

SETTLEMENT AGREEMENT

Between

DEPARTMENT OF VETERANS AFFAIRS

and

NATIONAL VETERANS AFFAIRS COUNCIL,

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

National Grievance NG-3/1/17

Performance Standards of Field Examiners at Louisville Fiduciary Hubs

I. Introduction

The American Federation of Government Employees, National Veterans Affairs Council number 53 (“AFGE” or “the Union”) and the Department of Veterans Affairs (“the Agency” or “VA”) (collectively, the “Parties”) hereby agree to settle all disputes arising out of AFGE’s National Grievance, dated March 1, 2017 (“the National Grievance”), alleging a violation of: (1) Article 2, (2) Article 27, (3) Article 47 of the 2011 Master Agreement between AFGE and the Agency; (4) March 2012 Expansion of Fiduciary Hubs MOU; and (5) 5 USC § 7116(a) of the Labor Relations Management Statute.


II. Terms of the Settlement

1. This Settlement Agreement (hereafter “Agreement”), applies to Field Examiners who belong to the AFGE bargaining unit and are assigned to the Louisville Fiduciary Hub.
2. By execution of this Agreement, AFGE voluntarily withdraws the National Grievance 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. AFGE agrees to withdraw the National Grievance within 10 calendar days from the date that this Agreement is signed by both parties.
3. The Agency affirms there have been no changes or increases made to the national Field Examiners performance standards. The performance standards for all Field Examiners under the Louisville Fiduciary Hub have not changed. The Agency will send out an email to Field Examiners in the Louisville Fiduciary Hub confirming that the 20 case expectation was not a change in Field Examiners performance standards. Any employee who has been subject to discipline pursuant to the 20 case expectation may file a local grievance pursuant to the Master Agreement.
4. If the Agency revises the national performance standards for Field Examiners in the Louisville Fiduciary Hub, the Agency affirms it will fully comply with its obligations under the 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 implementation, in accordance with Article 47 Mid-term Bargaining.

III. Stipulations

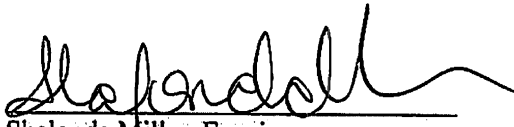
- A. The Parties have entered into this Agreement freely and voluntarily.
- B. This Agreement does not constitute an admission of guilt, fault or wrongdoing by either party.
- C. The obligations of the Parties specified above constitute consideration sufficient to render this Agreement enforceable by 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 the National Grievance, and there are no other terms or commitments, verbal or written, regarding the settlement of the National Grievance.
- F. The Agency or the Union may submit the Agreement as evidence of withdrawal of the National Grievance or as evidence of AFGE's waiver of any and all actions, claims, complaints, grievances, appeals or proceedings of whatever nature arising from the allegations contained in the National Grievance.
- G. Either party may bring a claim in the form of a grievance arising by reason of breach of any term of this Agreement.
- H. This Agreement may only be modified in writing by the Parties listed below or their representatives.
- I. For purposes of this Agreement, the Union's designated representative is Shalonda Miller, Staff Counsel (NVAC), AFGE Office of the General Counsel.

For the Union



Mary Jean Burke
Chair, Grievance & Arbitration Committee
National VA Council
AFGE, AFL-CIO

4/26/18
Date



Shalonda Miller, Esquire
Staff Attorney
National VA Council, AFGE

4/26/18
Date

For the Agency



Brian Martin
Fiduciary Hub Manager
Louisville Fiduciary Hub

4/27/18
Date