

IN THE MATTER OF ARBITRATION BETWEEN

FMCS # 12-58744

AFGE LOCAL #2459
FCI Texarkana, Texarkana, TX
Union,

Subject: Overtime

and

DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF PRISONS,
FEDERAL CORRECTIONAL INSTITUTION
Texarkana, TX
Agency.

DATE: April 24, 2013

SETTLEMENT AGREEMENT

This settlement covers the above cited FMCS case which involves an allegation that a FCI Texarkana staff member by passed on an overtime/compensatory time opportunity on August 16, 2012.

1. The Agency agrees to pay Ms. Gina Smith 8.45 hours of overtime, but without interest.
2. The parties agree that this settlement agreement does not constitute an admission of guilt or wrongdoing by either party.
3. Both parties agree that this signed agreement will be used to notify the Arbitrator that the grievance is withdrawn by the Union, thereby cancelling the May 30, 2013, arbitration. The parties further agree that if there are any, they will equally bear the costs of the arbitrator fees and/or travel incurred by the cancellation of the scheduled arbitration.
4. The Parties have read, clearly understand, and fully agree with the terms and conditions of this agreement. The parties affirm this agreement is completely voluntary and the parties waive any and all rights to contest the validity of this agreement. Both parties also agree that this agreement will not be cited as precedent in any future decisions or actions.
5. This agreement constitutes the entire agreement between the parties and there are no other terms, expressed or implied, except those written in this agreement.

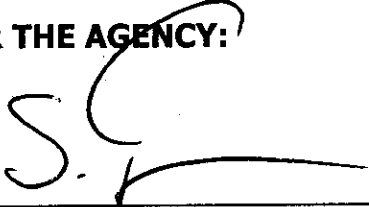

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6. The Grievant and the Union waive any and all appeal, grievance, or complaint rights, or other legal remedies whatsoever, regarding any matter associated with the issues in this case, whether before or pursuant to EEOC, MSPB, FLRA, Arbitration, Master Agreement, civil court or other legal forum.
7. All parties agree and understand AFGE Local 2459 has the authority to enter into this agreement on behalf of the grievant and represent Ms. Smith as choosing pay compensation rather than compensatory time for the 8.45 hours.

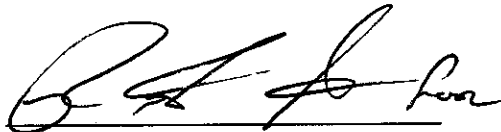
FOR THE AGENCY:



S. Young, Warden
Federal Correctional Institution
Texarkana, TX


4/29/13
Date

FOR THE UNION:



John Tosh, President
AFGE, Local 2459

04.29.2013
Date


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