

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

This Memorandum of Understanding (“Agreement”) is entered into by the National Air Traffic Controllers Association (“NATCA” or “Union”) and the Federal Aviation Administration (“FAA” or “Agency”), collectively known as the “the Parties” to address procedures related to the December 21, 2018 Government shutdown due a lapse in appropriations and/or authorization. The Parties hereby agree to the following terms:

- Section 1.** Within fourteen (14) calendar days of the date of execution of this agreement, the Agency shall provide the Union the criteria it utilized to determine whether an employee is “excepted” or “non-excepted” during the December 21, 2018 Government shutdown.
- Section 2.** Within thirty (30) calendar days of the conclusion of the shutdown, the Agency shall provide the Union the criteria and justification utilized to recall employees coded as “non-excepted” back to work during the December 21, 2018 Government shutdown.
- Section 3.** Where a limited number of qualified employees in a position or job series at a specific facility/office are to be recalled, the Agency will first solicit among qualified volunteers. If more employees volunteer than necessary, volunteers shall be selected by seniority. If enough employees do not volunteer, the Agency shall select employees by inverse seniority.
- Section 4.** In the event the December 21, 2018 Government shutdown furlough is cancelled with insufficient notice for an employee to return to duty, the employee will be allowed to substitute annual leave, credit hours, compensatory time, or leave without pay for the cancelled furlough day(s).
- Section 5.** The Parties agree that all timelines/deadlines contained in Articles 8 and 9 of the NATCA/FAA Collective Bargaining Agreements (“CBAs”) are extended by the number of days the Government is shut down plus fourteen (14) calendar days after the final day of the shutdown, beginning on December 21, 2018.
- Section 6.** The Parties agree that should any bargaining unit employee’s response timeframe for a proposed corrective, disciplinary and/or adverse action(s) fall within the December 21, 2018 Government shutdown, the associated Article 10 timelines will be held in abeyance until fourteen (14) calendar days after the final day of the shutdown.
- Section 7.** In the event an employee is scheduled to serve a disciplinary suspension during the December 21, 2018 Government shutdown, such suspension shall run concurrent with the period of time the employee is on furlough.

Section 8. The Parties agree that all Article 7 timelines will be held in abeyance until fourteen (14) calendar days after the final day of the shutdown for changes initiated prior to December 21, 2018. During the shutdown the Agency will provide a copy of all Article 7 notices initiated at all levels to the NATCA Director of Labor Relations.

Section 9. Nothing in this Agreement waives any rights employees and the Union would otherwise have under the NATCA/FAA Collective Bargaining Agreements, Memoranda of Understanding, applicable laws, rules, regulations and past practice.

Section 10. If any provision of this agreement is held to be invalid, void or for any reason unenforceable, it shall not affect the validity and enforceability of the remaining provisions.

Signed on the 17th day of December 2018.

For NATCA:

For FAA:



Dean Iacopelli




Laura Glading



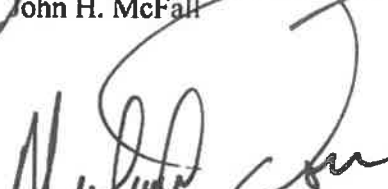
Eugene Freedman



John H. McFall



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