



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

June 21, 2023

MEMORANDUM FOR DAVID PAUL, WARDEN

FROM: LMR Officials  
FMC Lexington, KY

SUBJECT: LMR Meeting - June 21, 2023

The Labor-Management Relations meeting was conducted on June 21, 2023 at 9:00 a.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, Steward  
F. Marrs, Steward

Management

J. Sizemore, AW(O), Chairperson  
C. Kirby, AW(P)  
K. Blanke, AW(CP)  
G. Skeel, Asst. HRM  
P. Johnston, Captain  
K. Jewell, HR Specialist

Union Agenda Items:

*Tabled Items from last meeting*

**1. AGENDA ITEM: COVID (Forced Leave) Settlement**

The Union continues to request all covid forms. The Union also holds that the settlement agreement outlined restoration of not only sick leave but also annual, award, etc.

UNION: The Union has put out an email to staff if they feel as though they had to take forced leave during the COVID-19 pandemic, they had an opportunity to reach out to the Union to get this resolved and ensure everyone was compensated and/or their leave was restored.

This included those individuals who in the beginning, didn't have clear guidance on what constituted for them to stay home.

MANAGEMENT: Management was able to locate a spreadsheet covering staff that were denied access due to the covid Screening tool and uncovered 6 more instances eligible for leave restoration. Corrections have been made to their leave balances. There were 2 other instances on the spreadsheet that we couldn't verify because the employees no longer work for the BOP, and another that is a PHS employee, so we don't track their leave. Those instances will be emailed to the Union.

CONCLUSION: Both parties agreed to close this item.

## **2. AGENDA ITEM: Mandate Overtime Credit**

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

UNION: The Union believes that the quality of life has improved for officers because of this new agreement and would like to continue this. The Union believes the mandate passes as well as the mandate credit for all overtimes have improved morale throughout custody and does not add undue work onto the Lieutenant on duty. A better, more trackable way to do mandate passes should be put in place rather than simply adding a note to the officer's roster profile as these are editable.

MANAGEMENT: Management believes the roster management right now is not feasible with both the mandate overtime credit as well as mandate passes. We can continue to adjust as this trial period continues. However, the Lieutenants are running into numerous administrative issues and having difficulty filling the roster for the next shift.

CONCLUSION: Both parties agreed to table this item.

## **3. AGENDA ITEM: Boot Program**

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

UNION: The Union presented an MOU outlining the basics of the boot program and eligibility. The amount was discussed last meeting as not being included but after discussion, it was decided that instead

there is a clause that allows the Union and Management to update boot allowance amounts together.

MANAGEMENT: Management agrees to read over the Boot Program MOU presented, make any changes needed, and discuss.

CONCLUSION: Both parties agreed to table this item.

#### **4. 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 feels that more needs to be done to address and resolve the issues of not having bathroom or sink access. Numerous work orders have been put in. The inmate workers have attempted to address certain issues but have not solved any of the underlying problems. The Union understands that major renovations are potentially needed at Treadway, and we request that an alternative area for the Union be provided if deemed necessary.

MANAGEMENT: After General Maintenance Foreman assigned his inmates, it was determined that the lines are beyond repair. This will require a major renovation of Treadway. There is asbestos throughout insulating the lines, wall coverings will also need removed. However, there is one working commode and one sink. Management would like to accompany the Union President on looking at the issues they are facing and explore options so we can ensure these issues get resolved.

CONCLUSION: Both parties agreed to table this item.

#### **5. 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 investigated the COMM D and SHU air concerns and it's currently blowing hot air because of incorrect ventilation issues. Consider expandable vents, flex ducts, easy fixes to properly utilize these units. This sets up issues for mold. The Union has also been made aware of issues in the basement corridor office, the Red Mile Room, and the screening site.

MANAGEMENT: Management is still waiting on approval or denial of the Emergency B&F request submitted to the MXRO on May 12, 2023. Until then, day to day fixes have been made to help with the HVAC and ventilation issues. There is not enough electric capacity to have a front lobby fan. Management agrees to investigate small, portable, and ventilated units for those areas that are having consistent issues that cannot be addressed without the funds from the Emergency B&F request.

CONCLUSION: Both parties agreed to table this item.

#### **6. 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 presented a new MOU, modeled closely to the Terre Haute MOU regarding lunch breaks and portal to portal. The Union discussed that this MOU would put officers on straight eight-hour shifts and would give a fifteen-minute overtime to those coming and going each day to fix the lunch break issue.

MANAGEMENT: Management agrees to review the MOU, make changes as necessary, and discuss the option. Management discussed that at this time, staff are given lunch breaks consistent with the master agreement. If a staff member is not given a lunch break, they are paid 30 minutes of overtime after review of each individual scenario.

CONCLUSION: Both parties agreed to table this item.

#### **7. AGENDA ITEM: Med Trips**

We request the fourteen (14) med trips per day be maintained. Continue to schedule med trips earlier in the day and lighter in the evenings.

UNION: The Union is seeing that many of the medical trip scheduling is being stacked onto the early morning Med Escorts who are scheduled from 6:00 am to 2:00 pm. This is causing trips to go out late. The Union also sees that appointments are being scheduled later in the afternoon as well which is causing overtime that is not needed as the officers have hours of downtime in between appointments. The Union also feels as though the Telemedicine department could be utilized more, especially on follow ups instead of physically needing to go

downtown. Officers are also being put into consult rooms for hours because the hospital and office are aware of the patient the doctor is going to see, so they are causing extreme wait times for officers causing missed med trips, overtime, and other problems.

MANAGEMENT: Management will do its best to keep med trips at a reasonable number. While we agree that it's a best practice, there are times we cannot guarantee there will only be 14 med trips scheduled per day. Medical Records will be receiving a supervisor soon which will allow assistance on scheduling appointment times. The Medical Records Technician who is scheduling appointments is now involved in the Utilization Review Committee meetings which assist in scheduling medical trips that are very time sensitive and those that can wait to be scheduled according to the Clinical Director. This, too, will assist in scheduling medical trips.

Management agrees that our Telemedicine group is an important and excellent tool to use when able. Last year they saved us 1,000 medical trips and millions of dollars. In the future, the Bureau has voiced they would like to expand Telemedicine so we also hope for more Telemed nurses, equipment, and expansion of services in the future.

HSA Cornish will discuss the hospital issues officers are having with UK hospital and will ensure they know the importance of keeping appointment times as close to the appointment as possible for our officers and the safety and security of our institution.

CONCLUSION: Both parties agreed to close this item.

## **8. AGENDA ITEM: MOUs**

Requesting a follow up from Management on MOUs in the Captain's possession.

UNION: The Union has a good faith issue with Management about this binder and its contents. The Union raised the issue of cancelling overtime and if it is done in a fair and equitable way at the hospital. An MOU was put in place years ago that allowed Management to instead of pulling the last officer on overtime if an inmate is sent back from the hospital, they can instead allow the officer at the hospital to cancel their overtime for ease of all involved. The Union originally conceded to Management, however, since the MOU can't be located, the Union may look at changing it back to the way it was previously. The Union is frustrated because it seems as though not a

lot of time or effort is being utilized to locate the items we are asking for.

MANAGEMENT: Captain's MOU binder is present for review and includes MOU's from other agency's who we have relationships with. This includes Kentucky State Police, the Lexington Fire Department, and Lexington Police Department. No MOU's have been intentionally kept from the Union. Previous leadership could have had the binder discussed and disposed of it.

CONCLUSION: Both parties agreed to close this item.

#### **9. AGENDA ITEM: Female Med Escort**

The female med trips are resulting in female staff being pulled daily. The Union requests the female med trips post be returned. Female trips forced overtime should also be treated the same as all other officers' overtime and should be credited as a mandatory overtime.

UNION: The Union has concerns that when the Female Med Escort has no trips and they are utilized in another post, they could be mandated. Since they are a Med Escort, they too, will have overtime at times when these Medical Trips go out. The Union would like the Female Med Escort to get credit for their mandate on these overtimes, like the Med Escorts do.

MANAGEMENT: Due to administrative issues, staff were assigned to escort female camp inmates to and from appointments until administrative concerns could be addressed. Female Med Trip bid post will be added next quarter. If nothing is scheduled for the day, the female Med Trip Officer will be a sick and annual officer who will be placed on another post. Management will ensure that in the new quarter this female Med Trip Officer is treated as all other Med Trip Officers are and will be exempt from mandatory overtime and when they receive overtime on long medical trips, they will receive credit for their mandate.

CONCLUSION: Both parties agreed to close this item.

#### **10. AGENDA ITEM: Restrooms**

The Union is aware that management made the A building bathroom gender neutral.

UNION: The Union had nothing further to discuss.

MANAGEMENT: Request to close this issue.

CONCLUSION: Both parties agreed to close this item.

#### **11. AGENDA ITEM: MAT Procedures**

The Union requests follow up on the procedures regarding MAT. Specifically, A/W Blanke was to follow up on the verbiage of the responsibility of correctional officers in SHU.

UNION: The Union would like to thank Management for sending out correspondence to all RNs and Medical Supervisors to ensure officers are not responsible for watching and ensuring inmates in the MAT program are taking their medication properly. Steward and Officer Young brought forth the idea of an MOU for this practice, thank you to him, the effort is appreciated.

MANAGEMENT: An email was sent to all RNs on June 9 ensuring that this is not happening. AW Blanke forwarded this email to Union Eboard J. Dize and K. Griffin on 6/20/2023.

Correctional Officers assist medical staff in ensuring inmates comply with MAT program rules set forth by medical staff. The Correctional Officers responsibility is to be of assistance in ensuring inmates do not try and circumvent directives given to them by medical staff.

CONCLUSION: Both parties agreed to close this item.

#### **12. AGENDA ITEM: Augmentation**

The Union 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.

UNION: The Union believes the Correctional Officers are being pulled unnecessarily from their bid post multiple days in a row. Some Lieutenants are very disrespectful when Union Stewards call and ask questions on the procedure or reason behind a decision or pull. One Officer this week has been pulled four times from his bid post to do Emergency Medical Trips, instead of Augmenting the Correctional Workers that were pulled to the medical trip.

MANAGEMENT: Augmentation is for use during Mandatory Training and Emergency Medical Trips taking place. Augmentation only takes place in these instances during Day Watch or AM Shifts. Management can be assigned not only during these instances but at any time as management are not bargaining unit staff members. The issue of the Officer being pulled multiple times this week will be followed up with and will be addressed immediately.

CONCLUSION: Both parties agreed to table this item.

### **13. AGENDA ITEM: Phones in Food Service**

The Union requests a follow up on the work tickets "re-submitted" on the food service phones.

UNION: We request to table until next meeting to ensure the Kitchen phone is fixed.

MANAGEMENT: There is a working telephone line in FS basement. The only phone without dial tone currently is the Main Kitchen. Comm Shop will look at this this morning, June 21, 2023.

CONCLUSION: Both parties agreed to table this item.

### ***New Meeting Items***

#### **1. AGENDA ITEM: LMR Agreement**

The Union will present an MOU that will serve as ground rules for LMR, if agreed upon by Management.

UNION: The Union presented an MOU outlining a standing LMR agreement for ease including time each month, follow up dates, and more.

MANAGEMENT: Management agrees to review the MOU, make changes as necessary, and discuss the option.

CONCLUSION: Both parties agreed to table this item.

#### **2. AGENDA ITEM: Officers being pulled from bid post**

The Union has become aware that Officers are being pulled from their bid post and the post being filled by overtime. When a hard to fill post comes open for overtime, an Officer working an easier to fill post is moved to the harder to fill post and then the easier to fill



post is filled by overtime. Master Agreement states non-probationary employees, other than those assigned to sick and annual relief, will remain on the shift/assignment designated by the quarterly roster for the entire roster period.

UNION: The Union reminds Management that when there are leave granted to officers, the vacancy should be what is filled. An Officer recently was pulled from his bid post because a Lieutenant thought he was still on probation and could not work his post. When the Lieutenant was addressed and informed, he did not put him back on his bid post. The communication between the Union and the Lieutenants are getting more and more strained and the Union has heard from multiple officer's stating 'I'm being mandated, thanks to the Union and official time.' This way of thinking is coming from some of our Lieutenant's.

MANAGEMENT: Management will make every reasonable effort to keep officers on their bided post. However, Article 5, Section A, Sub-section 2b: Right to assign work. Management would like to get a memo with who has been harassing the Union so this can be addressed. If they are acting Lieutenant's, Management will ensure they are no longer being put in an Acting capacity.

CONCLUSION: Both parties agreed to close this item.

### **3. AGENDA ITEM: Committees**

ARTICLE 10 - UNION REPRESENTATION ON COMMITTEES Section a. The Union at the appropriate level will have membership on at least the following committees, where they exist, which are charged with making recommendations to the appropriate authorities on specific issues. These committees are: 1. Health and Safety, in accordance with Article 27; 2. Incentive Awards (to help oversee the system and review suggestions only); 3. Affirmative Action; 4. Staff Housing (whenever members of the unit have applied); and 5. Commissary. The Union was advised by Assistant Human Resource Manager Skeel, the Union did not have a right to the Awards Committee. The Union needs clarification of why this is being stated.

UNION: The Union had nothing to further to discuss.

MANAGEMENT: Management agrees to update our Institutional Supplements to ensure Union representation is requested for

committees. These Institutional Supplements will be sent to the Union for review.

CONCLUSION: Both parties agreed to table this item.

#### **4. AGENDA ITEM: Impact and Implementation**

Bargaining member's offices and workstations are being moved without any I&I being conducted. No changes are being discussed with the Union, prior to these changes.

UNION: The Union is aware of changes being made in offices and workstations in the institution without an I&I being conducted, specifically the psychology/RDAP area, and the main corridor officer's station. Many changes requested in terms of I & I will be approved of by the Union if you make the necessary notifications beforehand. It's important to involve the Union when making changes to bargaining unit staff's working conditions. The RDAP staff were very thankful and appreciative of the quick remedy that Management finalized. The main corridor officer's station is significantly smaller, there is no longer a restroom, and there is not enough room for people to eat.

MANAGEMENT: There is no change in working conditions for the Main Corridor Office. The psychology department had staff reassigned without I & I. The changes to psychology have been reverted to previous until management is able to properly I & I. Management agrees to remind Department Heads in the Department Head meeting of conducting I & I if changes are made.

CONCLUSION: Both parties agreed to table this item.

#### **5. AGENDA ITEM: Sick and Annual**

The Union requests Management utilize a bid process for S&A staff to increase the quality of life and boost morale, as we have in the past. A result of increased morale from the voluntary mandate procedures has resulted in more staff volunteering for overtime. The Union believes that an improvement to the S&A procedures will have a similar affect.

UNION: The Union would like more consistency for Sick and Annual officers on bidding for posts.

MANAGEMENT: Management agrees to do a bid for sick and annual which is accomplished by EOD. As with any sick and annual post, these schedules may not always be consistent due to institutional needs throughout the quarter. Management also agrees to create a procedural memo for the Administrative Lieutenant to follow for sick and annual and consistency purposes.

CONCLUSION: Both parties agreed to table this item.

**Management Agenda Items:**

Management had no issues to raise with the Union.

**Other Items Raised:**

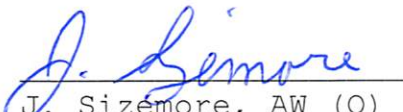
When Medical Trip Officers are at the hospital, doctors' offices, or similar; they do not have to sign anything. If the medical professional states they will not treat our inmates without signatures, or information, then you have the right to leave. The institution, HSA, and AW will address it with the doctor or office.


Medical will be utilizing year end money for multiple generators. This will allow our mobile Medical Imaging trucks to come back inside the institution which will also allow medical trips to be cut back. The long wait times for services of this nature should be improved.

**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 July 27, 2023 at noon.

Meeting Adjourned at 11:30 am.

  
J. Sizemore, AW (O)  
Chairperson

  
K. Griffin, President  
AFGE Local 817

Minutes prepared by K. Hatfield, AW Secretary.