

**ARTICLE 1: PARTIES TO THE AGREEMENT, RECOGNITION,
AND DEFINITION OF BARGAINING UNIT**

PARTIES TO THE AGREEMENT

1.1 The parties to this Agreement are the U.S. Department of Agriculture, Foreign Agricultural Service, hereinafter known as the "Agency," "Employer," "FAS," or "Management," and the American Foreign Service Association, hereinafter known as the "Union" or "AFSA/FAS." FAS and AFSA/FAS shall be jointly referred to as the "Parties."

UNIT OF RECOGNITION

1.2 The unit of recognition covered by this Agreement is that unit certified by the Federal Labor Relations Authority in Case No. WA-RO-40033F. FAS recognizes AFSA as the sole and exclusive bargaining agent of all foreign service bargaining unit members.

BARGAINING UNIT COVERAGE

1.3 Per Section 1012 of the Foreign Service Act of 1980 (hereinafter referred to as "the Act"), included in the bargaining unit are all Foreign Service employees employed by FAS worldwide. Excluded from the bargaining unit are all employees engaged in personnel work, in other than a purely clerical capacity, and employees engaged in criminal or national security investigations or who audit the work of individuals to insure that their functions are discharged honestly and with integrity.

1.4 The Parties recognize that the management officials as defined in Section 1002(12) of the Act, are excluded from the bargaining unit. Consistent with the cited definition, the following FAS positions are acknowledged to meet that definition:

- a. Administrator
- b. Associate Administrator
- c. General Sales Manager
- d. Deputy Administrator
- e. FAA Assistant Deputy Administrator

- 1.5 Further, the Parties recognize that the Federal Labor Relations Authority will resolve disputes over whether any other FAS management official meets the referenced definition in accordance with applicable law and regulations.

ASSIGNMENT OF WORK TO SPECIFIC FAS OFFICIALS

- 1.6 The Parties recognize management's right to assign work in accordance with Section 1005 of the Act and Article 5 of this agreement. Consistent with that right, the Parties acknowledge that this Agreement contains work assignments to be performed by specific agency officials referred to by position (e.g. Administrator FAS, Deputy Administrator FAA). Such language is not intended to contractually bind management to assign the stated work to those officials. Rather, it is intended to reflect management's decision to make those assignments in accordance with its reserved right to assign work. It is included in the Agreement as a matter of administrative convenience to promote full understanding of the processes and procedures contained herein.

CERTIFICATION

- 1.7 A copy of the Federal Labor Relations Authority (FLRA) certification is found in Appendix 1.