

The U.S. Department of Veterans Affairs, John J. Pershing VA Medical Center, Poplar Bluff, Missouri (Agency) and the American Federation of Government Employees, Local 2338 (Union) agree to the following in resolution of FLRA Case No. AR-5935:

1. The parties agree to reopen negotiations over the 2016 mid-term bargaining ground rules. The parties will set a date(s) to negotiate over mid-term bargaining ground rules within 15 business days from the execution of this agreement. The parties will request the assistance of a third-party neutral for the negotiations.
2. Within the 15 business days addressed in paragraph 1, the parties will communicate and/or meet as frequently as needed to determine the location of the negotiations, the negotiators, the dates that the parties will negotiate, and any other matters that are needed to initiate the negotiations. The parties agree to an equal number of negotiators, but no less than three per bargaining team. The 15 business days may be mutually extended, if necessary, due to the scheduling of the third-party neutral. Should either party fail to establish times, dates, and locations via communications and/or meetings described in this paragraph, the parties will reserve the week of August 19-23, 2024, at a location to be determined later.
3. The parties agree to exchange initial proposals for midterm ground rules via a Microsoft Teams meeting using the chat function no later than 30 calendar days from the resolution of all of the items in paragraph 2.
4. If the negotiations over the ground rules are completed while the parties are meeting to negotiate the ground rules, the parties will initiate negotiations over the following 4 topics in the attached spreadsheet as time permits: 6) Failure to Strike; 15) Reasonable Accommodation; 35) Article 23; and 26) Stays of Disciplinary Action. The Union will provide the Agency its initial proposals over the four issues no later than 30 calendar days from the resolution of all of the items in paragraph 2. The Agency will provide its position and/or counterproposals to the Union's proposals within 15 days from receipt of the Union's proposals.
5. If the parties are unable to negotiate over the issues described in paragraph 4, the remaining issues will be negotiated within 30 days from the last date of the ground rules negotiations in accordance with the current mid-term ground rules. In accordance with paragraph 2, the parties will reserve the week of September 16-20, 2024, at a location to be determined later to negotiate the remaining four items described in paragraph 4.

6. Within 30 calendar days from the conclusion of the negotiations over the 4 issues described in paragraph 4, the Agency will provide briefings over 18 items annotated as “briefings” in the attached spreadsheet each month for six months. Official time spent at the briefings described in this paragraph will be counted against the Union’s bank of official time hours.
7. After the parties reach a new ground rules agreement (up to and including FSIP proceedings), the parties will meet to negotiate the remaining items within the attached spreadsheet.

Upon the execution of this agreement, the Union will withdraw its exceptions in the FLRA Case No. AR-5935.

On Behalf of Kevin Ellis:

JACOB
JORDAN
Digitally signed by
JACOB JORDAN
Date: 2024.05.02
17:45:21 -05'00' 2 MAY 2024

Union Representative

Date

Agency Representative

Date