

Governing Iowa's public
universities and special schools
University of Iowa
Iowa State University
University of Northern Iowa
Iowa School for the Deaf
Iowa Braille and Sight Saving School
Lakeside Laboratory Regents Resource Center
Northwest Iowa Regents Resource Center
Quad-Cities Graduate Center
Southwest Iowa Regents Resource Center



**BOARD OF
REGENTS**
STATE OF IOWA

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Robert Donley, Executive Director

**Executive Order Number Eighty-Five
Routing/Review Approval of Personnel Settlement Agreement**

*Please sign/date where indicated below noting the approval or denial of the attached proposed Personnel Settlement Agreement. **After signing, please return to the attention of BOR – General Counsel.** If "denied," please return to BOR – General Counsel.*

In the matter of: Ben Darling, AFSCME #130628 and #133157

Institutional Staff: **Lisa Brewster, Director**
UI Health Care Employee & Labor Relations

Office of the Attorney General

Reviewed by (Print Name): Seena Thompson
Reviewer's Signature: [Signature]
Date: 4/20/17 Reviewed: Redacted:

Institution: University of Iowa
Institutional Head's Printed Name: J. Bruce Harvold
Institutional Head's Signature: [Signature]
Date: 5/4/17 Approve: Deny:

Board of Regents

Executive Director's Printed Name: Robert Donley
Executive Director's Signature: [Signature]
Date: 5.11.17 Approve: Deny:

**THE UNIVERSITY OF IOWA
AND
AFSCME/IOWA COUNCIL 61
LOCAL 12**

SETTLEMENT AGREEMENT

The University of Iowa (Employer) and American Federation of State, County, and Municipal Employees Iowa Council 61 (Union) enter into the following agreement regarding grievances (AFSMCE Nos. 130628 and 133157) filed on behalf of Ben Darling (Grievant) alleging violations of Article IV, Section 9 of the 2015-17 collective bargaining agreement. This agreement arose out of situations in which Grievant was disciplined and terminated from his position effective July 27, 2016, for alleged violations of Employer policies and work rules. Based on this situation, the parties agree to the following:

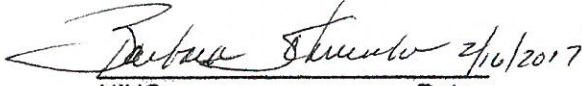
1. The Employer will change Grievant's termination to a voluntary resignation effective July 27, 2016.
2. Grievant will not apply for, nor accept any position with Employer now or in the future. Should he become employed with Employer at any time he would be subject to immediate termination.
3. The Employer will return five (5) days of pay to Grievant.
4. In consideration of the foregoing, the Union will withdraw the above mentioned grievances.
5. This agreement is a good faith settlement of all issues arising from the grievances. No promises for any other or future consideration have been made by anyone. The above consideration is all that will be received for the claims and potential causes of action addressed and arising from the Grievant's claims in the grievances.
6. The terms of this agreement are considered by the parties to pertain only to the specific facts involved in this matter. Neither party shall rely on this agreement or cite the same as precedent in any grievance, arbitration, litigation, or other proceeding in the future.
7. This settlement is subject to Executive Order 85 and must be approved by the Executive Director of the Board of Regents and the President of the University of Iowa and reviewed by the Attorney General or his designee. This settlement shall become effective once it has received all necessary approvals and review. Once in effect it shall be posted to the Board of Regents website.
8. This settlement agreement is subject to Open Records and is available for public inspection and copying.

SIGNATURES ON FOLLOWING PAGE

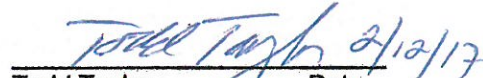
Dated this 23rd day of January 2017.

FOR THE UNIVERSITY:

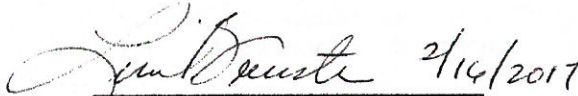
FOR THE UNION:



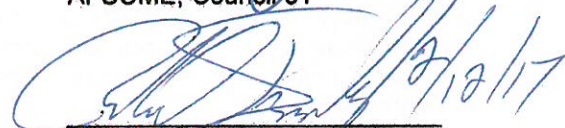
UIHC Date 2/16/2017




Todd Taylor Date 2/12/17
AFSCME, Council 61




Lisa Brewster Date 2/14/2017
UI Health Care ELR



AFSCME, Local 12 Date 2/12/17



Shelley Stickfort Date 2-16-17
University ELR



Ben Darling Date 2/12/17