

MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) AND THE NATIONAL COUNCIL OF EEOC LOCALS NO. 216, AFL-CIO (UNION) COVERING PROCEDURES FOR CONDUCTING SURVEYS INVOLVING BARGAINING UNIT EMPLOYEES.

Whereas the EEOC and the government finds it useful to conduct surveys of bargaining unit employees to further the efficiency and effectiveness of the Agency, and consistent with past practice, the EEOC agrees to the following:

- A. For purposes of this MOU, the term "survey" will include all means for polling groups of bargaining unit employees for information gathering purposes.
- B. The EEOC will provide the Union with reasonable advance notification of its intent to survey bargaining unit employees and an advance copy of the survey document. The EEOC will in good faith consider for inclusion in the survey any comments the Union submits.
- C. The Union may request bargaining over any specific and identified impact of the survey.
- D. The EEOC may not use a survey to by-pass the Union or which in any way attempts to negotiate directly with bargaining unit employees over changes in terms and conditions of employment.
- E. The EEOC will not implement any changes affecting terms and conditions of employment resulting from any survey without giving the Union notice and an opportunity to bargain over the impact of such changes.
- F. The parties agree that on-line surveys are the quickest and most efficient means of conducting surveys and will be used, when possible. While surveys are usually voluntary and anonymous, in some instances, participation is mandatory and anonymity may not be possible. When surveys are deemed mandatory and anonymity may not be possible, the EEOC will provide an explanation.
- G. Employees will be allowed duty time to complete any surveys. The parties agree that the amount of time that Bargaining Unit employees expend participating in any survey will be taken into consideration for work assignments.
- H. The Parties agree that employees will not be subjected to retaliation for their individual survey responses.
- I. The EEOC agrees to provide the Union with copies of all EEOC survey results compiled and distributed by the Agency or survey results that are otherwise

