



NWSEO Wins Settlement for NESDIS Employee

(March 3, 2020) After the partial government shutdown ended in January 2019, a NESDIS employee thoroughly checked his Earnings and Leave Statement. He realized he wasn't getting paid correctly for his overtime worked. He was covered by the Fair Labor Standards Act (FLSA) and entitled to true overtime, which is one and half times his pay. However, his SF-50 was erroneously changed in January 2015 which affected his overtime pay rate.

"I was probably trusting that NOAA would never get my paycheck wrong. When the government shutdown happened in January 2019, we didn't get paid for pay period 1. I started reviewing the details of my paystub more carefully and I learned that my FLSA status had been changed. I had been underpaid thousands of dollars" stated the employee.

On February 4, 2019, Management advised the employee to resolve his problem through Enterprise Services. On Tuesday, February 12, 2019, the employee contacted Hugh Sharkey, NESDIS Regional Chairperson. The Union's first priority was to correct the mistake and then recover the underpaid wages. By April 23, 2019 the employee was getting paid true overtime once again.

To recover underpaid wages, NWSEO came to a settlement in principle of paying the employee the last two years of the lost pay with liquated damages. Liquated damages double the amount of wages lost due to the wrongful classification of the employee's FLSA status. After Enterprise Services incorrectly paid the employee 0.15 on the dollar for each dollar owed the employee, it took NWSEO's persistence and tenacity to get the employee over \$200,000 in back pay.

NWSEO was there to intervene on behalf of the employee otherwise, the employee may have only recovered 15 cents on the dollar. This is NWSEO at work for you, the employees of NESDIS. **To learn more about NWSEO membership, contact membership@nwseo.org.**

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NWSEO is the largest NOAA Union representing the employees of the National Weather Service, NESDIS Office of Satellite and Product Operations, Office of General Counsel, Aircraft Operations Center, and Atlantic Oceanographic and Meteorological Laboratory.