

SETTLEMENT AGREEMENT

between

Federal Correctional Institution

Englewood, Colorado (Agency)

and

AFGE Local 709 (Union)

FMCS #06-56902

The Agency and the Union jointly desire to amicably settle and resolve the issues concerning the assignment of overtime, referenced in the above-cited case, on March 4, 2006. The parties agree as follows:

1. The Agency agrees to pay Matthew DeSantis and Reginald Fisher for eight hours of overtime on March 4, 2006, from 12:00 a.m. to 8:00 a.m.
2. The Agency agrees to review the procedures used to fill overtime with Correctional Supervisors responsible for assigning overtime.
3. The Union agrees to withdraw the above-captioned case. The Union agrees that this issue will not be litigated or relitigated in any forum by either the Union or any bargaining unit employee involved with this issue. This includes EEOC, MSPB, arbitration, and civil forums.
4. The parties agree that the Union has the right to sign this settlement agreement on behalf of the bargaining unit members involved.
5. The parties agree that any fees due the arbitrator will be paid jointly, with each paying one-half of the fees due.
6. The parties agree this settlement does not constitute an admission of guilt or any wrong doing by either party; nor will this agreement serve as precedent for any future action.
7. The parties agree that the terms of this Agreement constitute the entire settlement between the parties and that no other promises or representations, either expressed or implied, have been made or sought to induce acceptance of this Agreement.

For the Union:

E. Donaldson
Eva Donaldson
President AFGE, Local 0709

8/28/06
Date

For the Agency:

W.A. Sherrod
W.A. Sherrod,

8/28/06
Date