



United States Department of State

Washington, D.C. 20520

MEMORANDUM

To: Mr. Colin Walle – President, NFFE Local 1998

From: Florence Fultz - CA/PPT/FO

Subject: Procedure for lump sum payments for suffered and permitted overtime and compensatory time off pursuant to settlement

As a result of the FLSA Misclassification Grievance Between the Parties, filed April 20, 2004, and the settlement agreement reached on February 11, 2005, Passport Services has established the following procedure for the bargaining unit employees whose FLSA status was changed to submit a suffered and permitted settlement and/or compensatory time off lump sum claim.

Any bargaining unit employee who was reclassified as a result of this agreement and who believes that he/she was not properly compensated for suffered and permitted overtime worked between the periods of April 20, 2002 and August 28, 2004, must complete and return the request form at Attachment A of the settlement agreement to PPT Headquarters at 2100 Pennsylvania Ave. 3rd Floor, Washington, DC 20037, Attn: PPT/FO/FC – Ken Cato, by April 12, 2005 to qualify for the lump-sum payment. Only an original signed form will be accepted.

Any GS-11 bargaining unit employee assigned to the New York, Houston, Los Angeles, Miami, Philadelphia, San Francisco, Seattle, New Orleans, Washington, Chicago, Connecticut and the Special Issuance Passport Agencies, and the Passport Services Office of Information Management and Liaison, who was reclassified as a result of this Agreement and who was required to accrue and use compensatory time off, rather than overtime, for irregularly scheduled overtime, between the periods of April 20, 2002 and August 28, 2004, must complete and return the request form at Attachment B of the settlement agreement to PPT Headquarters at 2100 Pennsylvania Ave. 3rd Floor, Washington, DC 20037, Attn: PPT/FO/FC – Ken Cato, by April 12, 2005 to qualify for the lump-sum payment. Only an original signed form will be accepted.

PPT/FO will take responsibility for providing NFFE Local 1998 with an electronic copy of the forms, collecting all requests and working with HRD and RM to see that the payroll actions are processed. NFFE Local 1998 must assume responsibility for distribution of forms to all affected employees and must provide these employees with the deadline date established to qualify for the payment.

Colin Walle, President of NFFE Local 1998 and Local 1998's Attorneys, Snider & Fischer, LLC, will receive a list of all the employees who submitted claims forms, before we consider the list complete and initiate the payroll actions. This list will not be shared with local agency managers.

Once payments have been made, these forms will be kept in a locked filing cabinet at PPT Headquarters with the Department's signed copy of the settlement agreement.