

**MEMORANDUM OF UNDERSTANDING
REGARDING THE IMPLEMENTATION OF FOIA
ONLINE IN THE NOAA OFFICE OF GENERAL
COUNSEL**

This Memorandum of Understanding constitutes the agreement between the NOAA Office of General Counsel (NOAA GC) and the National Weather Service, NOAA Attorneys Guild (Union) regarding the implementation of FOIA online in the NOAA Office of General Counsel. The terms of the parties' agreement are as follows:

1. On the date of implementing FOIA Online, NOAA GC will notify employees in the NOAA GC bargaining unit of its implementation and will provide the opportunity for each bargaining unit member who will use FOIA Online to participate in at least one of three, one hour webinar training sessions.

2. The parties recognize that "tasks" designated in FOIA Online by NMFS personnel are intended to advance efficient and timely processing of FOIA requests but are not intended to be assignments of work by a NOAA GC supervisor or manager, unless directed by a NOAA GC supervisor or manager. Also, the "task deadlines" designated in FOIA Online are not enforceable deadlines for the stated "task" unless that deadline has been approved and directed by a NOAA GC supervisor or manager. Bargaining unit attorneys will make reasonable efforts to review FOIA responses within the timeframes identified, but no bargaining unit attorney will be assigned work by anyone other than the employee's supervisor or manager, and bargaining unit members will not be adversely affected in their performance review by any "task" not assigned to them by a NOAA GC supervisor or manager.

For the NOAA Office of General Counsel:



Benjamin Friedman, Deputy General Counsel

7/30/14

Date

For the NWSEO, NOAA Attorneys Guild:



Mitch MacDonald, Chair

8/1/14

Date