

**SETTLEMENT AGREEMENT**

**Between**

**DEPARTMENT OF VETERANS AFFAIRS**

**And**

**NATIONAL VETERANS AFFAIRS COUNCIL,  
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO**

**National Grievance NG-3/23/17**

**Readjustment Counseling Service – National Performance Standards**

**I. Introduction**

The American Federation of Government Employees, AFL-CIO, National Veterans Affairs Council (“Union”) and the Department of Veterans Affairs (“VA” or “Agency”) (collectively referred to as “the Parties”) hereby agree to settle all disputes arising out of the Union’s National Grievance, dated March 23, 2017, regarding the Agency’s failure to properly notify and bargain with the Union in revising the national performance standards for AFGE bargaining unit employees in the following occupations of the Veterans Health Administration Readjustment Counseling Service: Counselor, Program Support Assistant, Mobile Vet Center Outreach Technician, and Veterans Outreach Program Specialist (collectively referred to as the “RCS Occupations”).

**II. Terms of the Settlement**

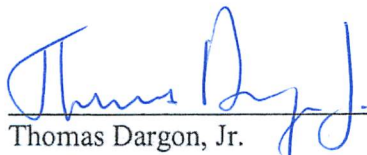
- A. By execution of this Settlement Agreement (hereinafter referred to as “the Agreement”), the Union voluntarily withdraws its National Grievance, dated March 23, 2017, and waives any and all actions, claims, complaints, grievances, appeals, or proceedings of whatever nature, arising from the allegations contained in the National Grievance, with the exception of any grievances that may arise by reason of breach of any term of this Agreement.
- B. To date, during FY17, the Agency has not implemented any revisions to the national performance standards for AFGE bargaining unit employees in the RCS Occupations. The Agency agrees not to implement any revisions to the national performance standards for AFGE bargaining unit employees during FY17.
- C. If the Agency proposes to revise the national performance standards for RCS Occupations in FY18, it will fully comply with its contractual obligations under 2011 Master Agreement Between the Department of Veterans Affairs and the American Federation of Government Employees, including providing the Union with the proper notice and an opportunity to bargain prior to the implementation of any change.

**III. Stipulations**

- A. The Parties have entered into this Agreement freely and voluntarily.

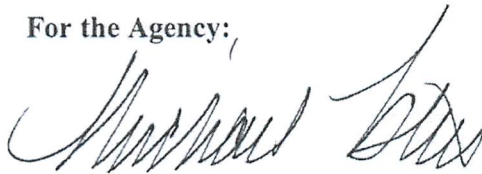
- B. This Agreement does not constitute an admission of guilt, faulty, or wrongdoing by either party.
- C. The obligations of the Parties specific above constitute consideration sufficient to render this Agreement enforceable by either party.
- D. This Agreement shall not serve as precedent for resolving any other complaints, grievances, appeals, or actions that may be filed.
- E. This Agreement constitutes the entire understanding between the Parties regarding the resolution and settlement of NG-3/23/17, and there are no other terms or commitments, verbal or written, regarding the settlement of the National Grievance.
- F. Either party may bring a claim in the form of a grievance arising from the breach of any term of this Agreement.
- G. This Agreement may not be modified, except by a written agreement signed by the Parties.
- H. For purposes of this Agreement, the Union's designated representative is Thomas Dargon, Jr., Staff Counsel (NVAC), AFGE Office of the General Counsel.

**For the Union:**

  
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Thomas Dargon, Jr.  
Staff Counsel, National VA Council  
AFGE, AFL-CIO

10/6/17  
\_\_\_\_\_  
Date

**For the Agency:**

  
\_\_\_\_\_  
Michael Fisher  
Chief Officer, Readjustment Counseling Service  
Veterans Health Administration  
Department of Veterans Affairs

28 SEP 2017  
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