

**BOARD OF REGENTS, STATE OF IOWA**

**AND**

**AFSCME/IOWA COUNCIL 61**

**SETTLEMENT AGREEMENT**

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 Agreement in full and final resolution of the grievance filed on behalf of Elizabeth Cannell, hereinafter Grievant, AFSCME Number 120245 alleging a violation of Article IV, Section 9 (Discipline and Discharge) of the 2013-15 Collective Bargaining Agreement between the parties.

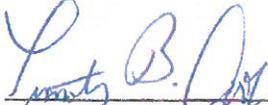
This agreement arose out of a situation in which the Grievant was discharged for violation of SUI policies and work rules. Based on this situation, the parties agree to the following:

1. The Employer agrees to change the discharge to a voluntary resignation retroactive to January 12, 2015.
2. The Grievant agrees this agreement shall serve as her notice of resignation retroactive to January 12, 2015.
3. The Grievant agrees she will not now or in the future apply for or accept employment with SUI in any capacity.
4. The Employer agrees to pay the Grievant in one (1) lump sum payment the amount of three thousand dollars (\$3,000.00) less any state and federal taxes and FICA as settlement for the above referenced grievance.
5. Both parties agree they will not disclose the terms of this agreement to any person or entity who is not a party to this grievance.
7. In consideration of the foregoing, the Union will withdraw the above referenced grievance.
8. 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.

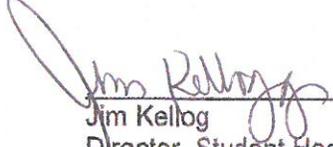
9. The terms of this settlement agreement are considered by the parties to pertain only to the specific facts involved in this matter. Neither party shall rely on this agreement or cite the same as precedent in any grievance, arbitration, litigation, or other proceeding in the future.
10. This settlement is subject to Executive Order 85 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.
11. This settlement agreement is subject to Open Records and is available for public inspection and copying.

Dated this 12<sup>th</sup> Day of October 2015.

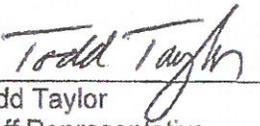
FOR THE EMPLOYER:

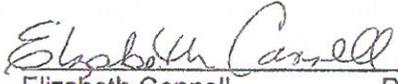
 11-9-15  
\_\_\_\_\_  
Timothy B. Cook                      Date  
Associate Counsel  
BOR

 11/9/15  
\_\_\_\_\_  
Josey Bathke                      Date  
Director, University Employee & Labor Relations  
SUI

 9 Nov. 15  
\_\_\_\_\_  
Jim Kellogg                      Date  
Director, Student Health & Wellness  
SUI

FOR THE UNION:

 11/6/15  
\_\_\_\_\_  
Todd Taylor                      Date  
Staff Representative  
AFSCME Council 61

 10/24/15  
\_\_\_\_\_  
Elizabeth Cannell                      Date  
Grievant

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

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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: AFSCME # 120245 – Elizabeth Cannell

Institutional Staff: Tim Cook, BOR Associate Counsel

### Office of the Attorney General

Reviewed by (Print Name): Diane Stahle

Reviewer's Signature: *Diane Stahle*

Date: 10/25/15

Reviewed:

Redacted:

Institution: University of Iowa

Institutional Head's Printed Name: John E. Robillard, M.D.

Institutional Head's Signature: *John E. Robillard*

Date: 10/29/15

Approve:

Deny:

### Board of Regents

Executive Director's Printed Name: Robert Donley

Executive Director's Signature: *Robert Donley*

Date: 10.13.15

Approve:

Deny: