

The agreement is a complete resolution of the petition for panel assistance filed in 12-FSIP-169

Memorandum of Agreement
Between
AFGE Local 2923 and NIEHS
NIEHS Leadership Development Program

The Parties understand that this MOU covers the NIEHS Leadership Development Program. The Leadership Program will provide GS-/12/13/14/15 and Title 42 equivalent employees with the leadership skills and knowledge to aid them in effectively leading from non-supervisory positions. Decisions regarding participants in leadership training programs shall be objective, fair, and impartial regarding the selection of the best qualified candidates. Diversity shall be a guiding principle regarding selection.

[AGREED 9/12/12]

- 1) The Union shall normally be notified a minimum of 5 calendar days in advance of sending the announcement to all employees; however, the notification shall preferably be sent sooner when practicable. Any notices less than 5 calendar days shall be accompanied with an explicit reason in writing as to why the Union was not notified in the normal timeframe. **[AGREED 9/12/12]**
- 2) The Agency shall provide the purpose, program features, schedule, criteria, and other applicable information to the Union in the notice stated in #1 above. In addition, the Agency shall specify the deadlines for application, any details regarding supervisory approval, and other important information regarding the program including if there are any changes from the previous year. **[AGREED 9/12/12]**
- 3) The NIEHS shall send an all-hands announcement asking for nominations. **[AGREED 9/12/12]**
- 4) Any interested and eligible employees should submit their application to their supervisor in a timely manner. The employee may request assistance and/or guidance from their supervisor or the training coordinator regarding completion or submission of the application. **[AGREED 9/12/12]**
- 5) The supervisor will promptly review and consider the employee's application for further submission to the Division Director or designee. **[AGREED 9/12/12]**
- 6) If an employee is not recommended by their supervisor, the supervisor shall provide the employee with a written explanation for the denial. This explanation shall provide specifics and shall include suggestions for the employee to improve their application for a future leadership development cohort. **(Agreed 10/30/12)**

- 7) An evaluation committee will be formed to review all applications and make recommendations to the NIEHS Director. The committee will include a total of six representatives, one from each NIEHS Division and one from the Union. The Union representative will be provided the same information that will be reviewed by all other members of the committee. The Union Committee Member would be permitted the same rights and responsibilities as other members, including, but not limited to, offering comments or voting on nominations.
- 8) The Committee mentioned above will provide a prioritized list to the NIEHS Director (or designee) along with any appropriate comments and minority views. **[AGREED 9/12/12]**
- 9) Normally, and when applicable, the Director shall follow the recommendations or votes of the committee but has the discretion to do otherwise. The Director shall strongly consider Union comments as well. **[AGREED 9/12/12]**
- 10) Whenever there is a deviation from the committee's recommendations the Agency shall provide a rationale to the Union. In any event, the final list of nominees shall be sent to the Union. **[AGREED 9/12/12]**
- 11) The Director (or designee or Committee) will select the nominee(s) based upon the following bulleted themes. Decisions shall be objective, fair, and impartial regarding the selection of the best qualified nominations. **[AGREED 9/12/12]**
 - Shows evidence of excellent communication, integrity, and leadership potential.
 - Contributes positively to the organization.
 - Performs duties in a way that has inspired confidence from others.
 - Receives positive feedback from stakeholders about performance and/or effectiveness.
 - Has demonstrated good management of resources, people, and/or planning.
 - Handles multiple tasks, delivers quality work, and maintains composure in dynamic environments.
- 12) The Agency shall notify the nominee(s) of their nomination and whether or not they were selected. **[AGREED 9/12/12]**
- 13) Any criteria used by the Agency to evaluate or rank employees shall be developed to differentiate applicants through the use of an appropriate scale, i.e., 1-10. The criteria shall be objective, fair, and created to ensure that the best applicants are selected. **[AGREED 9/12/12]**

- 14). Selections shall be made by considering only the application, nomination, and any other written performance-related documentation included in the overall package. (Agreed 10/30/12)
- 15) In making selections for participation in the NLDP, the NIEHS Director will seriously consider the committee's input. The Agency will seek diversity in representation. This includes a goal of having Bargaining Unit representation in the NLDP that is generally comparable to Bargaining Unit representation in the eligible workforce.
- 16) Upon request, the Agency shall provide the Union with an explanation of how diversity has been promoted through the consideration of the selection. (Agreed 10/30/12)
- 17) The Union shall be provided lists of final selectees identified by BUE status, NIEHS division, race, gender and grade. (Agreed 10/30/12)
- 18) The Agency shall create a standing register of applicants who are not selected but highly ranked for use in case one or more selectees are unable to participate in the program. (Agreed 10/30/12)
- 19) The Agency shall create and establish a leadership development program or upward mobility program for nonsupervisory employees GS-11 and below. The program will be instituted in 2014 or sooner, budget permitting. This program will be negotiated with the Union. (Agreed 10/30/12)

Nothing in this document changes or waives either party's rights.

For the Agency:

/s/Noreen E. Gordon
Employee and Labor Relations Specialist

1 February 2013

For the Union:

/s/Bill Jirles
President, AFGE Local 2923

2/1/13
Date