

**MEMORANDUM OF AGREEMENT  
BETWEEN THE  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 5  
AND THE  
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES LOCAL #704**

The following Memorandum of Agreement (MOA) constitutes the agreement between the United States Environmental Protection Agency Region 5 (EPA or Region 5) and the American Federation of Government Employees (AFGE) Local # 704 concerning the implementation of the Agile Fleet Commander System.

The purpose of this MOA is to establish the mutually agreed upon steps that Region 5 will take to implement the Agile Fleet Commander System (AFCS) and the use of said system for vehicle reservations and reservation tracking.

The MOA also maintains, and where appropriate, updates the procedures from the 2011 MOA, which established a consolidated fleet program and defined vehicle management functions. Region 5 and Union agree to the following:

**Region 5 will:**

1. Post the locations of the AFCS kiosks and conversion schedules for each Division and Office vehicle pool being transferred to the AFCS on the Region 5 Intranet at least 30 days in advance of the scheduled conversion dates.
2. Phase out the CARS data system, and any other electronic vehicle reservation system, presently being used for fleet reservations within Employee Service Branch's (ESB) pool, and Superfund's hard-copy reservation procedures, and transfer all reservations to AFCS.
3. Place the following information in AFCS for each vehicle in the data system:
  - a. The make and model of each vehicle;
  - b. The realistic passenger capacity of each vehicle;
  - c. Any special features on the vehicle
4. Place the following information in the binder for each vehicle:
  - a. Daily Vehicle Utilization Report (DVUR) from the previous trip, which includes information about existing body or interior damage to the vehicle that need not be reported and information about which the user should be aware but not alarmed such as false indicator lights, missing or broken items in the interior, etc.;
  - b. Information and the url for DOE's locator website, which provides up-to-date information on refueling locations that have E-85, which accept the government issued fuel card;
  - c. Operator guidance for required pre-inspections and post-inspections.

- d. The “GSA Vehicle Packet”, containing the following:
  - i. “General Services Administration Fleet Services Card User Guide
  - ii. “Guide To Your Fleet Vehicle” (5-13-00183)
  - iii. GSA Fleet-Vehicle Assistance Centers Card (5-07-00207)
  - iv. GSA Form 1627 (Motor Vehicle Accident Reporting Kit)
    - a. Two copies of SF91, “Motor Vehicle Accident Report”
    - b. Two copies of SF94, “Statement of Witness”
5. Post the procedures for reserving vehicles in the AFCS on the Region 5 intranet that addresses topics such as but not limited to the following:
  - a. Setting up initial employee profiles in AFCS;
  - b. Vehicle reservation procedures and the use of the AFCS;
  - c. Hours when an employee can pick up and return vehicle keys;
  - d. Any required forms;
  - e. Points of contact including phone numbers and e-mail addresses for personnel available to respond to issues and questions concerning vehicle management reservations, and other questions;
  - f. Procedures to follow in the event of an accident;
  - g. Procedures to follow in the event of any problems encountered with the operation of the vehicle during normal business hours and periods when no staff are available live;
  - h. The do's and don'ts of using a government vehicle;
  - i. Link to the EPA Fleet Management Manual.
6. Ensure all kiosks are functional and operating properly at the close of business each day.
7. Provide appropriate training in the form of a handbook, self-instructional, and/or live training to employees that addresses topics such as but not limited to the following:
  - a. Proper use of AFCS and kiosks;
  - b. Checking vehicles in/out of the system;
  - c. Procedures to follow when vehicles are unavailable;
  - d. Proper use of government vehicles and any relevant regulations, policies and procedures;
  - e. Vehicle safety, safe driving techniques and accident avoidance;
  - f. Green driving tips;
  - g. How to handle mechanical problems during after normal work hours;
  - h. Individuals authorized to ride in a government vehicle;
  - i. Guidance on minimizing emissions generating activity during periods of poor air quality including the suggestion that vehicles not be refueled on Ozone Action Days or on any other day when an air pollution alert has been issued due in part to pollution problems that are made worse by vehicle refueling.
8. Provide documentation to the employee if Region 5 has to cancel a reservation made by, or for, the employee.

- a. The Dispatcher or the Fleet Program Manager will provide a reason by email why the reservation was altered or canceled, and the employee's supervisor will be copied.
  - b. Once an employee has reserved a vehicle the reservation shall be considered confirmed within the limits of the reservations allowed for that vehicle.
  - c. Some of the circumstances under which a reservation may be altered (other than by the employee who made the reservation or a person acting at his direction) will be if the vehicle becomes inoperable, must be taken in for unplanned servicing, the employee's supervisor cancels or disapproves the trip, or the employee's reservation is bumped for higher priority work as determined by management.
  - d. The Region 5 intranet site will list the specific management positions that have been granted authority to bump a reservation. In the event that an employee is bumped, the Dispatcher will indicate the management position that authorized the bumping.
9. Lead and coordinate an annual review of the fleet program, within the context of EPA's national Vehicle Allocation Methodology.
  - a. To facilitate this review, AFCS reports will be used, and may include employee feedback whether a rental car was used when a vehicle was not available, insufficient selection of vehicles, or other unmet needs. This information will be sent to the Fleet Program Manager to record and track.
  - b. The annual report and the decisions on how the Region will address any issues will be shared with the Union. The annual review requirement is not intended to limit Region 5 from implementing solutions to problems or unmet needs prior to the annual review.
  - c. The annual review will occur within each anniversary of this MOA. Region 5 will report the results of the annual review to the Union no later than the anniversary date of this MOA.
10. Maintain the COOP for each Division and Office to reflect the responsibility for vehicles. For any future transfers of responsibility, employees who currently are listed in the COOP as being responsible for such vehicles will be provided with a notice at least 10 days prior to the date when their responsibility related to such vehicles has been transferred. The notice will inform the employee of the effective date of the transfer and the name of the person to whom the responsibility has been transferred.
11. Maintain at least one reserve vehicle in the inventory of vehicles. This vehicle will be kept so that, should a reserved vehicle prove inoperable or have to be taken out of service for repairs, the employee will be allowed to use the reserve vehicle in place of the inoperable vehicle. The reserve vehicle will not be available for reservations in advance. Region 5 reserves the right to revisit the data to evaluate other options for reserving a vehicle with union input.
12. All pool vehicles with special features, such as car hitches, 4-wheel drive, luggage racks, etc. will be clearly identified in AFCS, along with the reason for flagging them. Vehicles set aside by the Programs for special equipment will not be in the AFCS pools and will not be available for reservations. However, if a pool vehicle is not available when an employee tries

to make a reservation in AFCS, the dispatcher will communicate with the Programs to see if any of these special-use vehicles are available to respond to that particular need. Region 5 Deputy Directors (or designee) will identify vehicles flagged for special-use.

13. Maintain at least 3 GPS directional devices for use in the vehicles in the consolidated pool of vehicles. The GPS devices will be made available by email request to the dispatcher. The GPS devices may also be reserved for use by employees who are using a rental car or POV for work related travel.
14. Provide vehicles equipped with I-Pass transponders, window mounted transponders, unless there are changes in technology or a future national policy prohibits this arrangement.
15. Equip each vehicle with a safety kit containing adequate bandages and other safety supplies and equipment.
16. Equip each vehicle with the proper paperwork required for operation of the vehicle and any necessary accident reporting forms.

### **Dispatchers**

17. It is agreed that Dispatchers will be responsible for the following:
  - a. Insuring to the extent possible that an alternate comparable vehicle is available for the next scheduled deployment if a vehicle is not returned prior to its next scheduled deployment or gets reissued due to Regional priorities and no vehicles are available through AFCS. If the dispatcher cannot provide a comparable vehicle, he or she will notify the next driver as soon as possible by email so that they can seek alternative transportation.
  - b. Facilitating vehicle requests: Receiving vehicle request from authorized user
  - c. Following up on pending supervisor approvals
  - d. Addressing questions/problems if needed
  - e. Finalizing trip requests
  - f. Monitoring System by use of AFCS dashboard
  - g. Maintaining binders
  - h. Ensuring all required forms pertaining to reservation/dispatching are properly filled out per EPA references and directives.
  - i. Accounting for vehicles at the end of each work day.

### **Duration**

This MOA is effective as of the date of signature by both parties. The MOA shall automatically renew itself from year to year thereafter; however, each year during a thirty (30) day period beginning on the anniversary of the signing of the MOA, either part may propose revisions and open negotiations. The notice of reopening the MOA will be provided as required by law and/or the collective bargaining agreement. The MOA will continue to be in full force and effect during any subsequent negotiations on a successor MOA.

## Reopener

Other than the Duration paragraph, any changes to this *Supplemental Agreement* must be made by mutual consent of the parties, in accordance with MCBA Article 40 or its equivalent regarding *Supplemental Agreements and Other Negotiations during the Life and Term of This Agreement and Designated Representatives of the Parties*. While changes are being negotiated, it is agreed that AFCS may be continued to be in use.

It is understood that the complementary Telematics system may be added to the AFCS system at a later date. If that system is to be installed, AFGE reserves the right to reopen negotiations into the combined AFCS and Telematics systems.

## Severability


In the event that any provision of this MOA is held invalid by an arbitrator, court, regulation, rule, or statute, the remaining provisions of this MOA shall not be held invalid and shall remain in full force and effect. The Union and the Employer shall immediately meet and attempt to renegotiate, or negotiate, a remedy for any provision found invalid.

## Effective Date

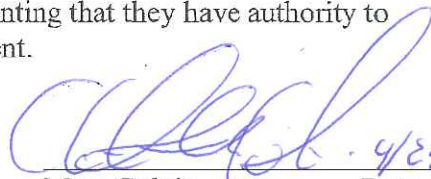
This MOA is effective on the date it has been signed by both parties, subject to Agency Head Review. If, as a result of Agency Head Review, a portion of this MOA is rejected, either party may invoke new bargaining over the rejected portion and all related items and provisions that are directly affected, by the rejected portion.

## Signature

The parties below, by signing this document, are representing that they have authority to enter into this MOA on behalf of the parties they represent.

  
Keith Fusinski  
Chief Negotiator  
AFGE Local 704

4/24/2017  
Date

  
Marc Colvin  
Chief Negotiator  
U.S. EPA – Region 5

4/24/17  
Date