

On March 23, 2016, NTEU settled a national grievance with HHS concerning the Fair Labor Standards Act (FLSA) status of Paralegal Specialists. As a result Paralegal Specialists have been reclassified as covered by (or nonexempt under) the FLSA. That means, going forward, Paralegal Specialists are entitled to a choice between compensatory time off or overtime pay at time-and-a-half, for all overtime hours worked.

Also, HHS has to pay back pay to these employees for improperly compensated overtime that they worked going back to March 10, 2010. Employees who are owed back pay will receive a matching amount of 100% liquidated damages.

HHS recently completed the back pay calculations will begin sending statements to every former and current employee covered by the settlement with the agency's calculations of how much back pay each employee is owed. HHS will send statements to current employees via e-mail and to former employees via regular U.S. mail.

Employees who disagree with HHS's calculations may file a claim within 30 days of receiving the statement. Employees who agree with the agency's calculations of how much back pay they are owed do not need to take any additional steps. HHS will proceed with processing payments, if applicable, for employees who do not file claims.

Another BIG WIN for NTEU. Back pay and proper classification under the federal overtime laws are two solid examples of the benefits of NTEU representation.