

1 Article 30

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3 Official Time

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6 Section 1. Policy Statement

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8 **All employees** ~~Union officials, when not engaged in authorized labor management activities, are~~
9 ~~expected to accomplish the~~ **their agency assigned** ~~duties of the position to which they have been~~
10 ~~assigned~~ **unless authorized to use official time in accordance with the National Agreement.**

11 The Administration recognizes that in the furtherance of good labor-management relations as
12 provided for in the Civil Service Reform Act of 1978, **employees who are also** Union
13 **representatives** ~~officials~~ have the responsibility of carrying out representational duties.

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16 Section 2. Designation

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18 A. The Union will provide the Office of Labor Management and Employee Relations (OLMER)
19 with electronic lists of all designated union representatives within ~~60~~ **30** days of the effective
20 date of this Agreement. The Union will continue to provide OLMER with updated summary
21 lists as necessary. Each list will include the name, ~~union position,~~ designated official time
22 ~~percentage caps~~ available to the representative **(i.e., 840 or 420 hours)** ~~(i.e., 100%, 50% or~~

23 ~~25%~~, component, council, local, duty location and telephone number of each designated
24 union representative.

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26 B. Only those union representatives identified on the list provided by the Union will be
27 authorized official time for union representational activities and labor-management relations
28 functions.

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30 **C. AFGE can designate no more than one (1) designated official time user at any one time**
31 **from any PSC module/unit, field office, TSC unit, ODAR hearing office, the DOC, or**
32 **ROQP branch.**

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35 Section 3. Union Sponsored Training

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37 A. The Administration recognizes that union sponsored training is an appropriate
38 representational activity for which official time may be used. When requesting official time
39 for union sponsored training or conferences, the Union will provide the appropriate
40 management official with documentation, at the time of the request, denoting the date,
41 location, subject matter and provider or sponsor of the training or conference. **The request**
42 **will also include a statement detailing how the course content is appropriate for official**
43 **time in accordance with 5 USC 71 and the provisions of this article.** Management will
44 timely respond to the request after receiving the information from the Union.

45

46 B. The Administration's sole expense for all union sponsored training will be official time.

47 ~~Where available, the Agency shall permit the use of Agency training space.~~

48 **C. Official time will not be authorized for any union sponsored training held at a**
49 **casino hotel, spa resort/hotel, or any other type of resort.**

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52 Section 4. Exclusions

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54 A. Official time is not appropriate for use by a union representative for work performed at home
55 (including under an authorized flexiplace agreement **or work at home by exception**
56 **arrangement**) or outside the time the union representative would otherwise be in duty status.

57 This section is not intended to preclude a remedy of straight time in accordance with case
58 law.

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60 B. In accordance with 5 USC 7131 (b), the use of official time is prohibited for internal union
61 business.

62

63 ~~C. Employees filing Article 24, Section 9 grievances, and witnesses at arbitration hearings will~~
64 ~~be granted a reasonable amount of official time, not subject to individual caps or the bank to~~
65 ~~prepare and present their grievances and testimony.~~

66

67 **C. Official time is not permissible for Worker's Compensation Cases.**

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69 **D. Union representatives who are on a Performance Assistance (PA) or an Opportunity**
70 **to Perform Successfully (OPS) will not be authorized official time during the period**
71 **of the PA or OPS.**

72 **E. Unless specifically authorized by management, approved official time can only be**
73 **performed in an SSA controlled facility.**

74 **F. Official time will not be authorized for any union related/sponsored meeting,**
75 **conference, or event held at a casino hotel, spa resort/hotel, or any other type of**
76 **resort.**

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79 Section 5. Provisions for Official Time

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81 A. Consistent with 5 U.S.C. 71 and this Agreement, union representatives will be granted
82 official time, subject to the availability of official time as described below, for the following
83 representational activities:

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85 1. Term Negotiations—to prepare for and negotiate a collective bargaining agreement.

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87 2. Mid-Term Negotiations—to prepare for and bargain over issues raised during the life of a
88 term agreement.

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90 3. Dispute Resolution—to process grievances up to and including arbitrations and to
91 process appeals of bargaining unit employees to the MSPB, FLRA and, as necessary, to
92 the courts.

93
94 4. General Labor-Management Relations—meetings between labor and management
95 officials to discuss general conditions of employment, labor-management committee
96 meetings, labor relations training for union representatives, union participation in formal
97 meetings and investigative interviews and all other general labor relations activities
98 consistent with 5 USC 71.

99
100 B. The Union will be allowed to use up to ~~250,000~~ **150,000** hours per fiscal year for the official
101 time activities identified in Section 5.A. This includes official time authorized pursuant to 5
102 U.S.C. 7131 (a), (c) and (d). Unused official time hours do not carry over into the next fiscal
103 year. If the bank of ~~250,000~~ **150,000** hours is exhausted prior to the end of the fiscal year,
104 the Union shall receive whatever additional hours are required to fulfill its entitlements under
105 5 U.S.C. 7131 (a) and (c) of the Statute. ~~For purposes of this section the bank will be~~
106 ~~considered exhausted after 245,000 hours have been used.~~

107
108 C. Union representatives will be allowed to use the official time hours described in Section 5.B
109 in the performance of union representational activities as described in Section 5.A as follows:

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111 1. ~~Twelve (12) union representatives will be authorized to use up to 100% of the hours in a~~
112 ~~work year (maximum of 2080 hours per fiscal year) and,~~

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~~2. 1.~~ One-hundred and thirty-five (135) union representatives will be authorized to use up to a
50% of the hours in a work year (maximum of ~~1040~~ **840** hours per fiscal year) and,

~~3. 2.~~ All other union representatives will be authorized to use up to a ~~25% of the hours in a~~
work year (maximum of ~~520~~ **420** hours per fiscal year).

~~4. 3.~~ **Part-time employees who are designated as either an 840 hour or 420 hour official
time user will be authorized hours on a prorated number based on their tour of
duty. For example, a part-time employee who is designated as an 840 hour official
time user and whose tour of duty is 40 hours per pay period will be authorized up to
420 hours per fiscal year. Over tour hours do not affect this calculation.**

4. All official time use is subject to the availability of bank hours as described in Section
5.B.

D. Union representatives are required to stagger their use of authorized official time hours over
the course of the fiscal year. Union representatives will work out official time usage with
their supervisors to accommodate both union representational activities and Agency assigned
duties. The parties recognize that a mutually agreed upon schedule is the recommended
method for scheduling official time.

135 ~~E. Union representatives identified as 100% users of official time will be allowed to designate a~~
136 ~~replacement 100% union representative when he/she expects to be unable to use any official~~
137 ~~time hours for a period of at least one work week. Electronic designation must be made in~~
138 ~~advance to OLMER and include the designee's name and the expected duration of the 100%~~
139 ~~designation. Official time hours used by the designee during this period will be subtracted~~
140 ~~from the fiscal year bank available to AFGE (250,000 official time hours) but will not be~~
141 ~~counted against the designee's individual annual limit (i.e., 1040 or 520 hours per fiscal~~
142 ~~year).~~

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144 ~~F. Time spent by employees, including union officials, representing employees in statutory~~
145 ~~EEO complaints is official time under 29 Code of Federal Regulations and not countable~~
146 ~~towards the bank.~~

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148 ~~Section 6. General Accountability Provisions for~~ **Time and Attendance Responsibilities of**
149 **Official Time Users**

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151 **Union representatives will complete their daily time and attendance responsibilities in**
152 **accordance with agency policy.** ~~on a daily basis sign in on the Agency sign in/sign out form~~
153 ~~(SSA 30), and sign out on the same form, when they depart from their official duty station. If a~~
154 ~~union representative is unable to~~ **complete his/her daily time and attendance responsibilities**
155 **at his/her official duty station** ~~sign in/out~~ because he/she is off site on labor-management
156 ~~business, the union representative will notify the supervisor in advance and make arrangements~~
157 ~~with his/her supervisor~~ **in advance to complete the time and attendance responsibilities to**

158 ~~submit the SSA-30,~~ on a daily basis if in an SSA facility or when ~~they~~ **he/she** returns to their
159 officially assigned duty station if not in an SSA facility.

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162 ~~The current past practice for the twelve (12) 100% union officials for signing in and signing out~~
163 ~~on time and attendance forms within the confines of the union office will continue.~~

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165 **The Agency will not pay travel and per diem for local representational activities, unless**
166 **authorized by this agreement.**

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169 Section 7. Official Time Requests and Reporting Procedures

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171 A. All requests for official time will be submitted via OUTTS or equivalent electronic reporting
172 system. Sufficient information (time, date, **telephone number where he/she can be**
173 **reached,** representational category and **specific** location if other than normal duty station)
174 must be included with the request to allow the approving official to determine if the time
175 requested and activity described meet the criteria outlined in this Article. ~~Unless an~~
176 ~~authorizing official is not available,~~ **A** approval from the authorizing official must be obtained
177 prior to engaging in official time. The representative will inform the supervisor when he/she
178 returns to work after completion of the representational activity.

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180 B. If management is unable to approve a request for official time, the reason for denial will be
181 provided. If an operational emergency does not permit the union representative to use the
182 official time when requested, another occasion will be determined, keeping in mind the
183 interests of the union and employees as well as the needs of the employer. When
184 management determines that a union representative's presence is necessary to meet Agency
185 work requirements, ~~management will ensure that, within one workday, an alternate time will~~
186 ~~be permissible~~ **within one work day, management will identify an alternate day and**
187 **time(s)** for use of the requested official time.

188

189 C. Accounting of Official Time will be submitted via OUTTS or equivalent electronic reporting
190 system.

191

192 D. All reporting information will be retained for a period of six (6) years.

193

194 E. OUTTS will be modified to accommodate the provisions of this Article. If Management
195 proposes modifications to OUTTS beyond the provisions of this Article, it will provide
196 notice to the Union and, upon request, bargain to the extent required by 5 USC Chapter 71.

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199 ~~Section 8. Representational Activities at the Local Level~~

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201 ~~The Agency will not pay travel and per diem for local representational activities, unless~~
202 ~~authorized by this agreement.~~

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205 ~~Section 9. Allegations of Abuse~~

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207 ~~Alleged abuses of official time shall be brought to the attention of an appropriate union official~~

208 ~~on a timely basis by an appropriate management official. The management official will discuss~~

209 ~~the matter with the local or council president as appropriate. If the matter cannot be resolved,~~

210 ~~appropriate action may be taken to resolve the dispute.~~

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