

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

This Agreement is entered into between the National Air Traffic Controllers Association, AFL-CIO (“NATCA” or “the Union”) and Federal Aviation Administration (“FAA” or “the Agency”), herein collectively referred to as “the Parties.” This Agreement represents the complete understanding of the Parties concerning Human Resources Policy Manual (HRPM) Policy Bulletin (PB) #121 Temporary Increase in Annual Leave Carryover Limits (HRPM PB #121) under Section 1111 of the National Defense Authorization Act (NDAA) (Section 1111).

Section 1. The Parties agree that for bargaining unit employees (BUEs) covered by the 2016 Collective Bargaining Agreement (CBA), the parties at the local level shall collaborate in accordance with Article 24 of the 2016 CBA to establish procedures for identifying and bidding opportunities to use leave restored under HRPM PB #121.

Section 2. The Parties agree that for BUEs covered by the Parties’ 2011 and 2013 CBAs, requests to use leave restored under HRPM PB #121 shall be handled in accordance with the applicable CBA.

Section 3. Leave restored under Section 1111 of the NDAA for FY 2021 expires at the end of the FY 2021 leave year. Such restored leave cannot be restored after the conclusion of the 2021 leave year. However, a BUE may choose to retroactively substitute leave restored pursuant to HRPM PB #121 for any leave or compensatory time taken between January 3, 2021, and the date the leave is restored. Because leave restored under Section 1111 of the NDAA for FY 2021 expires at the end of the 2021 leave year, employees are encouraged to use such restored leave before their regularly accrued annual leave.

Section 4. BUEs who do not use the CASTLE system to request leave will use the NATCA/FAA Retroactive Restored Leave Substitution Form attached as Appendix 1.

Section 5. Requests for retroactive substitution of leave in accordance with the provisions of this Agreement will be approved. If it is determined that the request is not in accordance with the provisions of this Agreement, the employee will be provided with a detailed explanation as to why the retroactive substitution does not comply with the provisions of this Agreement.

Section 6. If the retroactive substitution of leave restored under Section 1111 of the NDAA for FY 2021 results in the expiration of compensatory time, the BUE shall receive the cash value of that expired compensatory time in accordance with the applicable CBA.

Section 7. If the retroactive substitution of leave restored under Section 1111 of the NDAA for FY 2021 results in a BUE with use or lose annual leave that cannot be

scheduled, the annual leave shall be restored to the BUE in accordance with the applicable CBA.

Section 8. This Agreement does not constitute a waiver of any right guaranteed by law, rule, regulation, or CBA on behalf of either Party.

Section 9. This Agreement shall remain in full force and effect for the duration of the Parties' CBAs, unless modified by mutual agreement of the Parties.

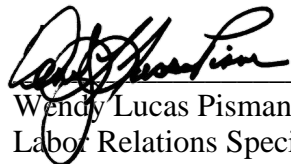
Signed this 5th day of April 2021:

For the Union:

For the Agency:



Dean Iacopelli
Chief of Staff



Wendy Lucas Pisman
Labor Relations Specialist (AHL-300)



Nicole Vitale
Director Labor Relations

Attachment:

Appendix 1 - NATCA/FAA Retroactive Restored Leave Substitution Form