

# EPA & LABOR COVID COALITION CHARTER

The membership of the ELCC includes EPA management representatives and union representatives from NTEU, ESC, NAGE R4, NAGE Narragansett, and NAIL

STRENGTHENING THE  
VOICE OF EPA  
EMPLOYEES DURING  
THE COVID-19  
PANDEMIC

## **Section 1. Preamble**

1. The Environmental Protection Agency (EPA), the National Treasury Employees Union, (NTEU); the Engineers and Scientists of California (ESC); the National Association of Government Employees Local R5-55 (NAGE R4); the National Association of Government Employees Local R1-240 (NAGE Narragansett); and the National Association of Independent Labor (NAIL) recognize that cooperation between management and bargaining unit employees elected representatives is necessary to accomplish EPA's mission effectively. The COVID 19 pandemic clarified the need for cooperation between management and Labor.
2. The EPA Labor COVID-19 Coalition ("Coalition" or "ELCC") considers and promotes improvements in the way EPA addresses the COVID-19 pandemic.
3. The ELCC has two central purposes: Ensure EPA employees' safety; and ensure that employees have adequate resources and support from management to continue to accomplish the Agency's mission to protect human health and the environment under the unprecedented conditions of the COVID-19 pandemic.

## **Section 2. ELCC Composition**

1. The Coalition will consist of up to 12 members including the co-chairs: up to 6 from the Unions (at least one member per union); and up to six members from management. The members from management may include up to 6 people (i.e., an equivalent number with the unions). Management's members may include the Deputy Chief of Staff for Operations; a member from upper management of OMS; an agency expert in public health; the labor employee relations director; an occupational safety and health professional; and representative(s) from the Agency's first-line supervisors advisory group.
2. A minimum of 4 members or their designees from each group will constitute a quorum. A quorum is required for consensus-based decisions.
3. Subject matter experts, guests, or observers from the agency or the Unions may also be present, as needed. Guests or observers will be limited to one (1) per party at any given time. As a matter of professional courtesy, guests and observers will be identified at the beginning of each bargaining session. Subject matter experts will be permitted to offer information by the calling party. Subject matter experts, guests, and observers who are agency employees will be on duty time.
4. The Labor Employee Relations Director and a member elected from among the union representatives will co-chair the ELCC.
  - a. Upon a permanent change in co-chair, the agency and the union must provide notice at least seven days in advance of a meeting.

### **Section 3. ELCC Goals**

The goals of the ELCC are to:

1. Promote and practice pre-decisional involvement on the Agency's actions related to the COVID-19 pandemic.
2. Proactively identify challenges and craft solutions to protect the health and safety of employees to continue to accomplish EPA's mission as the Agency responds to the changing conditions caused by the COVID-19 pandemic.
3. Support improved labor-management relations.
4. Request and review reports of Agency activities as they relate to the COVID-19 pandemic.
5. Examine Agency policy and procedures implicated in pandemic response activities in anticipation of possible future similar events and consider updating and revising those policies and procedures to ensure a proactive approach.

### **Section 4. ELCC Meetings and Procedures**

1. The ELCC will meet at least once a month with each meeting lasting for however long the cochair agree is necessary to cover the issues raised in the agenda. Meetings will be scheduled to accommodate the time zones of all participants.
2. Additional meetings may be held, and matters not on the agenda may be discussed, upon the consent of the cochairs.
3. The Coalition meetings will be conducted virtually, generally on Teams, unless decided otherwise by the members.
4. At least seven (7) days prior to the scheduled date of the meeting, the cochairs will exchange anticipated agenda items.
5. The agency may provide a notetaker who will not participate in the meeting. Any member may ask that notetaking be suspended temporarily, upon approval by the co-chairs.
6. EPA will prepare a summary and/or notes from the ELCC meetings, which are subject to review by the union co-chair.
7. By mutual consent of the chairs, the ELCC may engage the services of a consultant or facilitator to facilitate meetings.
8. Coalition members will strive for consensus solutions.

9. Each participant has a responsibility to participate in the decision-making process and to support the ELCC's decisions if consensus is reached.
10. If no consensus is reached, the ELCC may seek the services of a facilitator, forward the issue to a delegated working group, or determine that consensus is not going to occur.
11. In the absence of agreement, the parties retain their statutory rights under 5 USC Chapter 71.
12. If a member, including a chairperson, cannot attend a meeting, they may designate a substitute to serve in their place with full force and effect.
13. The cochairs will strive to ensure full attendance at all meetings through effective scheduling (i.e. sufficient warning, consideration of time zones, etc.).

#### **Section 6. General Principles**

1. Participants in the ELCC will treat each other with dignity and respect, and share their ideas, proposals, information, and concerns with each other.
2. Each participant is expected to participate as an equal partner in all discussions.
3. Union members of the ELCC who are EPA employees are authorized to use duty time for all Coalition-related activities including but not limited to meetings and work group activities.
4. Overtime is not authorized.

#### **Section 7: Implementation**

1. The goal of this agreement is to include all agency unions. Additional unions may be added as signatories to this agreement with the other signatories' concurrence.
2. This agreement may be amended by mutual agreement of the parties.
3. This Agreement will come into effect upon Agency Head approval or on the thirty-first (31<sup>st</sup>) calendar day after execution, whichever comes first. The Agency agrees to take all measures to ensure an expedited review.
4. The ELCC Charter will last through the end of the national emergency concerning the coronavirus disease 2019 (COVID-19) pandemic. It may be renewed by mutual agreement of the parties.

SIGNATURES ON THE FOLLOWING PAGE

Zakiya Davis 04/06/2021  
Zakiya Davis, NAGE R4 Date

Lesley Mills 4/1/2021  
Lesley Mills, NAGE Narragansett Date

Leah M. Oliver 4/6/2021  
Leah Oliver, NAIL Date

Timothy Seidman 3/31/2021  
Tim Seidman, NTEU Date

Mark A. Sims 4/1/2021  
Mark Sims, ESC Date

Robert D Coomber 3/31/2021  
Robert Coomber, EPA Date

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Phil Brown, EPA Date