

MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE GODDARD SPACE
FLIGHT CENTER (GSFC) AND GODDARD ENGINEERS, SCIENTISTS, AND
TECHNICIANS ASSOCIATION (GESTA) IFPTE Local 29

NONDISCRIMINATION BASED ON GENDER IDENTITY

This Memorandum of Agreement (MOA) is entered into, by and between, Goddard Space Flight Center ("GSFC") and the Goddard Engineers, Scientists and Technicians Association, Local 29, IFPTE, AFL-CIO/CLC, ("GESTA") also referred to as the parties.

The purpose of this MOA is to document the parties' agreement that discrimination based on gender identity or gender expression is prohibited at GSFC.

The parties agree to the following:

- 1) Discrimination based on gender identity is prohibited. "Gender Identity" is defined as an individual's internal sense of gender. "Gender expression" is how an individual communicates their gender identity.
- 2) A grievance of any personnel action that the grievant alleges was a result of discrimination based on gender identity (including gender expression) will be initiated at STEP 2 of the Negotiated Grievance Procedure of the Collective Bargaining Agreement between GSFC and GESTA.
- 3) The parties agree that under the Agency's Merit Promotion and Placement policy, selections shall be based on job factors, and will be made without regard to gender identity (including gender expression) or any other non-merit based factor in accordance with Federal laws and regulations.
- 4) The parties agree to work together on a "good faith" basis to assure that all applicants and Bargaining Unit Employees (BUE's) continue to receive equal opportunity in all employment and personnel practices without regard to gender identity or gender expression.
- 5) All work assignments and work-related training opportunities will be offered to BUE's without regard to gender identity (including gender expression).
- 6) As envisioned by the Agency Guidelines on Gender Transition, all BUE's shall be allowed to use Agency restrooms or locker rooms consistent with their gender identity (including gender expression). GSFC shall not require an employee to use a private (i.e., single-stall) restroom in lieu of a common restroom designated for a single sex. Any related concerns about employee restroom usage may be communicated to the Equal Opportunity Program Office for resolution.

The parties agree to this MOA as written above.

Francine Smith 2/26/20

Francine Smith Date
Acting Labor Relations Officer
NASA Goddard Space Flight Center

Anel Flores Feb. 26, 2020

Anel Flores Date
President
Goddard Engineers, Scientists and
Technicians Association, IFPTE Local 29