



Article 13/23 Handbook

Congratulations on being selected to represent PASS and its members as a PASS-designated Article 13/23 representative! Your participation is vital to the men and women the union represents, and your input is invaluable to PASS and the program or activity you are supporting at the FAA. Thank you for your willingness to represent your fellow bargaining unit employees (BUEs) and serve as their voice on this project.

Your participation offers a great opportunity to provide the employee perspective and technical expertise to identify concerns and offer sound solutions to the challenges that typically arise in any FAA program or activity. Along the way, you will have moments of great success and moments of extreme frustration and everything in between. The key is to maintain your composure, enthusiasm and professionalism. By staying engaged and working effectively you will have greater influence on the project at hand in the long run. PASS has resources to assist you when you find you are unable to get concerns addressed and they can be found in this handbook.

Please know that you are never an island when you accept these representational opportunities. One of the key components to success in any representational activity is developing a network of people with whom to work to achieve success professionally and for the FAA.

This handbook will provide guidance and information designed to assist you in your new role. You will also find contact information for the people who can assist and mentor you, as well as tools and resources that PASS has available. In the final section is the actual contractual language governing Article 13/23 so you will always have that handy without turning to a copy of the physical contract.

(While you may be working on a specific program or activity, for the purposes of this handbook, PASS will use the term 'project' to refer to both.)

Section 1: What Is an Article 13/23 Representative?

Section 2: Roles and Responsibilities

Section 3: Support and Contact Information

Section 4: Article 13 Procedural Information

Section 5: Working with the Agency

5A: Communication Skills

5B: Negotiability

5C: “Covered By” Doctrine

5D: PASS Documentation

Section 6: Article 13/23 Representative Information and Expectations

Section 7: Contract Language

Section 1: What Is an Article 13/23 Representative?

Article 13/23 representatives are PASS designees who actively participate in agency projects. The articles refer to the ATO (Article 13) and AVS (Article 23) collective bargaining agreements (CBAs) with the FAA that outline the roles of these representatives.

Agency projects can vary in complexity and scope and, in some cases, there may be more than one PASS representative on a project. In cases where there are multiple representatives, no one person is identified as a lead; instead, all representatives work as equal partners to support the goals of PASS.

Article 13/23 representatives are considered pre-decisional representatives within the official FAA/PASS negotiations process. Article 13/23 representatives are not authorized to engage in bargaining on behalf of PASS unless the agency deems its representative has the authority to bind the FAA in writing. The Article 13/23 representatives are authorized to identify and assist in mitigating programmatic issues that arise during their participation.

Therefore, while your recommendations, discussions and decisions do not bind PASS, you do provide early input into possible issues or concerns that may impact PASS BUEs. We believe that early involvement and identification of potential issues leads to reduced cost to the agency and improved product development, resulting in an expedited negotiation when the FAA formally notifies PASS through the Article 70 process.

Here is an example of how the process should work:

The agency is developing new software for a system. As the software is brought into testing, you notice a deficiency in the operation and/or its suitability. Your role would be to highlight the deficiencies and provide the agency the reasons you feel these deficiencies will impact employees if left unchanged. In a perfect world, the program office captures your input and works with you to develop the necessary changes to mitigate the issues you identified. When the changes are implemented at this stage, software modification and cost to the FAA will be manageable. Also, the performance issue identified will have been mitigated and will not be included in the eventual negotiations under Article 70.

Let's examine this scenario with a different outcome:

Once again, you provide the same input regarding the software yet the program office chooses to defer or ignore your concerns due to their assessment, budget or a milestone issue. They move along with the software all the way to deployment and the PASS-identified concerns have been ignored. The union has a final opportunity to address these concerns when an official Article 70 notification is presented to PASS. With your help, PASS would develop a Memorandum of Agreement (MOA) that may require the agency to mitigate the identified deficiency prior to deployment.

The difference in these two scenarios is that the second one will take additional time to negotiate the deficiency. Also, if the MOA determines the agency must modify the software to remedy the deficiency you identified early in the process, it will be at a much greater cost and it may impact other software features that may have been added after your initial deficiency report. Another round of testing would be required before any deployment activities could commence. All these components add up to a lengthy delay that would have been avoided had the FAA worked to resolve the deficiency when it was initially reported.

Taking the route shown in the first scenario is advantageous to all parties with decreased cost, development time and deployment. This is the real benefit provided by PASS participation on the project. This also relates to hardware development, procedural changes and other programmatic activities.

Always remember that you are the voice of PASS and the BUEs who will ultimately have to utilize this product in their workplace. Never hesitate to reach out to those BUEs and other PASS representatives so you can adequately convey their needs and express their concerns during the process.

Section 2: Roles and Responsibilities

When you are selected to represent PASS on a project, you are the voice of the union and have that authority granted to you by the national president. You are equivalent to the program manager, activity lead or workgroup lead and should be given the same respect and program information provided to those agency officials.

Roles and responsibilities of the PASS representative:

- Make sure the agency abides by the CBA;
- Preserve PASS BUE work and working conditions;
- Work to provide quality training products;
- Ensure workplace safety is upheld during any development, testing and implementation activities;
- Actively participate in all facets of the program or activity;
- Meet with the agency lead/s quickly and develop a mutual understanding of your role and participation;
- Document your activities, especially when there are concerns that need to be addressed;
- Conduct yourself professionally and avoid personal attacks and personal confrontation when addressing professional concerns;
- Actively listen and seek clarification when you have questions;
- Make sure the agency knows your role is pre-decisional and that they are still required to provide official notification to PASS at the appropriate time;
- Document your official time correctly in LDR (General Labor);
- Complete the PASS Update form routinely to keep the union informed of your program's status;

- Reach out to other PASS resources as needed;
- Advise the appropriate regional vice president (RVP) and PASS representative of any travel to an FAA facility within their region ASAP;
- Network with other BUEs, PASS representatives and Article 13/23 representatives;
- Participate in PASS monthly telecons; and
- If you are part of an acquisition program, take the acquisition management course to familiarize yourself with the terminology and the processes.

Section 3: Support and Contact Information

For Article 13 representatives, **National Assistant Richard Riggs** is available to provide guidance, assistance, mentoring and help you resolve any issues, concerns or questions you have during your tenure. He can be reached either by email (rriggs@passnational.org) or phone (817-412-8559).

For Article 23 representatives, **Region IV National Assistant Cherrie Monnier** is available to provide guidance, assistance, mentoring and help you resolve any issues, concerns or questions you have during your tenure. She can be reached either by email (cmonnier@passnational.org) or phone (202-301-6872).

PASS maintains a listing of all Article 13/23 representatives in the member-only section of the website. This contact information is one of the benefits members have when they have questions about any project on which PASS has representation. It is important that you keep your contact information up to date so other members, representatives and the Executive Board can reach out to you when necessary. Please send your updated contact information to Communications Manager Jessica Cigich (jcigich@passnational.org). Please note that the contact information provided on the member-only website includes your PASS email address. Please make sure you activate and use your PASS email address. If you have questions about your PASS email, contact the PASS national office.

The union also maintains a current listing of all PASS representatives by region on both the public and member-only sections of the website. When planning a visit to another FAA facility, you must inform the appropriate regional vice president (RVP) and PASS representatives at that facility about the date(s) and purpose of the visit. You should offer them and other PASS members time to discuss their concerns and brief them on the status of the project. If you have difficulty determining who the appropriate local PASS representative is, the RVP can help.

Also, when a decision is made that puts the project team at an agency facility, PASS expects you to inform the appropriate RVP and PASS representatives and provide them with all the information available to you. Examples of such decisions could be key site designation, site surveys, operational testing, etc.

Section 4: Article 13 Procedural Information

PASS has negotiated an Article 13 MOA that defines many processes to be followed that expand upon the CBA language. Here are the highlights:

- PASS will perform all solicitations for Article 13 representatives and advise the agency of the selection;
- PASS may request additional Article 13 representatives with justification;
- Agency advises PASS national and the approved PASS Article 13 representative of its selection and approved release to participate;
- Within five (5) business days of the approval, the program office will send an introductory email to the selected Article 13 representative and schedule an initial briefing; and
- Article 13 representatives are not required to meet any geographical or technical requirements identified by the agency.

If you do not hear from the FAA within five (5) business days of your approval, please contact National Assistant Richard Riggs.

If you are already engaged in a project and find there is a facet of the project with which you need assistance, please reach out to National Assistant Richard Riggs to develop a written request for additional Article 13 support.

PASS recommends completing the ATO SRM Panel Member Workshop (FAA50338001) as well as ATO Safety Management System (SMS) and Safety Risk Management (SRM) for Safety Stakeholders (FAA50338002) courses prior to participation as a representative.

Section 5: Working with the Agency

For most people who take on this new responsibility, the idea of working with agency officials at varying levels of the FAA seems overwhelming. Below you will find some tools and perspectives to help guide you into this new realm.

There are two main areas in which we typically find PASS representatives engaged: 1) the acquisition community and 2) agency-driven initiatives that cover a broad spectrum of activities.

The biggest challenges are found in the acquisition arena. Many of these agency team members are not familiar with your area of expertise and do not always have the employee perspective or interests in the forefront of their decision making. Generally, acquisition programs are driven by cost and schedules that do not always lead to decisions that would be beneficial to the employees PASS represents. For PASS, the decision making is about how new technology fits into the existing National Airspace System (NAS) and how it can be efficiently maintained and operated for maximum safety and productivity. Cost and schedule decisions may not always align with technical capabilities and maintainability concerns. In these cases, your ability to work through these situations is crucial and you can reach out to PASS for help when necessary.

If assigned to internal FAA activities, you may be working with other FAA employees who do have the same technical aptitude so the challenges you face may have to do with design and functionality. In activities that are more administrative, such as orders, training development, policy groups, airspace, etc., the challenge could be listening and communicating the PASS perspective to gain understanding and support.

No matter which project you are selected for, the tools below can be useful in your role as an Article 13/23 representative. The dynamics of any workgroup can be extremely challenging due to the range of personalities and the hurdles faced in working as a team. Each member may have an agenda and will work to achieve that goal. Your challenge is to understand those agendas and work objectively to effectively present PASS concerns, ideas and solutions to the team.

5A: Communication Skills

One of the key skills needed to be effective in your new role is communications. Since much of your activity will be communicating ideas, concerns and solutions to a broad group, developing and honing these skills will be the most useful tool in reaching successful outcomes.

Effective communication sounds like it should be instinctive. But too often, when we try to communicate with others something goes astray. We say one thing, the other person hears something else, and misunderstanding, frustration and conflict ensue. This can cause problems in any of your personal or professional relationships. For many of us, communicating more clearly and effectively requires learning some important skills. Whether you are trying to improve communication at home or work, learning these skills can deepen your connections to others, build greater trust and respect, and improve teamwork, problem solving and your overall social and emotional health.

What is effective communication?

Effective communication is about more than just exchanging information. It is about understanding the emotion and intentions behind the information. In addition to clearly conveying a message, you need to listen in a way that gains the full meaning of what is being said and makes the other person feel heard and understood. Effective communication combines a set of four skills:

1. Engaged listening
2. Nonverbal communication
3. Managing stress in the moment
4. Asserting yourself in a respectful way

Skill 1: Become an engaged listener

When communicating with others, we often focus on what we should say. However, effective communication is less about talking and more about listening. Listening well means not just understanding the information being communicated, but also understanding the emotions the speaker is trying to communicate.

There is a difference between engaged listening and simply hearing. When you really listen—when you are engaged with what is being said—you will hear the subtle intonations in someone’s voice that tell you how that person is feeling and the emotions he or she is trying to convey. When you are an engaged listener, not only will you better understand the other person, you will also make that person feel heard and understood, which can help build a stronger, deeper connection.

By communicating in this way, you will also experience a process that **lowers stress** and supports physical and emotional well-being. If the person you are talking to is calm, for example, listening in an engaged way will help to calm you, too. Similarly, if the person is agitated, you can help calm them by listening in an attentive way and making the person feel understood.

If your goal is to fully understand and connect with the other person, listening in an engaged way will often come naturally. If it does not, try the following tips. The more you practice, the more satisfying and rewarding your interactions with others will become.

Focus fully on the speaker. You cannot listen in an engaged way if you are distracted. You need to stay focused in the moment to pick up subtle nuances and important nonverbal cues in a conversation.

Favor your right ear. As strange as it sounds, the left side of the brain contains the primary processing centers for both speech comprehension and emotions. Since the left side of the brain is connected to the right side of the body, favoring your right ear can help you better detect the emotional nuances of what someone is saying.

Avoid interrupting or trying to redirect the conversation to your concerns. Avoid saying things such as, “If you think that’s bad, let me tell you what happened to me.” Listening is not the same as waiting for your turn to talk. You cannot concentrate on what someone is saying if you are forming what you are going to say next. Often, the speaker can read your facial expressions and know that your mind is elsewhere.

Show interest in what is being said. Nod occasionally, smile at the person and make sure your posture is open and inviting. Encourage the speaker to continue with small verbal comments like “yes” or “uh huh.”

Try to set aside judgment. To communicate effectively, you do not have to agree with the other person’s ideas, values or opinions. However, you do need to set aside your judgment and withhold blame and criticism to fully understand them. The most difficult communication, when successfully executed, can often lead to an unlikely connection with someone.

Provide feedback. If there seems to be a disconnect, repeat what has been said by paraphrasing: “What I’m hearing is...,” or “Sounds like you are saying...” Do not simply repeat what the speaker has said verbatim, though. Instead, express what the

speaker's words meant to you. Ask questions to clarify certain points: "What do you mean when you say..." or "Is this what you mean?"

Hear the emotion behind the words. The higher frequencies of human speech impart emotion. You can become more attuned to these frequencies—and thus better able to understand what others are really saying—by exercising the tiny muscles of your middle ear (the smallest in the body). You can do this by singing, playing a wind instrument, or listening to certain types of high-frequency music (generally classical music).

Skill 2: Pay attention to nonverbal signals

The way you look, listen, move and react to another person says more about how you are feeling than words alone. Nonverbal communication, or body language, includes facial expressions, body movement and gestures, eye contact, posture, the tone of your voice and even your muscle tension and breathing. Developing the ability to understand and use nonverbal communication can help you connect with others, express what you really mean and navigate challenging situations.

You can enhance effective communication by using open body language: arms uncrossed, standing with an open stance or sitting on the edge of your seat, and maintaining eye contact with the other person. You can also use body language to emphasize or enhance your verbal message: smiling while complimenting someone on their success, for example, or pounding your fists to underline your message. You can improve how you read nonverbal communication and how you deliver it through the following:

Be aware of individual differences. People from different countries and cultures tend to use different nonverbal communication gestures, so it is important to take age, culture, religion, gender and emotional state into account when reading body language.

Look at nonverbal communication signals as a group. Do not read too much into a single gesture or nonverbal cue. Consider all the nonverbal signals you receive, from eye contact to tone of voice to body language. Anyone can let eye contact slip, for example, or briefly cross their arms. Consider the signals as a whole to get a better "read" on that person.

Use nonverbal signals that match your words rather than contradict them. If you say one thing, but your body language indicates something else, your listener may feel confused or suspect that you are being dishonest. For example, sitting with your arms crossed or shaking your head does not match words saying you agree with the other person.

Adjust your nonverbal signals according to the context. The tone of your voice, for example, would be different when you are addressing friends than when you are speaking in a professional setting. Consider the emotional state and cultural background of the person with whom you are interacting.

Avoid negative body language. Use body language to convey positive feelings even when you are not actually experiencing them. If you are nervous about a situation, you can use positive body language to signal confidence, even though you are not feeling it. Try entering a room standing tall with your shoulders back, smiling and maintaining eye contact, and delivering a firm handshake. It will make you feel more self-confident and help to put the other person at ease.

Skill 3: Keep stress in check

How many times have you felt stressed during a disagreement with your family, boss, friends, or coworkers and then said or done something you later regretted? If you can quickly relieve stress and return to a calm state, you will not only avoid such regrets, but in many cases, you will also help calm the other person. When you are in a calm, relaxed state, you will be in a better position to determine whether the situation requires a response, or whether it would be better to remain silent. Try these tips for staying calm under pressure:

- **Use stalling tactics** to give yourself time to think. Ask for a question to be repeated or for clarification of a statement before you respond.
- **Pause to collect your thoughts.** Silence is not necessarily a bad thing—pausing can make you seem more in control than rushing your response.
- **Make one point** and provide an example or supporting piece of information. If your response is too long or you waffle about a number of points, you risk losing the listener's interest. Follow one point with an example and then gauge the listener's reaction to tell if you should make a second point.
- **Deliver your words clearly.** In many cases, how you say something can be as important as what you say. Speak clearly, maintain an even tone and make eye contact. Keep your body language relaxed and open.
- **Wrap up with a summary** and then stop. Summarize your response and then stop talking, even if it leaves a silence in the room.

If things start to get heated in a conversation, you need something quick and immediate to bring down the emotional intensity. By learning to quickly reduce stress in the moment, you can regulate your feelings and behave appropriately. These tips will assist in reducing stress:

Recognize when you are becoming stressed. Your body will let you know if you are stressed as you communicate. Are your muscles or your stomach tight? Are your hands clenched? Is your breath shallow? Are you “forgetting” to breathe?

Take a moment to calm down before deciding to continue a conversation or postpone it.

Bring your senses to the rescue. The best way to rapidly and reliably relieve stress is through the five senses or movement. For example, you could pop a peppermint in your mouth, squeeze a stress ball in your pocket, take a few deep breaths, clench and relax your muscles, or simply recall a soothing, sensory-rich image. Each person responds differently to sensory input, so find things that are soothing to you.

Look for humor in the situation. When used appropriately, [humor is a great way to relieve stress when communicating](#). When you or those around you start taking things too seriously, find a way to lighten the mood by sharing a joke or amusing story, but be sure they are not off-color.

Be willing to compromise. Sometimes, if you can both sides can bend a little, you will be able to find a middle ground that reduces the stress levels for everyone. If you realize that the other person cares much more about something than you do, compromise may be easier for you and a good investment in the future of the relationship.

Agree to disagree, if necessary, and take time away from the situation so everyone can calm down. Go for a stroll outside if possible, or spend a few minutes meditating. Physical activity or finding a quiet place to regain your balance can quickly reduce stress.

Skill 4: Assert yourself

Direct, assertive expression makes for clear communication and can help boost your self-esteem and decision-making. Being assertive means expressing your thoughts, feelings and needs in an open and honest way, while standing up for yourself and respecting others. It does NOT mean being hostile, aggressive or demanding. Effective communication is always about understanding the other person, not about winning an argument or forcing your opinions on others. To improve your assertiveness:

- **Value yourself and your opinions.** They are as important as anyone else's.
- **Know your needs and wants.** Learn to express them without infringing on the rights of others.
- **Express negative thoughts** in a positive way. It's OK to be angry, but you must be respectful as well.
- **Receive feedback positively.** Accept compliments graciously, learn from your mistakes, ask for help when needed.
- **Learn to say 'no.'** Know your limits and do not let others take advantage of you. Look for alternatives so everyone feels good about the outcome.

You can use these tips to develop assertive communication techniques:

Empathetic assertion conveys sensitivity to the other person. First, recognize the other person's situation or feelings, then state your needs or opinion. "I know you've been very busy with this project, but I need some information to move forward on this other project."

Escalating assertion can be used when your first attempts are not successful. You become increasingly firm as time progresses, which may include outlining consequences if your needs are not met. For example, "If you do not abide by the contract, I'll be forced to pursue legal action."

Practice assertiveness in lower risk situations to help build your confidence. Or ask friends or family if you can practice assertiveness techniques on them first.

Of course, there are common barriers to effective communication. These include:

Stress and out-of-control emotion. When you are stressed or emotionally overwhelmed, you are more likely to misread other people, send confusing or off-putting nonverbal signals or lapse into unhealthy knee-jerk patterns of behavior. To avoid conflict and misunderstanding, you can learn how to quickly calm down before continuing a conversation.

Lack of focus. You cannot communicate effectively when you are multitasking. If you are checking your phone or planning what you are going to say next, you are almost certain to miss nonverbal cues in a face-to-face conversation. To communicate effectively, avoid distractions and stay focused.

Inconsistent/negative body language. Nonverbal communication should reinforce what is being said, not contradict it. If you say one thing, but your body language says something else, your listener will likely feel you are being disingenuous. Furthermore, negative body language will hinder effective communication. You do not have to agree, or even like, what is being said, but to communicate effectively and not make the other person defensive, it is important to avoid sending negative signals.

5B: Negotiability

As an Article 13/23 representative, your understanding of negotiability will allow you to understand the areas where you can assert your influence in identifying concerns and developing solutions. Although you do not bind PASS in your activities directly, you can express your perspective more effectively when you understand the principles of negotiability and bargaining rights. In labor law, there are three distinct areas of bargaining. They are:

1. Mandatory Subjects of Bargaining

Mandatory subjects of bargaining are subjects that, upon request, a party must bargain over. These subjects include, among other things, procedures under § 7106(b)(2) of the Statute and appropriate arrangements under § 7106(b)(3) of the Statute (unless those procedures or appropriate arrangements are contrary to some other law).

2. Prohibited Subjects of Bargaining

Prohibited subjects of bargaining are subjects that parties cannot agree to, even if they want to, because the law prohibits them from doing so. For example, parties cannot agree to matters that affect a management right under § 7106(a) of the Statute unless those matters fit within an exception to management's rights.

3. Permissive Subjects of Bargaining

Sometimes parties are permitted to bargain over matters even though they are not required to do so. These matters are called "permissive" subjects of bargaining. Some common examples are matters set forth in § 7106(b)(1) of the Statute, supervisors' and managers' conditions of employment, and agreements to bargain below the level of the agency at which bargaining between the agency and the union is required—also known

as the “level of recognition.” Agency heads cannot disapprove agreements concerning permissive subjects of bargaining. That is, they cannot disapprove agreements merely because the agencies’ negotiators could have chosen not to bargain over the permissive subjects contained in those agreements. So once an agency’s negotiators have chosen to reach an agreement concerning a permissive subject, the agency cannot later undo that choice for the duration of the agreement.

As you begin to develop strategies to address your concerns on a project, it is useful to have an idea what area of bargaining you may be entering to know if there are any limitations. It is never a bad idea to discuss any concern, but it is useful to know when you have crossed into permissive or prohibited subjects to develop a reasonable expectation for success. To gain a more in-depth explanation of the items above, you can go to the Federal Labor Relations Authority (FLRA) website and download a copy of the negotiability guide. You can also reach out to the PASS national legal staff to assist you in in these areas.

The language for the statute is included below so you can gauge your situation and see where it falls under the law.

The Statute: § 7106. Management rights

(a) Subject to subsection (b) of this section, nothing in this chapter shall affect the authority of any management official of any agency--

(1) to determine the mission, budget, organization, number of employees, and internal security practices of the agency; and

(2) in accordance with applicable laws--

(A) to hire, assign, direct, layoff, and retain employees in the agency, or to suspend, remove, reduce in grade or pay, or take other disciplinary action against such employees;

(B) to assign work, to make determinations with respect to contracting out, and to determine the personnel by which agency operations shall be conducted;

(C) with respect to filling positions, to make selections for appointments from--

(i) among properly ranked and certified candidates for promotion; or

(ii) any other appropriate source; and

(D) to take whatever actions may be necessary to carry out the agency mission during emergencies.

(b) Nothing in this section shall preclude any agency and any labor organization from negotiating--

(1) at the election of the agency, on the numbers, types, and grades of employees or positions assigned to any organizational subdivision, work project, or tour of duty, or on the technology, methods, and means of performing work;

(2) procedures which management officials of the agency will observe in exercising any authority under this section; or

(3) appropriate arrangements for employees adversely affected by the exercise of any authority under this section by such management officials.

5C: “Covered By” Doctrine

“Covered By” is a term that is used in negotiations, and as an Article 13/23 representative, your understanding will be useful in developing strategies to communicate your concerns and resolutions. Since you will not be officially bargaining these areas you can engage in discussions with your project, but it is important that you are aware the agency can refuse to bargain over subjects that are considered “covered by.”

The “covered by” doctrine rests on the principle that a party is not obligated to bargain over matters contained in or covered by an existing agreement between the parties.

- Prong 1: Is the subject matter of the change **“expressly contained”** in the collective bargaining agreement?
- Prong 2: Is the subject matter of the change **“inseparably bound up with,”** and plainly an aspect of, a subject covered by the agreement?

As an example, many times a project generates concerns around training. Although you can discuss training with your agency counterparts, the FAA can counter that training is “covered by” and they will not engage in those discussions. If that happens, you need to understand they are operating within their rights and getting frustrated or disengaged is not the best approach. An alternative would be to discuss the actual training concern and offer solutions to fix those deficiencies that do not require a bargained agreement. In the end both parties can be successful without having to rely on negotiability as the tool for resolution.

The PASS legal staff is available to help you understand this aspect of bargaining and help you present the union’s perspective and offer viable solutions.

5D: PASS Documentation

Throughout your involvement on a project, the agency will generate a host of documents to support it. These documents serve as a historical record, which is vital for PASS to keep track of the project. One of the first things you should do is request access to all documentation available, so you can review what has occurred thus far and get up to speed. PASS has a link on the member-only section of the website for each Article 13/23 project so members, representatives and the Executive Board can review them at any time. You are responsible to collect these documents and provide them electronically to Communications Manager Jessica Cigich (jcigich@passnational.org) so that they can be uploaded under your specific program. Later in this guide you will find a list of some common documents you should submit, but that list will not encompass everything as the FAA evolves with their documentation and acronyms.

You should also develop a written trail of project interactions. While engaged in conversations about concerns you would like to see addressed and resolved, both parties may agree to perform some actions. Follow up all discussions with an email confirming the discussion and identifying in writing what was agreed to by all. Ask for a written response by a specific date so you have a record. This can take time but the effort to capture a verbal agreement in writing provides a

record of each parties' commitment. Should someone not live up to this verbal agreement, there is a record of the conversation should we need to take a formal approach later for resolution. On the next page is a sample email:

This message is to confirm our latest discussion about system training development. On Tuesday of this week we discussed the need to have three additional ATSSs participate in First Course Conduct scheduled for next month. You agreed to develop the agency request and forward it to the appropriate officials and provide me a copy of the agency request. We agreed that PASS national would be given the opportunity to name candidates for these three additional evaluators. I want to thank you for bringing additional specialists to help us achieve the best possible training package for the employees. Please provide any written corrections to this message by [day and date]. If there is no written reply by [repeat day and date], then it is agreed by both parties that the information contained within is an accurate reflection of our discussion and agreement. Thanks,

Section 6: Article 13/23 Representative Information and Expectations

PASS has developed a written report template to be completed quarterly while you are representing the union as an Article 13/23 representative. This template and instructions for completing a report will be emailed to you upon your approval by the agency. Upon receipt, you will provide an initial report that contains all the programmatic information at a minimum. If you know of any concerns or needs, then you can express them but that is not required in this initial report. Quarterly reports are due the first working day of February, May, August and November. The purpose of these reports is to highlight current activities and, more importantly, identify any concerns and needs you may have with your project. Complete the programmatic information and then save the report page only (not the instruction sheet) as your own template and update the remainder of the document as you progress through the project.

Once submitted to PASS (jcigich@passnational.org), updates are included on the member-only section of the website under the appropriate program so members, representatives and the Executive Board can check the status. Please make this a priority as it is another benefit for members to stay informed.

The update form also contains a section on documentation to record the project documents being provided by the FAA. These documents will also reside under your program or activity on the PASS website. When reading the status update, members will see that supporting documents are available. Some of the common project documents are:

- Mission Needs Statement
- Requirements Documents
- Investment Analysis Plan
- Acquisition Program Baseline
- Integrated Program Plan and Schedule
- Program Review Presentations (PowerPoint presentations typically)
- Statements of Work

- Training Plans and Testing Reports
- Any records of decision
- Certification designation and documentation
- Maintenance Plan
- Human Factors Assessments
- Operational Testing Reports

Not all the listed documents will be part of your specific project, so the same caveat applies to those who are on activities versus acquisition programs. But note there will be many other documents that contain relevant information PASS would like to capture for the record. It is your expertise that will be used in evaluating the relevance of each document. In cases where you are undecided, submit them to PASS.

Another important purpose for the reports and documentation is when the agency notifies PASS through Article 70. Your personal information combined with your quarterly reports and documentation are vital in developing PASS's position and any negotiable proposals.

Article 13/23 Representative Travel

The agency activity or program office will be responsible for all PASS representative travel expenses unless the parties agree otherwise. The standard is for the FAA and the program office to provide all travel authorizations required to participate on your project. If issues arise around travel, contact the agency activity lead or program manager first to attempt resolution. If you are unsuccessful, reach out to the appropriate PASS national assistant for assistance (see page 5).

Article 13/23 Data Gathering Checklist

This information is provided as a tool to get you thinking about the information you may seek as you get engaged in your project. It is not all inclusive and may not apply to every situation, but it is meant to provide a starting point for provoking thought around the project.

Maintenance

- What is the maintenance concept?
- What maintenance activities will be required by PASS BUEs?
- Will the contractor provide maintenance, assistance or support? If yes, what is the agreement between the contractor and the FAA? Get a written copy!
- What is the contractor response time and availability requirements? This should be in the written agreement.
- If contractor maintenance is utilized, how long is it for and does it renew annually?
- Is there a date established to relinquish contractor maintenance and turn it over to PASS BUEs? If yes, what is the training plan?

Safety

- Have plans been developed to adequately address safety and health aspects of the program?
- What are the hazardous materials and conditions?
- What is the system or equipment design?
- Are there operational or procedural constraints?

- Are there biomedical concerns?
- What protective equipment is needed?
- Are there required warnings and alarms?
- Was the PASS national safety representative (or designee) provided an opportunity to conduct a safety assessment?
- Has an Operational Safety Assessment (OSA) been completed? OSA is typically conducted during the Mission Analysis phase of acquisition management. Provide the documentation to PASS.
- Has a Comparative Safety Assessment (CSA) been completed? Send documentation to PASS.

Training

- What is the minimum skill level required?
- What special skills are required?
- Are any new tools, procedures, techniques or equipment required?
- Require use of new technology, materials, solvents, lasers, etc.?
- Is work done in teams versus individually?
- Are there new methods of operation?
- Is there an increased chance of operational or other errors?
- Will vendor provide initial training to PASS BUEs?
- Will there be out-of-agency training required?
- Are there any prerequisites required?
- Is the training comprehensive to cover all required actions by PASS BUEs?

Certification

- Is system or service certification required?
- Does the current system or service require certification?
- If contractor maintenance is utilized, will PASS BUEs be required to perform certification? If yes, what is the process?
- Who is developing performance exams and OJT? When will they be ready?

Deployment

- What are the key sites?
- What is the waterfall schedule with dates?
- What is the basis for site selection and dates?
- Will installation be performed by Engineering Services or contractors?
- What installation preparations are required by PASS BUEs?

Testing

- What are the dates, duration and location?
- Has all testing been completed in accordance with AMS & Test Evaluation Processes?

Other

- Are current staffing levels adequate?
- Will changes in organizational structure be required?

- Are minimum experience levels required?
- Does it affect the work location of employees?
- Does it affect travel of employees?
- Does it extend or decrease employee commuting times?
- Are there physical changes to the employees' work environment?
- Are there changes in ventilation?
- Is there adequate and safe parking for employees?
- Is it handicap accessible?
- Is there access to medical equipment and facilities?
- Is there access to child care?
- Does this require a change in security procedures?
- Does this require a change in security clearance?

Again, this is not a full comprehensive listing but it is a starting point to get you thinking broadly as you work within your program or activity.

Section 7: Contract Language

The sections identified below directly impact the establishment and performance of Article 13 and 23 representatives. Please use this page to refresh your understanding of the contractual agreement PASS has with the FAA when necessary.

Technical Operations

Article 13, Section 2. The Parties agree that it is mutually beneficial for the Union to be involved in the various phases of acquisition and deployment lifecycle of new technologies that could affect bargaining unit employees (BUEs) and changes to existing technologies and their applications that could affect BUEs. The Parties also agree that it is mutually beneficial for the Union to be involved in workgroups established by the Agency at the appropriate organizational level to represent the Union's interest concerning the development, testing, and/or deployment of technological, procedural, NextGen or airspace changes. Further, it is in the best interest of the Parties to resolve or minimize the technical issues so as to ultimately provide for more timely resolution.

Article 13, Section 3. The Agency shall notify the Union as to the formulation of any such workgroup(s) which affects BUEs. The scope of the workgroup shall be defined in writing and communicated to each member prior to the commencement of business. The extent to which the individual Parties are empowered to reach agreement in specific areas shall be determined in writing by the respective Parties. The Union may elect to designate a representative from the affected bargaining unit(s) to those workgroup(s). Union-designated workgroup representatives will be provided access to the same information as any other workgroup member. Agreements reached by the Parties in the workgroup(s) referenced above shall be reduced to writing and shall be binding on both Parties.

Article 13, Section 5. Union-designated representatives will participate in the activities of the workgroups in a duty status, if otherwise in a duty status. If requested by the representative and

absent an emergency or special circumstance, the Agency shall change their days off to allow participation in a duty status for these purposes. When a Union representative is unable to be released to participate in a meeting, the meeting shall be rescheduled, to the extent practicable, to ensure Union participation. The Agency shall make every reasonable effort to ensure the availability of the Union representative.

Flight Standards

Article 23, Section 1. The Parties recognize that the resolution of certain issues or the proactive engagement on topics may best be accomplished through the formation of committees/workgroups at various levels within AVS.

Article 23, Section 7. The Union will designate its representative(s) on the committee/workgroup. Union representatives assigned to the committee/workgroup will be provided access to the same information as any other committee/workgroup member. 74 If the committee/workgroup includes bargaining unit employees, the Agency will collaborate with the Union to determine the participants. Employees shall be in a duty status for all workgroup activities and shall be afforded sufficient duty time for meetings and related activities. If travel is required, travel and per diem will be authorized in accordance with the FAATP.