



UNITED STATES OF AMERICA
FEDERAL LABOR RELATIONS AUTHORITY

U.S. DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT, WASHINGTON, D.C.
Charged Party or Agency

and

AMERICAN FEDERATION OF GOVERNMENT
EMPLOYEES, LOCAL 476, AFL-CIO
Charging Party

Case No. CH-CA-09-0063

**SETTLEMENT AGREEMENT
(AGENCY RESPONDENT)**

The undersigned Agency and the undersigned Charging Party in settlement of the above matter, and subject to the approval of the Regional Director on behalf of the Federal Labor Relations Authority, **HEREBY AGREE AS FOLLOWS:**

POSTING OF NOTICE – The Agency will post copies of the Notice to All Employees, attached hereto and made a part hereof, in conspicuous places at the Headquarters Building of the U.S. Department of Housing and Urban Development, 451 7th Street, SW, Washington, D.C. (Weaver Building), including all bulletin boards and other places where notices to employees are customarily posted, for a period of at least sixty (60) days from the date of posting. The Notice when posted will be signed by the Chief Operating Officer of HUD.

OTHER ACTION TO BE TAKEN: Within twenty days of the date of approval of this Agreement, or, in the event the Charging Party does not enter into this Agreement, within twenty days after receipt of notice that no appeal has been filed or that the General Counsel has sustained the Regional Director, the Agency and the Union will engage in post-implementation bargaining over the impact and implementation of the movement of bargaining unit employees within the Office of Policy Development and Research, which is at issue in the above-referenced unfair labor practice charge. Bargaining will be consistent with the terms of the Master Labor Agreement between the Agency and Union.

COMPLIANCE WITH NOTICE – The Agency will comply with all the terms and provisions 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 Regional Director concludes that it will effectuate the policies of the Statute, he shall decline to issue a Complaint herein and this Agreement shall be between the Agency and the undersigned Regional Director. A review of such action may be obtained pursuant to Section 2423.11(c) and (d) of the Authority's Regulations. This Agreement is contingent upon the General Counsel sustaining the Regional Director's action in the event of an appeal. Approval of this Agreement by the Regional Director shall constitute 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 shall commence immediately after the Agreement is approved by the Regional Director or, in the event the Charging Party does not enter

into this Agreement, performance shall commence immediately upon receipt by the Agency of advice that no appeal has been filed or that the General Counsel has sustained the Regional Director.

NOTIFICATION OF COMPLIANCE – The Agency will notify the Regional Director in writing what steps the Agency has taken to comply herewith. Such notification shall be made within five (5) days, and again after sixty (60) days, from the date of the approval of this Agreement, or, in the event the Charging Party does not enter into this Agreement, after the receipt of notice that no appeal has been filed or that the General Counsel has sustained the Regional Director.

COMPLIANCE WITH SETTLEMENT AGREEMENT – Contingent upon compliance with the terms and provisions hereof, no further action shall be taken in the above case.

HUD, Washington, D.C. (Agency)

Tresa A. Rice, Agency Representative 12/2/10
By: (Type or Print Name and Title) (Date)

_____/s/_____
(Signature)

American Federation of Government Employees, Local 476, AFL-CIO
(Charging Party)

By: (Type or Print Name and Title) (Date)

(Signature)

Approved: 12/3/10

Peter A. Sutton /s/
Regional Director