

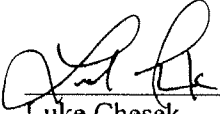
**Memorandum of Understanding
Between
U.S. Customs and Border Protection
And
The National Treasury Employees Union**

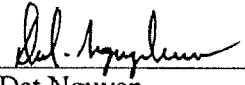
This Memorandum of Understanding (MOU) is entered into by, and between U.S. Customs and Border Protection (CBP) and the National Treasury Employees Union (NTEU) regarding the Office of Information Technology (OIT)'s intent to realign its Technology Service Desk.


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

1. CBP will inform all impacted bargaining unit employees of the change, using the manner of communication that is efficient and best communicates the change to the employees. CBP agrees that this will be done within 60 days of the Agreement and if briefings are held, the NTEU will be notified in accordance with Article 5.
2. Bargaining unit employees will be permitted to rank their preference for up to six (6) positions to be realigned into.
 - a. Bargaining unit employees will be provided ten (10) work days to submit their preferences.
 - b. During those ten (10) work days, bargaining unit employees will be permitted up to two (2) hours of administrative time to research the six (6) choices.
 - c. Management will select qualified bargaining unit employees based on seniority. The panel will determine who is qualified. The selection process will not begin until after the completion of the ten (10) work day period.
3. A panel of four members shall determine who is qualified for purposes of placement. One (1) of the members shall be a bargaining unit employee nominated by NTEU. Said bargaining unit employee will be provided administrative time to participate as an equal voting member of the panel.
4. Once bargaining unit employees are placed into positions, bargaining unit employees will continue with their current shifts. If adjustments are necessary, management will work with the impacted bargaining unit employees to determine what schedules are necessary to meet the Agency's mission and accommodate impacted bargaining unit employees as much as possible. Consideration will be given for seniority.
5. Bargaining unit employees will be co-located with their new teams. If multiple seats are available within the team areas, bargaining unit employees will be allowed to select their new seating arrangements based on seniority. If any bargaining unit employees are required to move to another building, the local NTEU Chapter will be provided notice and given an opportunity to bargain any such move.

6. Realigned bargaining unit employees will not be required to serve a new probationary period.
7. In accordance with Article 32, management will determine what training is appropriate for each realigned bargaining unit employee and provide training that is comparable with the training that employees, who currently work in the position to which the bargaining unit employees are realigned into, received. Bargaining unit employees will be permitted to request additional training, in accordance with Article 32.
8. 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.
9. This agreement is effective upon signature of both parties, subject to the requirements of 5 U.S.C § 7114(c)


 _____ 8/28/12
 Luke Chesek Date
 Assistant Counsel for Negotiations
 NTEU


 _____ 8/27/12
 Dat Nguyen Date
 (A) Director, TSD
 CBP


 _____ 8/28/12
 Barry Carpenter Date
 Labor Relations Specialist
 CBP