

UNITED STATES OF AMERICA
FEDERAL LABOR RELATIONS AUTHORITY

DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS
SALTERS, SOUTH CAROLINA

Respondent

and

Case No. AT-CA-11-0162

AMERICAN FEDERATION OF GOVERNMENT
EMPLOYEES, LOCAL 525

Charging Party

SETTLEMENT AGREEMENT

The undersigned Respondent and the undersigned Charging Party in settlement of the above matters, and subject to the approval of the Acting Regional Director for the Federal Labor Relations Authority, **HEREBY AGREE AS FOLLOWS:**

1. The Department of Justice, Federal Bureau of Prisons, Federal Correctional Institute in Salters, South Carolina (the "Respondent" or the "Agency") agrees to post the attached Notice, signed by John Owen, (incorporated herein and made a part of this settlement agreement) on the Respondent's web page electronic bulletin board. This Notice will be posted for 30 calendar days. The Respondent will comply with this paragraph within 14 calendar days from the date the Acting Regional Director executes this agreement.
2. Once the Notice described in paragraph 1 is posted as set forth above, the Respondent agrees to send an email to all bargaining unit employees at the Agency stating, "Pursuant to a settlement agreement between FCI Williamsburg and AFGE Local 525, a notice is posted on the web page electronic bulletin board for your review. Please see the attached link [INSERT LINK HERE]"
3. The parties will commence negotiations within 60 calendar days, absent an institutional emergency, as required by the Statute. Any agreement will be given retroactive effect.
4. Pending completion of the negotiations regarding the DNA sampling procedures, Medical Services staff will ordinarily perform the DNA testing.
5. The Respondent agrees to comply with the terms of the Notice.

REFUSAL TO ISSUE COMPLAINT - In the event the Charging Party fails or refuses to become a party to this Agreement, and if the Acting Regional Director concludes that it will effectuate the policies of the Statute, this Agreement shall be between the Agency and the undersigned Acting Regional Director. A review of such action may be obtained pursuant to Section 2423.11(b)(2) of the Regulations of the Federal Labor Relations Authority if an appeal is filed within 25 calendar days thereof. This Agreement is contingent upon the General Counsel sustaining the Acting Regional Director's action in the event of an appeal. Contingent upon compliance, the approval of this Agreement by the Acting Regional Director shall constitute a withdrawal of any Complaint(s) and Notice of Hearing heretofore issued in this case.

PERFORMANCE - Performance by the Agency of the terms and provisions of this Agreement will commence as set forth above after the Acting Regional Director approves the Agreement or, in the event the Charging Party does not enter this Agreement, performance will commence immediately upon receipt by the Agency of advice that no appeal has been filed or that the General Counsel has sustained the Acting Regional Director's decision to approve the Agreement.

NOTIFICATION OF COMPLIANCE - The parties to this Agreement will notify the Acting Regional Director in writing what steps the Agency has taken to comply with the terms of the Agreement. Such notification will be made within 30 calendar days from the date of the approval of this Agreement, or, in the event the Charging Party does not enter this Agreement, after the receipt of advice that no appeal has been filed or that the General Counsel has sustained the Acting Regional Director.

COMPLIANCE WITH SETTLEMENT AGREEMENT - Upon approval by the Acting Regional Director this agreement will hold in abeyance any Complaint(s) and Notice of Hearing(s) previously issued in the case. Contingent upon compliance with the terms and provisions of this agreement all Complaint(s) and Notice of Hearing(s) heretofore issued in this case will be considered withdrawn. Failure to comply with the terms and provisions of the agreement will result in the Complaint(s) being reinstated.

DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS
SALTERS, SOUTH CAROLINA

By: John Owen
Warden
(Type or Print Name and Title)

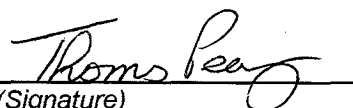
(Date)

(Signature)

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, LOCAL 525

By: Thomas Peavy
AFGE Local 525 President
(Type or Print Name and Title)

9/19/11
(Date)


(Signature)

Approved by: _____
Acting Regional Director (Date)



NOTICE TO ALL EMPLOYEES



POSTED PURSUANT TO A SETTLEMENT AGREEMENT
APPROVED BY A REGIONAL DIRECTOR OF THE
FEDERAL LABOR RELATIONS AUTHORITY

WE WILL NOT fail or refuse to bargain in good faith with the American Federation of Government Employees, AFL-CIO, Local 525, concerning DNA sampling procedures.

WE WILL NOT, in any like or related manner, interfere with our employees in the exercise of rights assured them by the Federal Service Labor-Management Relations Statute.

WE WILL ordinarily only require that Medical Services staff perform DNA testing until negotiations are completed.

Department of Justice
Federal Bureau of Prisons
Salters, South Carolina

(Agency or Activity)

Dated _____

By _____
(Signature)

(Title)

THIS IS AN OFFICIAL NOTICE
THIS NOTICE
MUST NOT BE ALTERED, DEFACED OR COVERED BY ANY OTHER MATERIAL

If employees have any question concerning this Notice or compliance with its provisions, they may communicate directly with the Regional Director for the Federal Labor Relations Authority whose address is:

Federal Labor Relations Authority
Atlanta Regional Office
225 Peachtree Street, Suite 1950
Atlanta, GA 30303
(404) 331-5300
(404) 331-5280 (fax)
Case Nos. AT-CA-11-0162