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## **HUD, AFGE Council 222 settle Fair Labor Standards Act case**

- **Thousands of employees to be covered by FLSA**
- **Parties agree to \$24 million in damages and attorneys fees**
- **Employees to be notified via email of process for filing claims**

On March 5, HUD entered into an agreement with AFGE Council 222 to settle the Fair Labor Standards Act case filed by the Council in June 2003.

“In 2003, our focus was on off-duty travel—travel on Saturday and Sunday—for which employees received no compensation,” said Council President Carolyn Federoff. When the Agency refused to respond to the initial grievance, the Council secured the services of an attorney and amended the case to include other damages, such as the difference between the value of compensatory time versus paid overtime, and “suffer and permit” overtime. In October 2005, NFFE 1450, representing HUD employees in Region 9 (except Hawaii), joined the case. Local President Elizabeth McDargh signed the settlement agreement on behalf of NFFE 1450.

The Unions, through their attorney, will administer a process for employees to submit claims for damages. The damage period is Fiscal Year 2001-Fiscal Year 2007. The claims process will be web-based and will not involve further hearings. All current and past bargaining unit employees in AFGE Council 222 and NFFE 1450 who were or will be covered by the FLSA will be eligible to file claims.

Employees will receive notice of the claims process via email from this mail box. Please monitor your email carefully. The target date for distribution of the email is on or about March 31.

HUD and the Unions have also agreed upon a notice to go to all employees and managers explaining employee rights under the FLSA. For example, employees covered by the FLSA must have the option of uncapped overtime pay if Management directs travel on weekends, and in other circumstances. This notice should be distributed within 90 days.

For more information on the case, go to <http://afgecouncil222.com/flsagrievance.html>. The right column includes a case recap and history. A copy of the settlement agreement will be posted as soon as it is available.

The Council thanks all of the bargaining unit employees who provided testimony and affidavits in support of this action, and the many union representatives that helped collect this information. Thanks also to our attorneys at Snider and Associates. It wouldn't have been possible without a collective—and sustained—effort.