

Federal Transit Administration Labor-Management Forum Charter

Parties

The parties to this agreement are the Federal Transit Administration ("*FTA*" or "*Agency*") and the American Federation of Government Employees, AFL-CIO, Local 3313 ("*Union*"), which represents FTA bargaining unit employees.

Purpose

This Charter establishes the FTA Labor-Management Forum (hereinafter referred to as "*LMF*" or "*Forum*"). The purpose of the Forum is to promote partnership efforts consistent with Executive Order 13522 between Management at FTA and the Union.

Scope

The Forum will serve as an advisory committee to provide information and advice on Agency working conditions and related issues. To the extent practical, the Forum will allow the Union representatives' pre-decisional involvement in workplace matters. Nothing in this Charter shall be construed to impair or otherwise affect the authority granted by law or statute to the Parties to this Charter. Also, nothing in the Charter shall be construed to circumvent the rights and obligations set forth in any collective bargaining agreement that may become effective subsequent to the signing of this document.

Objectives

Consistent with the purpose and scope, the Forum will provide the information and advice to the Administrator or his/her delegated authority on Agency working conditions and related issues and will strive to:

- Promote workplace solutions that improve employee satisfaction, professional development, and quality of work-life, while considering the legitimate interests of both labor and management.
- Create a high-performing, efficient and mission-driven workforce through sustained and open labor-management collaboration.
- Support the Agency as it responds to mission-critical issues, addressing them in a collaborative manner to enhance the way in which the Agency conducts business.
- Jointly share and exchange relevant information about Agency working conditions and related issues that affect bargaining unit employees at the earliest practical opportunity.
- Make decisions and/or resolve issues by consensus. The parties will work to resolve matters in a way that is acceptable to all Forum members. Each Forum member has a responsibility to participate in the decision-making process and to support the Forum's decision if consensus is reached. If no consensus is reached, the options for the Forum include but are not limited to, seeking the services of a facilitator,

forwarding the issue to a delegated working group, or determining that consensus is not going to occur. In the absence of agreement, the parties retain their rights under 5 U.S.C. Chapter 71. Any agreements reached by the Forum will not constitute a waiver of any right provided by this statute.

- Initiate discussions related to the development of guidance and best practices for innovative ways to improve delivery of services to the public, exercise good stewardship of Agency resources and advancement of employee interests in the workplace.

Membership

Only FTA employees may be appointed as members of the Forum. The Forum will consist of up to five (5) regular members representing FTA Management, and up to five (5) regular members representing the Union. The members shall be designated in writing by each Party's Co-Chair. As changes in membership occur, the Party changing regular members must notify the other Party of the changes. Additionally, upon prior agreement from both Parties, each Party may have a Subject Matter Expert (SME) to provide information, as necessary, to fully discuss the topic at hand.

- **Management Representatives:** The FTA Co-Chair shall appoint the representatives to the managerial team. The Office Director of the Employee and Labor Relations Team will serve as one of the managerial officials.
- **Union Representatives:** The AFGE Local 3313 FTA Vice President shall appoint Union representatives who shall speak on behalf of FTA bargaining unit employees.
- **Forum Co-Chairs:** The FTA Deputy Administrator will appoint the management Co-Chair; the AFGE Local 3313 Vice President for FTA will be the Union Co-Chair. Both Co-Chairs will set the agenda and moderate the meetings in order to maintain good order and establish consensus, where possible. The Co-Chairs may arrange for an outside facilitator at their discretion and with mutual agreement. The facilitator does not have the authority to issue any decree or order, but is only to be used to facilitate discussion. Each Co-Chair has the final authority for the group that he/she represents.
- **Subject Matter Experts (SMEs):** Upon mutual agreement by the Co-Chairs, SMEs can be requested to participate in the Forum's discussion for the sole purpose of providing information relevant to the topic at-hand. The Subject Matter Expert may stay for the duration of the discussion for which he/she is the SME, but must leave immediately following that discussion.
- **Observers:** In an effort to support transparency, each Party may allow at any given time up to three (3) DOT employees as Observers – of which at least one (1) must be an FTA employee. Any Bargaining Unit (BU) employee requesting to be an observer must receive advance approval from his/her supervisor and submit a request for Official Time through his/her supervisor. Each Observer's participation must be approved by both Co-Chairs prior to the Forum meeting. The Observer must be introduced by the appropriate Co-Chair at the start of the Forum meeting. Observers are not permitted to speak during the Forum meeting. If an Observer violates this rule, he/she may be asked to leave.

Meetings

The Forum will be held on a quarterly basis, per annual year, unless mutually agreed-upon deviations are approved by both Co-Chairs. Meetings will be scheduled and held during normal working hours. Meetings shall be scheduled for four (4) hours, but may be extended upon mutual agreement. Meeting times may be reduced or extended upon mutual agreement by the Co-Chairs. If a Forum member is not available to participate in the full Forum, the applicable Co-Chair may designate a replacement upon agreement by the other Co-Chair. If a Co-Chair cannot participate in the full Forum, the applicable Co-Chair may designate a temporary replacement who shall be assigned with all the rights and privileges exercised by the applicable Co-Chair. No overtime or compensatory time shall be approved for the sole purpose of participating in a Forum meeting. Prior to each LMF meeting, the Co-Chairs will agree to the agenda and distribute it to all members prior to the meeting.

The Forum may establish formal work groups or committees to evaluate and develop recommendations for particular issues. In addition, ad hoc groups may meet outside the normal Forum meeting cycle to address immediate issues or make recommendations on particular Agency working conditions or related issues that arise between scheduled Forum meetings. However, decisions on the recommendations must be made by Forum members during scheduled meetings using a consensus approach.

Each Party is responsible for collecting and maintaining its own minutes. Both Parties must share their official minutes of each Forum meeting for the purposes of producing a mutually agreed-upon set of formal minutes, which shall be made available to FTA employees by posting on the FTA's intranet site (TransPort). The information posted to the intranet should be as exactly as agreed upon by both Parties. If it is decided by both Parties that a more practical and efficient approach should be used, this Charter will be modified to identify the new practice, for example, the designation of a neutral person to record minutes of each meeting and share with the Agency and Union officials.

The LMF will not take any action if a quorum is not present. A quorum is established at the official meetings when there is a minimum of three (3) representatives from management and three (3) representatives from labor in attendance either in person or via teleconference. The Co-Chairs may call the Forum membership in an Executive session (without observers and SMEs). At the discretion and agreement of both Parties, an objective facilitator also may be assigned to help promote labor - management partnership building, collaborative problem-solving, team work and communication and other types of training to improve the effectiveness of the Forums.

All meeting locations will be arranged by the Agency team and will take place at a mutually agreeable time and day.

Funding and Support

To the extent that funds are available and approved, members of the Forum may receive joint training in problem-solving techniques, consensus building, decision making, and collaborative bargaining, as well as other topics as mutually agreeable.

The Union members of the Forum will be allowed a reasonable amount of official time to prepare for and attend Forum meetings. Official time must be requested and approved, as appropriate, in advance of the meetings. Union officials may be allowed Official Time to participate in joint training and exercises upon mutual agreement prior to the event.

Amendments to the Charter

The Parties agree that it may be necessary to change the structure of the Forum over time as change is inevitable to assure that the LMF continues to be effective. Prior to implementing any change in the structure of the Forum, both Parties must agree to the change, and amend the Charter to reflect the change. The Parties also agree that changes to the Charter are negotiable and both Parties should be open and flexible to changes that can improve the LMF.

Changes to this document must be made in writing and approved by the signatories, or their successors, of this Charter before it can become effective.

Effective Date

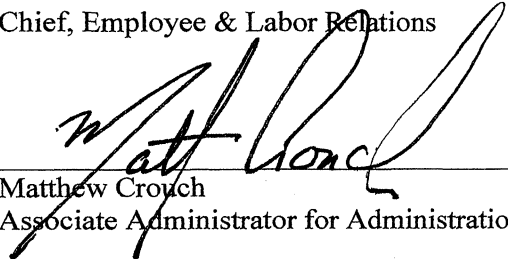
This document shall be initially considered effective as of the date that it is signed by all parties, and will remain in effect for two (2) years. The Forum members may decide by consensus to renew this Charter at the end of the two (2) years. Subsequent renewals will be considered in two-year increments. Absent a consensus to renew, this Charter automatically expires 2 years from the date of provided below.

Dated this 9th day of September 2016.

For FTA:



David Lee
Chief, Employee & Labor Relations

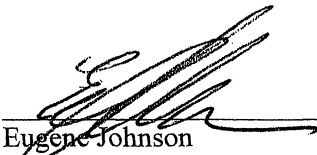


Matthew Crouch
Associate Administrator for Administration

For Labor:

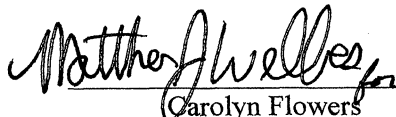


Cynthia Cox-Grollman
AFGE Local 3313, Vice President for FTA



Eugene Johnson
AFGE Local 3313 President

Approved:



Carolyn Flowers
Deputy Administrator, FTA