

## 2019 BWS AND ANNUAL LEAVE IMPLEMENTATION

### MEMORANDUM OF UNDERSTANDING BETWEEN THE NATIONAL AIR TRAFFIC CONTROLLERS ASSOCIATION AND THE FEDERAL AVIATION ADMINISTRATION

This agreement is made and entered into by Chicago Center National Air Traffic Controllers Association (NATCA) and the Federal Aviation Administration (FAA). This agreement shall only apply to the Air Traffic Control Specialists and the Traffic Management Coordinators Bargaining Unit employed at Chicago ARTCC. It represents the parties' understanding and agreement on implementation of the 2019 Basic Watch Schedule (BWS) and Annual Leave for Chicago ARTCC. This memorandum is read in accordance with the Collective Bargaining Agreement (CBA) between NATCA and the FAA dated July 2016.

#### 1. Definitions

- a. Accrued Leave: Annual Leave a Bargaining Unit Employee (BUE) will earn in the upcoming leave year.
- b. Accumulated Leave: Unused Annual Leave that a BUE has carried over from previous leave years.
- c. Pre-Approved Leave (PAL): Leave opportunities that equal the total Accrued Leave earned by BUEs, in a given area, within the leave year. Any remaining or vacated PAL opportunities will remain available until 30 days prior to the posting of the watch schedule and shall be approved in the order in which they were received.
- d. Prime Time Leave (PTL): Up to two weeks of consecutive or non-consecutive Annual Leave that a BUE may bid within the first round of the Accrued Leave Bid.
- e. Non-Prime Time Leave (NPTL): Annual Leave that is bid at the conclusion of PTL bidding and/or requested prior to the watch schedule being posted.
- f. Spot Leave: Leave requested for any period during a posted watch schedule.
- g. Week: a period of seven (7) consecutive days including RDOs.

#### 2. Priority of Annual Leave/Schedule Request Approvals

The Parties agree that the following is the order in which Annual Leave/Schedule Requests will be considered for approval:

- a. PAL
- b. Air Traffic Manager approved leave (Accumulated Leave Bid)
- c. Basic Watch Schedule Bid
- d. NPTL requested outside of the bid process

- e. Other requests (e.g. Spot leave, excused absence for blood and platelet donation, shift change requests, cancellation of annual leave) on a first-come, first-served basis.
  - i. If a shift change request is denied, and is no longer viable, the requested vacated time period from the assigned shift will be considered a request for leave, and treated accordingly.

### 3. Scheduling Procedures

- a. Employees shall be allowed access to WMT Scheduler, or other authorized electronic means, via the Internet.
- b. All area watch schedule data, and any subsequent changes, will be entered in WMT Scheduler, or other authorized electronic means.
- c. The Agency shall publish, via WMT Scheduler, or other authorized electronic means, assignments to the watch schedule at least 28 days in advance. Prior to the publishing of the schedule, the Agency and Union at the area level will meet to review the schedule in order to resolve possible discrepancies.
- d. Assignment to bid shifts may change and as such there is no guarantee of shift start times.
- e. Changes from the Basic Watch Schedule will be made as fairly and equitably as possible. When requested, the Agency agrees to meet with NATCA to address these concerns about staffing assignments.
- f. Involuntary changes to bid or assigned shift prior to the posting of the schedule:
  - i. For the purpose of this section, a shift will be defined as either a day, swing, or midnight shift.
  - ii. Involuntary shift changes will be assigned based on the least number of year-to-date accumulated involuntary shift changes, except where the change would result in a swing day mid. Involuntary changes that would result in a swing day mid will be prioritized behind all other eligible BUE's.
  - iii. Where employees have an equal number of changes, shifts will be assigned using reverse seniority, except where the change would result in a swing day mid. Involuntary changes that would result in a swing day mid will be prioritized behind all other eligible BUE's regardless of seniority.
  - iv. When the Agency involuntarily changes the bid shift of an employee, the Agency will enter into WMT Scheduler, or other authorized electronic means, a request for a shift change back to the impacted employee's original bid start time. These requests will be prioritized based on the most number of year-to-date accumulated involuntary shift changes. Where employees have an equal number of changes, requests will be prioritized by seniority.

- v. If the impacted employee prefers to remain on the changed shift instead of returning to their original bid shift, then it is the responsibility of the employee to cancel the request.
- vi. Approval of the request to return to the original bid shift in WMT Scheduler, or other authorized electronic means, constitutes employee notification provided the approval is no less than seven days from the assigned shift.
- vii. Approval of the request to return to the original bid shift in WMT Scheduler, or other authorized electronic means, shall be communicated directly to the impacted employee if the approval is less than seven days from the assigned shift.
- g. Publishing of the Watch Schedule constitutes employee notification of their schedule for that pay period.
- h. Any involuntary changes, by the Agency, to an employee's posted watch schedule or approval of any previously denied schedule or annual leave requests shall be communicated directly to the impacted employee.

#### 4. Shift Change Requests

- a. Upon the publishing of a new pay period, an employee may not enter more than one shift change request for the new pay period until 1200L Monday following publishing. If more than one shift change request for the new pay period is made within this time frame, then all shift change requests after the first request in this time frame will be considered void. The Union will advise the Agency which requests should be cancelled to meet this requirement. The Agency will cancel these requests as soon as practicable. After Monday 1200L an employee may make additional shift change requests.
- b. In their best interest, Bargaining Unit Employees should make schedule change requests via WMT Scheduler, or other authorized electronic means. This does not preclude an employee from making a schedule change request directly to the Operational Supervisor (OS) or Controller-In-Charge (CIC). If the request involves a shift for the current or following calendar day, the OS or CIC will enter the request in WMT Scheduler, or other authorized electronic means, as soon as practicable.
  - i. Bargaining Unit Employee requests for shifts other than those identified as core and ancillary shifts may be approved unless staffing and workload do not permit.

#### 5. Selecting, Scheduling and Relinquishing Spot Leave

- a. Bargaining Unit Employees should make Spot Leave requests via WMT Scheduler, or other authorized electronic means. This does not preclude an employee from making a spot leave request directly to the OS or CIC, who shall then enter the request in WMT Scheduler, or other authorized electronic means, as soon as practicable.

- b. Employees should inform the OS or CIC of a Spot Leave request(s) after inputting a request into WMT Scheduler, or other authorized electronic means.
  - c. The Agency will consider requests for Spot Leave in the order received.
  - d. If the Agency denies the request, they will maintain the request in the order received in the event that leave for that time period or any portion of that time period later becomes available.
  - e. Employees may relinquish Spot Leave requests via WMT Scheduler, or other authorized electronic means, or by informing the OS or CIC.
  - f. Employees relinquishing approved Spot Leave are required to inform the OS or CIC.
6. BUE Flex Following a Full Shift of Leave.
- a. When a BUE takes a full shift of leave, with the minimum time scheduled between the leave shift and the following shift (8 hours day to mid, 9 hours swing to day), the shift where leave is taken the shift may be adjusted to allow the BUE the opportunity to flex on the following shift.
7. Permanent Schedule Changes
- a. Employees may enter into a permanent schedule change with another employee.
  - b. A copy of the updated schedule identifying the permanent schedule change will be provided by the Union to the Agency.
  - c. The Agency shall implement the permanent schedule change as soon as practicable following receipt of the updated schedule in accordance with Article 32 Section 7.
  - d. If, for any reason, an employee vacates the permanent schedule change, the arrangement is terminated and all affected employees return to their original bid lines.
8. Part-time Requests
- a. Will be handled in accordance with Article 35 and HRPM LWS 8.16.
9. Schedule Changes to Backfill a Midnight Shift.
- a. Agency initiated schedule changes that result in a swing-day-mid should be addressed as follows:
    - i. The Agency will assign a dayshift in lieu of the swing shift, provided it does not require changing another employee's shift from a day shift to a swing shift to accomplish this change.


- ii. If the Agency is unable to assign a dayshift in lieu of a swing shift, a request for a dayshift will be entered on behalf of the employee. This request will be prioritized behind all other pre-published requests.
- b. The Union will provide the Agency with a list of Bargaining Unit Employees requesting to be exempted from this paragraph.

10. Any discrepancies involving interpretation during the course of this MOU will be reviewed and decided upon by the Parties to this agreement. This MOU may be reopened by the Parties in accordance with Article 7 of the CBA.

11. This agreement shall expire on the last day of the 2019 leave year, January 4, 2020.

For NATCA  \_\_\_\_\_  
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Date: 10-9-18 \_\_\_\_\_  
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For FAA  \_\_\_\_\_  
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Date: 10/4/2018 \_\_\_\_\_  
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