

SETTLEMENT AGREEMENT

Between

DEPARTMENT OF VETERANS AFFAIRS

And

NATIONAL VETERANS AFFAIRS COUNCIL,

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

National Grievance, NG-11/21/17

OIT/COTS – Performance Standards

I. Introduction

The American Federation of Government Employees, AFL-CIO, National Veterans Affairs Council (“the Union”) and the Department of Veterans Affairs (“VA” or “the Agency”) (collectively referred to as “the Parties”) hereby agree to settle all disputes arising out of the Union’s National Grievance, dated November 21, 2017, regarding the Agency’s failure to properly notify and bargain with the Union in revising the performance standards for AFGE bargaining unit employees in the following occupations within the Commercial Off-the-Shelf Interface Division of the VA Office of Information and Technology: IT Specialist, GS-2210-9/11; IT Specialist, GS-2210-11/12 (IT Analyst), and IT Specialist, GS-2210-12/13 (Senior IT Analyst) (collectively referred to as the “OIT/COTS Occupations”).

II. Terms of the Settlement

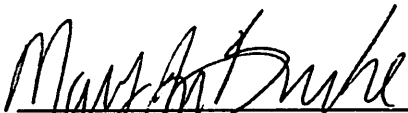
- A. By execution of this Settlement Agreement (hereinafter referred to as “the Agreement”), the Union voluntarily withdraws its National Grievance, dated November 21, 2017, and waives any and all actions, claims, complaints, grievances, appeals, or proceedings of whatever nature, arising from the allegations 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. The Agency implemented changes to performance standards for OIT/COTS Occupations prior to notifying the national Union and providing it with an opportunity to bargain. Accordingly, within fourteen (14) calendars days of this Agreement, the Agency agrees to electronically distribute the attached remedial notice posting. The posting will be distributed by email to all AFGE bargaining unit employees encumbering the occupations listed above within the VA Office of Information and Technology/COTS Division.
- C. Within fourteen (14) calendar days of this Agreement, the Agency agrees to provide written notice to the Oscar L. Williams, Jr., Chairperson of the AFGE/NVAC Mid-Term Bargaining Committee, concerning the changes to performance standards for OIT/COTS Occupations and to engage in post-implementation bargaining. Bargaining will commence in accordance with the provisions set forth in Article 47 (Mid-Term Bargaining) of 2011 Master Agreement Between the Department of Veterans Affairs and the American Federation of Government Employees.

III. Stipulations

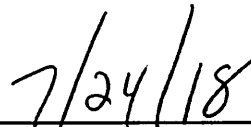
- A. The Parties have entered into this Agreement freely and voluntarily.

- 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-11/21/17, and there are no other terms or commitments, verbal or written, regarding this settlement.
- 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. The effective date of this Agreement is the date on which it becomes fully executed.
- I. For purposes of this Agreement, the Union's designated representative is Thomas Dargon, Jr., Staff Counsel (NVAC), AFGE Office of the General Counsel.

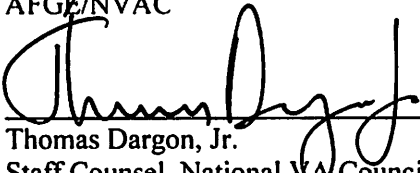
For the Union:



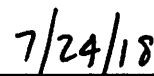
Mary-Jean Burke
Chair, Grievance & Arbitration Committee
AFGE/NVAC



Date



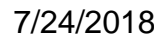
Thomas Dargon, Jr.
Staff Counsel, National VA Council
AFGE, AFL-CIO



Date

For the Agency:

Kaylene Zimmer
Division Manager
Commercial Off-the-Shelf (COTS) Interface Division
Office of Information and Technology
Department of Veterans Affairs



Date

NOTICE TO ALL EMPLOYEES

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

The U.S. Department of Veterans Affairs implemented changes to performance standards for AFGE bargaining unit employees in the Commercial Off-the-Shelf Interface Division of the VA Office of Information and Technology prior to notifying the national Union and providing it with an opportunity to bargain, as appropriate.

As a result, the Agency has agreed to electronically distribute this notice to all AFGE bargaining unit employees in the following occupations within the Commercial Off-the-Shelf Interface Division of the VA Office of Information and Technology: IT Specialist, GS-2210-9/11; IT Specialist, GS-2210-11/12 (IT Analyst), and IT Specialist, GS-2210-12/13 (Senior IT Analyst), and to engage in post-implementation bargaining with the national Union.

The Agency will not interfere with, restrain, or coerce employees, or their designated representatives, in the exercise of rights assured by law.

If employees have any questions concerning this Notice, they may contact their local AFGE union office.

Kaylene Zimmer
Division Manager
Commercial Off-the-Shelf
(COTS) Interface Division
Office of Information and Technology
Department of Veterans Affairs

7/24/2018
Date