




**U.S. Customs and  
Border Protection**

**JUN 10 2011**

TO: Thomas S. Winkowski  
Assistant Commissioner  
Office of Field Operations

FROM: Michael J. Wenzler   
Director, Labor-Management Relations  
Office of Human Resources Management

SUBJECT: Agency Head Review  
Memorandum of Understanding – Personal Appearance Standards

The attached Memorandum of Understanding (MOU) signed June 8, 2011, memorializes an agreement between U.S. Customs and Border Protection (CBP) and the National Treasury Employees Union (NTEU). The MOU is intended to clarify the meaning of certain contract terms contained in Article 44 (Attire & Appearance) of the Collective Bargaining Agreement. The negotiated terms have been reviewed in accordance with 5 U.S.C. §7114(c) and under Department of Homeland Security, Customs and Border Protection Delegation Order 10-001 dated February 23, 2010.

The MOU does not violate existing law, rule or regulation, and is hereby approved. This approval does not constitute a waiver of, or exception to, any existing law, rule, regulation, or policy.

If you have any questions or need additional assistance, you may contact Don Stakes, Chief Labor Negotiator, by telephone at (202) 863-6335, or by electronic mail at [Donald.Stakes@dhs.gov](mailto:Donald.Stakes@dhs.gov).

CC: Colleen Kelley, President, NTEU  
Jonathan Levine, NTEU  
John Doyle, Labor Relations Specialist  
John Batt, Field Programs, Office of Field Operations

Attachment

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
U.S. CUSTOMS AND BORDER PROTECTION (CBP)  
AND  
NATIONAL TREASURY EMPLOYEES UNION (NTEU)  
NTEU -6/6/11**

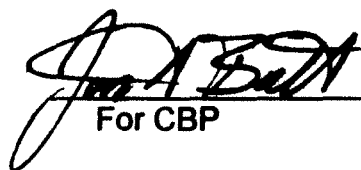
**BACKGROUND:** In an effort to address issues and concerns involving the implementation of the Personal Appearance Standards (PAS) contained in Article 44: Attire and Appearance and Appendix E: CBP Personal Appearance Standards-Quick Reference Matrix CBP and NTEU met on May 24, 2011.


The following provisions of this Memorandum of Understanding (MOU) are between CBP and NTEU regarding the implementation of PAS to clarify the intent of the contract language and does not waive any legal right either party has on this matter.

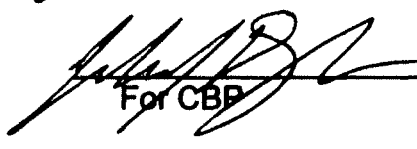
**AGREEMENT TERMS:**

1. The words "wraparound lenses" will be deleted from the eyewear section of Appendix E.
2. The bullets/words "Will be physically covered to the greatest extent possible" will be deleted from the tatoos/brands section of Appendix E.
3. CBP and NTEU recognize that the facial hair provision contained within Appendix E of the Personal Appearance Standards – Quick Reference Matrix shall be modified to reflect that facial hair will be no longer than 1 inch in length unless required for medical or religious reasons; Facial hair will be trimmed and well groomed. Facial hair will not be worn in any extreme or unconventional styles. Absent the existence of facial hair, the employee must present a clean shaven face; CBP and NTEU recognize that the requirement to present a clean shaven face shall not be misconstrued to prevent an employee an opportunity to grow facial hair, or groom, shape and maintain facial hair. Both parties also recognize that ungroomed beard stubble, would not be considered neat, clean and professional.

4. This Agreement is effective upon signature of both parties, subject to the requirements of 5 U. S.C. S. § 7114 (c).

 Date 6/8/11  
For CBP

 Date 6/8/11  
For NTEU

 Date 6/8/11  
For CBP