

DEPARTMENT OF DEFENSE EDUCATION ACTIVITY

AND

FEDERAL EDUCATION ASSOCIATION

Memorandum of Understanding

Implementation of the Opinion issued in Federal Education Association, Inc., v. United States

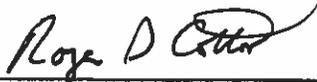
In accordance with the Opinion issued on April 28, 2015 in the case of the FEDERAL EDUCATION ASSOCIATION (FEA), INC. v. UNITED STATES, COFC NO. 14-331C, the Department of Defense Education Activity (DoDEA) and the Federal Education Association (FEA), hereafter referred to as the "parties," hereby agree to the following settlement agreement to implement the Opinion in the FEA Bargaining Unit for the FEA overseas teachers who were not named in the above mentioned complaint filed at the Court of Federal Claims.

- 1) A pay adjustment will be issued within 180 days from the signature of this agreement for the period extending from January 1, 2014 until July 31, 2014, in accordance with the 2013-2014 pay schedules issued by the Wage and Salary Division, Department of Defense Civilian Personnel Advisory Service (DCPAS) to all educators who were employed in the Department of Defense Dependents Schools (DoDDS) schools in FEA bargaining unit.
- 2) This pay adjustment will be provided to all educators who were employed in DoDDS schools in the FEA bargaining unit between January 1, 2014 and July 31, 2014, who:
 - a) are still employed by DoDDS;
 - b) retired/resigned/left DoDEA employment;
 - c) are still employed by DoDEA but are now in the Department of Defense Elementary and Secondary Schools (DDESS) or in the DoDDS schools in the Mediterranean Region.
- 3) This pay adjustment will include back pay, paid with 4% interest, which will apply as well to all allowances and benefits based on salary, such as, but not limited to, Post Allowance that bargaining unit educators would have received if the pay adjustment had been processed during the January 1, 2014 to July 31, 2014 time period. Thrift Savings Plan (TSP) contributions and deposits and retirement that bargaining unit educators would have received if the pay

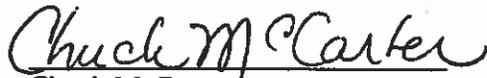
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adjustment had been processed during the January 1, 2014 to July 31, 2014 time period will be include breakage under applicable regulations. All subsequent personnel actions shall then be processed in accordance with the pay adjustment.

- 4) Any DoDDS educators who were employed in DoDDS schools in the FEA bargaining unit between January 1, 2014 and July 31, 2014, but who received Voluntary Early Retirement Authority (VERA) or Voluntary Separation Incentive Payments (VSIP) payments or any other retirement incentive that used salary in the computation of the incentive, the VERA/VSIP or other retirement incentive will be recalculated and the difference will be paid to the educator together with the pay adjustment. Upon completion of the pay adjustment for these retired educators, DoDEA will forward the pay adjustment information to OPM for use in recalculating these educator's annuities.
- 5) Any educator who was employed in DoDDS schools in the FEA bargaining unit between January 1, 2014 and July 31, 2014 and, in accordance with the 2013-2014 pay schedules issued by the Wage and Salary Division, DCPAS, and would receive a negative pay adjustment will instead be placed in "pay retention" ("save pay") in accordance with this settlement agreement and no pay adjustment will be made for these educators. The educator's OPF file will be updated with a memorandum that would reflect that no adjustment was processed in compliance with this settlement agreement and that the educator was on pay retention.
- 6) Each educator who receives this pay adjustment and any subsequent adjustments of their intervening personnel actions will be provided a copy of the attached Retroactive Payment Worksheet.
- 7) Nothing in this agreement precludes FEA from exercising any legal remedy/measure in the event that any educator covered by this agreement is not provided with correct pay and benefits listed herein within 180 days from the signature of this agreement.



Roger Cotton
Human Resources Director
Department of Defense Education Activity



Chuck McCarter
President
Federal Education Association

Date: 12/2/15

Date: 12/2/15

SAMPLE WORKSHEET

REPORT NO. : P6707R01
 REPORT DATE: 02/28/02 12:21

RETROACTIVE PAYMENT WORKSHEET
 PAY PERIOD ENDING DATE 02/23/02

CSR SITE 51090000 CSR GROUP 0210 ACTIVITY 523200 ORGANIZATION 895600

Employee's Name
 OLD SALARY 53,970.00 NEW SALARY 56,668.50

ADJUSTED PAY PERIOD	ADJUSTED	REGULAR PAY	PAID	DAYS	PAID	DAILY RATE	EARNINGS	PREVIOUS EARNINGS	ADJUSTED EARNINGS	NET ADJUSTED EARNINGS
08/25/01	REGULAR PAY	3.0	253.38	266.05	760.14	798.15	38.01			
09/08/01	REGULAR PAY	10.0	253.38	266.05	2,533.80	2,660.50	126.70			
09/22/01	REGULAR PAY	10.0	253.38	266.05	2,533.80	2,660.50	126.70			
10/06/01	REGULAR PAY	10.0	253.38	266.05	2,533.80	2,660.50	126.70			
10/20/01	REGULAR PAY	10.0	253.38	266.05	2,533.80	2,660.50	126.70			
11/03/01	REGULAR PAY	10.0	253.38	266.05	2,533.80	2,660.50	126.70			
11/17/01	REGULAR PAY	10.0	253.38	266.05	2,533.80	2,660.50	126.70			
12/01/01	REGULAR PAY	10.0	253.38	266.05	2,533.80	2,660.50	126.70			
12/15/01	REGULAR PAY	10.0	253.38	266.05	2,533.80	2,660.50	126.70			
427.44	REGULAR PAY	447.33	19.89							
12/29/01	REGULAR PAY	10.0	253.38	266.05	2,533.80	2,660.50	126.70			
394.52	REGULAR PAY	412.86	18.34							
01/12/02	REGULAR PAY	10.0	253.38	266.05	2,533.80	2,660.50	126.70			
394.52	REGULAR PAY	412.86	18.34							
01/26/02	REGULAR PAY	10.0	253.38	266.05	2,533.80	2,660.50	126.70			
328.72	REGULAR PAY	344.12	15.40							
02/09/02	REGULAR PAY	10.0	253.38	266.05	2,533.80	2,660.50	126.70			
328.72	REGULAR PAY	344.12	15.40							
EARNINGS ADJUSTMENT TOTALS										
EARNINGS ADJUSTMENT GRAND TOTALS										

33,039.66
 33,039.66

1,645.78
 1,645.78

THIS REPORT CONTAINS INFORMATION SUBJECT TO THE PRIVACY ACT OF 1974 AS AMENDED.

copy 12/2/15

Retroactive Payment Worksheet
 12/2/15

ADJUSTMENT SUMMARY TOTALS
PAY PERIOD ENDING DATE 02/23/02

REPORT NO. : P6787R01
REPORT DATE: 02/28/02 12:21

CSR SITE 51090000 CSR GROUP 0210 ACTIVITY 523200 ORGANIZATION 895600

NET ADJUSTED EARNINGS	DEDUCTIONS TYPE	AMOUNT	TYPE	AMOUNT
REGULAR PAY	REGLI	1,558.41		
POST ALLOW	REGLI OPT B	87.37		
	FREES ALL	12.45	TAX DEFERRED WAGES	1,239.15
	MEDICARE	22.59		87.37
	QASDI	96.62		
	TAX, FEDERAL	77.90		
	GOVT MATCH	319.26		
	TSP SAVINGS	0.00		
TOTAL	TOTAL	319.26	DAYS PAID	123.0
	LNOP DAYS	0.0		
	NET ADJUSTED EARNINGS	1,645.78		
	LESS DEDUCTION	543.83		
	NET ADJUSTED PAY	1,101.95		

Interest Calculation

Gross Amount
4%

Total Payment

THIS IS THE PAY RECONCILIATION WORKSHEET FOR SCHOOL YEAR: 2001-2002

THIS REPORT CONTAINS INFORMATION SUBJECT TO THE PRIVACY ACT OF 1974 AS AMENDED.

Handwritten signature
5/12/15

Pay

F5-375

Retrospective Payment Worksheet

Handwritten initials
RC 12/2/15