



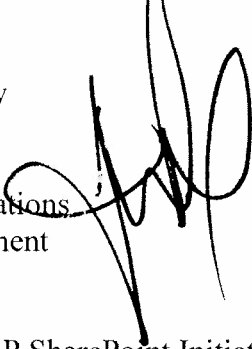
**U.S. Customs and  
Border Protection**

**JUN 6 2012**

TO: Charles R. Armstrong  
Assistant Commissioner  
Office of Information and Technology

FROM: Clifton Wilcox  
(A) Director, Labor-Management Relations  
Office of Human Resources Management

SUBJECT: Agency Head Review  
Memorandum of Understanding – CBP SharePoint Initiative



The subject Memorandum of Understanding (MOU) signed June 4, 2012, memorizes an agreement between U.S. Customs and Border Protection (CBP) and the National Treasury Employees Union (NTEU). The MOU addresses the use of SharePoint by NTEU represented employees. 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, National President, NTEU  
Jonathan Levine, Litigator, NTEU  
Luke Chesek, Negotiator, NTEU  
Jeff Smith, OIT/WCR Branch Director  
Deborah Eres, (A) Field Services Director, Labor & Employee Relations  
Barry Carpenter, Labor-Management Relations Specialist

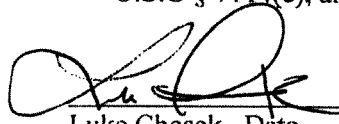
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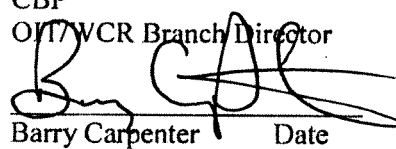
**Memorandum of Understanding  
Between  
U.S. Customs and Border Protection  
And  
The National Treasury Employees Union**

This Memorandum of Understanding (MOU) is entered into by, and between U.S. Customs and Border Protection (CBP) and the National Treasury Employees Union (NTEU) regarding the Office of Information and Technology's (OIT) implementation of SharePoint.

With respect to the above-described initiative, the parties agree to the following:

1. CBP will offer on-line in-service training for SharePoint to all CBP employees. CBP will provide additional training to bargaining unit employees upon request.
2. If a bargaining unit employee is required to utilize a webcam, CBP will not utilize SharePoint to track and/or monitor its employees' attendance or performance.
3. Bargaining unit employees will not be held liable for inadvertently retrieving unauthorized documents through the use of the search function within SharePoint granted employees follow proper procedures for reporting unauthorized material, and employees do not reproduce unauthorized documents or distribute such documents.
4. Bargaining unit employees will not be required to specify the type of leave requested or granted on any public calendar to ensure privacy; however, CBP is not responsible if an employee elects to identify such leave on SharePoint calendars.
5. If either party becomes aware of significant problems that arise due to the implementation of this initiative, CBP or NTEU shall inform the other party of such problems and the parties will meet to discuss and attempt to resolve them as soon as practicable.
6. CBP agrees to comply with Article 9 of the parties' Collective Bargaining Agreement.
7. If CBP decides to modify or expand this initiative, CBP shall provide NTEU with appropriate notice, as required, and opportunity to bargain pursuant to Article 26 of the parties' Collective Bargaining Agreement, law, rule, and regulation.
8. This agreement is effective upon signature of both parties, subject to the requirements of 5 U.S.C § 7114(c), and will terminate two (2) years from the effective date of this agreement.

 6/4/2012  
Luke Chesek Date  
NTEU  
Assistant Counsel for Negotiations

 05/24/12  
Jeff Smith Date  
CBP  
OIT/WCR Branch Director  
 6/4/12  
Barry Carpenter Date  
CBP  
Labor Relations Specialist