



DEPARTMENT OF VETERANS AFFAIRS
Acting Executive Director for
OFFICE of LABOR-MANAGEMENT RELATIONS
Washington DC 20420

March 26, 2021

Alma L. Lee, National President
National VA Council #53, AFGE, AFL-CIO
3441 Brandon Avenue SW
Roanoke, VA 24018

Sent via electronic mail only - PresidentLee@afgenvac.org

RE: Executive Order 14003 and American Federation of Government Employees (AFGE) Master Agreement ("Collective Bargaining Agreement" or "CBA") 2011

Dear Ms. Lee:

On January 22, 2021, President Biden issued Executive Order (EO) 14003, Protecting the Federal Workforce, which revoked EOs 13836, 13837, and 13839. On March 5, 2021, OPM issued implementation guidance which directed agencies to review and identify existing agency actions related to EOs 13836, 13837 and 13839 and, as soon as practicable, suspend, revise, or rescind the actions identified in the review. This includes any related matters currently pending before the Federal Mediation and Conciliation Service (FMCS) and the Federal Service Impasses Panel (FSIP). VA CBAs which were in existence prior to EOs 13836, 13837, and 13839 are now recognized as current agreements consistent with their effective dates. This includes but is not limited to the following actions:

- VA/AFGE CBA dated March 15, 2011, in existence prior to EOs 13836, 13837, and 13839 is recognized as the current agreement in effect.
- Official Time allocations shall be restored to levels established by the VA/AFGE CBAs which was in effect prior to the implementation of EOs 13836, 13837, and 13839 and consistent with the relevant provisions of local supplemental agreements, and local Memorandums of Understanding (MOUs), except for eligible allocations and articles which were affected by recent 38 U.S.C. § 7422 decisions for pure title 38 positions.
- VA will continue to track official time requests via VA Time and Attendance Tracking System (VATAS) and in conformance with Notice 20-02 as well as VA CBAs, local supplemental agreements, and MOUs which were in effect prior to the implementation of EOs 13836, 13837, and 13839.
- VA will no longer charge rent for union office space. Local facilities shall coordinate with the unions to either restore the same space they had or provide comparable space if they have repurposed the union's offices for patient care and other mission-related needs.

- VA will re-provision email accounts and provide equipment to union officials based on existing CBAs and any current MOUs.
- The VA continues to review and identify other actions informed by EOs 13836, 13837, and 13839 and shall, as soon as practicable, suspend, revise, or rescind, the actions identified and will issue guidance consistent with EO 14003.
- VA will reissue union parking spaces consistent with the relevant provisions of the CBA and local supplemental agreements.

If you have any questions, please contact me at VALMRLitigation@va.gov or 202-461-4122.

Ophelia A. Vicks