



National Council of HUD Locals

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES
AFFILIATED WITH AFL-CIO

Council 222

August 15, 2017

MEMORANDUM FOR: Joseph Sullivan
Director, Employee & Labor Relations Division
Towanda Brooks, Chief Human Capital Officer

FROM: Holly Salamido, President
HUD Council of AFGE Locals, Council 222

SUBJECT: Phased Retirement Program

Pursuant to Article 49 of the HUD-AFGE Council 222 Agreement, AFGE National Council of HUD Locals No. 222 (Council or Union) demands to bargain with regard to the Permanent Phased Retirement Program ("PPRP").

The below proposals are preliminary bargaining proposals and are not to be considered all of the proposals that the Union can submit. A complete list of proposals may be presented prior to and at the time of bargaining in accordance with Section 49.06 of the HUD-AFGE Council 222 Agreement.

Initial Proposals:

1. Any Supplement, policy or Handbook regarding the PPRP will not diminish or waive any rights that bargaining unit employees have under the AFGE Agreement, law or statute.
2. AFGE bargaining unit employee participation in Phased Retirement shall be voluntary.
3. PPRP will be available to all AFGE bargaining unit employees nationwide.
4. All employees participating in PPRP will remain eligible for telework, flexitour, alternative work schedules maxiflex and other negotiated provisions regarding hours of duty leave and attendance in the Agreement.
5. Phased retirement will be used not only to facilitate the mentoring and training of employees taking over the duties of the phased retiree, but "may also be used to provide employees with the opportunity to share experiences across sections or divisions of an agency." Accordingly, the Agency and the Phased Retiree shall choose from any mentoring activities that would allow the transfer of knowledge and skills. Mentoring is defined as a process that focuses on providing guidance, direction and career advice,

which includes a wide range of activities that allow for the transfer of knowledge and skills from one employee to others. All employees must spend 20 percent of his or her working hours in mentoring activities.

6. The PPRP may be used by Union leaders on official time to mentor new Union leaders on representational matters.
7. The Phased Retirement Handbook for AFGE bargaining unit employees will conform to this supplement. This is non-precedential.
8. Criteria for Approval:
 - a) The employee must have a rating of fully successful on their most recent annual performance evaluation;
 - b) The requesting employee has submitted a signed agency time limit and mentoring agreement
 - c) The staffing level is sufficient to accommodate the part-time work schedule of the employee. Denial based on staffing considerations is only appropriate where no other viable options are available. Viable options include, but are not limited to: i) reasonable attempts to reassign 50% of the retiree's work to other employees; ii) a request for volunteers from within the cylinder to participate in detail or rotational opportunities; iii) the posting of an NTE part-time position to accommodate the phased retiree's reduction of hours.
9. Denial of an application for Phased Retirement under PPRP may be grieved under the Collective Bargaining Agreement (CBA) grievance process, EEO complaint process, or other lawful or applicable regulatory compliant process.
10. There will be no office/program area opt-out of the PPRP.
11. PPRP applications will be decided on a case-by-case basis.
12. The following language will not apply to AFGE employees: "The employee is capable of being a mentor."
13. Every position is eligible for Phased Retirement.
14. Management will be responsible for providing acceptable mentoring activities and the phased retiree shall choose from any mentoring activities sufficient to meet the mentoring requirement that would allow the transfer of knowledge or skills. Mentoring requirements shall receive the broadest interpretation possible under applicable regulations.
15. An employee's participation in PPRP will not be used as a basis to deny an employee training, awards or any other benefits or incidents of employment.

16. Existing reasonable accommodations shall remain in effect during participation in the PPRP, to the maximum extent possible
17. Management shall ensure its service provider gives each requesting employee an annuity estimate (i.e. phased and full retirements amounts) and retirement counseling.
18. Management shall ensure that its service provider processes and submits employees' approved retirement application packages to the National Finance Center (NFC) within 3 days of receipt.
19. HUD shall ensure that an applicant receives all information pertinent to their application.
20. In instances where multiple requests are received within a service unit, and the Agency is not able to accommodate all requests, the Federal Service Computation Date (SCD) will prevail.
21. Management will provide a written justification for denial of any application.
22. Upon management approval, employees who participate in PPRP may return to full employment. Management will provide a written justification for any denial of a request to return to full-time employment.
23. Performance standards utilized for mentoring shall meet SMART standards in accordance with the Department's Performance Management Policy and Handbook and the CBA.
24. Performance elements related to the mentoring requirement shall not be based on the performance of the mentee.
25. No PPRP program which affects the working conditions of bargaining unit employees will be implemented prior to the completion of bargaining with the Union.

These are preliminary bargaining proposals and there may be additional proposals once the bargaining is to take place. The Chief Negotiator for this program will be Salvatore Viola. As Mr. Viola will be retiring August 31st, please send all notices and communications regarding this matter to both myself and Ashaki Robinson-Johns.