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NASA Procedural Requirements

COMPLIANCE IS MANDATORY

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Subject: Industrial Labor Relations Manual (Revalidated April 10, 2013, with admin. changes)

Responsible Office: Logistics Management Division

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Chapter 2: Operating Procedures for Nonconstruction Contractors

2.1. Data Requirements

For all nonconstruction contractors at each NASA Center, the following data should be compiled and kept current at all times:

- a. A roster of all onsite contractors and their subcontractors reflecting the following:
 - (1) Description of work scope.
 - (2) Union or nonunion (employees of contractor).
 - (3) If union represented, name of local union and number of employees represented; name, telephone number, and address of business agent representing the local union.
 - (4) Expiration date of labor agreements.
 - (5) Copy of current labor agreements.
- b. Name of appropriate representative of nearest office of the NLRB.
- c. Name of appropriate representatives of local FMCS.
- d. Copies of local state labor regulations and agency designated to monitor labor disputes, if applicable.
- e. Detailed map of the NASA Center, reflecting locations of all gates.

2.2. Labor Contract Negotiations

2.2.1 Prior to the beginning of negotiations, obtain the following information from the company:

- a. Name and title of union and company spokesperson.
- b. Whether the parties are negotiating an initial labor agreement or a renewal.
(1) If a renewal, ascertain whether the current labor agreement requires notification by the parties of an intent to terminate the labor agreement prior to strike action.

2.2.2 The Center Contractor Industrial Relations Officer shall:

- a. Require all onsite contractors to advise the NASA Center Contractor Labor Relations Office of the date negotiations are scheduled to begin.
- b. Develop a direct contact with the company spokesperson soon after negotiations begin and before an impasse is reached.
- c. Request an up-to-date status on the negotiations at appropriate intervals from the company spokesperson.

2.3. Potential Impasse or Strike Action:

When it appears that the parties may reach an impasse, the Center Contractor Industrial Relations Officer should take the following actions:

2.3.1. When it appears that the parties may reach an impasse, the Center Contractor Industrial Relations Officer should take the following actions:

- a. Advise the following personnel as soon as practicable of the situation:
 - (1) Contractor Industrial Relations Officer at Headquarters. at Headquarters.
 - (2) The NASA Center Chief Counsel, and other appropriate Center management officials.
 - (3) The NASA Center procurement officer.
- b. If FMCS has not yet entered into negotiations, ensure that they are requested to do so—if not by the parties, then by NASA
- c. Obtain from the company and/or the mediator the real issues in dispute between the parties.
- d. Request that the company provide NASA with its contingency plan prior to a strike occurring if services shall be continued.
- e. See "Action Checklist for Potential Impasse and Strike Notice Action Checklist When Impasses May Be Near" (Appendix C).

2.3.2. NASA Center management should make an assessment of:

- a. The impact that a strike would have upon any critical NASA Center operation and advise NASA Headquarters, including the Contractor Industrial Relations Officer at Headquarters.
- b. The reactions of neutral contractors regarding potential actions of their respective employees should strike action occur involving another contractor located at the NASA Center.

2.3.3. Obtain from the company and/or the mediator the real issues in dispute between the parties.

- a. Develop a contingency plan of its own (over and above that provided by a contractor) in the event of a strike. This contingency plan should be discussed with the HQ Contractor Industrial Relations Officer.
- b. Prepare for the implementation of the "reserve gate" procedure (see chapter 4).
- c. Advise the military commander (if applicable) of the potential strike and request an

assessment of the impact on the military operations.

d. Request that the mediator obtain from the union, if possible, its assurance of a 24-hour notice of any strike action.

2.3.4 NASA officials should not make any news releases without prior approval of the NASA Center Public Affairs Office, Chief Counsel, and the Center Contractor Industrial Relations Officer. Any news releases or comments of NASA officials to the news media should reflect NASA's impartiality and should contain no comment on any issues in dispute between the company and the union. Requests for reports on the status of negotiations or meeting times and places should be referred to the company, union, and FMCS as appropriate.

2.4. Strike Notice:

2.4.1 After receiving a strike notice from the mediator, union, or company, the NASA Center Contractor Industrial Relations Officer should take the following actions:

a. advise the following personnel as soon as practicable of the situation:

(1) Contractor Industrial Relations Officer at Headquarters.

(2) The NASA Center Chief Counsel, and other appropriate NASA Center management officials.

(3) The NASA procurement officer.

b. Establish themselves as a focal point of contact in any matters regarding the strike.

c. Send an e-mail, FAX or letter to the company and union advising both of the "reserve gate" procedure. If applicable, suggest that the Center Director and the Military Commander, or their designee, sign the e-mail/FAX/letters. (Appendix D.)

d. Ensure that neutral and reserve gate signs are ready for use. If time permits, signs may be placed and covered until needed. (Appendix E.)

e. Ensure that arrangements have been made to collect struck contractor employees' regular access passes/badges and that new access passes/badges are issued for the reserve gate.

f. Obtain periodic and current reports from each gate in regard to picketing and forms of demonstration.

g. Advise local law enforcement officials of the impending strike.

h. Implement the "reserve gate" procedure. See chapter 4.

i. Make arrangements to have photographic resources available to take pictures of gates, pickets, pickets' signs, and reserve gate signs.

j. Advise the regional attorney for the NLRB of the impending strike.

k. If the union does not observe the "reserve gate" procedure, consider going to NLRB for injunctive action. See section 4.3.

l. See "Action Checklist for Potential Impasse and Strike Notice Action Checklist When Impasses May Be Near." (Appendix C)

2.4.2 At the conclusion of the strike, the NASA Center Contractor Industrial Relations Officer/Advisor will file a Labor Dispute Report, NASA Form 1293 (Appendix F) with the Contractor Industrial Relations Officer at Headquarters.

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