Global Settlement Update

Settlement Administrator on Track to Distribute Checks in May. An additional $15 million will be distributed to employees.

As explained in NTEU's Dec. 20, 2017, message to employees, despite CBP’s assurances that its second set of data was accurate, NTEU was disappointed to discover that the global settlement data still contained significant, systemic errors. CBP has now fixed these errors; it provided revised data to the settlement administrator on Feb. 15. The settlement administrator is recalculating payment amounts and is on track to distribute checks in May 2018.

In addition to CBP’s transfer of revised data to the settlement administrator, another important development has occurred. Since the global settlement was signed in September 2016, CBP has been unable to figure out how to transfer the approximately $15 million from the settlement fund set aside for retirement and Thrift Savings Plan (TSP) contributions to the agencies that administer those programs. After months of negotiation, CBP has agreed with NTEU’s proposed solution.

NTEU is pleased to report that the $15 million that is unable to be deposited into individuals’ retirement and TSP accounts will instead go back into the general fund for distribution to covered employees. With this $15 million now available for distribution, individuals will receive larger settlement payments. Note, the check you receive in May 2018 will not include your share of this $15 million. This extra $15 million will be distributed with the second round of checks, which will be mailed in the fall.

The data used to calculate your payment will be set forth, in detail, on the letter accompanying your check. Please do not contact the settlement administrator’s call center about the data used to calculate your payment until you receive your check.
and the underlying data information.

If you disagree with any of the data points set forth in the letter, you may file an appeal. The letter accompanying your check will provide instructions for filing an appeal. Please note that filing an appeal after receiving your check is the only means for challenging your data or payment amount. Even if you notified NTEU or the settlement administrator of a suspected error in your data, and if that suspected error remains even after CBP has revised its data, you must file an appeal for CBP to fix the error. If you wish to appeal, you must not cash your settlement check. Another check will be issued to you after your appeal is resolved.

The amount of compensatory time off owed to individuals whose settlement awards were limited because of the overtime cap will also be set forth on the letter accompanying the checks. NTEU is working with CBP on the timeline for distribution of compensatory time to employees; we expect that employees who are entitled to additional compensatory time because of the overtime cap will receive that compensatory time shortly after the award letters are distributed. Note, however, that CBP controls the distribution of compensatory time to employee accounts.

If you have questions, please contact your NTEU chapter representative. You should also review the FAQs on NTEU’s web site, which we recently revised to include the most up-to-date settlement information. Additionally, information will be updated on the settlement administrator’s web site within the next 24 hours.