance with GTRs.
- Employee's "normal commute" for travel purposes generally remains the time it takes for them to travel to their official duty station. However, HBO employees may calculate a new "normal commute" time based upon their average time to travel to commutable assignments (non-stay-outs).

Remote Work Option (RWO)

Employee's duty station is the employee's residence.

- Employee must live/work within continental United States
- No right to assigned office space – shared workstations will be available for use
- Employees should very rarely be directed to work in the office. When required to do so due to mission requirements, the employee must report to the office with 48 hours' notice, absent extenuating circumstances.

Remote Work Option (RWO)-Locality Pay

- Locality pay based on the location of residence.
- If employee moves, the locality pay rate will be based upon new residence location.
- Locality pay for RWO employees will be the locality pay rate applicable to the city/county in which the employee's residence is located.

Remote Work Option (RWO)- Travel

- Employee's travel to the office is considered work time, and FDIC funds the travel expenses.
- Travel expenses to all locations (including the office) are reimbursed in accordance with GTRs. Employees will not be compensated to travel to their FDIC office if not required to do so by the FDIC.
- Employee's "normal commute" for travel purposes is zero as the employee's residence is now the official duty station

Telework-Stipend

- All Telework employees eligible for \$1,000/year stipend for costs associated with working remotely (e.g., furniture, broadband expenses).
- Prior Contract-only HBO employees received stipend. One-time reimbursement of \$500 for furniture/equipment and annual reimbursement of up to \$480 for high speed internet

Field Offices closed in 2020/2021

- Negotiated agreements concerning field offices that were closed or consolidated in 2020 and 2021 remain in effect.
- HBO-Employees who had elected HBO are authorized to remain HBO.
- Home as Duty Station-Employees who had elected “home as duty station” will be converted to RWO and subject to the provisions of that program.

Impact on Work In Place

- Current “Work-in-Place” (WiP) agreements will be terminated.
- FDIC will inform employees working under current WiP agreements whether their position is HBO or RWO-eligible, and will be subject to the provisions of those programs in accordance with this Article.

Why would I choose.....?

- Why would a field employee pick HBO rather than traditional TW?
- Why would an RO employee pick traditional TW rather than HBO?
- Why would an RO employee pick ETW rather than HBO?
- Why anyone pick RWO over HBO?

Suspension or Termination of Telework

Participation in telework can be suspended or terminated for failure to:

- Accurately request and report leave
- Report to official duty station when requested to do so
- Maintain consistently reliable broadband connections such that they cannot do their work
- Deliver agreed upon work product

Managers must provide written reasons for telework suspension or removal, and we can file a grievance challenging the decision.

MS TEAMS

- Employees are expected to be logged into MS Teams during their scheduled workday and available to supervisors, co-workers, and other contacts by telephone/voice mail/MS Teams or other communication method as directed by their supervisor.
- Supervisors may require that an employee appear on camera to enhance communication but will give due consideration to an employee's request to be excused from any requirement to appear on camera.
- TEAMS meetings will not be recorded without providing prior notice to meeting attendees.

Telework and Parking

- When FDIC-provided Field Office parking is not available, parking expenses incurred by employees working in Field Offices will be reimbursed when employees are regularly scheduled to be in the office or directed to come into the office.
- Employees will not be entitled to assigned parking but may be provided parking depending on availability.
- All other employees may have transportation expenses reimbursed in accordance with the FDIC's Transit Subsidy Program (Directive 3440.1).

Weather and Safety Events

- Office closed and employee cannot perform work at telework site (e.g., power outage)-employee should receive admin leave
- Office closed and employee can perform work at telework location-employee is expected to telework or request leave (e.g., annual leave, credit hours)
- Office closure is foreseeable (e.g., severe snowstorm forecast day before)-employee will be expected to prepare for telework the following day
- Office open/employee cannot perform work at telework-employee is expected to work at the office or request leave

Telework provisions that did not change

- Definition of types of work suitable for telework
- Direction regarding when telework should be approved: work can be performed as well off-site as on-site and does not impede accomplishment of mission objectives
- Provisions allowing medical telework



Office Space

Articles 51 and 52



Article 51 and 52

Field Office and Regional/Area/HQ Office Space

- Field Office Design Team and Regional Office/HQ Design Team
- Retained local negotiations over changes to space within approved design options/space configurations
- Modernization with expanded collaborative space and new technology

Article 51 and 52

Field Office and Regional/Area/HQ Office Space

- Elimination of dedicated workspace for field employees
- RO/HQ employees on ETW, HBO, RWO lose dedicated space
- Shared workstations or enclosed workspace/office at ratio of 1:6
- Hoteling system for reserving workstation/workspace

Important Reference Documents

- [Collective Bargaining Agreement \(CBA\)](#)
 - Articles [19](#), [20](#), [51](#) & [52](#)
 - [TW List of Bargaining Unit Positions](#)
 - [TW FAQs](#)
 - [Federal Locality Pay Areas](#)
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- Individual Email FDIC sent you on April 8 notifying you which telework programs you are eligible for based on your FDIC position

What is Next?

- RO/HQ Design Team
- 'Hoteling'
- The Rest of the CBA
- Compensation Agreement

Not yet a member?
Go to the link below to join Chapter 242

www.nteu.org/join



Questions?