2012

Exchange of e-mails between NOAA Attorneys Guild and NOAA GC Management

Documenting

Interpretation of CBA Article 17

and

Use of Westlaw Training Services
Re: Notice: Westlaw Training Services: 2B or not 2B

Inbox

Monica Smit-Brunello ⚖

Thu, July 5, 2012 at 9:31 AM (1 hour ago)

to me, Leila, Mitch, Benjamin

Marguerite, yes, that is what we are saying and we are in agreement. Thank you, Monica

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On Mon, Jul 2, 2012 at 12:58 PM, Marguerite Matera <marguerite.matera@noaa.gov> wrote:

So, I think that what management is saying is that:

1. Attorneys may utilize Westlaw to obtain the 15 hours of annual training as provided by the CBA.

2. With the approval of a supervisor, an attorney may take more than 15 hours of Westlaw training and those hours could be approved as hours of work.

If that is correct, then you are right -- we are in agreement.

--Marguerite

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On Fri, Jun 29, 2012 at 11:42 AM, Monica Smit-Brunello <monica.smit-brunello@noaa.gov> wrote:

Marguerite, I just found out that the amount of training available through Westlaw is indeed unlimited. I think this means that we have addressed all of the union's concerns regarding the Westlaw Training. Do you agree?

Thanks, Monica

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On Tue, Jun 26, 2012 at 11:30 AM, Monica Smit-Brunello <monica.smit-brunello@noaa.gov> wrote:

Sure.

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On Mon, Jun 25, 2012 at 4:44 PM, Marguerite Matera

<marguerite.matera@noaa.gov> wrote:

It looks like we have reached a meeting of the minds on all but union proposal 2B in the draft MOU; can we add that to the list of things to discuss on Wednesday's call?

On Sat, Jun 9, 2012 at 3:55 PM, Monica Smit-Brunello

<monica.smit-brunello@noaa.gov> wrote:

Marguerite, because Article 17 of the CBA already addresses training, an MOU for these training services does not seem necessary. Management proposes that: (1) Westlaw Training Services will be made available to all bargaining unit attorneys; (2) the training will be authorized as provided under Article 17 of the CBA; (3) attorneys may participate in Westlaw Training Services while telecommuting, and (4) an attorney's participation in Westlaw Training Services will not foreclose the attorney's option to obtain other training.

Thanks, Monica

On Sun, Apr 29, 2012 at 5:47 PM, Marguerite Matera

<marguerite.matera@noaa.gov> wrote:

Leila,

The union's draft MOU regarding use of Westlaw Services is attached. Perhaps we will have a chance to talk about this while we are in Philadelphia. Looking forward to seeing you.

--Marguerite

April 29, 2012

Union Proposed MOU: D...R...A...F...T   Version 1

Memorandum of Understanding Between NOAA Office of General Counsel and NOAA Attorneys Guild Regarding the Second Collective Bargaining Agreement Article 17 - Training and Career Development

This Memorandum of Understanding records an agreement between the NOAA Office of General Counsel (Management) and the NOAA Attorneys Guild (Union) on implementation of West Legal Education Training for attorneys.

1. West Legal Education training will be made available for all bargaining unit attorneys.
2. A) No fewer than 15 hours per year of West Legal Education training will be authorized as hours of work.

   B) West Legal Education training hours over and above 15 hours per year may be authorized as hours of work with supervisory approval.

3. Attorneys may participate in West Legal Education while telecommuting.

4. An attorney's participation in West Legal Education training will not foreclose the attorney's option to obtain other training.

__________________________________________________________________________  _______________________________________________________________________
Lois Schiffer, NOAA General Counsel  Date
for Management
__________________________________________________________________________  _______________________________________________________________________
Marguerite Matera for the Union  Date

On Fri, Feb 3, 2012 at 12:50 PM, Leila Afzal leila.afzal@noaa.gov wrote:

Marguerite,

I am hereby providing you notice regarding the opportunity for Westlaw Training Services. Attached are materials describing the service. As required by Article 11, Section 2 of NOAA Attorney's Guild Agreement, please let us know within ten calendar days following the date of this notice, if you desire to consult or negotiate regarding this training opportunity. Within ten calendar days of your notification to consult or negotiate over the proposed action, please submit specific written proposals, which may include a proposal that the opportunity not be provided.

Best Regards,

Leila