

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
NATIONAL TREASURY EMPLOYEES UNION  
AND  
INTERNAL REVENUE SERVICE,  
REGARDING BEDBUG PROTOCOL**

The presence of bed bugs has been on the increase across the United States. The IRS has already determined a presence of bed bugs in several offices. The IRS acknowledges that it has an obligation pursuant to Article 27 of the parties' 2009 NA II and applicable law to ensure a safe and healthy work environment for all IRS employees. This Memorandum of Understanding (MOU) addresses a standard protocol pertaining to bed bug surveillance, notification, education, response and prevention in IRS workspace.

Bed bugs are prevalent throughout the U.S. and the world. They are small wingless insects that feed solely upon the blood of warm-blooded animals/humans. Historically, these parasites were most commonly found in homes, dormitories, hotels, motels and on military bases. However, in recent years an increasing number of offices, schools and other types of non-residential public and commercial buildings are being challenged by them. Although the Center for Disease Control (CDC) has stated that bed bugs are not known to transmit disease, it is recognized that bed bugs can cause a variety of negative physical health, mental health and economic consequences.

Controlling bed bugs in office buildings poses some unique challenges. Based on CDC information not only is it a complex environment, but unlike residential settings early detection is rare, visual inspection is difficult, bedbugs may be dispersed over a large area, identifying the point of introduction may be problematic and bed bug reintroduction is always possible.

All employees will be provided with information explaining how to prevent and treat a presence of bed bugs in the home.

Because bed bugs are now prevalent in many metropolitan areas, all IRS employees should be mindful of the potential for exposure to bed bugs during travel, in the office, and at home. The IRS communications on bed bugs will periodically provide useful links and reference materials to prevent and address the presence of bed bugs.

In order to address this important issue, this initiative will be implemented as follows:

1. Notice to Employees.

Pursuant to Article 8 of the parties' 2009 National Agreement II (NA II), and prior to implementation, the Employer will hold Section 7114 formal meetings to advise employees of this MOU and to answer employee questions. Formal meetings

will be held telephonically, or during regular group meetings, within a reasonable period of time after execution of this MOU.

The IRS will provide all impacted bargaining unit employees with a copy of the MOU within five (5) days of its execution. The Employer will ensure that hard copies of this MOU will be provided to all impacted employees who do not have routine access to the IRS intranet, including those employees without assigned desktop or laptop computers.

The parties acknowledge that the IRS has been disseminating communications regarding bed bug problems to bargaining unit employees at impacted offices via weekly newsletters and all employee emails, or as frequently as new information becomes available. The IRS will continue to maintain these communication strategies, and make them available to all bargaining unit employees.

The Employer will create and maintain a link on its intranet where employees may find information on the bed bugs problem, including a frequently asked questions (FAQ) section and a mechanism whereby employees may submit questions and concerns and receive responses to them.

Employees will be given a reasonable amount of administrative time (generally no more than 15 minutes per communication) to review IRS communications on bed bugs, as well as a reasonable amount of administrative time to review this MOU.

## 2. Protocol for Bed Bugs in the Workspace.

A. Employees or their managers should contact Real Estate and Facilities Management (REFM) via the Employee Resource Center (ERC) to report a suspected bed bug problem if:

1. A suspected bed bug is discovered in or near their work area; or
2. The employee believes he/she may have been exposed to bed bugs in the workspace (for example, if they have bite marks or welts) or
3. The employee has other reason to believe they or their work areas have been, or are likely to be, exposed to bed bugs.

If there are no REFM personnel available to be contacted during swing shifts or night shifts, employees should contact their manager to report a suspected bed bug problem.

*NOTE: It is recommended that employees who believe they have possible evidence of bed bug exposure (for example, bite marks or welts) visit an FOH Health Unit or their personal physician. The employee will not be directed to leave the workplace.*

- B. The ERC ticket will be forwarded to the local REFM office. Upon receiving the ticket, REFM will promptly contact the ticket originator. The ticket originator will be asked to complete the Insect Evaluation Questionnaire (Appendix 1) and provide the bed bug specimen, if gathered. The REFM POC can provide instructions to the initiator on the best way to gather the specimen. No employee will be required to gather a specimen. However, a specimen is useful for a number of reasons. A specimen would help to confirm that there is a bed bug presence and that the area needs to be treated.
- C. Once the ticket originator returns the questionnaire to the local REFM POC, that questionnaire will be forwarded promptly to the POC's Section Chief and Territory Manager.
- D. If a bed bug presence is suspected in or near the workspace, based on the ERC ticket, questionnaire and/or visual identification, or other relevant information, REFM will promptly contact a licensed pest control contractor and schedule the inspection and, if needed, the treatment. Local impacted NTEU Chapters will be notified promptly of any suspected presence of bed bugs. It is acknowledged that bed bugs may migrate, and inspections need not be limited to the work area(s) where the presence of bed bugs was initially identified or suspected. The Employer will inspect and/or treat surrounding work areas as recommended by the pest control contractor.
- E. If a presence is confirmed, by the pest control contractor, upon notification from REFM; the SCR, AO, or Site Coordinator, will promptly notify management, the building occupants, and the local NTEU Chapter of the pest contractor treatment appointment (Sample Notification Form - Appendix 2).
- F. Effective eradication may include the request for employee assistance with packing and removal of personal items, and stored materials/files. Any employee assistance with removal of items from the workspace will be performed on duty time.
- G. REFM, management, and/or NTEU may meet with, and accompany the pest control contractor during the inspection/treatment process. The local NTEU Chapter(s) will be invited in advance when an inspection is scheduled, and provided in advance with a copy of the ERC ticket(s), and any insect evaluation questionnaire(s) completed by the employee(s) initiating the ERC ticket(s).
- H. Inspections will be conducted by a licensed pest technician and/or a licensed pest technician accompanied by a trained, pest-detecting canine. Treatment will be recommended by the pest control professional, and the material safety data sheet (MSDS) of all products used in the treatment will be provided to the contract COTR who will forward them to the Safety Officer. Upon request,

the results of any such inspection, including the recommended treatment, treatment verification documents and Material Safety Data Sheet (MSDS), will be provided to the local impacted NTEU Chapters and to the impacted employees. Inspection and treatment verification documentation will be maintained by the local REFM territory. The IRS will follow best practices according to guidelines from the CDC and other recognized industry authorities when conducting inspections and treatment.

- I. During treatment, and until it is safe for employees to return to the treated workspace, the IRS will post multiple Notification Tags (Appendix 3) throughout the area that was treated (100 foot minimum), though the square footage of the area treated may be different depending on the treatment method, layout of the area and other specific details of the situation. No Notification Tag will be placed on any individual employee's work station. Upon the request of any employee, the Employer will promptly provide written information, which will include the MSDS, on what chemicals are being used to treat the workspace.
  - J. Because of the nature of this pest, multiple treatments and inspections could be necessary.
3. Relocation/Telework. If necessary, during the treatment of a targeted area, employees in that targeted area may be temporarily relocated within the Campus/POD, consistent with Article 27 Section 1.B of the NA II. Additionally, telework arrangements may be offered. If telework arrangements are offered, managers are encouraged to be flexible regarding telework, including allowing temporary telework arrangements, and making a temporary exception to the requirement that a telework employee report at least twice per pay period to the regular worksite. If such temporary relocation or telework is not possible during the treatment of the targeted area, and the Employer closes the office or part of the office, employees may be granted administrative leave.
  4. Alternate Duties and Reassignment of Work. The Employer will follow the provisions in Article 27 Section 1C to reassign tasks if employees present acceptable medical documentation that particular tasks presently assigned to them pose a health hazard. The Employer will follow the provisions of Article 16 of the NA II when temporarily assigning higher graded duties to bargaining unit employees to accommodate staffing and workload needs as a result of employee absences in connection with bed bug infestations.
  5. Leave and Absence. IRS employees may use FOH services to address medical issues related to exposure or suspected exposure to bed bugs, including bites or welts. Consistent with workload and staffing needs, employees will be granted a reasonable amount of administrative time for this purpose, including travel to and from a FOH unit in the employee's post of duty or within the commuting area if there is not a FOH unit on the premises. In accordance with law and regulation

and pursuant to the 2009 National Agreement II, employees may use sick leave, annual leave, accrued credit hours or accrued compensatory time for appointments with their personal physician.

Employees using approved leave will not be negatively impacted because of absences from work due to illness due to exposure or suspected exposure to bed bugs at IRS work sites. In addition, use of approved leave for this purpose will not be the sole basis for a leave usage review.


6. Detection and Infestation. If bed bugs are suspected or detected in the work space, employees will not be directed to leave the workspace (except as may be necessary temporarily to treat the area), and will not be required to address the presence or suspected presence of bed bugs in their homes, or to certify that their homes were inspected or treated for bed bugs.
7. Grievances. Grievances related to bed bug infestations may be brought under the streamlined grievance process in Article 41 of the NA II.
8. Health & Safety Committees. In addition to any regularly scheduled meetings of local Health & Safety Committees, NTEU and the IRS may mutually agree to convene the local Health & Safety Committee to discuss issues that arise from bed bug infestation or suspected infestation. These meetings may be conducted telephonically.
9. Significant Problems. If either of the parties becomes aware of significant unanticipated problems that arise following the implementation of this protocol, the Agency or NTEU will inform the other, and the parties will meet or discuss telephonically and attempt to resolve them as soon as possible.
10. Reopener. Either party may reopen this MOU twelve (12) months from the date that it becomes effective. The parties may mutually agree to reopen it prior to that time.
11. Effective date. This agreement will become effective upon Agency head review or on the thirty-first (31st) day after execution, whichever is first. Unless the parties agree otherwise during reopener negotiations, the MOU will expire two years after execution of the agreement.

For NTEU:

  
\_\_\_\_\_  
Anna Gnadt  
National Negotiator, NTEU

4/29/11  
Date

For IRS:

  
\_\_\_\_\_  
David Krieg  
Director, Workforce Relations Division

4/26/11  
Date

**Appendix 1**  
**Insect Evaluation Questionnaire**  
**REFM Integrated Pest Management**  
**IRS Environmental Health and Safety**

**Date:** \_\_\_\_\_ **ERC Ticket Number:** \_\_\_\_\_

**Caller:** \_\_\_\_\_

**Phone Contact Number:** \_\_\_\_\_

**Building** \_\_\_\_\_

**Work Zone/Area** \_\_\_\_\_

1. Have you seen suspected bed bugs in your specific work space?    Yes    No
2. Have you seen suspected bed bugs in other work areas?    Where: \_\_\_\_\_
3. Are you or your co-workers experiencing any bites?                      Yes    No
4. Have any old/new/used items been brought into the work areas of concern? (computer, furniture, clothing, shoes, personal items?)                      Yes    No

Notes:

Information documented by REFM Safety Officer: \_\_\_\_\_

Sent to Logistics Chief: \_\_\_\_\_ Date faxed/mailed: \_\_\_\_\_

**Appendix 2  
Sample Notification**

**Dear NTEU/Building Personnel:**

**To: Employees, Building XXXX and NTEU Chapter # XX:**

**We have recently found a suspected bed bug in a work area. Bed bugs are a nuisance, but their bites are not known to spread disease. They are small, wingless insects that can feed on sleeping people and animals. They are usually active and feed on blood at night. The bite is initially painless; but it may become swollen and itch, much like a mosquito bite. If you have personal concerns, you should visit the Federal Occupational Health (FOH) Health Unit or call your physician.**

**The source of bed bugs often cannot be determined, as bed bugs may be found in many places including hotels, planes, buses and movie theaters. The IRS will conduct an inspection and, if indicated, treatment of the appropriate areas. The fact that an area is being treated does not mean that area was the actual source of the infestation or suspected infestation.**

**An inspection of \_\_\_\_\_ [insert name of area/building] is currently scheduled for \_\_\_\_\_ [insert date].**

**The IRS will continue to work to identify bed bugs, provide thorough inspections of work spaces and have licensed pest control specialists treat areas if a problem is found.**

**If you have any questions regarding bed bugs in your work space, please contact the local REFM office at \_\_\_\_\_. If you have any additional general questions regarding bed bugs in homes or would like to use the hotel bedbug registry, please visit the following internet web sites.**

**<http://www.nyc.gov/html/doh/html/vector/vector-faq1.shtml>**

**<http://bedbugregistry.com/>**

**[http://www.cdc.gov/nceh/ehs/publications/Bed\\_Bugs\\_CDC-EPA\\_Statement.htm](http://www.cdc.gov/nceh/ehs/publications/Bed_Bugs_CDC-EPA_Statement.htm)**

**Sincerely,**

**REFM Representative \_\_\_\_\_**

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

**Appendix 3**  
**IRS REFM Environmental Health and Safety**  
**Notification Tag**

# STOP

**Please do not enter. REFM is currently working in this area. Chemicals may be used in this process.**

**Date:**

**Time:**

**You must wait \_\_\_\_\_ before entering this area.**

**Questions? Call your local REFM at: \_\_\_\_\_**