

## MEMORANDUM OF UNDERSTANDING

The following constitutes an agreement between the Department of Education (“Agency”) and the American Federation of Government Employees, AFL-CIO (“AFGE”) on the Agency’s Rescission of Standard PR.AC: Emergency PIV-Alternative & PIV Card Requirement. This Memorandum of Understanding (MOU) will become effective thirty-one (31) days from the execution date or upon the date of agency head approval, whichever occurs first, consistent with 5 U.S.C. § 7114.

1. Absent an Agency approved PIV exemption, pursuant to the [Agency’s Human Capital Policy \(HCP\), 368-1](#), Telework and Remote Work Program, the Agency will pay appropriate travel costs, in accordance with the Agency’s Directive on travel (see Handbook for Travel, OCIO 16), for remote workers who are required to report to an Agency facility or General Services Administration (GSA) Shared Site to obtain a USAccess Personal Identification Verification (PIV) card.
2. Employees can take necessary actions to have Multi-factor Authentication (MFA) removed from their computers and/or to obtain new USAccess PIV cards during duty time.
3. Employees unable to work and who are unable to use their government furnished laptop, PIV card, or PIV card reader (together, “Computer Equipment”) because one or more of the Computer Equipment is, in circumstances deemed to be beyond the employee’s control, inoperable, broken, or stolen, will be granted administrative leave consistent with Agency Leave policy (HCP 630-1) or the controlling agreement with AFGE.
  - a. Once the employee becomes aware of the issue preventing him/her/them from using their Computer Equipment, they are to contact either the Agency’s OCIO Enterprise Help Desk for issues related to the computer or e-mail [edidoffice@ed.gov](mailto:edidoffice@ed.gov) for issues related to the PIV card to report the issue.
  - b. The administrative leave will only continue until such time as the Agency remedies the issue preventing use of the employee’s Computer Equipment or provides the employee with a temporary solution.
4. Employees on approved Domestic Employee Teleworking Overseas (DETO) agreements shall travel as necessary to obtain or maintain their PIV card pursuant to paragraph one (1) of this MOU. Employees may be provided a PIV exemption in circumstances where deemed appropriate by management pursuant to paragraph eight (8) of this MOU.
5. The Agency will send separate communications to employees who have a PIV card and are using MFA to inform them that they need to submit a ticket to the Agency’s Help Desk to remove the MFA. The communication will affirmatively state that an active and approved reasonable accommodation for a MFA will not be affected by this transition. The communication will include 508 compliant instructions.

6. The Agency will send separate communications to employees who have expiring certificates and/or PIV cards and need to obtain USAccess cards outlining the steps to obtain USAccess cards.
7. The aforementioned communications will accurately identify the points of contact (OCIO or the applicable badging office through OFO) for bargaining unit employees to either remove their MFA or obtain a new USAccess PIV card. The communication will include 508 compliant instructions.
8. PIV card exemptions will be granted, consistent with the requirements of [Homeland Security Presidential Directive 12 \(HSPD-12\)](#), the Agency's [Information Technology \(IT\) Identification and Authentication \(IA\) Standard](#), and any other applicable Agency or government-wide policy or directive. Management will not make unreasonable or discriminatory PIV exemption determinations.
9. Employees using any device to access the Agency's network, systems, or data is subject to the Agency's Rules of Behavior and provisions of Warning Banner consent. Those employees who have been authorized by OCIO to use an Agency approved remote connection solution on a non-government issued computer and comply with the aforementioned requirements will not be disciplined for utilizing their personal computer to perform Agency work within Department authorized environments.
10. Employees will be provided sixty (60) calendar days from the effective date of this MOU to have their computer converted from PIV-Alt to Standard PIV Configuration (PIV Standard).
11. Employees who fail to obtain a valid PIV card or convert their laptop to PIV Standard within the sixty (60) calendar days are subject to being denied access to ED's network and resources.

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By my signature below, I attest that I am an Authorized Official duly authorized to sign on behalf of my organization.

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On Behalf of the American Federation of Government  
Employees (AFGE)  
Sheria Smith, President

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Date:

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On Behalf of the Department of Education  
Jerry Benoit, Chief Negotiator & LR/ER Specialist

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Date:

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Approved by Department of Education Agency Head Review on \_\_\_\_\_.