

BP-S176.037 FORMAL GRIEVANCE FORM CDFRM  
MAY 1994

U. S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

1. Grievant(s)  
Council of Prisons Locals-33

2. Duty Station:  
Nationwide

3. Representative of Grievance(s)  
Dwayne Person

4. Informal resolution attempted with  
Joey Meade, Chief LMR  
Kim White, Assistant Director

5. Federal Prison system Directive, Executive Order, Statute violation: 5, U.S.C 7116, Master Agreement, Master Agreement Article 3, MOU dated 10-15-10, ground rules for national policy negotiations dated 2-23-00 and 2-24-00,

6. In what way were each of the above violated? Be specific. On 10-15-10 the parties signed a Memorandum of Understanding (MOU), within this MOU the Union agreed to cancel arbitration on the electronic search policy and the agency agreed to negotiate the staff search policy immediately after the completion of negotiating the Special Housing Unit (SHU) policy. On 5-11-11 the Union requested a written declaration on the proposals the agency declared non-negotiable on the SHU policy as of this date (5-16-11) the Union still have not received the written declaration from the agency completing the SHU policy. The Agency refuse to negotiate the Staff search policy next per the parties MOU. The agency violated 7116 when the agency refuse to immediately negotiate staff search policy, and did not bargain in good faith, when the agency agreed to separate the searching, detaining, or arresting visitors or inmate's policy, whereas this policy is still in the staff search policy. This is a clear repudiation of the MOU. When the agency refused to negotiate the staff search policy during the schedule negotiation session, the Union Policy chair person notice On May, 10, 2011 that the agency violated the parties' contractual agreement article 3, when the agency completed the staff search policy on March 15, 2010, and did not sent the policy to the Union until March 16, 2011. The Agency violated the national ground rules when the Union called for a caucus and the agency cancel the negotiation session and sent the Union team home. The Union has documented memorandums, and had a schedule meeting with Kim White on Friday May 13, 2011 that will show that this matter could not be informally resolved. The agency also notified the Union that the agency plan to continue to violate the MOU by implementing other policies, and the Union refuse to continue to violate the MOU by negotiating any policy other than the Staff search policy which was agreed upon.

\*\*\* If any part of this grievance is unclear contact Dwayne Person\*\*\*\*\*

7. Date(s) of violation(s) 5-12-11 & continuous

8. Request remedy (i.e., what you want done) All attorney, legal fees and expenses incurred in the processing this grievance will be reimbursed by the agency. That a cease and desist orders are issued to against the agency from further action of this nature, all policies implemented in violation of the MOU be rescinded. The agency received a posting. The Union will suffer no reprisal, harassment, or intimidation, as a result of filling this grievance. All policy implemented in violation of the stated MOU be rescinded. That suitable compensation is granted and any other remedy the arbitrator deems appropriate to make the employees or union whole.

9. Person with whom filed Joey Meade

10. Title Chief LMR

11. Signature of recipient

12. Date signed

5/16/11

I hereby certify that efforts at informal resolution have been unsuccessful.

13. Signature of Grievant(s)

14. Signature of Representative