

APPENDIX

Agreement between the National Treasury Employees Union (NTEU), Chapter 245 And The United States Patent and Trademark Office (USPTO) Regarding the Transition Plan for the Collective Bargaining Agreement

The NTEU, Chapter 245 (Union) and the USPTO (Office) hereby agree that they have negotiated a Collective Bargaining Agreement. Should that agreement be ratified and executed by December 22, 2000 and become effective, this understanding will govern the transition for FY2001.

Awards:

There is no entitlement to a performance award or other type of incentive award. All awards are subject to budgetary limitations and are paid at the discretion of the Office.

For FY2001, a special performance based award may be granted to Trademark Examining Attorneys for performance from October 1 to March 31 and may be paid after March 31. The criteria and amount of the award will be determined as indicated in Article 31, Section 3 of the Agreement except that adjustments to the amount of the awards will be determined as follows:

No award will be less than one half the amount of the award that would have been earned if calculated under the prior year's agreement for production as indicated in Article 31, Section 3 of that agreement.

For FY2001, the quality and mentoring awards in the new Agreement will be calculated based on the entire fiscal year.

The intent of these provisions is to insure that no employee is inadvertently disadvantaged, for awards purposes, during the first six months of FY2001 even though the parties understand that it may not be clear until the completion of the fiscal year whether equivalent amounts for awards were determined.

Union time:

For FY2001, the authorized hours referred to in Article 16, Section 1, will be calculated as follows:

October 1 to December 31, 2000: 1600 hours prorated by the number of months divided by 12

Plus

1500 hours + 1.5 times the number of bargaining unit employees on January 2, 2001, prorated by the remaining nine months in the fiscal year.

If as of July 1, 2001, the total number of bargaining unit employees increases or decreases by 10%, the appropriate adjustment will be made to bank hours utilizing the above formula and averaging them together for the nine month period.

For the Union

For the Agency

Date