

MAY 94

U.S. DEPARTMENT OF JUSTICE**FEDERAL BUREAU OF PRISON**

1. Grievant(s) Council of Prison Locals C-33	2. Duty Station National Council
3. Representative of Grievant(s) A.F.G.E., Council of Prison Locals #33	4. Informal resolution attempted with (name Person) Cristina Griffith (Chief, LMR Central Office)

5. Federal Prison System Directive, Executive Order, or Statute violated: but not limited to.
Master Agreement, Title 5 U.S.C. Chapter 71, § 7114 and 7116

6. In what way were each of the above violated? Be specific. But not limited to:

On October 11, 2007, the parties signed a negotiated Agreement titled "MOU Search / Agreement." The agreement was contingent upon the completion of the finalized language and issuance of a of the parties new Master Agreement, and a finalized MOU titled "Electronic Searches of Bureau of Prisons Staff." On November 08, 2007 the parties reached a finalized agreement regarding the electronic searches of staff. On January 15, 2008 the agency arbitrarily implemented the November 08, 2007 agreement. This precipitous action taken by the agency is a direct violation of the October 11, 2007 negotiated agreement which states "Should the parties fail to reach a complete agreement regarding both matters, this MOU will become null and void. The parties agree to withdraw all tabled or set aside proposals pending for the Master Agreement. All agreed upon language to date on any article, section, or appendix will become part of the new agreement, and any language that has not been agreed upon will remain current Master Agreement language in the new Master Agreement." Prior to the new Master Agreement being finalized, the agency is obligated to get approval for all newly negotiated Master Agreement language. This is accomplished by agency head review. The agency was fully aware that the Union must also have the newly negotiated Master Agreement language ratified by each local within the Council of Prison Locals. The new Master Agreement is not finalized until the aforementioned processes have been completed. By its actions of implementation the agency has repudiated our negotiated October 11, 2007 agreement. The agency continues to fail to negotiate with the Union in good faith as required by Federal Labor Statutes and the parties current Master Agreement.

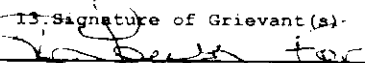
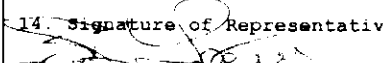
7. Date(s) of violation(s)
January 15, 2008

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

1. That the Arbitrator order the Agency to cease and desist the implementation of the Electronic Search MOU until completion of Agency Head Review and Union Ratification of the New Master Agreement, and return to status quo.
2. That the Arbitrator maintain jurisdiction over this matter until the New Master Agreement comes to resolution.
3. Therefore, should either party fail to approve the New Master Agreement through either of the parties separate review process, that the Arbitrator rule that the October 11, 2008 agreement become null and void, and order a status quo ante ruling in which the parties will be obligated to return to the table to re-negotiate this issue.
4. Any relief deemed appropriate by the Arbitrator.

9. Person with whom filed Cristina Griffith on behalf of Harley Lappin, Director	10. Title Chief, LMR Branch
11. Signature of recipient	12. Date signed

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

13. Signature of Grievant(s) 	14. Signature of Representative 
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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 1994.