

SETTLEMENT AGREEMENT

Between

DEPARTMENT OF VETERANS AFFAIRS

And

NATIONAL VETERANS AFFAIRS COUNCIL,

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

National Grievance, NG-05/17/21

Failure to Produce Complete Results of 2020 All Employee Survey to AFGE Locals

I. Introduction

The American Federation of Government Employees, AFL-CIO, National Veterans Affairs Council (“the Union”) and the Department of Veterans Affairs (“the Agency”) (collectively referred to as “the Parties”) hereby agree to settle all disputes arising out of the Union’s National Grievance, dated May 17, 2021, which alleged that the Agency failed to produce the complete results of the 2020 All Employee Survey (“AES”) to AFGE Locals.

II. Terms of the Settlement

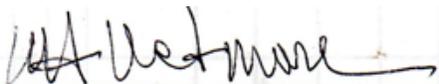
- A. By execution of this settlement agreement, the Union voluntarily withdraws its May 17, 2021 National Grievance (NG-05/17/21) and waives any and all actions, claims, complaints, grievances, appeals, or proceedings of whatever nature, arising from the allegations contained in the grievance, with the exception of any grievances that may arise by reason of breach of any term of this Agreement.
- B. The Agency affirms its contractual obligation under Article 49, Section 8(C) of the 2011 Master Collective Bargaining Agreement. The Agency further affirms its recognition and intent to fulfill its obligations under the Federal Service Labor Management Relations Statute.
- C. Pursuant to this Agreement, the Agency already provided the complete results of the 2020 All Employee Survey, including all free text responses and comments submitted by employees, to each respective AFGE Local.
- D. The Agency agrees to electronically distribute the attached remedial notice posting by email to the undersigned representatives.

III. Stipulations

- A. The Parties have entered into this Agreement freely and voluntarily.
- B. The obligations of the Parties specified above constitute consideration sufficient to render this Agreement enforceable by either party.
- C. This Agreement shall not serve as precedent for resolving any other complaints, grievances, appeals, or actions that may be filed.

- D. This Agreement constitutes the entire understanding between the Parties regarding the resolution and settlement of NG-05/17/21, and there are no other terms or commitments, verbal or written, regarding this settlement. No other promises or agreements shall be binding unless placed in writing and signed by the Parties.
- E. Either party may bring a claim in the form of a grievance for the breach of any term of this Agreement.
- F. This Agreement may not be modified, except by a written agreement signed by the Parties.
- G. The Agency or the Union may submit this Agreement as evidence of the withdrawal of NG-05/17/21 and all actions, claims, complainants, grievances, appeals or proceedings of whatever nature arising from the allegations contained therein.
- H. The effective date of this Agreement is the date on which this Agreement has been signed by the Union and the Agency officials noted below.
- I. The terms of this Agreement, the negotiations leading up to this Agreement, the data, documents, or information exchanged between the parties in the course of negotiations of this Agreement, may not be offered, taken, construed, or introduced as evidence of liability or as an admission or statement of wrongdoing by either party in this action or in any subsequent proceeding of any nature.

For the Union:



 William Wetmore
 Chairperson, AFGE/NVAC Grievance and
 Arbitration Committee

10/14/22

 Date



 Alec Summerfield
 Staff Counsel, National VA Council, AFGE

10/13/22

 Date

For the Agency:

DENISE BIAGGI-
 AYER


 Digitally signed by DENISE
 BIAGGI-AYER
 Date: 2022.10.12 15:19:12 -04'00'

 Denise Biaggi-Ayer, Executive Director
 Office of Labor Management Relations
 Department of Veterans Affairs

 Date

NOTICE

POSTED PURSUANT TO A SETTLEMENT AGREEMENT EXECUTED BETWEEN THE
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO, AND THE
U.S. DEPARTMENT OF VETERANS AFFAIRS

This notice resolves a National Grievance filed by AFGE/NVAC against the U.S. Department of Veterans Affairs for failing to produce the complete results of the 2020 All Employee Survey (AES) to AFGE Locals.

The Agency has agreed to and provided the complete results of the 2020 AES, including all free text responses and comments submitted by employees, to a representative at each AFGE Local.

No further action is required by local management.