

NATIONAL SUPPLEMENT 38  
Between  
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
And  
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES  
NATIONAL COUNCIL OF HUD LOCALS 222

Subject: Zscaler Virtual Private Network (VPN) Implementation

Scope: The scope of this supplement addresses impact and implementations of HUD's new Virtual Private Network (VPN) platform; Zscaler

1. Maintenance of Status Quo: Management agrees that regarding Zscaler Virtual Private Network (VPN), the status quo will remain in accordance with Article 49, Section 49.02 HUD/AFGE collective bargaining agreement (CBA).

2. Demonstration to the Union: Management shall provide a demonstration to AFGE Council 222 and AFGE Locals on how to access and utilize the Zscaler Virtual Private Network (VPN) at least three workdays prior to the commencement of mid-term negotiations.

3. Notice: The U.S. Department of Housing and Urban Development (HUD, Department, Management or Agency) will notify all affected bargaining-unit employees at least two weeks (10 workdays) prior to implementing the new Zscaler Virtual Private Network (VPN) and shall explain the effect of the changes. The information shall include any expected times the Zscaler VPN system may be unavailable. The Department shall also copy the Union (AFGE Council 222 and AFGE Locals at HUD) on the notice(s) provided to affected bargaining-unit employees.

4. No Waiver of Applicable Rights: The Parties (i.e., HUD and AFGE Council 222) agree that this Supplemental Agreement, for the implementation of the new Zscaler Virtual Private Network (VPN), shall not diminish or waive any rights of the Parties in the 2015 HUD-AFGE Collective Bargaining Agreement (CBA or Agreement), law, or government-wide regulation. By mutual consent and unless "covered by" a new bargaining agreement, the Parties agree to renegotiate, re-open, amend, or modify this Supplement to the extent necessary. These negotiations shall be limited to the scope of this Supplemental Agreement. The Parties, however, may also mutually agree to incorporate this Supplement into the successor collective bargaining agreement.

5. No Adverse Effects: The Department agrees that there will be no adverse effects for bargaining-unit employees merely because of the implementation of the new Zscaler Virtual Private Network (VPN). The Department agrees that affected bargaining-unit employees who are unable to access their data and electronic work files caused by the

system upgrade to the Zscaler VPN, shall not be adversely affected including in their performance appraisals due to such lack of access and any resulting delays in performing assigned work. The Department shall ensure that affected employees will continue to have access to their data and electronic work files through the current SonicWall VPN until it is phased out and completely replaced by the Zscaler VPN.

6. Training and Information: Management shall provide a User Guide for the Zscaler Virtual Private Network (VPN) to affected bargaining-unit employees that will have step-by-step instructions on how to access and utilize the new VPN; the User Guide will also serve as a training tool. The Department will provide all affected employees with an electronic copy of the Zscaler VPN User Guide by email as an available reference tool to be downloaded to their computers for times when employees cannot log into the HUD network and/or hud@work intranet website. Management will also provide a direct link to access the Zscaler VPN User Guide online on hud@work intranet website and the external HUDCLIPS website (<https://www.hud.gov/guidance>) in the Guidebooks or Handbooks section (Office of Chief Information Officer) for employees who are having difficulties accessing the HUD network and/or hud@work intranet site. New employees upon onboarding shall be provided information on how to access the Zscaler VPN User Guide. The Department shall ensure that the HITS HelpDesk will remain available on an ongoing basis to assist employees with any connectivity problems, operational problems, and questions about the Zscaler VPN.

7. Privacy: The Department agrees that employees are entitled to privacy for personal equipment or devices. Management shall not monitor any personal equipment or devices connected to an employee's personal internet provider and access in the home or alternative worksite other than the Zscaler VPN and work-related activities

8. Self-Certification of time Worked: The Parties agree that Zscaler VPN shall not be used for timekeeping purposes as employee may be working and connected to the HUD network and accessing electronic work files and HUD computer software services through Microsoft Office 365. Employees self-validate and record their time and attendance in the Department's automated time keeping system-WebTA- in accordance with Section 46 of Supplement 33 (Implementation of HUD's Proposed Flexiplace Policy).

9. Implementation: This Supplemental Agreement shall be enforceable upon signature of the Parties' negotiators in accordance with Article 49, Section 49.06(n) of the HUD-AFGE Agreement.

10. Duration: This Supplemental Agreement shall remain in effect in accordance with Article 53 of the HUD-AFGE Agreement.

11. Renegotiations: By mutual agreement, management and AFGE Council 222 and AFGE Locals may reopen negotiations to consider any problem or condition that arises after

implementation of the Zscaler Virtual Private Network (VPN) that is not expressly addressed in this Supplemental Agreement. Renegotiations shall be limited to matters that are not already expressly addressed in this Supplemental Agreement.

Date Signed: November 28, 2022

For the Agency:

**MICHAEL  
BAILEY**

Digitally signed by: MICHAEL BAILEY  
DN: CN = MICHAEL BAILEY C = US  
O = U.S. Government OU =  
Department of Housing and Urban  
Development, Office of Administration  
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Michael I. Bailey  
Labor Relations Advisor,  
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**JACQUELYN  
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Housing and Urban Development, Office  
of the Chief Information Officer  
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Jacquelyn M. Rosales, Team Member

For the Union:

*Ricardo Miranda 11/28/22*

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Ricardo Miranda  
AFGE Council 222, Chief Steward  
AFGE Council 222

*Salvatore Viola*

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Sal Viola, President, AFGE Council 222