


## SETTLEMENT AGREEMENT

The parties to this Agreement are Customs and Border Protection (AGENCY); and the National Treasury Employee's Union (UNION). This Agreement is to resolve the pending grievance (#201204514) regarding the request by management for Officer Faulkner and Officer Mullen's to submit written statements.


The PARTIES to this Agreement have agreed to the following:

- 1) The AGENCY will confirm that all copies of the Officers statements either electronic or paper have been deleted or destroyed.
- 2) The AGENCY agrees to post at each of Oroville area ports of entry a notice to employees regarding their right to representation. Specifically, this notice will include a statement that the employees have, in accordance with Article 22 of the Collective Bargaining Agreement, the right to seek assistance from a union representative when directed to write a memorandum which could reasonably be anticipated to result in disciplinary action against the employee. Employees will have a reasonable period of time to secure Union representation for assistance. Arrangements made to accommodate Union representation may not cause unnecessary delay prompting an obstruction of the Agency's investigation. If the employee is denied the opportunity to be represented, the employee will, upon request, be provided with the reason for denial in writing.
- 3) An email will be sent to all managers in the Oroville area addressing both Article 22 and 27 of the Collective Bargaining Agreement (CBA) from Ms. James, Director Field Operations.
- 4) NTEU agrees to:
  - (a) withdraw, with prejudice, the Grievance and any complaint related to any facts giving rise to the Grievance.
  - (b) refrain from instituting any further complaint, grievance, or appeal to arbitration, concerning any of the facts or circumstances giving rise to the Grievance.
- 5) The PARTIES understand this agreement is non-precedential and may not be cited for any reason, including comparison, in any other proceeding in any forum.

The PARTIES understand the terms of this Agreement and willingly enter into it. This Agreement becomes effective upon the date of the last signature by the PARTIES involved.

  
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FOR THE UNION  
Jay Cooper

March 21, 2012  
DATE

  
\_\_\_\_\_  
FOR THE AGENCY  
Michele. M. James

3/23/2012  
DATE