

Memorandum of Understanding (MOU)
Between
USCIS and the AFGE National USCIS Council 119
On the Implementation Of The
Domestic Operations Workforce Restructuring Initiative

The Parties agree that it is in the best interest of the Agency, the Union, and the workforce to work in collaboration to implement the Domestic Operations Workforce Restructuring Initiative (WRI) in an expeditious, consistent and legal manner. As a result, the Parties have agreed to the following:

1. The Agency will implement the (WRI) by re-titling the majority of Domestic Operations field employees into the Mission Support, Analysis, and Operations tiers of the new structure with a projected target date of July 20, 2008. Employees will continue to be responsible for those tasks and duties for which they were hired and will continue to be rated under their current PWP until the start of the new rating year, which is October 1, 2008.
2. It is agreed that the Immigration Information Officer (IIO) positions will be handled separately. The Agency will post an Immigration Services Officer (ISO) Level I merit promotion announcement with an area of consideration limited internally to USCIS employees. The "Area of Consideration" for this announcement is defined as current U.S. Citizenship and Immigration Services (USCIS) employees with a competitive status who are currently working within the District Office, Field Office, Service Center or Telephone Center for which they are applying. Those IIOs who wish to remain in their present position as IIOs need not apply. Those employees will remain in their present positions under their current position descriptions (PDs) and retain their career ladder promotions for the existing positions.
3. For re-titled Immigration Services Officers (ISO) and IIOs selected for ISO level 1, those employees who have successfully completed a full-length legacy INS Immigration Officer Basic Training Course and/or Basic Adjudications Officer training course [ref. 8 CFR 287.1(g)] shall be exempt from the requirement to complete BASIC. IIO's who have successfully completed the full-length Immigration Information Officer Basic Training, or its equivalent, will be required to complete a 3-week ISO "Bridge Training" course focusing on adjudications. The Bridge training may be conducted on or off-site, as determined by Management. Tests may be given to measure the Bridge training's effectiveness; however, they will not be used to evaluate the employees' knowledge of course material and will not affect their employment status.


4. Management will abide by all current Collective Bargaining Agreements, as well as law, rule or regulation to establish the appropriate productivity standards. Any substantive changes to productivity standards, whether national or local, shall be established consistent with applicable provisions of law and the Master Labor Agreement. The Union retains its right to bargain the impact and implementation of any proposed changes to any portion of the PWP, to include the productivity standards.
5. The USCIS WRI working group will continue to include a Union Representative as a full working member. This individual will continue to participate substantively in all tasks of the working group, including, but not limited to, providing input regarding the development of career path core competencies, comprehensive training programs, and career ladder requirements.
6. The Agency will fulfill the obligations and conditions of employment which were made to current USCIS bargaining unit employees who were hired and/or promoted under prior vacancy announcements and consistent with Section 1 above.
7. Each re-titled non-probationary bargaining unit employee currently below the journeyman level in a career ladder position will be promoted without further competition to the next higher grade upon meeting qualification requirements, time in grade, and acceptable level of performance.
8. As workforce restructuring is implemented, all relevant training regarding the implementation of negotiated changes, the workforce restructuring model, and related procedures shall be provided in a timely manner on-site to all eligible and impacted USCIS bargaining unit employees.
9. The Agency will continue to communicate with the Union and all bargaining unit employees through such means as Nationwide Broadcasts. A dedicated and established WRI website and an email mailbox will be utilized to address and respond to any questions and/or concerns raised by the impacted employees. Appropriate questions and answers received by the Agency WRI Team will be posted to the WRI website within three (3) work days of responding to the employee.
10. In addition to those means of communication outlined in 9 above, an extensive Point of Contact (POC) network with a POC in every field office will be established. The POCs shall be provided updated information via bi-monthly teleconferences and quarterly meetings which the Union may attend. Employees will be encouraged to utilize their local POCs to obtain the most current information and ask questions. Any unusual questions or circumstances received by the POCs will be forwarded to the WRI Working Group, which will provide an Agency response posted as outlined in 9 above.
11. The means of communications identified in 9 and 10 above will remain in effect until such time as the Agency determines that the workforce restructuring project has concluded and the dedicated communications systems are no longer required. The Union will be provided with advance written notice of the Agency's intent to discontinue these systems.

12. USCIS will utilize the knowledge, skills, and abilities of its existing workforce to the maximum extent feasible, and will for vacancies within level 2 and level 3 tiers, consider applicants under merit promotion procedures concurrently with applicants from other sources.
13. The Agency will adhere to the Merit Systems Principles and comply with the Merit Promotion Plan in the filling of these positions. The Agency anticipates using merit promotion announcements to the maximum extent practical; however, the Agency reserves the right to choose appropriate hiring strategies.
14. The Agency has established a web-based link that will be mapped directly with the Office of Personnel Management's USAJOBS website. This website will provide access to all posted USCIS positions. Eligible bargaining unit employees will be notified of its existence and provided instructions on how to subscribe to individual notification of all job postings. This notification will be accomplished via a Nationwide Broadcast.
15. For those employees who apply for a promotion from an IIO to an ISO Level 1 position using the Merit Promotion application process, a panel comprised of management officials will be established to make selections from Certificates of Eligibles after the HR Office in Burlington, VT has reviewed the applications and determined the eligibility of the applicants. The panel will be centralized at the USCIS headquarters in Washington, DC. When an employee has been selected, the employee and supervisor will be notified of the employee's pending conversion and/or promotion to the career path. An automated Standard Form 50, Notification of Personnel Action, will be generated to document the selection which each employee can access through their individual e-OPF account.
16. USCIS will establish PWP elements that are consistent with the major duties in the new position descriptions. It is anticipated that the new elements will be available for issuance during the first quarter of FY 09. For the remainder of the performance year for FY 08, employees will be rated under their existing PWP. Rating periods will not be extended in order to place employees under the new PWP.
17. The Agency agrees that it will adhere to all applicable classification standards in determining grades in each individual career path.
18. During the first year of transition, the ascending levels of complexity and responsibility will be properly defined to ensure appropriately graded work coincides with the appropriate level in each career path.
19. Employees will be afforded a minimum of ninety (90) days to perform under the new classification and PWP prior to any issuance of a rating.
20. The Parties agree that a joint communications memorandum will be developed and released to bargaining unit employees within fourteen (14) days after execution of this MOU. The memorandum will outline the Agency's plan to implement the WRI, and a copy of this MOU will be attached.

21. This Agreement will remain in effect for a period not to exceed one year from the date of execution. In the event an extension is required beyond the expiration date, the Parties will meet prior to its expiration in order to renegotiate any terms contained herein.


Donald Neufeld
Acting Associate Director
USCIS Domestic Operations

7/25/08
Date


Michael Knowles
President
AFGE National CIS Council 119

7-25-08
Date