



U.S. Department of Justice
Federal Bureau of Prisons
Federal Medical Center
3301 Leestown Road
Lexington, KY 40511-8799

July 27, 2023

MEMORANDUM FOR DAVID PAUL, WARDEN

FROM: LMR Officials
FMC Lexington, KY

SUBJECT: LMR Meeting - July 27, 2023

The Labor-Management Relations meeting was conducted on July 27, 2023 at 12:00 p.m. in the Warden's Conference Room. The following individuals were in attendance:

AFGE Local #817

K. Griffin, President
A. Mabson, Vice President
M. Christison, Secretary
J. Dize, Treasurer
J. Young, Steward
R. Terry, Chief Steward
F. Marrs, 2nd Vice President

Management

J. Sizemore, AW(O), Chairperson
C. Kirby, AW(P)
P. Johnston, Captain
J. Lawson, Lieutenant (Obs)
S. Mattingly, Unit Manager (Obs)
A. Reed, HR Specialist

Union Agenda Items:

Tabled Items from last meeting

1. AGENDA ITEM: Mandate Overtime Credit

The Union Requests a follow up on any relevant issues that would prevent a mandatory overtime agreement.

MANAGEMENT: Management has found multiple issues during the trial period for mandatory credit procedures. At the conclusion of the 3rd quarter, management will be ending the trial mandatory credit procedures. One of the issues that came up, is a lot of back and forth. Administratively it's been very difficult because of the roster program. Let's come up with something new so that everyone is

happy and it's easier administratively. You cannot sort by the last overtime worked, however, doing that could improve the roster program and this mandate system. Management would like to help with this national roster program by communicating with national programs.

UNION: The Union believes that as the Lieutenant's fill the overtime, they should go ahead and choose the mandate option. If we go back to the old way, then why can't we consider issues that arise by a case-by-case basis. Union officials have talked to our staff and the correctional officers appreciate the option of utilizing their mandate to help their families schedule rather than the forced overtime. Officers are going to do overtime if they know their mandate is coming up. The Union believes the staff morale has been exponentially better with the implementation of this, getting rid of this would hinder it greatly. You're improving the quality of life of your staff. There are a lot of benefits without a lot of issues on the other side, it seems as though it's a little bit of extra work for the Lieutenant's and you want to get rid of it because of that. Something is working well, because you continue to get overtime filled voluntarily. Mandate refusals will continue to get worse if you take this away. Family should be first; staff morale should be important; we hope to fix something moving forward. Officers work those overtimes to ensure that they aren't hit on important days for their family. The Union recognizes that there are individuals who have abused it, however, the Union can address that issue. Let's consider something that we can change on the roster to make it easier for the Lieutenant's as well as keep staff happy. Instead of continuing to try to do work arounds, lets consider changing or adjusting the roster, even if we must take this to central office and national programs. The correctional officers understand that whenever the overtime is hired, the date that they were hired is the date of their mandate. The Union can have the burden of that research if someone is abusing the system. The Union sees that this manipulation is still occurring even if that is not in place, they are still using the roster program against itself. Someone can still sign up, skip their mandate, and then cancel their overtime last minute which would again, skip their mandate. The Union agrees to continue looking at other avenues and other solutions that will assist in this. The Lieutenant's run the roster every day, we would like to help you all. It appears the best solution would be to sort by the overtime worked rather than the overtime date that was signed up on, however, a sort or default function could really assist in making the roster work better for everyone, officers and Lieutenants.

CONCLUSION: Both parties agreed to table this item.

2. AGENDA ITEM: Boot Program

The Union presents a boot allowance and procedural memorandum of understanding.

UNION: The Union has spoken with the Business Administrator to ensure that this can begin FY24.

MANAGEMENT: Management has an issue that with the MOU, the Master Agreement is referenced that talks about nine months, however, we have requested that this be done every year during uniform allowance. Would like to pull the language out that speaks about the Master Agreement and change it to yearly. Let's discuss the language and update the MOU next week.

CONCLUSION: Both parties agreed to table this item.

3. AGENDA ITEM: Treadway Issues

The Union requests a follow up on the work ticket items regarding the lack of water in Treadway, the drains clogging, and the sinks not even having a drain connected.

UNION: The Union has been having a lot of issues and more work orders going on. The sink in the only working bathroom has brown water coming through so the water line has been compromised. This needs to be fixed. We have been hearing a lot of issues with work orders and the issues not getting completed.

MANAGEMENT: Management has spoken to Mr. Hessami and Mr. Heselton so please send AW Sizemore some dates that you all are available at Treadway, and Mr. Heselton will have a team take care of these issues.

CONCLUSION: Both parties agreed to table this item.

4. AGENDA ITEM: HVAC Conditions for Staff

Union requests updates on HVAC, SHU and Comm-D have not been repaired, it is only a temporary fix.

UNION: The Union went to SHU and noticed that SHU control and the SHU floor has been cool, the SHU office is manageable. One of the concerns I have is work tickets being pushed off. R&D and Med Trip Officers station needs to have some kind of relief since the electrical capacity isn't available yet. Med Trips office has a window to vent a mobile unit. If we cannot address the issue soon and the temperature continue to rise, could we adjust and serve cold meals during lunch and the hottest part of the day to ensure the temperature stays manageable. We could potentially purchase gel packs for our vests could be a possibility. Records staff purchased their own A/C unit for their office last year.

MANAGEMENT: Management has followed up with Facilities and Comm D is working. Mr. O'Suna verified on 7-24-23. Facilities sent a shop vac so the orderly can clean out the vent.

No work order has been submitted for basement corridor. Basement corridor does not have A/C. There has been an A/C issue in Atwood food service area, we followed up and did temperature checks and it was 89 and 91 degrees in the prep areas. We have a replacement unit coming, it has been ordered and hopefully by early next week that will be addressed and fixed. We can potentially make the adjustment to cold meals during lunch if needed.

CONCLUSION: Both parties agreed to table this item.

5. AGENDA ITEM: Lunch Breaks

The Union requests direction be sent out regarding the administration of lunch reliefs to be consistent with the master agreement.

UNION: The Union continues to hear numerous issues about lunch breaks. There are simply not enough bodies to give everyone a lunch break. Let's consider the possibility of the straight eight option or go to portal. Instead of the Lieutenant's having the burden of adding that into the roster, we could change how it is handled. The overtime could be automatic, they are working 8.5 hours so they should be paid for that 30-minute lunch break they should be getting. This could be a mutually beneficial option for Lieutenant's and officers. If we pay people for the overtime automatically, we could add the 30 minutes after the shift. If they do want to take the lunch break, that 30-minute overtime would be taken off their schedule. Automatic lunch breaks built in sounds like it could be the best option.

MANAGEMENT: Staff are given lunch breaks. If a staff member is not given a lunch break, they are paid 30 minutes of overtime per the master agreement. The easiest option seems like it would be 0730-1600. Anytime you are changing times, everything must go to region, then to legal to get approved beforehand. Management would like to table this to ensure that this would work for an automatic 30-minute lunch break option or having a lunch break without the overtime.

CONCLUSION: Both parties agreed to table this item.

6. AGENDA ITEM: Augmentation

The Union still requests clarification on whether an all call and opportunity for overtime are being offered to bargaining unit staff before a manager is augmented to cover a vacancy. During the June LMR, Management did not respond to this. The only response given was when augmentation was used, when management can be assigned, and issue of the same officer being pulled from his bid post repeatedly.

UNION: The Union continues to see issues with Augmentation. Last week there was a mammogram scheduled for 30 minutes and it takes longer than that and medical records is aware of that, the trip officer couldn't come out in time, so individuals were augmented, and it was not an emergency medical trip.

If we are looking at renewing a contract and we don't have any issues documented, then we cannot say no to their contract for the next year. The coder should be making note of any issues we've been having. We are also paying overtime because we are paying the contract as well as paying our officers overtime to cover.

Augmentation continues to be an issue. Successful programs locally have included an augmentation program that included Lieutenants and a Union Representative. That way, it puts more of the burden on the Union. If there is an issue, the Union was in on the change and augment. Seniority down instead of latest EOD is how it was designed. Lieutenants at times have a bad attitude about it and we are simply trying to work together. The Augmentation MOU is in place to ensure that this is completed in a fair way. Moving forward are we going to continue to use ride share van as an excuse for those issues? The Union believes the easiest solution could be that the Lieutenant's call the Union representative to ensure the next individuals are the next on the augment roster.

MANAGEMENT: Management retains the right to assign supervisors work to include duties, times, and posts. Augmentation is followed based on the Augmentation Agreement. Med trips are down to twelve a day, and all females are going to the same place. I have a Lieutenant over Clinical to help and ensure this is getting done. Medical records and the Captain have talked and have addressed these issues together by limiting the amount of trips and the amount of female medical trips. Medical Records and Management are having weekly meetings to ensure that this is being managed more efficiently and effectively. Medical records are now being scheduled around two weeks out, we hope to see a big change in the way they schedule. The ride share van should not be used as an excuse for not getting augmented according to policy.

CONCLUSION: Both parties agreed to table this item.

7. AGENDA ITEM: Phones in Food Service

The Union requests a follow up on the work tickets "re-submitted" on the food service phones. During the June LMR Management stated the Comm Shop would investigate the phone in the main Kitchen phone on 21 June 2023. The Union is requesting a follow up.

UNION: The Union had nothing further to report.

MANAGEMENT: Phones were working in Food Service. The phone in the kettle area has been removed. There is a phone in the cook foreman office and one on the other side of the door in the serving line area. There are no security concerns due to having a phone in their office that is within the area of workspace. The kettle area's phone has been disconnected because there are no available lines or circuits available. Once the fiber project is complete, it should help with the phone line issue.

CONCLUSION: Both parties agreed to close this item.

8. AGENDA ITEM: LMR Agreement

The June LMR, the Union submitted a MOU that outlined a standing LMR agreement for ease, including time each month, follow up dates and more. The Union requests any follow up from Management.

UNION: The Union has some issues regarding getting official time approved. If we can have the MOU approved, that could resolve some

issues dealing with the time if we have a set date for each LMR. Supplements go to the LEX-UnionPres proxy box. The Union have some official time issues because they only have one day off. If we could approve the Official Time in advance, then we could change the days off so they can be sure that they are getting the appropriate number of days off.

MANAGEMENT: MOU under review.

CONCLUSION: Both parties agreed to table this item.

9. AGENDA ITEM: Committees

During the June LMR, Management agreed to update our Institutional Supplements to ensure Union representation is requested for committees and they would be sent to the Union for review. The Union is still waiting to receive these Supplements for review.

UNION: The Union is still not getting budget or salary meetings notifications, please ensure that these are getting passed along to the Union.

MANAGEMENT: The Union has been invited to committee meetings as agreed. Supplement is in revision. Management is under review for those.

CONCLUSION: Both parties agreed to table this item.

10. AGENDA ITEM: Impact and Implementation

The Union request any updates on the Compound Officer's office.

UNION: The Union will look at this area with Management.

MANAGEMENT: A room in Education has been identified. Conversion of the room into the Compound Officers Station is planned so that it is functional by the start of the 4th quarter.

CONCLUSION: Both parties agreed to table this item.

11. AGENDA ITEM: Sick and Annual

Management agreed to create a procedural memo for the Administrative Lieutenant to follow for sick and annual and consistency purposes.

The new Correctional Officer's quarter is coming up in a few weeks and the Union would like to be updated on the process.

MANAGEMENT: Once the 3rd quarter roster is finalized, the Administrative Lieutenant will put out a Sick and Annual bid so that Sick and Annual Officers can bid on days off and shifts. While management will make every effort to maintain these selections, it is not always possible to do so. Sick and Annual Officers will be notified in a timely manner of any schedule changes outside these selections.

UNION: The Union would like to ensure that if the amount of sick and annual employees increase, that we ensure this is happening.

CONCLUSION: Both parties agreed to close this item.

Topics for July Meeting

1. AGENDA ITEM: Rear Gate X-Ray Machine

The x-ray machine at the Rear Gate has been inoperable for a while now, causing the Mail Room staff to receive mail through the Front Lobby. This is a violation of Institutional Supplement LEX-5800.16B, Section 5c Incoming Mail states Mail Room staff will accept all incoming mail and packages from the USPS at the Rear Gate. Mail and packages will be x-rayed prior to entrance to the secure perimeter of the institution. Program statement 5800.06 states Controlled narcotics, x-ray film, and other sensitive and controlled substances may be delivered in packages addressed to the Health Services Department. Therefore, extra caution must be exercised when inspecting them because using a fluoroscope machine or exposing x-ray film to light may ruin them. Packages are to be held in a secure area such as the rear gate, etc., depending on the institution security level. The Union would like an update on when the x-ray machine will be either repaired or replaced. The utilization of the Front Lobby to receive mail could potentially put staff in harm's way, due to possible substances placed in the mail, that is undetectable until received in the Mail Room. This places all staff at risk.

UNION: The Union requests that have better X-Rays in the front lobby area as well as at the rear gate.

MANAGEMENT: Management has been quoted for a new X-Ray machine and it is being purchased. Unknown time of delivery and install, it is expected to be 5-7 months.

CONCLUSION: Both parties agreed to table this item.


Management Agenda Items:

Management had no issues to raise with the Union.


Closing:

The Union and Management have agreed to conduct LMR meetings monthly until both parties determine it is no longer necessary to assist in the timeliness of the agenda items raised. The next meeting is scheduled for August 22, 2023 at 12:30 p.m.

Meeting Adjourned at 2:15 p.m.



J. Sizemore, AW (O)
Chairperson



K. Griffin, President
AFGE Local 817

Minutes prepared by K. Hatfield, AW Secretary.