

CHARTER

for

UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE PLANT PROTECTION AND QUARANTINE LABOR-MANAGEMENT FORUM

I. Introduction

Executive Order 13522 – Creating Labor-Management Forums to Improve Delivery of Government Services (“Executive Order”) became effective December 9, 2009. The stated purpose of the Executive Order is to establish a cooperative and productive form of labor-management relations throughout the executive branch as a means of improving the effectiveness and efficiency of government operations.

The mission of PPQ is to safeguard agriculture and natural resources from the risks associated with the entry, establishment, or spread of animal and plant pests and noxious weeds. Fulfillment of its safeguarding role ensures an abundant, high quality, and varied food supply, strengthens the marketability of U.S. agriculture in domestic and international commerce, and contributes to the preservation of the global environment. This mission is carried out by more than 3,700 PPQ employees distributed in hundreds of locations nationwide and abroad.

In order to implement the improvement of government services through cooperative and productive labor relations, PPQ, the National Association of Plant Protection and Quarantine Office Support Employees (NAPPQOSE), and the National Association of Agriculture Employees (NAAE) establish this Charter for the PPQ Forum.

II. Guiding Principles

The participants in this Forum adopt the following guiding principles:

1. The Forum contributes positively to the performance of PPQ;
2. The Forum promotes the economic and workplace interest of employees and managers;
3. The Forum operates with a clear understanding that grants the participants broad authority to develop solutions jointly on issues that fall outside the scope of bargaining;
4. Employees and their union representatives shall have pre-decisional involvement in all workplace matters to the fullest extent practicable, without regard to whether those matters are negotiable subjects of bargaining under 5 U.S.C. 7106 or 22 U.S.C. 4105; Management will provide adequate information on such matters expeditiously to union representatives where not prohibited by law; and make a good-faith attempt to resolve issues concerning proposed changes in conditions of employment, including those

involving the subjects set forth in 5 U.S.C. 7106 (b) (1), or 22 U.S.C. 4105 (b) (1), through discussions in the Forum;

5. Management, union officials, and participants in the Forum will receive appropriate training as decided by the Forum on the requirements of the Executive Order, the guiding principles and tools and processes that could assist with problem-solving and conflict resolution;

6. The Forum will set goals, measure performance, and communicate results;

7. Managers and union representatives shall be committed to making the Forum work, which means being personally engaged;

8. In the spirit of the larger labor-management engagement process, all participants should take a cooperative approach to problem solving;

9. The Forum shall be led by relevant decision makers and supported by appropriate staff;

10. Forum members shall devote sufficient resources to the implementation of the Executive Order.

III. Metrics

The Executive Order requires the development of metrics to monitor improvements in areas such as labor-management satisfaction, productivity gains, cost savings, and other areas as identified by the Forum's participants. In furtherance of this requirement, Forum members adopt the metrics in Appendix A, at the end of this document. These metrics will be updated or added to annually.

IV. Membership

The permanent membership of the Forum will be comprised of four (4) representatives from NAPPQOSE and four (4) representatives from NAAE.

PPQ will be represented by one (1) or two (2) representatives from each of the following groups, not to exceed the total number of eight (8): Deputy Administrators office; Eastern Regional office; Western Regional office; and Labor Relations staff.

Forum member organizations have exchanged the names of their respective representatives. Each member organization of the Forum may designate in writing a substitute for their permanent member. Whether permanent or substitute, the parties will designate representatives who are authorized to act for their respective organizations.

Each member organization of the Forum will update their designated representatives by notice to at least one of the Forum's co-chairs as soon as practicable.

The Forum will adjust permanent membership, based on changes in organizational structure or recognition of labor organizations by consensus upon request by any member.

V. Mission

The Forum will implement the Executive Order by:

1. Delivering the highest quality services to the American people;
2. Improving the quality of work life for PPQ employees; and
3. Promoting cooperative, collaborative and amicable labor relations throughout PPQ.

VI. Roles

In accomplishing its mission, the Forum will:

1. Provide guidance for the pre-decisional involvement (PDI) requirement of the Executive Order throughout PPQ at the local levels;
2. Conduct pre-decisional involvement in accordance with section XI below;
3. Model collaborative behaviors; and
4. Communicate issues undertaken and decisions made by the Forum to constituents.

VII. Meetings

A. Co-chairs

PPQ will provide a representative to serve as the management co-chair of the Forum. NAPQOSE and NAAE together will designate a representative to serve as the union co-chair of the Forum.

A co-chair will preside over Forum meetings. Presiding duties will be rotated between the two co-chairs on a quarterly basis with labor taking the first turn presiding.

Notification of a change in the designated co-chair by either labor or management will be provided to the opposite co-chair as soon as practicable.

The co-chairs will be responsible for assuring that necessary preparations are made for up-coming meetings, including developing and distributing agendas, meeting notifications, and meeting logistics. The management co-chair will provide a note taker for the meeting minutes. The co-chairs will also be responsible for communicating decisions made by the Forum and monitoring steps taken to effectuate those decisions.

B. Schedules

The Forum will meet quarterly. The first meeting will be in February 2011 and will be face-to-face. Subsequent meetings will be held by video conference call or teleconference if video conference equipment is not available.

At least one of the quarterly meetings will be face-to-face.

Upon mutual agreement by the co-chairs, ad hoc meetings may be scheduled.

The location, time and date of meetings will be jointly set by the co-chairs. The duration of meetings will be determined jointly by the co-chairs and will be based on the time estimated to work through the agenda.

C. Facilitation

Upon mutual agreement by the co-chairs, Forum meetings may be facilitated. In the absence of a facilitator, meetings will be lead by a co-chair.

D. Quorum

Decisions by the Forum can be reached only if a quorum is present. A quorum will consist of not less than half of each of the permanent representatives from NAPPQOSE, NAAE and PPQ, including both co-chairs or their designees.

E. Decision-Making Process

For issues concerning Forum governance or operation, the members or their designees will use consensus in reaching decisions. For the purposes of the Forum, consensus is reached after all participants have had an opportunity to be heard and agree that they can live with and support the decision.

F. Subject Matter Experts

Subject matter experts may be invited to meetings with mutual consent of the co-chairs.

G. Subgroups

The Forum may create subgroups and may delegate specific responsibilities to such subgroups. Forum participants will jointly determine the size of the subgroups and will allow the appointment of an equal number of NAPPQOSE, NAAE and PPQ members.

When formed, subgroups will have their work defined by the co-chairs and will include a description of deliverables, projected time to complete, and any resources that might be available.

Subgroups will report their progress, findings, and/or completed work to the Forum.

H. Agendas

Co-chairs will normally solicit agenda items from permanent members (or their designees) three (3) weeks prior to Forum meetings. Generally, co-chairs will distribute agendas for the up-coming meeting of the Forum at least ten (10) days

before the meeting. Additional agenda items may be added by the Forum by consensus.

I. Minutes

Minutes of Forum meetings will be recorded by a note-taker; the minutes will be submitted to the co-chairs. Copies of minutes will be forwarded to all permanent members (or their designees) for review within seven (7) calendar days after review by the co-chairs.

Approval of the minutes shall be the first order of business at the next meeting of the Forum.

Action items will be summarized at the end of each meeting.

A summary of each Forum meeting will be posted in electronic format in such a manner that employees may have access to them.

J. Guests

Guests may attend Forum meetings at the discretion and approval of permanent members (or their designees) who shall instruct their guests that they may speak only when recognized by the presiding co-chair.

VIII. Communications

The members may jointly communicate to PPQ employees on Forum activities in addition to the publication of minutes. However, this does not prevent labor organizations from communicating separately with its members on Forum activities or PPQ from communicating with its employees when they deem appropriate.

IX. Funding

PPQ will fund the cost of conducting assessments of PPQ's labor-management environment.

PPQ will fund travel and per diem for their respective employees when the Forum meets face-to-face. Travel to and attendance at face-to-face meetings will be on official time. PPQ will incur any costs that result from video or teleconference calls.

X. Charter Amendments

This Charter may be amended by consensus of the permanent members (or their designees) of the Forum.

This Charter is a living document and will be reviewed periodically to evaluate the effectiveness of the member's collaboration at the first Forum meeting of the calendar year, unless the members agree otherwise.

XI. Pre-Decisional Involvement

Pre-decisional involvement (PDI) is the collaborative approach where employees, through their unions, are given the opportunity to shape decisions which impact the mission and the quality of employees' work lives.

A. PDI Issues

Issues for National PDI are workplace matters that affect 2 or more work units and are:

- conditions of employment/ working conditions
- significant workplace changes
- Policies, Rules and Regulations
- reorganizations
- relocations of more than one office
- annual budget projections
- performance management systems
- changes in Information Technology and IT policies
- numbers, types and grades
- technology, methods and means of performing work
- furloughs, RIFs
- training
- safety and health issues
- employee morale
- changes in bargaining unit Standard Job Position Descriptions
- job satisfaction
- any mutually agreeable issues

Issues for local PDI:

- same as above but only affecting one work unit or one local branch
- changes in bargaining unit discrete position descriptions

Issues not eligible for PDI:

- Privacy Act restrictions
- individual discipline
- employee grievances
- EEO complaints
- issues involving only one employee

B. When the unions should be involved

- at a point in which the unions input can influence the final decision
- before a final decision or predetermined decision has been made
- a decision has been made to consider, study or review an issue including when a working group is formed
- as soon as possible after management has determined that some decision or action is needed to address a particular issue or problem

- before the concept of the change is made known outside the relevant decision makers or SMEs

C. Who should be involved and the procedure for involvement

Issues pertaining to a specific work unit:

NAAE: local branch or Regional Vice President if no active local

NAPPQOSE: Regional Vice President

Issues that affect more than one work unit or local branch:

The Forum

When the union designates a representative for a study or working group, there will be no additional PDI notifications, the unions' representative will provide the appropriate input. If the union declines the opportunity to have a representative on the group, that will be considered a waiver of PDI. This participation does not waive statutory rights to notice and opportunity to negotiate.

PDI notices through the Forum will be sent to both union presidents. Normally, these formal solicitations of comments from the union will be sent via email, placed on the agenda of Forum meetings or when employees are placed on work groups. In email correspondence, Union responses to PDI requests will normally be submitted within 14 calendar days from when the request was sent.

D. Expectations

- free exchange of information
- honest effort put forth to develop and implement solutions or recommendations jointly
- honest exchange of views and collaboration
- decisions and agreements will be reached by consensus
- consensus means agreement and support of the decision
- when a topic or issue is initially introduced the level of confidentiality will be discussed. Confidential information shall remain within the Forum
- increase the trust among the Forum members
- all parties will balance the interests of the employees with improving mission results
- forum members will treat each other with dignity and respect
- meetings will be conducted in an orderly fashion with relevant conversations.

E. Authority of the Parties

When a change is made above the MRP level or results from a change in Law, Rule or Regulation, then there will be no PDI through the Forum.

If a proposed change is from the MRP or APHIS level, PDI will be provided through the Forum. PDI decisions at this level will be considered advisory.

If a proposed change originates with PPQ, PDI will be provided through the Forum. Whether a topic is going to be decided or resolved through the Forum or will be a recommendation to management will be transparent and readily identified.

XII. Impact on Statutory Rights

Pre-decisional Involvement (PDI) does not waive management's statutory right to make decisions under the Federal Service Labor Management Relations Statute, nor does it waive labor unions' rights to engage in bargaining prior to implementation of working conditions to the extent required by law.

PDI is not co-management but is a complement to the collective bargaining process. Management is ultimately responsible for making decisions. Therefore, where pre-decisional involvement fails to resolve bargainable issues, management will still adhere to the requirements of applicable law, rule, regulation, and collective bargaining agreements.

Further, neither the Executive Order nor this Charter abrogates any negotiated agreements between PPQ, and NAPPQOSE or NAAE.

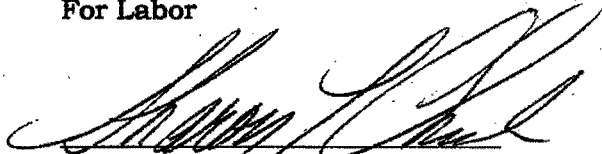
If PDI results in a signed agreement, the union(s) waive their statutory right to notice and negotiations over that specific change, consistent with that agreement for the respective bargaining unit(s) and for as long as that agreement remains in effect.

XIII. Dissolution

The Forum members are committed to establishing, maintaining, and improving cooperative and productive labor-management relations. Illustrating this commitment, the Forum will continue to operate at least through December 2012, regardless of a Forum requirement, allowing the time necessary to make the Forum a success. At that time, if there is no Forum requirement, the Forum may continue to operate on a year to year basis.

IN WITNESS WHEREOF, the undersigned adopt this Charter this 17th day of February, 2011.

For Labor



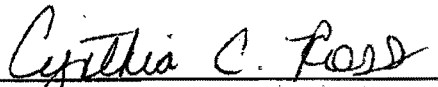
Sharon Church, President
National Association of Plant Protection
And Quarantine Office Support Employees



Doreen Lewis, Executive Vice President
National Association of Plant Protection
And Quarantine Office Support Employees



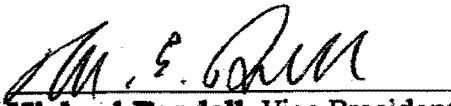
Jill Hand, Vice President Eastern Region
National Association of Plant Protection
And Quarantine Office Support Employees



Cynthia Ross, Vice President
Western Region
National Association of Plant Protection
And Quarantine Office Support Employees

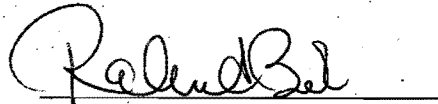


Sarah Rehberg, President
National Association of
Agriculture Employees

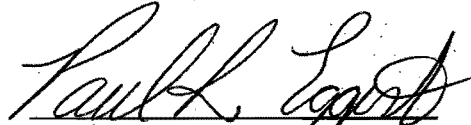


Michael Randall, Vice President
National Association of
Agriculture Employees

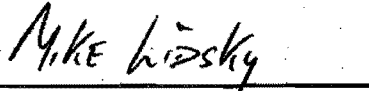
For Management



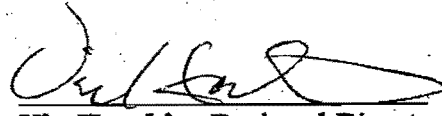
Rebecca Bech, Deputy Administrator
Plant Protection and Quarantine



Paul Eggert, Associate Deputy
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Mike Lidsky, Special Assistant
to the Deputy Administrator
Plant Protection and Quarantine




Vic Harabin, Regional Director
Eastern Region
Plant Protection and Quarantine

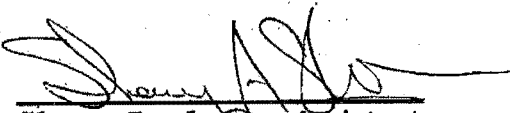



Carlos Martinez, Assistant Regional
Director, Eastern Region
Plant Protection and Quarantine




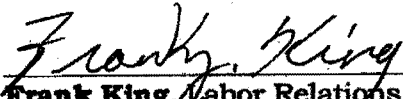
Phil Garcia, Regional Director
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Elizabeth Blackwood, Chief
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Frank King, Labor Relations
Specialist, Animal and Plant Health
Inspection Service