

TENANT AGREEMENT
Office of the Chief Human Capital Officer (OCHCO) and the
Environmental Management Consolidated Business Center (EMCBC)

This Tenant Agreement delineates the relationship between the OCHCO and the EMCBC. This Tenant Agreement outlines respective OCHCO and EMCBC responsibilities and authorities and describes the functions and services that the EMCBC will provide to the OCHCO.

Background

OCHCO assumed Operations on October 5, 2015 in accordance with Secretary Moniz Directions. While the bulk of Management and Performance (M&P) Shared Service Center (SSC) staff will be located in Cincinnati, several existing DOE human resources (HR) professionals at various locations throughout the country will also be part of the OCHCO staff. In addition, Office of Corporate Executive Management (OCEM) will have staff located at EMCBC.

DOE established the EMCBC on June 7, 2004, to provide EM customers with required and improved business and technical support services. The result is consolidation in a central location of many functions necessary to support the Office of Environmental Management's (EM) mission, while reducing redundancies of services being performed at individual sites and allowing EM to operate in a more cost efficient and effective manner. Services are provided in the areas of: Technical Support and Asset Management, Financial Management, Information Resources Management, Contracting, Cost Estimating and Project Management Support, and Legal.

To avoid duplication, take advantage of economies of scale and co-location of OCHCO and EMCBC, and leverage existing capabilities, EMCBC will provide various support services to the OCHCO. EMCBC currently provides a variety of business support services to 15 other DOE offices/sites via Service Level Agreements. The Director, Human Capital Management (HCM) retains all authority and responsibility with respect to management and supervision of OCHCO staff in achieving improved HR service delivery via the shared services concept. Nothing in this Tenant Agreement shall be read or interpreted in such a manner as to limit or otherwise change the authorities of either the HCM Director or the EMCBC Director.

Purpose

The purpose of this Tenant Agreement is to: 1) outline the responsibilities and authorities between OCHCO and EMCBC, and 2) identify those support services that EMCBC will provide to OCHCO.

Tenant Agreement

Between

The Environmental Management Consolidated Business Center (EMCBC)

And

The Office of the Chief Human Capital Officer (OCHCO)

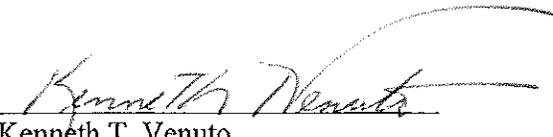
The attached document outlines the roles and responsibilities, authorities, and working relationships between the EMCBC, Department of Energy (DOE) Office of the Chief Human Capital Officer and the provision of legal services. This Tenant Agreement shall remain in effect until such time that it is amended by the EMCBC Director, the Director, Office of Human Capital Management (HCM) and the Office of General Counsel

Approved:



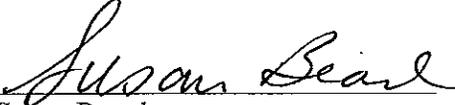
Ralph E. Holland
Director, EMCBC

11/9/15
Date



Kenneth T. Venuto
Director, HCM

11/9/15
Date



Susan Beard
Assistant General Counsel for General Law
Office of General Counsel
(For purposes of Attachment paragraph 7 only)

11/10/15
Date

While an attempt has been made in Attachment 1 to outline support functions and services to be provided by EMCBC to OCHCO, there is the potential that activities have been overlooked or may need to change over time. Thus, this Tenant Agreement should be considered a living document, subject to change with the written agreement of both the EMCBC Director and the HCM Director. In the event of an addition or deletion of a function or service, the change will become effective once agreed upon in writing by both parties, and Attachment 1 will be modified as needed to reflect the change. For areas not identified specifically in this Tenant Agreement, OCHCO may seek support from either EMCBC or other offices, as the HCM deems appropriate. The reimbursement of EMCBC costs to provide the services outlined in this agreement is covered in the Memorandum of Agreement between the Office of Environmental Management and the Office of the Chief Human Capital Officer. The OCHCO will include the costs to provide the services outlined in this agreement in the budget for the annual funding agreed upon between the Office of Environmental Management and the OCHCO. If the amount budgeted by OCHCO to cover the costs of services provided by the EMCBC is insufficient, EMCBC and OCHCO will determine which services to curtail.

ATTACHMENT 1

1. Human Resources Management (HR)

The Chief Human Capital Officer (CHCO) delegates human resources (HR) authorities to the Director, Human Capital Management (HCM). The delegations are passed to Office of Corporate Human Resources then to the Shared Service Centers (SSC) for non-SES Human Capital authorities. For all SES and other Executive authorities, HR authorities are delegated to the Office of Corporate Executive Management (OCEM). The CHCO and the subordinate offices are responsible for execution of those authorities. Part of the execution of that authority will be to provide HR services to EMCBC. EMCBC will have designated HR Business Partners (HRBPs) on its staff who will act as the focal point/liaison with OCHCO in obtaining and coordinating required HR services for employees of EMCBC and its serviced sites.

2. Contracting/Procurement

Contracting/Procurement services will be provided to HC personnel by OCHCO headquarters (HQ).

3. Financial Management

Financial Management services will be provided to HC personnel by OCHCO HQ.

4. Information Resource Management (IT)

The HCM Director, in conjunction with the Management and Performance Shared Service Center (M&P SSC) Director, will make determinations with respect to matters concerning the need for and procurement of information technology (IT) and IT services. OCHCO will designate an IT/Information Resource Management (IRM) point of contact who will serve as a liaison between the Human Capital (HC) assigned personnel and EMCBC for IT/IRM issues. EMCBC will provide support in the following areas of IT/IRM, as requested by OCHCO:

- A. Voice Over Internet Protocol (VOiP) phones (fee associated with services) to include Polycoms
- B. Network data transmission to Department of Energy Network (DOENET) (fee associated with services)
- C. Maintain physical data infrastructure (fee associated with services)
- D. Video Conference Equipment Usage – SSC will provide a single POC to coordinate VTCs with IRM.
- E. Backup support to onsite Energy Information Technology Services (EITS) personnel.
- F. Space on 6th floor for EITS Contractor

Additionally, EMCBC Information Resource Management (IRM) will provide HR SSD with consultation on any Information Technology issues or questions that pertain to the HR SSD.

5. Real and Personal Property

EMCBC will provide support, as requested, to HC Personnel in the following areas:

- A. Management, accountability, and disposal of personal property, including equipment, supplies, and materials acquired and owned, rented, or leased by DOE;
- B. Management, accountability, and disposal or acquisition of real property or any interest in real property (e.g., acquiring leases for property to conduct activities in support of the OCHCO mission). Furniture upgrades as required
- C. Janitorial services (per lease)
- D. Use of Training Space
- E. Interaction with building landlord
- F. Leases, build-outs and moves

6. Transportation Management

EMCBC will provide support services, as requested, to HC Personnel related to the movement of personnel and material and management of the DOE-owned/leased vehicle fleet.

7. Legal

The following terms apply to the division of legal services provided to General Schedule employees and applicants. All personnel matters involving employees and positions serviced by the Office of Corporate Executive Management will be referred to the Office of the Assistant General Counsel for General Law (GC-56) for primary representation; local counsel will assist whenever possible.

- A. Legal services for onsite Human Capital personnel will be provided by legal counsel onsite at the EMCBC. SSC employees' duty stationed at Richland, Savannah River or HQ will receive these services from counsel at those sites. Examples of services provided to these individuals are:
 - 1. Providing ethics counseling and reviewing financial disclosure forms for SSC employees.
 - 2. Defending the Agency against appeals or complaints filed by SSC employees and providing guidance regarding performance and disciplinary/adverse actions. (In cases where the employee and supervisor or Responsible Management Official (RMO) are at two

different duty stations, the duty station of the supervisor or RMO will be controlling).

- B. Questions regarding the application of statutes or regulations to HC policy or practice will be provided by GC-56 through OCHCO.
- C. Engaging in labor negotiations with local unions and handling grievances and arbitrations before the Federal Labor Relations Authority will be handled by legal counsel at the site where the union provides representation with the exception of the local union representing Office of Legacy Management (LM) field employees. Matters involving that local union will be handled by GC-56.
- D. Defending the Agency from challenges to or questions about personnel actions, such as recruitment and staffing, will be provided by the relevant legal counsel at the site at which the position in question is located, except as noted below. This includes:
 - 1. Freedom of Information Act (FOIA) advice and counsel will be provided by legal counsel at the site at which the position in question is located. However, LM FOIAs will continue to be processed pursuant to the agreement between the EMCBC and LM.
 - 2. Legal counsel at the site at which the position in question is located will provide advice and counsel for any grievances, Office of Special Counsel or Equal Employment Opportunity (EEO) complaints, Merit Systems Protection Board appeals, etc. For matters involving LM field employees, these services will be performed by GC-56.

Local counsel or the program may request that GC-56, another office within HQ-GC, or another field site's legal counsel assist or take responsibility for advice and representation when local counsel is conflicted out from participation in the matter or circumstances warrant.

8. Equal Employment Opportunity (EEO)/Diversity

EMCBC will provide support services to HC Personnel located at the SSC in the following areas related to EEO/Diversity and Inclusion:

- A. Development of EEO/Diversity and Inclusion policy, practices and procedures
- B. Processing Complaints of Discrimination for employees and applicants
- C. Providing EEO Counseling and Alternative Dispute Resolution (ADR) services
- D. Providing Affirmative Employment Program (i.e. MD-715 requirements)
- E. Providing EEO/Diversity and Inclusion annual and mandatory training
- F. Legal services that pertain personally to the SSC employees located on site.

9. Safety, Security, Records and Emergency Management

The EMCBC Office of Technical Services and Asset Management (OTSAM) will provide services and assistance, as requested, to HC Personnel located at the SSC in areas such as:

- A. Environment, Safety, and Health support including:
 - 1. Federal Employee Occupational Safety and Health (FEOSH) Program
 - 2. General safety reminders/notices/special areas of emphasis
 - 3. Employee Concerns Program
- B. Emergency Management support including
 - 1. Continuity of Operations (COOP) facilities/drills
 - 2. Evacuation drills
 - 3. Emergency management/notifications
 - 4. EMCBC Hotline/Weather Line
- C. Security Support
 - 1. Building security/access/proximity cards
 - 2. DOE Badging
- D. Records Management
 - 1. Classification Support
- E. Employee Concerns
 - 1. Administering the Employee Concerns Program

10. Miscellaneous

- A. Child care not provided (employee responsibility to arrange)
- B. OCHCO will utilize its own P-Card for authorized purchases/services such as:
 - 1. Office Supplies
 - 2. Printing services (large/bulk)
 - 3. Express Mail services (through HC Admin Officer)
 - 4. Postage
- C. EMCBC will provide:
 - 1. Delivery of regular mail services
 - 2. Transit subsidies (for bus transportation)

