



NOTICE TO ALL EMPLOYEES

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

WE WILL offer Derek Hernandez, the President of the American Federation of Government Employees, National Border Patrol Council, Local 2595, reinstatement as a Peer Support member to the Yuma Sector Peer Support Program.

RK Recognizing that Mr. Hernandez currently serves as the President of Local 2595, Mr. Hernandez may serve as a Peer Support Member to the extent that a conflict of interest does not arise between the obligations of Peer Support Member and Union responsibilities/representation

DEPARTMENT OF HOMELAND SECURITY,
CUSTOMS AND BORDER PROTECTION,
YUMA, ARIZONA
(Agency or Activity)

Dated _____

By _____
(Signature) (Title)

THIS IS AN OFFICIAL NOTICE

THIS NOTICE MUST REMAIN POSTED FOR 30 CONSECUTIVE DAYS FROM THE DATE OF POSTING, 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:

1391 Speer Boulevard, Suite 300
Denver, CO 80204

Case No. DE-CA-10-0419

FLRA Form 55
(Rev. 7/89)



United States of America
FEDERAL LABOR RELATIONS AUTHORITY

DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION,
YUMA SECTOR, YUMA, AZ

Respondent

-AND-

AMERICAN FEDERATION OF GOVERNMENT
EMPLOYEES, LOCAL 2595

Charging Party

CASE NO. DE-CA-10-0419

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 part hereof, in conspicuous places, including all bulletin boards and other places where notices to employees are customarily posted, for a period of at least thirty (30) days from the date of posting.

OTHER ACTION TO BE TAKEN -

As required in the attached NOTICE TO ALL EMPLOYEES.

By entering into this Settlement Agreement, the Respondent does not admit to any violation of the Federal Service Labor-Management Relations Statute.

The terms of this agreement do not establish any precedent for the parties, at either the Local or National levels.

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 Chapter 71 of Title 5 of the U.S.C., she 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(b)(2) of the Regulations of the Federal Labor Relations Authority if an appeal is filed within twenty-five (25) days thereof. 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 undersigned (party) (parties) to this Agreement 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 thirty (30) 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 advice 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.

Department of Homeland Security, CBP
Yuma Sector, Yuma, AZ

(Agency)

By: RODOLFO KARISCH

(Type or Print Name and Title) (Date)

[Signature]

(Signature)

American Federation of Government Employees,
Local 2595

(Charging Party)

By: _____

(Type or Print Name and Title) (Date)

Approved: 3-22-11

(Signature)

(Date)

By: [Signature]

Regional Director