

MAY 94

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISON

1. Grievant(s) Council of Prison Locals 33	2. Duty Station <i>National Council</i>
3. Representative of Grievant(s) <i>Mike Coyle</i>	4. Informal resolution attempted with (name Person) Christina Griffith

## 5. Federal Prison System Directive, Executive Order, or Statute violated:

Master Agreement, 5 USC and all other Applicable Laws Rule or Regulations

## 6. In what way were each of the above violated? Be Specific

Council of Prison Locals 33 notified Management by memorandum dated December 8, 2007 that CPL 33 was invoking negotiations over Managements proposed implementation on the Inmate Skills and development Program (ISDS). The agency has stated to the Union that this program is voluntary. However, the Agency has held many meetings regarding implementation and by-passed the national Union and dealt directly with bargaining unit staff nationwide regarding the programs implementation to include working condition changes that impacts appropriate arrangement bargaining per article 3 of the parties Master Agreement. The Union was notified this would be a voluntary program. It was given the appearance that it would actually lightened the work load of bargaining unit staff. It now appears the original presentation we were given at an LMR meeting was disingenuous and incomplete. A memorandum (see attachment one) from Melinda Clark, Correctional Programs, dated 12-11-2006 and forwarded to Local President Xavier Villarreal states "we remind management and labor the ISDS is being tested and utilization is voluntary. We are currently seeking an agenda slot on the next Union Executive Board meeting to update them on our progression". This has not taken place. In a copy of the talking points from Ms. Clark (see attachment two) it states Inmate Skills Development Initiative concepts are in existing policy as follows: Unit Management Manual 5321.07 and Release Preparation Program (RPP) 5325.06. It also states Inmate skills are already a part of RPP and are currently taught by Education, Religious Services, Psychology, Medical Services, and Unit Teams. The Union believes Ms. Clark is interpreting that these basic concepts have already been negotiated that no further bargaining is needed. By implying this was bargained nationally is being used to place pressure on the Local Unions to go along with the voluntary part. She further states local unions have been specifically invited to all ISD training and the demonstration sites and historically they had little resistance. Where were these sites? Ms Clark further states union officials were receptive and supportive of the workgroup's recommendations. What workgroup? Where are the minutes from this workgroup? All this is to place pressure on the locals to voluntarily start this program by getting them to believe it was negotiated on a national level and then by pass the Council of Prison Locals. After looking into this further it has now come to the Unions attention we could have an increase in the work load of bargaining unit staff e.g. unit secretaries could be responsible for inputting sentencing information. This will change frequently with detainees being placed, dropped, good time being taken, etc. Unit secretaries will have to check that information on Sentry every week for each terminal. The IDS computer program is very slow and wastes valuable time. The current progress report can be created with a pp57 in Sentry and transferred to Word Perfect. Most of the information is Sentry generated and the case manage fill in the blanks in a few spots. The ISD is extremely time consuming and repeats work already accomplished in Sentry, such as entering sentencing information. Since these and other issues are now coming to light and you have bypassed CPL 33 by trying to implement this program which includes working condition changes that impacts appropriate arrangement bargaining, we have ordered the Agency to cease and desist implementation of this program. Management has ignored our request to bargain and their violations include the Master Agreement, Article 3, Section c, Section d, Section e; Article 5, Article 6, Section 6 and 5 USC, Section 7106 and 7116.

## 7. Date(s) of violation(s) On going

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

1. Management will bargain to the extent consonant with the collective bargaining agreement, law and regulation over the changes which impact on conditions of employment of unit employees.
2. The Agency will cease and desist implementation of this program until bargaining is completed.
3. Management at each Institution will post the following notice on all staff accessible bulletin boards for 90 days, the notice will be signed and dated by the Director of the Federal Bureau of Prisons. **WE HEREBY NOTIFY OUR EMPLOYEES THAT:**

**WE WILL NOT unilaterally change working conditions of unit employees in the bargaining unit represented by A.F.G.E. COUNCIL OF PRISON LOCALS 33, without first notifying COUNCIL OF LOCALS 33 and affording it the opportunity to bargain to the extent consistent with the collective bargaining agreement, law and regulation.**

**WE WILL NOT in any like or related manner, interfere with, restrain or coerce our employees in the exercise of their rights assured by the Federal Service Labor-Management Relations Statute or Master Agreement.**

**WE WILL, upon request of the COUNCIL OF PRISON LOCAL 33 bargain over the changes in conditions of employment resulting from changes created from the implantation the INMATE SKILLS DEVELOPMENT PROGRAM to the extent consistent with law and regulation.**

4. Any other remedies deemed appropriate and necessary by the Arbitrator.

9. Person with whom filed

Cristina Griffith

10. Title

Chief, LMR

11. Signature of recipient

12. Date signed

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

13. Signature of Grievant(s)

*[Handwritten Signature]* For

14. Signature of Representative

*[Handwritten Signature]*

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.