

11 JUL 2017

MEMORANDUM OF AGREEMENT (MOA)

ON

**Two Year Probation Periods  
Under the 2016 NDAA**

References:

A. 2016 National Defense Authorization Act (NDAA)

1. The American Federation of Government Employees (AFGE) Council 214 and Air Force Materiel Command (AFMC), hereafter referred to as the Union and Management, hereby enter into this Memorandum of Agreement regarding subject probationary periods as it applies to bargaining unit employees (BUEs) covered by the Master Labor Agreement (MLA) between the parties.
2. The 2016 NDAA amended title 10 of the United States Code for Fiscal Year 2016, adding in section 1599(e). The new section requires that covered employees within the Department of Defense (DoD) complete a two year probationary period before their appointment becomes final. Covered employees include Bargaining Unit Employees (BUEs) who are appointed to permanent positions in the competitive service within the DoD on or after November 26, 2015.
3. Each affected BUE has or will be notified in writing that they are affected by the new probationary period requirements established by the 2016 NDAA. The notification will explain that the requirement to serve a two year probationary period is a result of Congressional action (i.e. an amendment to the United States Code). BUEs may access copies of corrected SF-50s, which will identify the start date for their specific probationary period, in the eOPF system. BUEs who cannot access the eOPF system may request a corrected SF50 from their supervisor or servicing Civilian Personnel office. Absent other circumstances individual to the BUE that may result in an extension, the probationary period will normally end two years from the specified start date in the SF 50 for the affected employees.
4. Upon request, a BUE will be provided information regarding limited MSPB appeal rights for probationary terminations.
5. Council 214 may request a list of affected BUEs and the percentage of personnel actions that have been corrected to reflect the change. The information provided by the Agency will be broken out by installation.

6. All remedies available under the MLA or 5 U.S.C. 71 will remain available to the parties if concerns cannot be cooperatively resolved.

For Management



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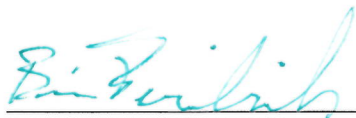
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