

Region I Labor Management Partnership Committee Memorandum of Agreement – July 2022

The Workspace Reservation System (“WRS”) is the system that Region I will adopt for the daily allocation of temporary workstations in the new RI office (475 Allendale Road, King of Prussia, PA 19406) (“RI Office”).

In accordance with Article 35.2.5.1 of the Collective Bargaining Agreement (“CBA”), dated Nov. 15, 2021, between the NRC and the National Treasury Employees Union (“NTEU”), the Region I Labor Management Partnership Committee (“LMPC”), including both RI Management and RI NTEU (“the Parties”),¹ has agreed to the following with respect to the allocation of temporary workstations via the WRS in the RI Office:

1. That RI Management has fully satisfied its obligations per CBA Article 35.2.5.1 with respect to use of the initial implementation of the WRS, as an agency-wide hoteling system developed by the NRC, for the allocation of temporary workstations in the RI Office.²
2. As used in this Agreement, “temporary workstations” are those workstations in the RI Office:
 - a. Not otherwise assigned to staff entitled to select permanent workstations pursuant to the Region I LMPC Memorandum of Agreement (Jan. 2022) (“Jan. 2022 Agreement”) (ML22013A299)³ and
 - b. Not otherwise designated and reserved for other purposes per Section 1 of the Jan. 2022 Agreement.
3. As used in this Agreement, “permanent workstations” are those assigned to NRC employees assigned to the RI Office who are entitled to choose workstations based upon their work and telework schedules pursuant to CBA Article 35.2.5.⁴

¹ The Parties agree that nothing in this agreement is to be construed as binding upon any other NRC office, apart from Region I.

² CBA Article 35.2.5.1 provides that hoteling “is when an employee works from a workspace assigned for use by reservation on an as needed basis.” To clarify, the term, “signed hoteling agreements,” as used in the Region I LMPC Memorandum of Agreement (Jan. 2022), refers to fixed telework arrangements for non-Region I employees, with such arrangements designating that some amount of work will be performed at the RI Office.

³ The terms of the Jan. 2022 Agreement are incorporated by reference into this Agreement. Thereby, and per the mutual consent of the Parties, the memorialization of this Agreement by Bi Smith, Chief of the Policy, Labor and Employee Relations Branch of the NRC, per the authority delegated to her in NRC Management Directive 10.102 to bind the NRC in any negotiated agreement with the exclusive representative of employees in the bargaining unit, shall serve as the NRC’s approval of the terms of the Jan. 2022 Agreement.

⁴ CBA Article 32.2.5 states “Absent work-related travel, an employee whose work and telework schedules cause them to be out of the office for 60% or more of the pay period for more than 90 consecutive calendar days is not entitled to choose a workstation. This workstation may not be the same each

4. Consistent with Section 7 of the Jan. 2022 Agreement, those workstations that have been selected and assigned as permanent workstations will not be available for reservation via the WRS.
5. When a permanent workstation is vacated (due to retirement, change in assigned work location, etc.), the workstation will be offered specifically to those employees (1) who are assigned permanent workstations in the RI division area where the vacated workstation is located and (2) for whom the vacated workstation would constitute a “significant improvement” as defined in CBA Article 35.2.2.⁵
 - a. The selection of a vacated permanent workstation from among specifically entitled employees will be conducted pursuant to the priority formula set out in Section 2 of the Jan. 2022 Agreement.
 - b. If the workstation is not selected by any specifically entitled employee, then the vacated workstation will be treated as a temporary workstation and made available for reservation via the WRS.
6. An employee assigned a permanent workstation in the RI Office may request relocation to a workstation currently made available via the WRS for temporary selection (1) if the chosen workstation is in the area belonging to the division to which the employee is assigned and (2) if the relocation would result in a material improvement in the employee’s productivity. See CBA Article 35.2.2.
7. An employee vacating a permanent workspace should do so within a reasonable timeframe; barring unforeseen and/or unusual circumstances, it is generally expected

workday that the employee is in the office. This provision also applies to part-time employees whose work and telework schedules cause them to work in the office less than 40 hours each pay period.” For the purpose of determining the 60% threshold as described in CBA Article 35.2.5, the following are considered as “in office” (i.e., not treated as “out of office”) in addition to time spent performing official duties in the RI Office: time spent performing official duties at an alternative assigned duty station, time spent while on official travel, time spent performing official duties at temporary work locations (such as in the performance of inspections), and time spent in training, while on official duty, at locations other than the RI Office or other assigned duty station. Time spent performing work at an approved telework location is counted as “out of office.” Consistent with the Region I “Workstation Eligibility Selection Criteria per 2021 CBA” (Attachment 1), for an employee to be entitled to choose a permanent workstation, the employee must have a work schedule and approved telework schedule which include five (5) days or more in office and 32.25 hours or more in office to be entitled to choose a workspace.

⁵ Pertinent to the RI Office workstation layout, “significant improvement” is defined, *inter alia*, as “moving from an interior work space (cubicle or office) to a window work space (window or patio cubicle office).” CBA Article 35.2.2. To clarify, pursuant to section 7 of the Jan. 2022 Agreement, a current employee, who becomes entitled to choose a permanent workstation, may select a workstation from those available in the area belonging to the division to which the employee is assigned. A newly hired employee, who would be allocated a permanent workstation in the RI Office, will be placed in the best and most appropriate available workstation in the area belonging to the division to which the employee is assigned.

that an employee will vacate a permanent workstation by the end of the next full pay period following initiation of the triggering action.

8. The daily allocation of temporary workstations in the RI Office will be achieved through use of the WRS platform.
9. Reservations for temporary workstations via the WRS can be made for any day within a rolling 14-day window, with the 14-day window shifting at midnight (ET).
10. There are no divisional area restrictions applicable to which temporary workstations in the RI Office may be reserved by RI employees.
11. Reservations for temporary workstations via the WRS are available on a “first-come, first-served” basis.
12. The WRS will allow an employee to make only one reservation per day for each day within the 14-day window.
13. Reservations made via the WRS are for the entire workday. However, to switch workstations, an employee may cancel their current temporary workstation reservation in order to reserve for the remainder of that day a different temporary workstation (as available).
14. Individual employees are responsible for creating, managing, and deleting, as necessary, their own reservations in the WRS.
15. To avoid any conflicts and confusion, an employee must reserve a temporary workstation via the WRS prior to the use of the temporary workstation. “Same-day” reservations can be made via the WRS.
16. All NRC employees will have access to the WRS. NRC employees visiting the RI Office may make reservations in the WRS for temporary workstations.
17. This Agreement applies, with respect to the selection of temporary workstations, to any non-Region I employee with a fixed telework arrangement designating that some amount of work will be performed at the RI Office.⁶
18. Any reports of daily reservations made available via the WRS are for purposes of in-office coordination and collaboration. WRS reports are not intended to be used by RI Management for attendance tracking.
19. A RI employee, who is not entitled to choose a permanent workstation, is not required to make a reservation in the WRS when working in the RI Office, unless there are no designated common spaces available. RI employees may make use of designated

⁶ However, this Agreement is not intended to modify the terms and conditions of any non-Region I fixed telework schedules previously approved. In addition, this Agreement is not to be construed as an independent basis for the authorization of any fixed telework schedules.

common spaces instead of temporary workstations. Designated common spaces cannot be reserved via the WRS and are available on a “first-come, first-served” basis.

20. Employees who are assigned permanent workstations in the RI Office may also make use of designated common spaces, as available. Likewise, subject to general availability and excluding any anticipated periods of increased demand for workstations (such as during regional seminars), employees who are assigned permanent workstations in the RI Office may reserve temporary workstations via the WRS for occasional use to facilitate cross-divisional collaboration.
21. Conference rooms, focus rooms and huddle rooms in the RI Office may not be reserved via the WRS. These rooms are generally intended for collaborative uses and are not to be treated as designated common spaces nor as temporary workstations. As such, these rooms are not to be used by individual employees for protracted periods of time to accomplish work otherwise able of being performed in designated common spaces or at temporary workstations.

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Attachment 1

Region I Workstation Eligibility Selection Criteria per 2021 CBA

2021 CBA: Article 35.2.5 Absent work-related travel, an employee whose work and telework schedules cause them to be out of the office for 60% or more of the pay period for more than 90 consecutive calendar days is not entitled to choose a workstation. This workstation may not be the same each workday that the employee is in the office. This provision also applies to part-time employees whose work and telework schedules cause them to work in the office less than 40 hours each pay period.

Criteria used to determine if an employee is eligible to choose a workstation: *An employee must have a work and telework schedule which includes **5 Days or more In the Office** and **32.25 Hours or more in the Office** to be eligible to choose a workstation.*

Fundamental Principle(s):

1. Time in the Office plus Time Out of the Office equals 100%
2. Converted to equation: Time in the Office + Time Out of the Office = 100%
3. Threshold: 40% Time in the Office + 60% Time Out of the Office = 100%
4. Crossing the threshold: **41% Time in the Office** + 59% Time Out of the Office = 100%

Note: 60% or more Out of Office means greater than or equal to (\geq) 60% Out of Office

1. Determining how many days are needed to be In the Office to be eligible to choose a workstation:
 - $\geq 60\%$ (0.60) Out of Office x 10 Days (Pay Period) equals ≥ 6 Days Out of Office
 - 10 Days (Pay Period) - 6 Days Out of Office = 4 Days In the Office. However, 5 Days In the Office are needed to cross the 60% threshold as the article requires more than 40% of an employee's work schedule to be In the Office to be eligible to choose a workstation.
2. Determining how many hours are needed to be In the Office to be eligible to choose a workstation:
 - $\geq 60\%$ (0.60) Out of Office x 80 Hours (Pay Period) equals ≥ 48 Hours Out of Office
 - 80 Hours (Pay Period) - 48 Hours Out of Office = 32 Hours In the Office. However, 32.25 Hours In the Office are needed to cross the 60% threshold as the article requires more than 40% of an employee's work schedule to be In the Office to be eligible to choose a workstation and 0.25 hours is the smallest time period that can be entered in HRMS.

Therefore, an employee must have a work and telework schedule which includes **5 Days or more In the Office** and **32.25 Hours or more In the Office** to be eligible to choose a workstation.