

DEFINITIONS

62 BIAM: Education Contract Personnel, Bureau of Indian Affairs Manual

25 CFR: Title 25 – Indians, Code of Federal Regulations

Academic term: is a division of an academic year, the time during which a school, college, or university holds classes. A semester system divides the academic year into two terms of relatively equal lengths. A trimester system divides the academic year into three terms of relatively equal lengths

Academic year (Higher Education): a twelve-month period established by a community college and approved by the Director of Education as the annual period for the operation of the college's education programs.

Academic Year (K – 12): the annual period of sessions of an educational institution usually beginning in September and ending in June.

Accreditation (education): educational accreditation is a type of quality assurance process under which services and operations of an educational institution or program are evaluated by an external body to determine if applicable standards are met. If standards are met, accredited status is granted by the agency.

Adverse action: removal, suspension of more than 14 days, reduction in grade or pay, or a furlough of 30 days or less for "such cause as will promote the efficiency of the service." Such actions are called Adverse Actions and are based upon misconduct, unacceptable performance, or a combination of both. They may also be based upon non-disciplinary reasons such as medical inability to perform or furlough.

AFT/AFL-CIO: American Federation of Teachers/American Federation of Labor - Congress of Industrial Organizations.

Alternative Dispute Resolution (ADR): consists of a variety of approaches to early intervention and dispute resolution. Many of these approaches include the use of a neutral individual such as a mediator who can assist disputing parties in resolving their disagreements. ADR increases the parties' opportunities to resolve disputes prior to or during the use of formal administrative procedures and litigation (which can be very costly and time-consuming).

Alternative Work Schedule (AWS): includes both flexible work schedules and compressed work schedules

Annual leave: earned time off used for vacations, rest and relaxation, and personal business or emergencies.

Appeal: a formal request to a higher authority requesting a change in or confirmation of a decision.

AQC: Agency Quarters Committee:

AS-IA: Assistant Secretary - Indian Affairs

Authorized representative: an individual or entity duly empowered to make decisions under a direct, clear, and specific delegation of authority

BHPR: Bureau of Health Professionals

BIA: Bureau of Indian Affairs

BIE: Bureau of Indian Education

Block Grant: block of official time used by Union employee representatives for all representation functions and training hours; does not include national negotiations or annual LMR meetings.

BUE: Bargaining Unit Employees

Calendar Days: all days in a month including weekends and holidays.

Callback pay: pay to an employee who has been dismissed after his/her normal tour of duty and is asked to return (called back) to work additional time before the next scheduled work period.

Career seasonal employees: employees that will work year after year but less than the 52 weeks of a calendar year

CBA: Collective Bargaining Agreement

CBR: Collective Bargaining Rights

CFR: United States Code of Federal Regulations

Chief Steward: union official who assists and guides shop stewards. The roles he or she plays within the union are determined by the union. The roles he or she plays in administering the contract are determined by the contract. For FISE, the Chief Steward is a member appointed by the Union President as the local point of contact, for Management and bargaining unit members, who is obligated to enforce the CBA, address members concerns, process grievances, and conduct local negotiations.

Compensatory time off: time off with pay in lieu of overtime pay for irregular or occasional overtime work, **or** when permitted under agency flexible work schedule programs, time off with pay in lieu of overtime pay for regularly scheduled or irregular or occasional overtime work.

Contract educator or Contract education employee: a bargaining unit employee employed within an education position as defined in 25 USC 2012(o).

Contract education position: any position which meets the definition for an education position as defined in 25 USC 2012(o).

COREPLUS: The CONflict RESolution PLUS system provides impartial and confidential assistance to any DOI employee seeking to improve or resolve a work place issue or concern. CORE PLUS is available to all employees and managers including bargaining unit employees, when the union elects to participate. CORE PLUS offers information and assistance on problem solving options. Assistance options include:

- Confidential consultation,
- Individual conflict coaching,
- Communication and conflict management training,
- Climate assessment,
- Group facilitation,
- Team-building, and
- Conciliation and mediation services.

CWS: Compressed Work Schedule: fixed work hours with a fixed starting time and ending time allowing employees to work their 80 hours in less than 10 days

DOI: Department of the Interior

EAP (Employee Assistance Program): program that offers assessment, short-term counseling, and referral services to DOI employees to help them deal with a wide range of drug, alcohol, and mental health problems. The EAP is intended to assist in the rehabilitation of employees with problems so they can lead happier lives and be productive workers. The EAP does not collect specimens for drug testing or verify test results. The EAP is confidential. EAP records and conversations between an EAP counselor and an employee are private. They do not become part of the official personnel record. Release of EAP records is generally prohibited without the employee's written permission. The EAP is available to all DOI employees, without regard to any finding of drug use; any employee may enter EAP counseling at any time. The EAP is also available to the family of an employee with a drug or alcohol problem.

EEO: Equal Employment Opportunity

Essential personnel: are those performing duties vital to national defense, public health and safety, or other crucial operations.

Exchange of information: parties have an obligation to share information which is relevant and necessary to the issues raised within the scope of the grievance; information exchange is normally done prior to the grievance meeting.

Exempt employees (for pay purposes): is one who is not covered by the minimum wage and overtime provisions of the Fair Labor Standards Act.

Family and Medical Leave (Act of 1993): most Federal employees are entitled to a total of up to 12 workweeks of unpaid leave during any 12-month period for the following purposes:

- the birth of a son or daughter of the employee and the care of such son or daughter;
- the placement of a son or daughter with the employee for adoption or foster care;
- the care of spouse, son, daughter, or parent of the employee who has a serious health condition;
- or
- a serious health condition of the employee that makes the employee unable to perform the essential functions of his or her positions.

Family Member (under FMLA): spouse, son, daughter, or parent of the employee

Family member (for sick leave purposes): includes the following relatives of the employee: (a) spouse and parents thereof; (b) children, including adopted children, and spouses thereof; (c) parents; (d) brothers and sisters, and spouses thereof; and (e) any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

FEPCEA: Federal Employee Part-time Career Employment Act

FISE: Federation of Indian Service Employees/Union, Local 4524

FISE Executive Counsel/Board: Seven member board elected to direct and manage FISE.

Flexitime: flexible arrival, departure and lunch periods with a specific core hours in each of the ten work days

FLRA: Federal Labor Relations Authority

FLSA: Federal Labor Standards Act

FMCS: Federal Mediation and Conciliation Service

FTR: Federal Travel Regulation

Furlough: placing of an employee in a temporary nonduty, nonpay status because of lack of work or funds, or other nondisciplinary reasons.

FWS (Flexible Work Schedule): consists of work days with (1) core hours and (2) flexible hours. Core hours are the designated period of the day when all employees must be at work. Flexible hours are the part of the work day when employees may (within limits or "bands") choose their time of arrival and departure.

Grievance: includes any complaint by any employee concerning any matter relating to the employment of the employee; by any labor organization concerning any matter relating to the employment of any employee; or by any employee labor organization, or agency concerning the effect or interpretation, or a claim of breach, of a collective bargaining agreement; or any claimed violation, misinterpretation, or

misapplication of any law, rule, or regulation affecting conditions of employment.

GSA: General Services Administration

HHS: Department of Health and Human Services

HRO: Human Resource Office

Intermittent employment: Intermittent work schedules may be established when the work of a less than full-time position is so sporadic and unpredictable that a tour of duty cannot be scheduled in advance. The hours when the employee's services are required constitute the hours of duty.

IP (Indian Preference): Indian Preference affords absolute hiring preference to qualified Indian individuals who are enrolled in a federally recognized tribe, are able to provide a valid "Verification of Indian Preference for Employment in the Bureau of Indian Affairs and Indian Health Service Only", form BIA-4432 and are suitable for Federal employment. Indian Preference is applicable when appointments are made to vacant positions, no matter how the vacancy arises. Indian Preference applies to the initial hiring, reassignment, transfer, competitive promotion, reappointment, reinstatement, or any personnel action intended to fill a vacancy.

Line Officer: have direct operational responsibility for accomplishing assigned missions and ensuring that activities under their authority are being performed in accordance with established laws, regulations, and policies.

LMR: Labor Management Relations

Local school board (i.e. a Bureau school): school board chosen in accordance with the laws of the Tribe or Alaska Native entity to be served or, in the absence of such laws, elected by the parents of the Indian children attending the school, except that in schools serving a substantial number of students from different Tribes or Alaska Native entities the members shall be appointed by the governing bodies of the Tribes and entities affected; and, the number of such members shall be determined by the Director in consultation with the affected Tribes and entities.

Management: The Assistant Secretary – Indian Affairs, Bureau of Indian Affairs Director, Bureau of Indian Education Director, and the Office of Special Trustee for American Indians, Special Trustee for American Indians and all respective designees for each office/bureau.

Maxiflex Work Schedule: Flexible arrival, departure and lunch times with specific core hours on at least three (3) days of the workweek. It is a type of flexible work schedule that contains core hours on fewer than 10 work days in the biweekly pay period and in which a full-time employee has a basic work requirement of 80 hours for the biweekly pay period, but in which an employee may vary the number of hours worked on a given work day or the number of hours each week within the limits established for the organization.

Minor disciplinary action: letter of reprimand or a suspension of 14 days or less

MRO: Medical Review Officer:

National level supplements: an agreement between the National union and Management that enhances or clarifies part(s) of the Master Agreement

National Office/National Union Office: FISE Albuquerque office

NGP: Negotiated grievance procedure

Nonexempt employees (for pay purposes): is one who is covered by the minimum wage and overtime provisions of the Fair Labor Standards Act.

Non-Renewal: an employment contract will not be offered for the next fiscal year

Official Personnel Folder (OPF): the OPF or its approved electronic equivalent is a file containing records that cover an individual's employment history. It covers Executive Branch service under Title 5, United States Code. The long-term records included in the file protect the legal and financial rights of the Government and the employee.

Official Time: time used by Union employee representatives for representation functions and training hours on official time; does not include national negotiations or annual LMR meetings.

Official Time Request Form: Form used to request official time.

OPM: Office of Personnel Management

OSHA: Occupational Safety and Health Act

OST: Office of the Special Trustee for American Indians

OWCP: Office of Workers Compensation Program

Past practices: an existing practice sanctioned by use and acceptance that is not specifically included in the collective bargaining agreement. For a past practice to be found, the following conditions must be present: (1) the practice must be a condition of employment; (2) which has been consistently practiced over an extended period of time; (3) with management's knowledge; and (4) the express or implied consent of responsible management.

PD (Position Description): briefly describes the key or major duties and responsibilities of a position or a number of positions. The primary use of PDs is for classification and pay purposes. However, a PD also serves as the basis for preparing an employee's performance plan/objectives, preparing a formal training plan, or reviewing and evaluating employees' current or prior work experience.

Per Diem: a sum of money paid or given to an employee to cover daily expenses while on official travel.

PIP (Performance Improvement Plan): informs the employee in writing of the critical element(s) in which he or she is failing, what is needed to bring performance up to a minimally successful level, what assistance will be provided, and the consequences of failing to improve during the opportunity period.

Probationary period: an employee must serve a probationary period during the first year of his/her initial permanent Federal appointment to determine fitness for continued employment. An Agency may terminate the services of an employee if his/her work performance or conduct fails to demonstrate his/her fitness or qualifications for continued employment during the initial one-year probationary period. A probationary employee, whose performance and/or conduct are unsatisfactory, may be removed at any time during the probationary period. The supervisor does not have to wait until the end of the probationary period to initiate action.

RIF: a reduction-in-force (RIF) situation exists when the agency releases a competitive employee from his/her competitive level by furlough for more than 30 days, separation, demotion, or reassignment requiring displacement of another employee. Releasing the employee must be caused by lack of work; shortage of funds; insufficient personnel ceiling; reorganization; the exercise of reemployment or restoration, or return rights; or reclassification of an employee's position due to erosion of duties when such action will take effect after the agency has formally announced a RIF and the RIF will take effect within 180 days.

SHC: School Housing Committee

Steward: Union representative to whom the union assigns various representational functions, such as investigating and processing grievances and representing the union at various meetings, such as formal discussion [§ 7114(a)(2)(A)] and Weingarten meetings [§7114(a)(2)(B)]. For FISE, the Steward is an elected member obligated to enforce the CBA, addressing members concerns, processing grievances at the work site level.

Supplemental agreement: agreements at the local level between the union and management, which are not disallowed or contradicted by this current Master Agreement

Supplemental pay: monies that are made available to employees when they do not receive their direct deposit as scheduled (within three days)

Union: FISE

Voluntary Dues: employee dues assignments must be voluntary (no union or agency shop arrangements permitted under the Federal Service Labor-Management Relations Statute) and may not be revoked except at yearly intervals, but must be terminated when the agreement ceases to be applicable to the employee (as when the employee is temporarily promoted to a supervisory position or is detailed outside the unit, or when the employee is expelled from membership in the union).

Work Days: days that a Department is open for regular business, normally 8:30 a.m. to 5:00 p.m.