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

This Agreement is made by and between the National Air Traffic Controllers Association ("NATCA" or the "Union") and the Federal Aviation Administration ("FAA" or the "Agency"), collectively known as the Parties. This Agreement represents the complete understanding of the Parties concerning the implementation of the Human Resources Policy Manual (HRPM) LWS 8.23 Parental Bereavement Leave (PBL), dated September 9, 2022, for NATCA bargaining unit employees (BUEs).

**Section 1.** Upon request of an BUE, the Agency shall grant up to a total of two (2) workweeks of PBL in connection with the death of a qualifying child of the BUE. PBL is paid time off without charge to a BUE's accrued leave balance that may be taken in connection with the death of an eligible BUE's qualifying child.

**Section 2.** For the purposes of this Agreement, eligible BUEs are BUEs with an established part-time or full-time work schedule who have completed at least twelve (12) months of service as an employee of the Government of the United States, including service with the United States Postal Service, the Postal Regulatory Commission, and a nonappropriated fund instrumentality as described in 5 U.S.C. 2105(c).

**Section 3.** For the purposes of this Agreement, "child" means a biological, adopted, or foster child; a step child; a legal ward; or a child of a person standing in loco parentis who is (1) under eighteen (18) years of age; or (2) 18 years of age or older and incapable of self-care because of a mental of physical disability. For the purposes of this Agreement, "in loco parentis" means any individual who has day-to-day responsibility for the care and financial support of a child. A biological or legal relationship is not necessary.

**Section 4.** The PBL benefit must be used within the single twelve (12) month period linked to the given child's death. If one or more children of an employee dies at a later time during a twelve (12) month period associated with the earlier death of another child of the employee, each later death will result in the commencement of a corresponding twelve (12) month period. Any use of PBL during this overlap period including parts of more than one twelve (12) month period will count against the two (2) week limit for each affected twelve (12) month period.

**Section 5.** BUEs shall determine in what order they will utilize PBL and other types of leave (e.g., PBL, sick leave, annual leave, and/or LWOP) for an approved absence as defined in Section 1 of this agreement.

**Section 6.** BUEs shall be permitted to use PBL in addition to leave approved under Article 25 and Article 26 of the Parties' Collective Bargaining Agreement (CBA).

**Section 7.** BUEs shall make requests for PBL via the "PBL Request Form," attached as Appendix 1. BUEs will provide this form to their immediate supervisor via electronic or hard copy.

**Section 8.** If the need for PBL is foreseeable, the employee will submit their request for PBL as soon as practicable.

**Section 9.** Requests for intermittent PBL will not be unreasonably denied.

**Section 10.** In accordance with Article 104 of the Parties' CBAs, in the event that legislation is enacted that affects any provision(s) of this Agreement, the Parties shall reopen the affected provision(s) and renegotiate its contents.

**Section 11.** Retroactive to December 27, 2021, the Agency shall grant PBL for which the BUE is eligible to cover a period of past leave occurring during the qualifying period.

**Section 12.** 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 27th day of September 2022:

**For NATCA:**

Dean Iacopelli
Chief of Staff

Nicole Vitale
Director; Labor Relations

Akua Brempong-Smith
Deputy Dir; Labor Relations

**For the FAA:**

9/27/2

Juan Restrepo
Labor Relations Specialist; AHL-300

**APPENDIX 1**

**PARENTAL BEREAVEMENT LEAVE (PBL) REQUEST FORM**

| **Employee's Name:** | **Facility/Line of Business/Staff Office:** |
|---|---|
| **Anticipated Leave Start Date:** | **Anticipated Leave End Date:** |
| In accordance with the September 27, 2022 Memorandum of Understanding between NATCA and the FAA ("PBL MOU"), I request PBL for the timeframe stated above. | |
| **Employee's Signature:** | **Date:** |
| ***(for Agency use)***<br><br>☐ Your PBL request is approved.<br><br>☐ I have determined that you are not eligible for PBL under the PBL MOU for the following reason(s):<br><br>☐ _____ | |
| **Manager's Signature:** | **Date:** |