



DEPARTMENT OF DEFENSE
DEFENSE CIVILIAN PERSONNEL ADVISORY SERVICE
4800 MARK CENTER DRIVE
ALEXANDRIA, VA 22350-1100

January 19, 2022

MEMORANDUM FOR THE COMMANDER UNITED STATES MARINE CORPS
ATTN: FRANCES BURT, ASSOCIATE DIRECTOR LER
3280 RUSSELL RD
QUANTICO VA, 22134

SUBJECT: Consolidated Master Labor Agreement between the United States Marine Corps and the American Federation of Government Employees (AFGE)

The subject agreement, executed on December 20, 2021, has been reviewed by this office pursuant to 5 U.S.C. § 7114(c) and is conditionally approved, subject to the mandatory understanding below. The approval of this agreement does not constitute a waiver of, or exception to, any existing law, rule, regulation, or published policy.

This agreement is conditionally approved with the mandatory understanding that the provision below is interpreted in the following manner:

a) Article 4, Section 4.f states:

"Any agreement reached between the parties will be reduced to a Memorandum of Understanding (MOU). All MOUs preliminarily signed as a result of local negotiations will be forwarded to the Employer/Council for a consistency review. The consistency review will address whether the MOU is already covered by the CMLA; whether it violates law or regulation; or is inconsistent with a provision of the CMLA. If the MOU is approved by the Employer/Council, it will be sent for Agency Head approval. DOD has thirty (30) days to review/approve the MOU. The MOU will become effective upon the Agency Head approval."

This provision states DoD has "thirty (30) days to review/approve the MOU" and that it "will become effective upon the Agency Head approval." This provision is approved with the understanding that under 5 U.S.C. § 7114(c), the head of an agency has 30-days to approve or **disapprove** an agreement from the date the agreement is executed and if the **"head of the agency does not approve or disapprove the agreement within the 30-day period, the agreement shall take effect."**

The above understanding must either be remedied by revising the language to reflect 5 U.S.C. § 7114(c) or the understanding must be included with the agreement for the life of the agreement.

This action is taken under authority delegated by DoD 1400.25-M, Civilian Personnel Manual, Subchapter 711, Labor Management Relations. Please annotate the agreement to include the following:

“Conditional approval by the Department of Defense on January 19, 2022.”

Please forward a final copy of the annotated agreement, and one (1) copy of OPM Form 913B (An electronic version of OPM Form 913B is available at: https://www.opm.gov/forms/pdf_fill/OPM913b.pdf), as follows:

- a. Coordinate with your Component's point-of-contact (POC) to upload a Section 508-compliant version of this agreement to OMB Max.gov website pursuant to E.O. 13836. **MOUs/MOAs are not required to be uploaded.** If you have any questions about this requirement, contact Ms. Laura Larsen, DCPAS, LER, for assistance at: dodhra.mc-alex.dcpas.mbx.hrops-lerd-employee-relations@mail.mil.

A copy of this memorandum was served on the exclusive representative by certified mail on January 19, 2022.

If there are any questions concerning this matter, Sheila Bello-Class can be reached at (939) 642-8704, or at: dodhra.mc-alex.dcpas.mbx.hrops-lerd-labor-relations@mail.mil.

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Tracy L. Schulberg
Associate Director
Labor and Employee Relations

cc via certified mail:

Mr. Albert Burges
AFGE Council 240
4124 Gum Branch Road
Jacksonville, NC 28540