

1. Grievant(s) A.F.G.E. Local 801 for all bargaining unit members at F.C.I. Waseca	2. Duty Station: F.C.I. Waseca, Waseca, MN
3. Representative of Grievant(s) (name person) William Joenks Jr, Union President, A.F.G.E. Local 801 or his representative	4. Informal resolution attempted with: R. Rios, Warden
5. Federal Prison system Directive, Executive Order, Statute violated: 5 U.S.C. 7116 (a) (5) Failure to negotiate in good faith, (8) to otherwise fail or refuse to comply with any provision of this chapter, MASTER AGREEMENT, ARTICLE 3, SECTIONS C, D, and E, MASTER AGREEMENT, ARTICLE 6, SECTION B(2) (6).  Please note that there is NO requirement by the Master Agreement to be specific in block 5. Please look at block 6.  IF THERE IS ANY QUESTION ABOUT ANYTHING IN THIS GRIEVANCE, PLEASE CONTACT THE LOCAL PRESIDENT	
6. In what way were each of the above violated? Be specific  In an attempt to be very specific, an attachment is added as the space for this block does not allow for this much specificity. SEE ATTACHMENT	
7. Date(s) of violation(s) March 27, 2008	
8. Request remedy (i.e., what you want done)  In an attempt to be very specific, an attachment is added as the space for this block does not allow for this much specificity. SEE ATTACHMENT	
9. Person with whom filed M.K. Nalley	10. Title NCR Director
11. Signature of recipient	12. Date signed
I hereby certify that efforts at informal resolution have been unsuccessful.	
13. Signature of Grievant(s) /s/ A.F.G.E. Local 801 for all bargaining unit members at FCI Waseca	14. Signature of Representative /s/ William Joenks Jr, Union President, A.F.G.E. Local 801 or his representative

Record Copy - Agency; Copy - Union Local; Copy - Council of prison Locals; Copy - Grievant  
(This form may be replicated via WP) This form replaces BP-176(37) Dated October 1984

**FORMAL GRIEVANCE- ATTACHMENT # 1**

**Section 6. In what way were each of the above violated? Be specific:**

On March 17, 2008, the union sent a memorandum to Warden R. Rios invoking its right to negotiate procedures in the event an inmate at the Federal Correctional Institution Waseca is infected with methicillin - resistant Staphylococcus aureus (MRSA).

On March 27, 2008, Associate Warden Dubbs responded for Warden Rios stating management has concluded that additional discussion or negotiation of local MRSA procedures is not warranted.

On April 21, 2008, the union attempted to informally resolve this grievance with Warden R. Rios. Warden Rios did not respond within the 10 (ten) days as outlined in the Master Agreement.

Managements violations include: 5 U.S.C. 7116 (a)(5) Failure to negotiate in good faith, (8) to otherwise fail or refuse to comply with any provision of this chapter, MASTER AGREEMENT, ARTICLE 3, SECTIONS C, D, and E, MASTER AGREEMENT, ARTICLE 6, SECTION B(2)(6).

**Section 8. Request remedy (i.e., what you want done)**

We request the grievant be made whole in every way to include,

1. the agency will enter into a binding agreement that will establish procedures that will protect staff when inmates become infected with MRSA.
2. the grievant will suffer no reprisal, harassment, or intimidation, as a result of filling this grievance.
3. the agency will post on every bulletin board maintained by the agency a bright, 8.5 by 14 paper using letters 3 inches high stating, "Management will no longer ignore the rights of the Union and the rights of the bargaining unit staff in matters of changing working conditions". The body of the message will explain the actions taken by the agency and how those actions violated the law and the Master Agreement. This body should be printed in 12 point font and the posting is to be signed by Warden R. Rios.
4. and anything else that any third party may deem necessary and appropriate.

**IF THERE IS ANY QUESTION ABOUT ANYTHING IN THIS GRIEVANCE, PLEASE CONTACT THE LOCAL PRESIDENT.**