



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, DC 20380

MCO 12711.1
MPL:cms
25 Apr 1986

MARINE CORPS ORDER 12711.1

From: Commandant of the Marine Corps
To: Distribution List

Subj: Assignment of Responsibility and Procedures for Handling
Labor-Management Relations Matters in the Marine Corps

Encl: (1) Definitions
(2) Case Handling Procedures
(3) Negotiation of Local Agreements
(4) Summary of Reporting Requirements

Reports Required: See paragraph 5 and enclosure (4).

1. Purpose. To assign responsibility within the Marine Corps for certain labor-management relations functions.

2. Background

a. In 1983, the Labor Relations Branch, Headquarters Marine Corps (CMC (MPL)) was established to coordinate the Marine Corps labor-management relations program, provide guidance on labor-management relations to Marine Corps activities, and represent the CMC in labor relations matters.

b. The Assistant Secretary of the Navy, Manpower and Reserve Affairs (ASN (M&RA)) is responsible for representing the Department of the Navy (DON) in civilian personnel matters involving the Federal Labor Relations Authority (FLRA) and other agencies outside the Department of Defense. The ASN (M&RA) has delegated to the CMC the authority to represent the DON in proceedings involving labor-management relations matters arising at Marine Corps activities when they do not concern the DON-wide civilian personnel policies. This Order assigns responsibilities for providing such representation, publishes case management procedures, and establishes reporting requirements necessary to implement the Marine Corps labor-management relations program for both appropriated and nonappropriated fund employees.

3. Definitions. See enclosure (1).

4. Responsibilities

a. Headquarters Marine Corps Staff Agencies

(1) Ensure that all directives and policies affecting civilian employees in an organized bargaining unit are staffed through or coordinated with the Deputy Chief of Staff for Manpower (MPL) prior to implementation. If there are any questions concerning whether affected civilian employees are members of a bargaining unit, contact the Deputy Chief of Staff for Manpower (MPL).

(2) Advise the Deputy Chief of Staff for Manpower (MPL) wherever possible of higher-level or external agency policies that may affect civilian employees in an organized bargaining unit.

b. Head, Labor Relations Branch, Manpower Plans and Policy Division, Manpower Department

(1) Provide technical assistance and guidance to field activities in implementing the DON labor-management relations policy and in handling labor relations matters.

(2) Coordinate and exercise labor-management relations reporting requirements as required by higher-level directives.

(3) Inform the Secretary of the Navy of third-party labor-management relations cases arising at Marine Corps commands which may impact on the DON's policy or which are required to be reported by higher-level regulation and coordinate the DON's representation in such cases.

(4) Except for those cases where the representative is appointed by the Secretary of the Navy, designate the agency representative in all cases before the FLRA involving Marine Corps commands and in arbitration proceedings involving the interpretation of any labor agreement covering a bargaining unit with recognition at the CMC level.

(5) Negotiate, administer, and direct local commands in the administration of collective bargaining agreements covering bargaining units with recognition at the CMC level.

(6) Coordinate, as appropriate, with the Deputy Chief of Staff for Manpower (MPC) those actions that impact on civilian personnel policies, programs, and procedures.

(7) Coordinate with the Counsel for the Commandant (CLA-2) those matters that may involve judicial action.

c. Local Commands

(1) Discharge Marine Corps responsibilities under the Federal Service Labor-Management Relations Statute (5 U.S.C. SS 7101-7135).

(2) Administer collective bargaining agreements covering bargaining units with recognition at the CMC level following direction given by the CMC (MPL).

(3) Report information regarding labor-management relations as indicated in this Order and as otherwise requested by the CMC (MPL).

(4) Where the agency representative is from the command, ensure that each case is processed per paragraph 4d.

(5) Where the agency representative is not a member of the command, provide a command point of contact to perform duties described in paragraph 4e and enclosures (2) and (3).

(6) Bear the costs associated with litigation of cases arising at the local command including travel and per diem costs for employee witnesses, expenses of nonemployee witnesses called to testify by the agency representative, arbitrator's fees, and the costs of transcripts and documents.

(7) Ensure that appropriate servicing civilian personnel offices are aware of the procedures set forth in this Order.

d. Individual Designated as the Agency Representative Before the FLRA or an Arbitrator

(1) Diligently represent the interests of the agency.

(2) Process each case as prescribed in enclosures (2) and (3).

e. Individual Designated as Command Point of Contact

(1) Conduct a timely investigation of the facts giving rise to the matter in controversy.

(2) Determine the evidence available to both the Marine Corps and the labor organization in support or defense of the allegations made.

25 Apr 1986

(3) Based on the facts and evidence available, prepare an opinion concerning the strength of the Marine Corps case and whether settlement is possible or desirable.

(4) Complete reports, provide additional information, and otherwise assist in case preparation and presentation as required by this Order and as requested by the agency representative.

5. Reports

a. Use of Official Time. Commands will record any official time used by Marine Corps employees in union representational functions as defined by paragraph 1 of Federal Personnel Manual (FPM) Letter 711-161 of 31 July 1981. Commands will report this information to the CMC (MPL) for bargaining units with recognition at the CMC level. This report will be sent to the CMC (MPL) to arrive not later than the 20th of January, April, July, and October and will identify the total official time used each month during the reporting period by all Marine Corps employees engaged in union representational functions in the separate categories listed in the FPM Letter. The amount of official time used by the local union president (by month and category) shall be extracted from the totals and shown separately in the report. This report has been assigned report title and symbol, Official Time for Union Activities (Report Control Symbol MC-12711-01).

b. Grievances. For bargaining units with recognition at the CMC level, commands will send the CMC (MPL) a copy of every grievance filed in writing under the negotiated procedure. A copy of the written grievance shall be sent to the CMC (MPL) within 5 days of the date that the grievance is first reduced to writing by the grievant (annotated, where necessary, to show the name of the grievant and the date and step at which the grievance was first filed in writing). The command will also send the CMC (MPL) a copy of any command proposed resolution of the grievance within 5 days of its acceptance by the grievant (or within 5 days of the expiration of the period for the grievant to timely advance the matter to the next step of the negotiated grievance/arbitration procedure if the proposed resolution has not been explicitly accepted by the grievant). This copy of the resolution shall be annotated, where necessary, to show the name of the command, the name of the grievant, the date the grievance was first filed in writing, the date of the final resolution, and a summary of the final resolution. This report has been assigned report title and symbol, Grievance Filed in Writing (Report Control Symbol MC-12771-01).

c. Employees on Dues Deduction. For bargaining units with recognition at the CMC level, commands will report to the CMC (MPL) the number of employees at the command in the bargaining unit, the number of these employees having union dues automatically deducted from their pay, and the percentage of unit employees on automatic dues deduction as of 31 March and 30 September. This report will be sent to the CMC (MPL) to arrive not later than the 20th of April and October of each year and may be combined with the reports required in paragraph 5a. This report has been assigned report title and symbol, Dues Withholding (Report Control Symbol MC-12711-02).

d. Telephonic reports to the CMC (MPL) can be made by calling AUTOVON 227-0597 or commercial (202) 697-0597.

e. A summary of all reports required by this Order is contained in enclosure (4).

6. Action. Commands and Headquarters Marine Corps staff agencies shall take action to ensure that the responsibilities assigned by this Order are published and discharged as appropriate.

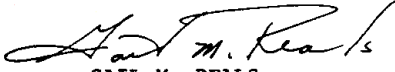
7. Proposed Records Disposition

a. Files regarding labor-management relations matters including but not limited to correspondence, reports and other records relating to collective bargaining, the use of official time by labor organization representatives, and matters before arbitrators, the FLRA, and courts not involving individual employees shall be retained for a period of 5 years.

b. Files regarding individual employee grievances and any appeals thereof shall be retained until 2 years after the employee's separation.

c. Surveys and studies regarding all labor-management relations matters shall be retained for a period of 5 years.

8. Reserve Applicability. This Order is applicable to the Marine Corps Reserve.


GAIL M. REALS
By direction

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DEFINITIONS

1. Agency Representative. The person designated by appropriate authority to represent the interests of the Marine Corps at a hearing before an arbitrator or the Federal Labor Relations Authority.
2. Bargaining Unit. The group of civilian employee positions certified by the Federal Labor Relations Authority as an appropriate bargaining unit. A labor organization is recognized as the exclusive representative for bargaining unit members in their dealings with the Marine Corps as an employer.
3. Collective Bargaining Agreement. A formal agreement covering personnel policies, practices, and working conditions entered into between the exclusive representative of bargaining unit employees and the Marine Corps as a result of collective bargaining described in 5 U.S.C. S 7103(a) (12).
4. Command Point of Contact. The person designated by a local commander to provide information, gather evidence, make periodic reports, and otherwise respond to requests from the CMC or the agency representative regarding a particular labor-management relations case pending before an arbitrator or the Federal Labor Relations Authority.
5. Declaration of Non-Negotiability. An oral or written statement made by an agent of the Marine Corps to an agent of a labor organization that the Marine Corps does not have a duty under law to negotiate concerning a matter about which the labor organization has sought to bargain.
6. Exception. An appeal of an arbitration award or the decision of an administrative law judge to the Federal Labor Relations Authority.
7. Federal Labor Relations Authority (FLRA). The administrative agency responsible for supervising the administration of 5 U.S.C. SS 7101-7135 dealing with labor-management relations in the Federal Government.
8. Labor Agreement. See collective bargaining agreement.
9. Level of Recognition. The lowest command level exercising operational control over all of the commands having civilian employee positions in a single bargaining unit. For example, for bargaining units which contain positions belonging to more than one base, station, or subordinate command the level of recognition is at the CMC level. But for bargaining units containing positions at a single command, the level of recognition is at the local command level.
10. Local Command. A command below the Headquarters Marine Corps level.
11. Negotiability Petition. A petition filed by a labor organization with the FLRA which asks that the FLRA rule on the lawfulness of a position taken by the Marine Corps that it has no duty under law to negotiate a particular matter.
12. Office of Labor-Management Relations (OLMR) Number. A six-digit number assigned to each bargaining unit by the OLMR of the Office of Personnel Management (OPM). The number is used to identify the bargaining unit and to assist in compiling and extracting data in the OPM's Labor Agreement Information Retrieval Service (LAIRS). The last four digits of the OLMR number is referred to as the Bargaining Unit Status (BUS) code.
13. Unfair Labor Practice. Conduct by the Marine Corps or a labor organization which violates one of the subsections of 5 U.S.C s 7116.

ENCLOSURE (1)

CASE HANDLING PROCEDURES

1. Petitions Filed With the FLRA

a. v. Immediately upon receipt of any petition (other than an unfair labor practice charge) filed with the FLRA by an employee or a labor organization, commands will notify the CMC (MPL) by telephone and forward a copy of the petition to the CMC (MPL) and the appropriate regional office of the Office Civilian Personnel Management. After consultation with the DON, if necessary, the CMC (MPL) will designate the person to act as the agency representative in the matter and assign a labor advisor to assist the agency representative and the command in responding to the petition. Commands will designate a point of contact to assist the agency representative.

b. By the Marine Corps

(1) Relating to Bargaining Units With Command-Level Recognition. Commands desiring to file petitions with the FLRA concerning a bargaining unit with command-level recognition shall notify the CMC (MPL) prior to filing. The commands may recommend a person to be designated by the CMC (MPL) as the agency representative in the matter.

(2) Relating to Bargaining Units With Recognition at the CMC level. Commands desiring to file a petition with the FLRA concerning a bargaining unit with recognition at the CMC level shall obtain approval from the CMC (MPL) prior to filing any such petition. The commands may recommend a person to be designated by the CMC (MPL) as the agency representative in the matter.

2. Unfair Labor Practice (ULP) Allegations

a. Receipt of ULP Charge

(1) Immediately upon receipt of any ULP charge or related correspondence, commands will mail a copy of the charge or correspondence to the CMC (MPL) and will take prompt action to determine the following information:

(a) The anticipated evidence available for both the Marine Corps and the charging party.

(b) The command's perception of the issues and assessment of whether or not a violation of law has occurred.

(c) The name and telephone number of the-command's designated point of contact.

(d) Any other pertinent background information.

(2) A copy of the initial ULP charge will also be sent to the appropriate regional office of the Office of Civilian Personnel Management.

(3) Within 15 days of receipt of a ULP charge, the command will send the above information to the CMC (MPL) utilizing the following format:

ENCLOSURE (2)

25 Apr 1986

SUPPLEMENTAL INFORMATION REGARDING AN UNFAIR LABOR PRACTICE CHARGE

Date

Command _____ FLRA File No. _____
 Cmd point of contact _____
 Telephone AUTOVON _____ Comm() _____

1. Summary of facts surrounding the allegation:
2. Command opinion regarding validity of the charge and rationale:
3. Command recommendation regarding disposition of the charge:
4. Available or anticipated evidence:

a. Witnesses and expected testimony

(1) Charging Party:

(2) Command:

b. Other evidence (provide copies as appropriate)

(1) Charging Party:

(2) Command:

5. After consultation with the DON, if necessary, the CMC (MPL) will designate the individual who will represent the agency during the charge phase of the matter. The agency representative will keep both the command point of contact and the CMC (MPL) informed of significant occurrences in the processing of the case including providing copies of all correspondence and filings involved.

b. Receipt of a ULP Complaint. Immediately upon receipt of a complaint, the designated representative will telephone the command point of contact and the CMC (MPL). The agency representative will forward a copy of the complaint to arrive to the CMC (MPL) not later than 14 days before the agency response is due. After consulting with the command, and if necessary the DON, the CMC (MPL) will designate the agency representative to respond to the complaint and to represent the Marine Corps at any subsequent hearing. The agency representative will maintain contact with the affected command's point of contact and the CMC (MPL). The affected command and the CMC (MPL) shall assist the agency representative in preparing for the hearing as required.

c. Receipt of Decision of an Administrative Law Judge and Filing of Exceptions Thereto. Upon receipt, the agency representative will forward copies of the decision of an administrative law judge to: the ASN (M&RA) (Director, Office of Civilian Personnel Management) (2 copies), the CMC (MPL) (1 copy), and the affected command (1 copy). (See enclosure (3), paragraph 2c(1) for appropriate addresses.) Copies to the CMC and the affected command must arrive not later than 20 days before the filing of an exception is due. If the affected command's point of contact or the agency representative proposes to file exceptions to an administrative law judge's decision, that person should telephone the CMC (MPL) and discuss the factual and legal basis for such filing. After consultation with the DON, if necessary, the CMC (MPL) will file any exceptions for the agency. Upon receipt of the final decision by the FLRA, the CMC (MPL) will notify the command point of contact and provide the command with a copy of the decision.

ENCLOSURE (2)

d. Receipt of Exception Filed by a Party Other Than the Marine Corps and the Filing of Cross-Exceptions. Upon receipt of notice of a filing of exceptions to an administrative law judge's decision by a labor organization or an individual, the agency representative will immediately telephone the CMC (MPL) and the command point of contact and outline the content of the exceptions. The CMC (MPL) will consult with the DON, as necessary, and assign a labor advisor to assist the agency representative in preparing oppositions to exceptions or cross-exceptions. The agency representative will forward a copy of the exceptions to arrive to the CMC (MPL) and the affected command not later than 6 days prior to the date the filing of an opposition to the exceptions or cross-exceptions are due. All filings in such matters with the FLRA by an agency representative must be approved by the CMC (MPL).

e. Filing of ULP Charges by the Marine Corps. A ULP charge against a labor organization may not be filed with the FLRA unless authorized by the CMC (MPL). Commands proposing to file such a charge will make a written request to the CMC (MPL) detailing the factual and legal reasons for the proposed charge and providing the name and telephone number of the command point of contact concerning the matter. Prior to actual filing, the labor organization will be advised by the charging party of the Marine Corps intention to file the charge and will be given an opportunity to resolve the matter. The CMC (MPL) will be notified by telephone immediately after the charge is filed and a copy of the charge shall be immediately sent to the CMC (MPL).

f. Authority of the Agency Representative. The individual designated to represent the agency in matters involving unfair labor practices shall diligently advocate the agency position before the FLRA. All communication with the FLRA or its officials shall be performed by or staffed through this representative. While the agency representative may explore the possibility of settling allegations of unfair labor practices, no agency representative is authorized to enter into a settlement agreement without the consent of the local command unless the settlement affects more than one command. In the latter case, the CMC (MPL) must approve any settlement agreement after consulting with the affected commands.

3. Procedures Relating to Arbitrations

a. Cases Involving Labor Organizations With Command-Level Recognition. Commands will notify the CMC (MPL) in writing when an arbitration hearing has been scheduled, identifying the activity, the bargaining unit, the labor organization, the arbitrator, the issues submitted, and the name and telephone number of the agency representative and the command point of contact.

b. Cases Involving Labor Organizations With Recognition at the CMC Level

(1) Arbitration Invoked by Local Command. Prior to invoking arbitration, commands will telephone the CMC (MPL) to seek approval identifying the proposed issue and evidentiary support for the command's position.

(2) Arbitration Invoked by Local Union. When a labor organization invokes arbitration, the affected command will telephone the CMC (MPL) and identify the issue involved and the relevant background information.

(3) Designation of Representative. The agency representatives in such cases will be designated by the CMC (MPL). Commands involved in an arbitration hearing will designate a point of contact to assist the agency representative in preparing for the hearing. When an arbitration hearing has actually been scheduled, the agency representative will inform the CMC (MPL) and the command point of contact of the information required in paragraph 3a of this enclosure.

(4) Expenses. Local commands will bear all expenses related to the arbitration where arbitration is invoked either by the local command or the local union with the exception of travel and per diem costs incurred by an agency representative who is not a member of the command.

ENCLOSURE (2)

25 Apr 1986

c. Award of the Arbitrator. Upon receipt, the agency representative will send one copy of the arbitrator's award to the addressees listed in paragraph 2c(1) of enclosure (3) and to the command point of contact.

d. Marine Corps Exceptions to Arbitration Awards. Any command proposing that an exception to an arbitrator's award be filed will immediately contact the CMC (MPL) by telephone with the legal and factual basis for the proposed exception. In such cases a copy of the award, the hearing transcript (if any), the entire grievance file, and a written summary of the legal and factual basis for the proposed exception will be forwarded to arrive to the CMC (MPL) not later than 20 days before the filing of an exception by the agency is due. If the CMC (MPL) concurs with the command's proposal, the CMC (MPL) will seek approval to file an exception from the ASN (M&RA). If approval is granted, the CMC (MPL) will appoint the agency representative and assign a labor advisor to assist the representative in filing the exception.

e. Labor Organization Exceptions to Arbitration Awards. Any command receiving a labor organization's petition for review of an arbitration award shall immediately notify the CMC (MPL) by telephone and forward a copy of the petition, the award, the hearing transcript (if any), and the case file to arrive to the CMC (MPL) not later than 20 days before the agency response is due. After consultation with the DON, if necessary, the CMC (MPL) will appoint the agency representative and will assign a labor advisor to assist the representative in filing a response and cross-exceptions.

4. Judicial Action

a. Marine Corps Initiated Judicial Action. Commands proposing judicial review of an FLRA action will immediately contact the CMC (MPL) by telephone and discuss the issue, the reason for seeking judicial review, and the legal basis for such review. (After this discussion if the command still desires to request judicial review, it will forward to the CMC (MPL) a written request for such review containing the above information plus a copy of the relevant decision.) This request must arrive to the CMC (MPL) not later than 45 days before the agency filing deadline. The CMC (MPL) will coordinate the commencement of judicial action with the Assistant Counsel for the Commandant for Civilian Personnel Law (CMC (CLA-2)).

b. Labor Organization Initiated Judicial Action. The CMC (CLA-2) must be notified by telephone (AUTOVON 227-1328/commercial (202) 697-1328) whenever a command learns that a labor organization has initiated judicial action against a Marine Corps command which involves a civilian employment matter. All documents relating to the action must be forwarded to the CMC (CLA-2) along with a narrative summary of pertinent facts not contained in these documents and the name and telephone number of the command point of contact. This information must arrive to the CMC (CLA-2) not later than 45 days before the agency response is due. The CMC (CLA-2) will coordinate responses to such action with the CMC (MPL) when there is a potential effect on labor-management relations and with the CMC (MPC) when it affects civilian personnel policies and procedures.

5. Standards of Conduct for Labor Organizations. Commands shall obtain approval from the CMC (MPL) before raising a question of compliance with 5 U.S.C s 7120 with the FLRA.

ENCLOSURE (2)

NEGOTIATION OF LOCAL AGREEMENTS

1. Notification of Federal Mediation and Conciliation Service (FMCS). Commands will file timely notice with the FMCS prior to the expiration or modification date of an existing agreement as required by the FMCS regulations.

2. Review and Approval of Collective Bargaining Agreements

a. Commands will send three copies of all agreements directly to the ASN (M&RA) at the address listed in subparagraph 2c(1)(a) and a copy to the CMC (MPL) for review and approval immediately upon execution.

b. The following shall apply in all cases where labor agreements are forwarded for review and approval:

(1) Any internal procedures of the labor organization must be satisfied prior to the execution and submission of the agreement. Commands are encouraged, however, to forward draft copies of agreements to the CMC (MPL) and the ASN (M&RA) upon completion of negotiations and before ratification and execution.

(2) The date of execution must be clearly stated on the signature page.

c. Within 60 days after approval of any labor agreement by the Secretary of the Navy, commands must:

(1) Distribute copies of the Collective Bargaining Agreement as follows:

- (a) Department of the Navy
Office of Civilian Personnel
Management (Code 31)
800 North Quincy St.
Arlington, VA 22203-1998 (3 copies)
- (b) Commandant of the Marine Corps (MPL)
Headquarters, U.S. Marine Corps
Washington, DC
20380-0001 (3 copies)
- (c) Appropriate Regional Office of the Office
of Civilian Personnel Management (2 copies)
- (d) LAIRS, Office of Personnel Management
RM 7H24
1900 E. St., NW
Washington, DC 20415 (2 copies)

(2) Send the following information in writing to the CMC (MPL):

(a) Employee Information. Number of employees in the bargaining unit covered by the agreement expressed by type of employee; e.g., wage-grade, general schedule, universal annual, patron services, etc., and whether the employees are professional or nonprofessional under 5 U.S.C. s 7103.

(b) Cost of Negotiations. Salaries and benefit costs of management and employee union negotiators for time spent during preparation and actual negotiations, travel and per diem costs, printing costs, and other identifiable costs. The costs attributed to management and the union should be reported separately.

(c) Appendix A to enclosure (4) of this Order is the prescribed format for this information.

ENCLOSURE (3)

3. Negotiability Disputes

a. Declarations of Non-Negotiability. Prior to orally declaring a union proposal non-negotiable, it is recommended that the command's chief negotiator contact the CMC (MPL). No written declaration of non-negotiability will be provided to a labor organization unless a specific, written proposal and written request for such a declaration has been received from the union and the wording of the declaration has been approved by the CMC (MPL).

b. Negotiability Petitions. If a petition is filed by a labor organization to obtain an expedited review of a negotiability issue, the command will send the following to the CMC (MPL) to arrive not later than 20 days prior to the date the agency response is due:

(1) A copy of the union's proposal.

(2) A copy of the union's request for a declaration of non-negotiability and any related requests.

(3) A copy of the command's written declaration of non-negotiability with supporting facts and rationale.

(4) Statement of efforts made to develop alternative, negotiable language.

(5) Name and telephone number of the command point of contact regarding the matter.

c. Request for Waiver of a Directive. A copy of any request for a waiver of a CMC or higher-level directive which is submitted by a labor organization or a command as a consequence of collective bargaining will be forwarded to the CMC (MPL). The letter of transmittal should include:

(1) The identity of the bargaining unit involved (including the OLMR Number)

(2) The context in which the waiver request has arisen (including any related contract proposals).

(3) The command's position with regard to the request and the supporting facts and rationale.

d. Negotiability Questions Arising in an Unfair Labor Practice or Impasse Proceeding. If a question of negotiability arises in the course of ULP or a Federal Service Impasses Panel (FSIP) proceeding, the agency representative will notify the CMC (MPL) by telephone.

4. Negotiation Impasses

a. Federal Mediation and Conciliation Service (FMCS). Requests to the FMCS will be made per regulations issued by the FMCS (in general, see 29 C.F.R. part 1400, et seq.).

b. Federal Service Impasses Panel (FSIP)

(1) Requests by a Labor Organization. Commands will notify the CMC (MPL) when such requests are made and provide a copy of the labor organization's submission. At the request of the command, the CMC (MPL) will assist the command in preparing a submission to the FSIP.

(2) Command requests. Commands must contact the CMC (MPL) by telephone prior to referring a matter to the FSIP and supply additional information when requested. At the request of a command, the CMC (MPL) will assign a labor advisor to assist the command in preparing its submission to the FSIP. The command will send a copy of any submission to the FSIP to the CMC (MPL).

ENCLOSURE (3)

c. Arbitration of Impasses. Commands must consult with the CMC (MPL) prior to resolving an impasse through arbitration. In any consultation regarding such arbitration, commands should be prepared to discuss at a minimum:

(1) The relevant bargaining history including all relevant proposals submitted by either side.

(2) The name of the arbitrator or potential arbitrators, if known, and relevant background information about each one.

(3) The reasons for requesting interest arbitration instead of other forms of impasse resolution.

ENCLOSURE (3)

SUMMARY OF REPORTING REQUIREMENTS

MCO 12711.1
25 Apr 1986

SUMMARY OF REPORTING REQUIREMENTS

Report Title	Ref Par.	Report Symbol	Report Form	Report Frequency
Third-party cases w/ DON-wide significance	4b(3)	EXEMPT	Telephone	As required
Official time for union activities	5a	MC-12711-01	Written	Quarterly
Grievance filed in writing	5b	MC-12771-01	Written	As required
Dues withholding	5c	MC-12711-02	Written	Semiannually
Petitions filed with the FLRA	1 Encl (2)	EXEMPT	Telephone/ written	As required
Matters relating to ULP charges	2 Encl (2)	EXEMPT	Telephone/ written	As required
Matters relating to arbitrations	3 Encl (2)	EXEMPT	Telephone/ written	As required
Judicial action regarding labor-management relations	4 Encl (2)	EXEMPT	Telephone/ written	As required
Command declaration of non-negotiability	2 Encl (3)	EXEMPT	Written	As required
Approval of negotiated labor agreements	3a Encl (3)	EXEMPT	Telephone/ written	As required
Regulation waiver request	3c Encl (3)	EXEMPT	Telephone	As required
Question of negotiability in ULP	3d Encl (3)	EXEMPT	Telephone	As required
Request for FSIP assistance	4b Encl (3)	EXEMPT	Telephone/ written	As required
Request to arbitrate negotiation impasses	4c Encl (3)	EXEMPT	Telephone	As required

Telephonic reports to the Labor Relations Branch, Headquarters Marine Corps (CMC (MPL)) can be made by calling AUTOVON 227-0597 or commercial (202) 697-0597.

ENCLOSURE (4)

Telephonic reports to the Labor Relations Branch, Headquarters Marine Corps (CMC (MPL)) can be made by calling AUTOVON 227-0597 or commercial (202) 697-0597.

ENCLOSURE (4)

COST AND COVERAGE OF LABOR AGREEMENT NEGOTIATIONS

Command: DATE

1. Labor Organization:

2. Bargaining Unit (s):

<u>Unit Description</u>		<u>OLMR No.</u>	Number of Employees by Type (e.g., WG, GS, UA, <u>AS, etc.</u>)
a.	_____	_____	_____
b.	_____	_____	_____
c.	_____	_____	_____

3. Costs Incurred by the Marine Corps:

a. Labor Costs (at standard military composite rate or basic civilian pay rate, unaccelerated)

	<u>Management</u>		<u>Union</u>	
	<u>Hours</u>	<u>Cost</u>	<u>Hours</u>	<u>Cost</u>
(1) Military				
(a) Preparation_____		\$_____	N/A	N/A
(b) Negotiation_____		\$_____	N/A	N/A
(2) Civilian				
(a) Preparation_____		\$_____	_____	\$_____
(b) Negotiation_____		\$_____	_____	\$_____

b. Travel Costs

	<u>Management</u>	<u>Union</u>
(1) Transportation	\$_____	\$_____
(2) Per Diem	\$_____	\$_____
(3) Other (specify)	\$_____	\$_____

c. Miscellaneous Costs (specify)

	<u>Management</u>	<u>Union</u>
(1) _____	\$ _____	\$ _____
(2) _____	\$ _____	\$ _____

d. Total Costs Incurred by the Marine Corps

- (1) Management: \$ _____
- (2) Union: \$ _____
- (3) Total Costs: \$ _____

e. Period Covered by this Report