

BOARD OF REGENTS, STATE OF IOWA

AND

AFSCME/IOWA COUNCIL 61

SETTLEMENT

The Board of Regents (BOR), State of Iowa, and the State University of Iowa (SUI), hereinafter Employer, and the American Federation of State, County, and Municipal Employees (AFSCME) Iowa Council 61, hereinafter Union, enter into the following Settlement in full and final resolution of the grievances filed on behalf of Tim Nolte, hereinafter Grievant, AFSCME Number 130703 alleging a violations of Article IV, Section 9 (Discipline and Discharge) of the 2015-17 Collective Bargaining Agreement between the parties.

This agreement arose out of the mutual interest of the parties to resolve the alleged violation of the collective bargaining agreement involving the Grievant. Based on this situation, the parties agree to the following:

1. The notice of termination will be removed from the Grievant's personnel file.
2. The Grievant will be reinstated to employment on Monday, January 29, 2018, as a Carpenter in SUI Facilities Management (FM) with a recognized continuous employment date of March 12, 1996.
3. The Grievant's salary shall be calculated by the amount he was earning at the time of termination on April 21, 2016, plus any increases he would have received but for the termination.
4. The Employer will restore the Grievant's sick leave accruals he had as of April 21, 2016, and will provide the Grievant with vacation and sick leave accruals at the appropriate accrual rate for the period of time from April 21, 2016, until January 29, 2018.
5. The Employer agrees to pay the Grievant in one (1) lump sum payment the amount of five thousand dollars (\$5,000.00) less any state and federal taxes and FICA.
6. In consideration of the foregoing, the Union will withdraw the above referenced grievance.
7. This settlement is a good faith settlement of all issues arising from the facts alleged in the grievance. 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 this grievance.

8. The terms of this settlement 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.
9. This settlement is subject to Iowa Code Chapter 22.13A and must be approved by the President of the University of Iowa and the Executive Director of the Board of Regents 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.
10. This settlement agreement is subject to Open Records and is available for public inspection and copying.

Dated this 15th Day of January 2018.

FOR THE EMPLOYER:

Timothy B. Cook 1/19/18
Timothy B. Cook Date
Associate Counsel
BOR

Cheryl Reardon 1-19-18
Cheryl Reardon Date
Chief HR Officer & Associate VP
SUI

Lynne Finn 1-19-18
Lynne Finn Date
Director, Business & Financial Svcs – FM
SUI

FOR THE UNION:

Todd Taylor 1/19/18
Todd Taylor Date
Staff Representative
AFSCME Council 61

Tim Nolte 1/19/2018
Tim Nolte Date
Grievant

PER REARDON FRUENHOLTZ
1/19/2018
AFSCME Local 12 Date

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
Southwest Iowa Regents Resource Center



Michael J. Richards, MD, President, West Des Moines
Patty Cowmie, President Pro Tem, Des Moines
Sherry Bates, Scranton
Nancy Boetiger, Harlan
Mitt Dakovich, Waterloo
Nancy Dunkel, Dyersville
Rachael Johnson, Sioux City
Larry McKibben, JD, Marshalltown
Subhash Sahal, MD, Webster City
Mark J. Braun, Executive Director

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: Tim Nolte, AFSCME #130703

Institutional Staff: Tim Cook, Associate Counsel, BOR

Office of the Attorney General

Reviewed by (Print Name): Jeff Thompson
Reviewer's Signature: [Signature]
Date: 1/22/18 Reviewed: Redacted:

Institution: University of Iowa
Institutional Head's Printed Name: J. Bruce Harreld
Institutional Head's Signature: [Signature]
Date: 1/22/18 Approve: Deny:

Board of Regents

Executive Director's Printed Name: Mark J. Braun
Executive Director's Signature: [Signature]
Date: 1/23/18 Approve: Deny: