

ARTICLE 10: CONTRACT DURATION AND RENEWAL

EFFECTIVE DATES

- 10.1 Full-term or mid-term agreements will be submitted for Agency Head review after AFSA/FAS certifies that they have been ratified by its bargaining unit.
- 10.2 This agreement shall become effective on the date approved by the Agency Head or on the date on which the 30-day time limit for Agency Head review expires, whichever is earlier.

DURATION

- 10.3 This agreement shall remain in effect for four (4) years from its effective date. Thereafter, it shall automatically renew in increments of one (1) year on the day after the anniversary date.

FULL-TERM NEGOTIATIONS

- 10.4 Either Party may serve the other with notice of a desire to amend, supplement or renegotiate specific section(s) of this agreement, in whole or in part. Such notice shall be provided in writing by either Party to the other not more than one hundred and twenty (120) calendar days nor less than sixty (60) calendar days prior to the anniversary date of this Agreement.
- 10.5 Upon receipt by either Party of notice, the Parties will meet within ninety (90) calendar days of receipt of a proposal to begin full-term negotiations, unless another time frame is mutually agreed upon or negotiated.

EXTENSION OF EXISTING AGREEMENT

- 10.6 When either Party notifies the other that it wishes to modify this Agreement, this Agreement will be extended until the effective date of the modified agreement.

AGREEMENT UNDER THIS ARTICLE

- 10.7 Any agreements reached under the provisions of this Article shall be deemed to be supplemental to this Agreement and will expire when this Agreement expires.
- 10.8 Should a provision of any agreement negotiated pursuant to this Article be rendered invalid by appropriate authority, either Party may reopen the specifically affected section as well as issues related to any invalid section. Notwithstanding this Article, nothing shall affect the authority of Management to take whatever actions may be

necessary to carry out its mission during emergencies.

MANDATED CHANGES

- 10.9 Future statutes or Judicial decisions may require the Parties to change this Agreement. If any part of the contract is found to be unlawful or invalid, the rest of the contract will remain in force, and the Parties will negotiate substitute language for the invalidated portion. If either Party desires to negotiate the impact and implementation of a change, it shall provide written notification requesting bargaining to the other Party. Such notice shall be followed by submission of a specific formal proposal for negotiations or a request to use interest-based bargaining techniques within ten (10) work days of the request to bargain.
- 10.10 The receiving Party will respond within ten (10) work days of receipt of the request to bargain.
- 10.11 Neither Party will be permitted to propose changes unrelated to the change specifically required by statute or Judicial decision.
- 10.12 To the extent permitted by statute or Judicial decision, Management will delay the implementation of such change until such time as the Parties complete negotiations on all negotiable issues connected with the change.

MID-TERM NEGOTIATIONS

- 10.13 Either Party may serve the other notice of a desire for mid-term negotiations to amend, supplement or renegotiate specific section(s) of this Agreement. Such notice shall be provided in writing by either Party to the other not more than one hundred and twenty (120) calendar days nor less than sixty (60) calendar days prior to the mid-anniversary date of this Agreement.
- 10.14 During mid-term negotiations, each Party may request to amend, supplement, or renegotiate up to five (5) articles contained in this contract. By mutual consent, more than five (5) articles may be reopened by a Party.
- 10.15 Requests for mid-term negotiations will normally be accompanied by written proposals. The proposed changes will be identified from the existing agreement. If a Party elects to use an interest-based approach to bargaining, a request for mid-term negotiations using this approach and stating the issues of concern will meet this notice requirement.

OTHER NEGOTIATIONS

10.16 Requests for bargaining over procedures, substance or appropriate arrangements related to changes in working conditions not covered in this Agreement will follow the process found in Article 11 (Reorganization and Changes in Working Conditions).

10.17 IMPASSE PROCEDURES

- a. Declaration of Impasse can be made by either Party.
- b. Neither Party may declare an impasse until all articles and sections have been negotiated. The Parties agree that each will use their best good-faith efforts to avoid impasse.
- c. In the event either Party declares an impasse, the Collaboration and Alternative Dispute Resolution Program (CADR) of the Federal Labor Relations Authority shall be immediately requested to provide services and assistance to resolve the dispute.
- d. If mediation services of the CADR do not result in resolution of the impasse, either Party may invoke the services of the Foreign Service Impasse Disputes Panel. Prior to taking such action, the Party seeking to invoke the services of the Foreign Service Impasse Disputes Panel will provide notice to the other Party of its intent to take such action.

NON-NEGOTIABILITY PROVISIONS

10.18 Either Party declaring a provision non-negotiable will provide to the other Party a statement of nonnegotiability and reasons therefore, without prejudice to later supplementation of the reasons.

10.19 The services of the CADR may be used if agreed to by both Parties. Otherwise, the procedures in 22 CFR 1424 will be followed.