

**MEMORANDUM OF UNDERSTANDING
BETWEEN
1199 SEIU and
THE DISTRICT OF COLUMBIA GOVERNMENT**


The 1199 SEIU and the District of Columbia (District) collectively referred to as the Parties have engaged in impact and effects bargaining over the District's proposed revisions to Chapter 4 (Suitability) of the District Personnel Manual (DPM), as published on or about February 23, 2018. The parties have come to the following mutual understandings and agreements with regard to the application of these rules to the District employees represented by 1199 SEIU who are employed by the Department of Behavioral Health (DBH).

1. Regarding the proposed revisions of Section 415.3 (b) – (c) that requires criminal background checks to be conducted and the timing of criminal background checks – (b) for safety and protection sensitive employees at least once every two (2) years; and (c) for security sensitive employees, at least once every four years. 1199 SEIU represents exclusively Social Workers at DBH. The Parties agree that the required criminal background checks under this provision will occur once every two years consistent with DBH's current licensure review process that requires Social Workers in 1199 SEIU's bargaining unit to renew their licenses every two years. The licensure review in this regard includes a criminal background check.
2. Regarding the proposed revisions of Section 424.1(b), "Clarifying Derogatory Information, whenever a general and enhanced suitability screening reveals derogatory information, the revision "allows the individual (employee) no less than ten (10) business days and no more than twenty-one (21) calendar days to provide a response, through an in-person interview, or written response if not available for an interview, to the derogatory information. The Parties agree that the employee shall have the option of providing a response in writing or appearing for an interview.
3. Regarding proposed Section 406.6 (position descriptions), the Parties agree that the position descriptions for Social Workers at DBH will indicate whether the social worker has been deemed subject to enhanced suitability screening.
4. Regarding proposed Section 400.4, which provides for an employee to be subject to immediate removal if the employee is deemed unsuitable pursuant to Chapter 4 and proposed Section 435.9, which provides for possible reassignment to a position for which the employee is qualified and suitable in lieu of removal, the Parties agree that the employee can be considered for reassignment to a non-covered position outside of 1199 SEIU's bargaining unit for which they qualify and are suitable, if such a position exists.
5. The foregoing four numbered paragraphs represent the entirety of the Parties' agreement as to the impact and effect of the new proposed revisions to Chapter 4 regulations on District employees at DBH represented by 1199 SEIU. The Parties note that the Union expressly sought to engage in impact and effects negotiations regarding the Chapter 4 revisions solely with regard to its bargaining unit at DBH.

For the District of Columbia:


Justin Zimmerman, Associate Director
Policy and Compliance Administration
D.C. Department of Human Resources

2/5/18
Date


Kathryn Naylor, Supervisory Attorney-Advisor
D.C. Office of Labor Relations and
Collective Bargaining

8/17/18
Date

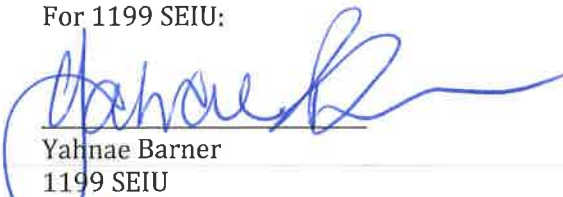

Frankie Wheeler, Director
Office of Human Resources, DBH

8/6/2018
Date

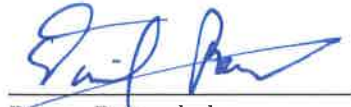

Brendolyn McCarty-Jones, Chief Labor and
Employee Relations, DBH

8/6/2018
Date

For 1199 SEIU:


Yahnae Barner
1199 SEIU

8-2-2018
Date


Danny Rosenthal
Counsel for 1199 SEIU

9/6/18
Date


1199 SEIU

8-2-2018
Date


1199 SEIU

8/6/18
Date