

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE NATIONAL TREASURY EMPLOYEES UNION, (NTEU); THE AMERICAN  
FEDERATION OF GOVERNMENT EMPLOYEES (AFGE); THE ENGINEERS AND  
SCIENTISTS OF CALIFORNIA (ESC); THE NATIONAL ASSOCIATION OF  
GOVERNMENT EMPLOYEES LOCAL R5-55 (NAGE R4); THE NATIONAL  
ASSOCIATION OF GOVERNMENT EMPLOYEES LOCAL R1-240 (NAGE  
NARRAGANSETT); AND THE NATIONAL ASSOCIATION OF INDEPENDENT  
LABOR (NAIL)  
AND  
THE U.S. ENVIRONMENTAL PROTECTION AGENCY**

This Memorandum of Understanding (“MOU”) between the National Treasury Employees Union, (NTEU); The American Federation of Government Employees; the Engineers and Scientists of California (ESC); the National Association of Government Employees Local R5-55 (NAGE R4); the National Association of Government Employees Local R1-240 (NAGE Narragansett); and the National Association of Independent Labor (NAIL) (collectively the “Unions”) and the Environmental Protection Agency (“EPA,” “Agency,” or “Employer”) (collectively, “the Parties”) addresses the Agency’s decision to transition from IBM MaaS360 to Microsoft Intune for iPhone and iPad device management. This initiative does not include Agency issued laptops.

1. **General Information.** Microsoft Intune is a cloud-based service that focuses on mobile device management and mobile application management. Before enrolling into Microsoft Intune, all devices will require wiping (factory reset). An electronic process will be developed requiring mobile users to sign off that they have complied with the Agency records guidelines. This process will be addressed in the pre-migration communication that will be distributed to all mobile users. Users will have five (5) workdays to back up their records and sign the records certification. Users will be asked to immediately wipe their device after they sign the records certification; otherwise, a remote wipe will be performed after 6:00 p.m. on the day they sign the records certification. If a user does not comply with this process, then a notice will go to the employee’s Information Management Official (IMO), and if the employee does not respond within two (2) weeks from the date of the notice then e-mail will be blocked on their device. The deployment of Microsoft Intune will be scheduled by the region/program office.
2. **Notice and Training.** EPA will provide the following information in a communication to employees prior to the rollout of this initiative: a copy of this MOU; notice that voluntary Lunch and Learn sessions will be conducted to advise employees of the initiative, during which employees will be allowed to ask questions. These Lunch and Learn sessions will provide a description of the initiative, including a tutorial on the process and changes as a result of the transition; a tutorial on the process to save text messages as a record; an

explanation of the electronic process that users will use to sign off that they have complied with the Agency records guidelines; and the planned deployment schedule.

3. **Leave and Additional Time to Enroll.** Days on which employees have scheduled leave will not count towards the five (5) workdays employees have to sign the records certification. The Agency will proactively coordinate the enrollment process around employees' leave schedules. The Agency recognizes that some employees may require extra time in addition to the five (5) workdays provided to sign the records certification due to extenuating circumstances (e.g., the employee has mission-related work priorities or is out of the office unexpectedly). Employees may coordinate with their supervisors and/or IMO to extend the timeframe to sign the records certification in such circumstances.
4. **Security Features.** The Parties agree that Microsoft Intune is a tool used to manage the mobile device and ensure it is secure and will not be used to monitor employees' work, track employees, or measure productivity.
5. **Unanticipated Changes and Technical Support.** The Parties agree that the Agency does not anticipate or intend to make any changes to lose or reduce the functionality of the employee's device once enrolled in Microsoft Intune. Should the employee need additional support before, during, or after the Microsoft Intune transition, they may contact their local help desk or their [mobile device administrator](#).
6. **Completion of Transition.** All time associated with compliance of the Microsoft Intune transition will be completed during duty hours.
7. **Timeframes.** If the timeframes outlined in this MOU for transitioning to Microsoft Intune are not adhered to, the device will cease to receive and send emails. The Labor and Employee Relations Division agrees to communicate this to the appropriate union prior to this action taking place.
8. **Reopener.** Either party may reopen this Agreement at any time after twelve (12) months of its effective date or if a significant change to user functionality occurs. The parties may mutually agree to reopen or terminate this Agreement at any time.
9. **Effective Date.** This Agreement will become effective upon Agency head review or on the thirty-first (31<sup>st</sup>) day after execution, whichever occurs first.

For the Union:

Timothy Seidman  
Digitally signed by Timothy Seidman  
Date: 2021.09.20  
09:26:50 -04'00'

Tim Seidman, NTEU

Date: \_\_\_\_\_

*Gary Morton*  
Gary Morton, AFGE

Date: 9/20/21

*Mark A. Sims*  
Mark Sims, ESC

Date: 09-20-2021

*Zakiya Davis*  
Zakiya Davis, NAGE R4

Date: 09/20/2021

*Lesley Mills*  
Lesley Mills, NAGE Narragansett

Date: 9/21/21

*Leah Oliver*  
Leah Oliver, NAIL

Date: 9-21-21

For the Agency:

*Denise Castro*

Denise Castro, EPA

Date: 9/17/2021