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## **LIUNA, NFFE and AFGE Local 3601 Win \$80 Million Fair Labor Standards Act Union Grievance for Indian Health Service Employees**

Washington, DC. (May 27, 2015) - The Laborers' International Union of North America (LIUNA) announced today that an \$80 million settlement has been reached in its Fair Labor Standards Act (FLSA) grievance filed against the Indian Health Service, an agency of the U.S. Department of Health and Human Services.

Demonstrating its commitment to ensure that the Fair Labor Standards Act is fully complied with by all managers and supervisory personnel within the Indian Health Service (IHS), the union filed a grievance in 2008 on behalf of employees at IHS. The essence of the action, covering more than 10,000 employees, was that the employees were erroneously designated as exempt from the FLSA. The FLSA is a federal law protecting employees from being forced to work overtime without being properly compensated. Other key allegations included the denial of the choice of overtime payments in lieu of compensatory time, not properly compensating employees for travel time and failure to provide compensation for "off the clock" work, also known as suffer or permit overtime.

The terms of the final settlement agreement provide for the IHS to pay \$80,000,000 to resolve claims by the union on behalf of current and former employees who were not compensated properly under the FLSA from 2006 to present. Also incorporated are interim settlements in which IHS agreed a significant number of employees previously declared FLSA exempt will now be covered by the FLSA and properly compensated moving forward.

"This is a great victory for Indian Health Service employees. It took many years of hard work for the union to recover millions of dollars and achieve a fair solution for the mostly Native American workforce who has labored long and tirelessly to provide health services to native people," said LIUNA General President Terry O'Sullivan.

The terms of the settlement require the IHS to gather and provide the union a significant amount of data necessary to determine all those covered and certain amounts owed. It is expected this information will be provided before the end of the year and that a claims process will begin shortly after the Union processes the data. Current and past LIUNA IHS employees will be provided information about the claims process and how to apply. Inquiries may be directed to [IHSsettlement@sniderlaw.com](mailto:IHSsettlement@sniderlaw.com)

LIUNA was represented in this case by the Law Offices of Snider & Associates, LLC, which has settled many similar cases nationwide. "The union fought hard to settle this matter," said lead counsel Michael J. Snider, adding "this settlement will ensure that the IHS complies with the regulations under the FLSA and will protect both current and future employees."

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*The half-million members of LIUNA – the Laborers' International Union of North America – are on the forefront of the construction industry, a powerhouse of workers who are proud to build America.*