

**Memorandum of Understanding
Between
National Air Traffic Controllers Association
and
Federal Aviation Administration**

This Agreement is entered into between the National Air Traffic Controllers Association, AFL-CIO (“NATCA” or “the Union”) and Federal Aviation Administration (“FAA” or “the Agency”), herein collectively referred to as “the Parties.” This Agreement represents the complete understanding of the Parties concerning the implementation of paid parental leave (PPL) provisions of HRPM LWS-8.20, Family and Medical Leave Act (FMLA), dated October 1, 2020, for NATCA bargaining unit employees (BUEs).

Section 1. Effective October 1, 2020, BUEs may substitute up to 12 workweeks of PPL for FMLA unpaid leave granted in connection with the birth of an employee’s son or daughter or placement of a son or daughter with an employee for adoption or foster care occurring on or after that date, thus allowing time for bonding between parent and child.

Section 2. Excused absences related to the COVID-19 public health emergency as defined by Policy Bulletin #118, Temporary FMLA Modification for Emergencies, are considered “hours of work” when computing whether an employee has at least 1,250 hours of work during the preceding 12 months.

This Agreement does not constitute and shall not be construed as a waiver of either Party’s position regarding the applicability of hours in a paid non-work status, including but not limited to excused absence, when determining 1,250 hours of work in situations unrelated to the COVID-19 public health emergency or other emergencies.

Section 3. PPL may be substituted for any period of approved FMLA leave as defined by Section 1, including intermittent use of FMLA. Intermittent use of FMLA for this purpose shall not be unreasonably denied.

Section 4. BUEs shall determine in what order they will utilize PPL and other types of leave (e.g. PPL, sick leave, annual leave, and/or LWOP) for an approved absence as defined in Section 1 of this Agreement.

Section 5. BUEs will make requests for PPL via the “PPL Request Form,” attached as Appendix 1. BUEs will provide this form to their first-line supervisor via electronic or hard copy.

Section 6. BUEs should make requests for PPL as soon as practicable. BUEs may need to adjust the proposed dates of use due to unforeseen circumstances. Should such circumstances arise, a BUE shall submit a new or revised request for PPL as soon as practicable.

Section 7. The PPL Request Form shall be submitted to the BUEs immediate supervisor who shall approve/deny and sign the PPL Request Form and return it to the BUE within seven (7) calendar days following the date the employee submitted the request. The Agency shall identify the specific reason(s) for the denial on the PPL Request Form.

Section 8. In accordance with Article 104 of the Parties' Collective Bargaining Agreements (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 9. The implementation of this Agreement does not alter or change the provisions of Article 31 of the Parties' 2016 CBA and the Parties' October 1, 2019 MOU regarding HRPM WLB-12.8, FAA Nursing Mothers Program, which provide BUEs reasonable paid breaks to express milk. BUEs will not be required to substitute PPL for such breaks.

Section 10. Execution of this Agreement cancels the Parties' May 13, 2020, MOU regarding the Agency's intent to implement a PPL benefit.

Section 11. This Agreement does not constitute a waiver of any right guaranteed by law, rule, regulation or CBA on behalf of either Party.

Section 12. This Agreement will remain in effect for the duration of each applicable CBA.

Signed this 3rd day of September 2020:

For the Union:



Patricia Gilbert
Executive Vice-President



Dean Iacopelli
Chief of Staff

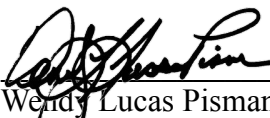


Nicole Vitale
Director of Labor Relations

For the Agency:



Michael Doss
Director, AHL-300



Wendy Lucas Pisman
Labor Relations Specialist, AHL-300

APPENDIX 1

PAID PARENTAL LEAVE REQUEST FORM

Employee's Name:	Facility/Line of Business/Staff Office:
Anticipated Leave Start Date:	Anticipated Leave End Date:
<p>In accordance with the September 3, 2020 Memorandum of Understanding between NATCA and the FAA ("Paid Parental Leave MOU"), I request paid parental leave for the timeframe stated above. The reason for this request is:</p> <ul style="list-style-type: none"><input type="checkbox"/> Birth of a son or daughter and care of the newborn<input type="checkbox"/> Placement of a son or daughter with an employee for adoption or foster care <p>I understand that it is my responsibility to advise my manager if my anticipated leave end date or start date changes.</p>	
Employee's Signature:	Date:
<p><i>(for Agency use)</i></p> <ul style="list-style-type: none"><input type="checkbox"/> Your paid parental leave request is approved.<input type="checkbox"/> I have determined that you are not eligible for paid parental leave under the Paid Parental Leave MOU for the following reason(s):<ul style="list-style-type: none"><input type="checkbox"/> _____	
Manager's Signature:	Date: