

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

<p>1. Grievant(s) All AFGE 1298 Bargaining Unit Employees who are or have worked in a Cook supervisor post at FCI Fort Worth since Sept 17, 2003</p>	<p>2. Duty station: FCI Fort Worth</p>
<p>3. Representative of Grievant(s): Michael Keen President Local 1298</p>	<p>4. Informal Resolution Attempted with: Ms. Fick AW</p>

5. Federal Prison System Directive, Executive Order, or Statute violated: Master Agreement Article 3,4,18,27. Title 5, United States Code and any other applicable Federal Law or regulation

6 In what way were each of the above violated? Be specific. Cook Supervisor posts at FCI Fort Worth have been vacated or abandoned on a continual basis, in violation of the Master Agreement. When overtime was paid or assigned, it was not distributed in a fair or equitable manner as required by the Master Agreement. Little or no reasonable effort was attempted or made by management to contact staff to work available overtime. The Union has requested overtime records from management, but the Agency has failed to respond to these information requests.

7. Date(s) of violation(s) Sept 17<sup>th</sup> 2009 as well as before, and continuing and ongoing to the present.

8. Request remedy (i.e., what you want done) AFGE Local 1298 seeks relief to the fullest extent available under the law for the Agency's wrongful failure to properly assign and pay overtime pay to Food Service bargaining unit employees. AFGE Local 1298 requests that each and every bargaining unit member be made whole in every way to include but not limited to an award of back pay under title 5, including but not limited to the Back Pay Act, 5 U.S.C. 5596 et seq. and relevant regulations. Furthermore affected members of Local AFGE Local 1298 are also entitled interest on their damages pursuant to the Back Pay Act 5 U.S.C. 5596 (b) (2) (a) and attorney's fees under the Back Pay Act. AFGE 1298 requests, as well any other remedy deemed appropriate. Of course AFGE Local 1298 also seeks an award requiring the Agency to cease and desist it's practice of vacating Food Service Posts and failing to fairly and equitably assign overtime AFGE 1298 requests that the Agency be ordered to follow the procedures under title 5 and the Master Agreement and any other applicable rule or law or regulations. Furthermore the grievant will suffer no reprisals, retaliation, or intimidation as a result of filing this grievance.

<p>9. Person with whom filed Becky Tames</p>	<p>10. Title Warden FCI Fort Worth</p>
<p>11. Signature of recipient</p>	<p>12. Date signed</p>

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

<p>13. Signature of Grievant(s) <i>[Handwritten Signature]</i></p>	<p>14. Signature of Representative <i>[Handwritten Signature]</i></p>
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Record Copy - Agency; Copy - Union Local; Copy - Council of Prison Locals; Copy - Grievant

