

HEADQUARTERS,
UNITED STATES ARMY, EUROPE, AND SEVENTH ARMY
AS HIGHEST SERVICE AUTHORITY OF THE U.S. ARMY IN GERMANY

AND THE

UNITED STATES ARMY, EUROPE, HEAD WORKS COUNCIL

CONCLUDE THE FOLLOWING

SHOP AGREEMENT

pursuant to the provisions of section 73, in conjunction with sections 69; 75(3)17 German Personnel Representation Law (modified version).

1. PURPOSE

This shop agreement governs the use of the closed-circuit television (CCTV) monitoring system installed in and around the Amelia Earhart Complex (AEC) facility and the main access control point (ACP) in Wiesbaden. It will replace the shop agreements on the use of a CCTV monitoring system dated 31 March 2004, as well as on the use of an access control system dated 11 May 2001.

2. APPLICABILITY

This shop agreement applies to all Local Nationals (LN) employees employed within the AEC facility.

3. BACKGROUND AND TECHNICAL INFORMATION

Vulnerability assessments conducted throughout United States Army Europe's (USAREUR) area of responsibility have identified that the security posture of the AEC and the nearby ACP should be improved to make them less vulnerable targets to terrorist attacks and other criminal activities. The goal of USAREUR and United States Army Corps of Engineers (USACE) Force Protection programs is to increase the security posture at their installations so they are harder targets to potential criminals and terrorists. The decision to utilize CCTV systems provides deterrence and captures vital information that could be used during a post incident review process and as evidence in a criminal trial. Other USACE force protection assessments also reflected the need for further security upgrades to the AEC facility and ACP to help protect both the members of the US and LN workforce, as well as those visitors and

contractors who either work on or frequent the AEC facility on a daily basis. For this purpose, a CCTV monitoring system and access control system have been installed in and around the AEC.

4. CCTV MONITORING SYSTEM

a. The monitoring system employs visible fixed stationary video cameras as well as visible video cameras with pan, tilt, and zoom function, and a computer-based recording system. The cameras monitor the movement of individuals and vehicles in the high-traffic areas of the AEC. Cameras are also installed in other areas that may be targets of criminal acts or vandalism. Cameras, their placement, and viewing angles are identified in the enclosures to this shop agreement (listing of the cameras and eight sketches). These enclosures are an integral part of this agreement.

b. The recording systems employed as part of the total monitoring system have a recording and retrieval capability of up to 30 days. After a maximum of 30 days, the recorded images will be overwritten by images recorded during the next 30-day recording cycle. There exists the capability to download the recordings to a compact disk-recordable (CD-R) or DVD-R.

c. The central control/monitoring station for the cameras is installed in the Europe District Security Office (Corps of Engineers Europe District), room 702b, AEC. Only the Chief of Operations, Plans, and Security (OP&S) or other designated security officials of this division will perform administrator functions on the monitoring/recording systems. The monitoring and recording devices will be secured at all times. The monitoring computer operating system and CCTV monitoring system software will be password-protected in accordance with local information security policies.

d. The central control system will not be linked to any other system.

5. ACCESS CONTROL SYSTEM

a. The access control system employs fixed control card readers and a computer-based system used only to program the level of access on each individual access card. Each employee within the AEC will be issued an access card to be used for access within the building instead of a hard key. The location of all installed control card readers is identified in the enclosures (List of card-readers with 5 sketches). These 5 sketches are also part of the agreement.

b. The computer-based system employed as a part of the access control system has the capability to store the different levels of access permitted for each individual access card. While the system has the capability to be installed with a tracking mechanism for usage of each individual card it will be operated completely without this function for use at the AEC.

c. The central control station for access control card readers is installed in the US Army

Corps of Engineers, Europe District Security Office, within the Emergency Operations Center.

d. The central control system will not be linked to any other system.

6. AGREEMENT

a. The only intended use of the CCTV monitoring system is the deterrence of terrorist attacks and criminal actions, and the system will be used solely for this purpose. The only intended purpose of the access control card readers is to provide added force protection measures and to eliminate hard keys issued to all employees. The CCTV monitoring system and the access control system will be used solely for these purposes.

b. Under no circumstances will the systems be used for monitoring the performance, conduct, or attendance of Local National employees in any form, and they will not be used for performance evaluations or personnel actions. Visible cameras will not be replaced with covert cameras, the system will not be expanded with covert cameras, and at no time will technical equipment of the access control system be modified or the system expanded.

c. Only the Europe District Security Specialists and the Chief of OP&S have access to the CCTV monitoring system and the access control system for set up, programming, monitoring of equipment, and downloading of any required information. The monitors and recording devices will either be housed in a lockable cabinet and/or secured inside a room. The computer program will be password-protected to restrict access. Passwords will not be shared and will be retained by the security administrator for each station. The password for the system will be changed in accordance with local information security policies.

d. Recordings as written at the time of the event will be downloaded to a CD-R or DVD-R only if there is concrete and objective suspicion or probable cause to believe that an employee or other individual not employed within the AEC has been involved in, or committed a violation of US or German criminal statutes or penal codes. The Chief of OP&S, the Commander of the affected agency or, in his/her absence, the Deputy Commander will determine when and what portion of any video segment is downloaded or copied. Recordings will be provided exclusively to police or other representative authorities for later use as evidence in official investigations. Only the Chief of OP&S, his/her deputy and the U.S. or German law enforcement authorities that must be involved as required by the event will have access to the data medium with the downloaded information.

e. If an event concerns LN employees, a representative of the respective works council and the SHE Representative, as well as the Commander or Deputy Commander of the affected agency will be immediately informed and given the opportunity to view the section of the recording showing the image(s) concerning the suspect as long as it will not interfere with an ongoing investigation. The CD-R or DVD-R that is being kept for pending actions will be stored in a locked cabinet in the Europe District Security Office. Keys to the cabinet will be kept by the Chief of OP&S. With the exception of those recordings required for an

investigation, copies of any recordings will be destroyed by the Europe District security officials.

f. LN employees will not be held financially liable for lost access cards unless cards are lost due to gross negligence, as defined in USAREUR Regulation 690-62. Only in this case may the agency chief of the US Army Corps of Engineers, Europe District, or his/her deputy impose some financial liability for the lost access cards.

g. The Head Works Council and the Head Representative of Severely Handicapped Employees will be informed timely and comprehensively of any changes planned regarding the setup, scope, and utilization of the CCTV monitoring system and the access control system. In this case an appropriate co-determination procedure will be initiated.

7. EFFECTIVE DATE, TERMINATION

a. This shop agreement enters into effect on the date on which both parties to the agreement have affixed their signatures.

b. This shop agreement may be terminated by either party with a notice period of three months to the end of a calendar month. The provisions of this agreement will stay in effect until a new agreement regulating above matters has been concluded. It will become invalid at the time a new agreement governing the matters regulated in this agreement enters into effect.

8. OTHER AGREEMENTS.

The Chief of OP&S will ensure that this agreement, in German and English, is permanently posted in a prominent place, which is accessible by all AEC LN employees no later than one week after the implementation of this agreement.

9. ENCLOSURES

- a. List of cameras and 8 sketches
- b. List of card-readers with 5 sketches

10. SIGNATURES

Vera Garcia

Director of Civilian Personnel
Assistant Deputy Chief of Staff, G1
United States Army, Europe

Date

Alexander Brehm
Deputy Chairman and
(Representative of Salaried
Employees)

Date

Andreas Rogel

Chairman
(Representative of Wage Earners)

Date

Heidi Staley
Head Representative of Severely
Handicapped Employees
(properly involved IAW section 95 et seq. SGB IX)

Date