



DEPARTMENT OF THE ARMY  
HEADQUARTERS UNITED STATES ARMY AVIATION CENTER OF EXCELLENCE  
2218 6TH AVENUE  
FORT RUCKER ALABAMA 36362-5105

REPLY TO  
ATTENTION OF

ATZQ-CS

18 May 2015

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Impact and Implementation (I&I) Negotiation

- 1. Purpose.** This memorandum is to remind managers at all levels of their obligation to negotiate the I&I of proposed changes in conditions of employment of bargaining unit employees (BUE). In many instances, managers do not intentionally fail to negotiate; they are simply unaware of the requirement. Simply put, management is *obligated by law* to explain to the exclusive representative (union) how a proposed change will be implemented and discuss and adverse consequences the change may have on members of the bargaining unit. This applies to a past policy or practice which has matured into a condition of employment.
- 2. Written Notice Requirement.** If management proposes to change a condition of employment that impacts on BUEs, management must provide adequate *prior written notice to the union office*. This notice must be directly to the union office. Upon request, management must bargain over the procedures to be utilized in implementing the changes and arrangements for employees who will be affected by those changes. The bargaining requirement does not prevent management from implementing the change. However, management must afford the union opportunity to present its views of the adverse impact the change may have prior to implementation of the change. Proposed changes should not be implemented until the duty to bargain has been satisfied.
- 3. Example of Changes in Working Conditions.** Conditions which may necessitate I&I negotiations are re-designation of individual parking spaces; changes in tour of duty; changes in location of break rooms; reorganization of offices and desks within a building; re-designation of flex-time hours; changes in locations of smoking areas; new requirements of additional training or testing; changes in types of office equipment (e.g., changing from word processors to computer); and procedures for submitting leave requests. This list is not all-inclusive. It just provides a few samples of the types of issues, which are negotiable.
- 4. Process of Notification.** This procedure for initiating I&I negotiations is very simple. When a change in working conditions is contemplated, the supervisor should send a memorandum to the union involved and explain the proposed change. If the union requests negotiation, set a mutually agreeable date and time to negotiate. You should also require the union to respond with a request to negotiate within 10 working days and

ATZQ-CS

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inform the union that if it fails to make such a request within the time specified, management will consider them to have waived their right to negotiate. The American Federation of Government Employees, Local 1815, telephone 255-3460, Building 3506, represents GS employees and Child Development Center Nonappropriated Fund Employees. Wage Grade employees are represented by the Wiregrass Metal Trades Council.

5. **Responsibility.** Each commander/director has the *responsibility* of ensuring each of his/her subordinate supervisors are aware of this requirement and adhere to it. Failure to conduct I&I negotiations prior to implementing a change in work conditions constitutes an Unfair Labor Practice (ULP). ULP charges are filed against the Commanding General, not the offending supervisor/commander/director.

6. **Primary Contact POC.** If you are in doubt whether a change should be negotiated, call Ms. April Morning, Labor Relations Specialist, Civilian Personnel Advisory Center, telephone 255-3702.

7. This memorandum supersedes Memorandum dated 19 May 2014, Subject: Impact and Implementation (I&I) Negotiation.



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