

# Fort Knox CPAC...



## HR Tip of the Week

What is a “Past Practice”?

Past practice is the term used to describe a pattern of workplace behavior that is sufficiently clear, of long enough duration, and well enough known to both management and union officials to constitute an unwritten rule or policy. To qualify as a bona fide past practice, such a pattern of behavior must also involve a condition of employment of bargaining unit employees, and must not conflict with applicable laws or government-wide regulations. Once established, essentially by unwritten consensus or silent toleration, a past practice becomes just as enforceable as a formally negotiated workplace rule that is placed in writing by the parties. That is, it may be enforced through application of the ULP procedures of the statute and the negotiated grievance procedure of a labor agreement. In order to change a past practice affecting a condition of employment for bargaining unit employees, the same notification requirements used to implement a change in current working conditions is required. It is always best to contact your servicing MER/Labor Specialist in the CPAC for specific guidance. The CPAC Specialist will also prepare and submit any required notifications.

Look for our next HR Tip regarding Military Spouse E.O. 13473