

**MEMORANDUM OF UNDERSTANDING REGARDING  
THE IMPLEMENTATION OF ELECTRONIC OFFICIAL PERSONNEL  
FOLDERS (e-OPF)  
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 Union regarding the implementation of e-OPF in NOAA GC. The terms of the parties' agreement are as follows:

1. NOAA Workforce Management Office (WFMO) has represented to NOAA GC that NOAA will maintain hard copy OPFs pursuant to final OPM policy. No hard copy OPFs will be discarded by NOAA pending finalization of OPM regulations. The parties acknowledge that NOAA GC currently does not have possession of or direct control of hard copy OPFs and to the extent that it does not have direct control, it does not have direct control over when or if hard copy OPFs are discarded. If NOAA GC gains direct control of an employee's hard copy OPF, it will not discard that OPF until NOAA GC receives the employee's written consent.

2. If requested by an employee, NOAA GC will make best efforts to see that WFMO provides the employee with access to his or her e-OPF, so that the employee will have the opportunity to verify the completeness of his or her hard copy OPF, and the accuracy of documents that are to become part of his or her e-OPF.

3. A. If requested by an employee, NOAA GC will make best efforts to see that necessary corrections to the employee's e-OPF are made.

B. If requested by an employee, NOAA GC will make best efforts to ensure that complete resolution is reached regarding any errors in the employee's e-OPF.

4. If NOAA GC learns that an employee's hard copy OPF cannot be located and accounted for, NOAA GC will notify the affected employee in writing or via email as soon as possible.

5. The parties acknowledge that NOAA GC currently does not have control over the employee access codes used for e-OPF files. NOAA WFMO has represented to NOAA GC that employee access to the e-OPF involves a unique identifier that is not the employee's Social Security number. The unique identifier involves the employee's last name, combined with a system-assigned random number.

6. NOAA WFMO has represented to NOAA GC that only personnel authorized by law or regulation will have access to an employee's e-OPF. The parties acknowledge that NOAA GC does not have control over which personnel will have access to an employee's e-OPF.

7. If NOAA GC learns that an employee's e-OPF has been accessed by unauthorized personnel, NOAA GC will notify the affected employee in the most effective ways available as soon as possible.

8. During the process of converting hard copy OPFs to e-OPFs, if requested by an employee, NOAA GC will support an employee's request to WFMO to obtain all necessary access to OPFs, whether in hard copy or in e-OPF copy, so that all personnel functions will proceed; i.e., promotions, transfers, provision of health and death benefits, pension, etc.

9. NOAA WFMO has represented to NOAA GC that NOAA is complying with a certain certified and accredited security plan in accordance with e-OPF e-GOV security requirements. The parties acknowledge that NOAA GC does not have control over the security requirements observed by WFMO.

10. Upon request, NOAA GC will identify for employees (i.e., provide the names, phone numbers and mailing addresses of) the human resources staff who support the e-OPF system and who can resolve an employee's questions about his or her e-OPF.

11. An employee may access his or her e-OPF from a worksite location, before, during, or after working hours, as deemed necessary by the employee. If an employee is not able to access his or her e-OPF, then the employee can call NOAA WFMO to request information from the e-OPF.

12. If NOAA GC management determines that there is sufficient business justification for an employee to have a VPN connection for his or her home computer, other than access to e-OPF, management will make the appropriate arrangements.

13. If an employee is approved for a VPN connection, then arrangements will be made as soon as is reasonably possible in coordination with the appropriate IT office.

For the NOAA Office of General Counsel

12/19/08

Date

Jane C. Lupton

For the Union

Dec. 5, 2008

Date

Marguerite Matera

Marguerite Matera, Chair,  
NOAA Attorneys Guild