

ARTICLE 3, SECTION 7. IMPACT AND IMPLEMENTATION BARGAINING

Impact and implementation bargaining is defined as negotiations regarding proposed changes on matters outlined in Section 7106 Title 5 USC for appropriate arrangements for employees adversely affected by those changes. Consistent with the Partnership Agreement, the employer shall both share with and solicit information from the union prior to any decision affecting working conditions. In the event the union is not involved or union involvement fails to resolve concerns, the employer will identify all proposed changes of working conditions and notify the union at least 7 calendar days in advance of the proposed effective date. As a minimum, the notification will include the names of the affected employees, their work location, and the nature of the change. If no request for impact/implementation bargaining is received by the proposed effective date, the employer will implement the change. If the union requests bargaining, negotiations will commence not later than 7 calendar days from the date of receipt of the request. A response will be furnished as soon as possible to include identification of bargaining issues for appropriate arrangements for employees whose working conditions are adversely affected by management's proposal. The parties agree to negotiate in good faith and resolve issues of concern in an expeditious manner. The parties recognize there may be occasions when compelling reasons necessitate implementation of the employer's last offer prior to an agreement being reached. In that event, the employer agrees to continue negotiations in good faith and to proceed, if necessary, through mediation by the Federal Mediation and Conciliation Service and through resolution of any impasses by the Federal Service Impasses Panel. The employer further agrees to retroactively apply any procedures for implementation and appropriate arrangements for employees adversely affected which are negotiated by the parties or imposed upon them by the Panel unless such retroactive application would result in undue disruption of activity operations.