

MEMORANDUM OF AGREEMENT

This agreement is made and entered into by and between the Oak Ridge Operations Office and the Office of Scientific and Technical Information, U. S. Department of Energy and the Office and Professional Employees International Union, Local Number 268.

Effective upon signing, the negotiated agreement between the United States Department of Energy's Oak Ridge Operations Office and the Office of Scientific and Technical Information and the Office and Professional Employees International Union, Local Number 268, AFL-CIO, is amended as follows:

1. ORO and OSTI employees will be rated under the 2-level performance management system established by ORO O 330.
2. Performance standards and subelements established by the employer shall be consistent with the position description for the position.
3. Performance standards established by the Employer shall be applied to individual employees in a fair and just manner.
4. Prior to scheduling discussions with bargaining unit employees regarding unsatisfactory performance, the supervisor will advise the employee of the nature of the discussion and issues to be addressed. If the employee wishes to have a Union Representative in attendance at the discussion, the supervisor will schedule the discussion to accommodate this request.
5. Use of official time and approved absences for labor relations activities shall not be used as a factor in employee performance appraisals. Employee will notify supervisor of any known deadlines that may be impacted while on official time.
6. The Parties recognize that rating of employees is normally a management function. Members of the bargaining unit shall not be allowed or required to evaluate other members of the bargaining unit for rating purposes. When bargaining unit members are temporarily promoted to supervisory positions, they may be required to evaluate other members of the bargaining unit for rating purposes. Likewise, when members of the bargaining unit are temporarily promoted into "lead" positions, they may be required to provide formal input into the rating process.
7. The subelements contained in the employee's performance plan will not contain any subelements unless mandated by law.
8. Performance-based actions shall be taken progressively. Options for reassignment and/or reduction in grade will be examined prior to removal, information from the examination will be provided to the employee prior to removal. A bargaining unit employee whose reduction in grade or removal is proposed because of unacceptable performance is entitled to 15 calendar days to reply to the proposed action.

For Department of Energy

For Office and Professional
Employees International Union,
Local 268

Oak Ridge Operations _____
Date 9/25/98

M. Dalton Cooper _____
Date 9-25-98

Office of Scientific _____
and Technical Information Date