



Settlement Agreement
Re: Desk Seating Arrangement at PPT/WN
July 16, 2010



U.S. Department of State
Passport Services

- Respondent -

- and -

Case No. WA-CA-10-0172

National Federation of Federal Employees,
Local 1998, IAMAW, AFL-CIO

- Charging Party -

This Settlement Agreement is entered into by and between the United States Department of State, Passport Services ("Agency") and the National Federation of Federal Employees, Local 1998 ("Union"), collectively referred to as the "Parties." On November 24, 2009, the Parties were in agreement on a temporary move of employees away from their workstations during construction and redesign of the office. Upon completion of the construction and redesign, several employees were told they would not return to their original work locations. On January 5, 2010, the Union filed an Unfair Labor Practice (ULP) alleging that Management had violated 5 U.S.C. 7116 by failing to notify them of a permanent move of three employees subsequent to the completion of construction and failing to bargain over the move of those employees: Zena Dwuma, Tara Sheesley, and Melissa Toby. The Union amended its ULP on May 18, 2010 to convey that in December 2009, "the Activity failed to negotiate with the Union prior to implementing its decision to reassign several Adjudication section bargaining unit employees to different work stations." The Parties now wish to fully and finally resolve the above-referenced ULP by:

1. The Agency acknowledging that the movement of the three named employees was a unilateral management action.
2. The parties agreeing that communication during the transition of senior management at this Passport Office caused much of the confusion.
3. The Agency agreeing to abide by the July 16, 2010 negotiated local seating agreement.
4. The Agency agreeing to move Zena Dwuma to the desk where Willie Lewis was sitting, and Melissa Toby to Mildred Alexander's desk (after Ms. Alexander transfers to PPT/SIA).
5. The Agency agreeing to allow these two employees 3 hours of work time to complete the move (recorded as "Other" in MIS). They may request additional time if needed.
6. The Charging Party (Union) agreeing to withdraw the Charge No. WA-CA-10-0172 upon joint execution of this Settlement Agreement.

FOR THE CHARGING PARTY (UNION):

Colin Patrick Walle
Union President
NFFE Local 1998

FOR THE RESPONDENT (MANAGEMENT):

Steven J. Polson
Chief Labor-Management Negotiator
Department of State

Rob Arnold
Union Vice President
NFFE Local 1998