



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

August 22, 2023

*David Paul*  
MEMORANDUM FOR DAVID PAUL, WARDEN

FROM: LMR Officials  
FMC Lexington, KY

SUBJECT: LMR Meeting - August 22, 2023

The Labor-Management Relations meeting was conducted on August 22, 2023 at 12:30 p.m. in the Command Center. 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, 2<sup>nd</sup> Vice President

Management

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

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. The Union reached out to the RVP and was able to have the roster program placed on the national LMR. The Union also spoke with the RD and explained the trial period of mandate overtime credit. RD agreed with the Union that it is a great procedure.

UNION: The Union has the National LMR Agenda and was able to request that the roster program be placed on the agenda and request some

changes. One of those changes being that Lieutenants can sort employee lists by last OT worked which would assist them. Employees should be credited for the day before the OT was worked instead of the day of and staff are still being hired on the day of.

MANAGEMENT: Management agrees to continue this procedure while reserving the right to end it if needed, with advance notice. The Lieutenant that hired the overtime will key the overtime as it is hired.

CONCLUSION: Both parties agreed to close this item.

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

The Union presented a boot allowance and procedural memorandum of understanding at the June LMR. The Union requests any follow up by Management.

UNION: The Union agrees that a term is reasonable. We would like to get all issues addressed before the new fiscal year begins. We will update the procedural MOU and will have it ready to be signed off on in the morning.

MANAGEMENT: We had a couple of revisions listed; we request to add a clause confirming it can be revisited. We also would like to be able to revoke if needed if Management or Union officials decide.

CONCLUSION: Both parties agreed to close 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. None of the issues have been repaired.

UNION: The Union agreed that Mr. Heselton was out there yesterday, and he addressed most of the major issues. Have we been updated on the gutter issue?

MANAGEMENT: Facilities was out yesterday, 08/21 trying to get those issues addressed. Management will follow up on any contract being requested for the gutter problem. We will check the status of the B&F funding requested. Correctional Services is working on a decision paper to give the status of an armory structure and what is required

to fix the issues in the armory. This is a slow process as there are a lot of details that must be included in identifying concerns.

CONCLUSION: Both parties agreed to table this item.

#### **4. AGENDA ITEM: HVAC Conditions for Staff**

Union requests another update on HVAC, SHU and Comm-D have not been repaired. Last LMR Management agreed to investigate small portable and ventilated units for those areas that are having consistent issues, that cannot be addressed without funds from the Emergency E&F request. As of this time SHU has not been either repaired or received a portable unit and at this time Basement Corridor is still without A/C.

UNION: The Union believes that Comm D may have an air blockage but it does feel much better overall. We may still need to address the front lobby, it can still get very hot. It seems as though Health Care Unit is circulating warm air, however since the SHU AC issues seem to be better, we can use the SHU bubble extra mobile unit for the HCU officer's station.

MANAGEMENT: Management did some temp checks recently and found the following: Comm D - good, SHU bubble - good, Basement Corridor office - better, Med Trip desk - better, Records - has AC units.

CONCLUSION: Both parties agreed to table this item.

#### **5. AGENDA ITEM: Lunch Breaks**

The Union requests updates on the MOU presented at the June LMR. Management wanted to table this item again, because they wanted to ensure the process for an automatic 30-minute lunch break option or having the lunch break without the overtime would pass Region and Legal.

UNION: The Union had nothing further to add.

MANAGEMENT: Management is waiting on approval for the portal issue and the lunch break issue. If approved, there will be a 30-minute overtime built in. Management will provide updates as they become available.

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 is seeing that the MOU is not being used properly. Management should allow voluntary overtime sign ups to be offered before augmenting day watch posts. The Union sees that augmentation is mishandled often.

MANAGEMENT: Management is agreeing to follow the Augmentation MOU. Management has the right to assign Management to posts on day watch to decrease the overtime paid out to help with the budget.

CONCLUSION: Both parties agreed to table this item.

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

During the July LMR, Management stated the MOU submitted during the June LMR was under review. Management has had two (2) months to review the MOU, which is more than adequate time.

UNION: The Union has been informed of one of the many MOU's that Management said they didn't have but has now produced. The Union will follow up on the revisions that Management has asked for. We request that once revisions are made that Management reviews and signs in a timely manner instead of waiting until next LMR meeting to discuss.

MANAGEMENT: Management has a counter agreement that we would like to discuss. We have combined and edited another institutions agreement and a previous MOU that was signed in 2014. There were a few changes added.

CONCLUSION: Both parties agreed to table this item.

#### **8. 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 states that policy changes and Institutional Supplements should be sent to the LEX-UnionPres box.

MANAGEMENT: Management sent out the updated Institutional Supplement to address that issue, it was sent to LEX-DirectivesManagement. Management agrees to send these to the LEX-UnionPres box.

CONCLUSION: Both parties agreed to table this item.

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

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

UNION: The Union requests a new refrigerator, possibly with an ice maker since it is so hot.

MANAGEMENT: Management states that the new compound officer's station will be addressed and fixed by the start of the next quarter in Education. Management would like to show Union officials prior to the start of the next quarter.

CONCLUSION: Both parties agreed to close this item.

#### **11. AGENDA ITEM: Rear Gate X-Ray Machine**

During the June 2023, management stated they were ordering a new x ray machine for Rear Gate. The Union is requesting any updates.

UNION: The Union had nothing further to add.

MANAGEMENT: Management has sent everything up to the business office for ordering the new X-ray machines, these are made in Germany, so we are not sure on the time frame. We will keep you updated as we receive updates.

CONCLUSION: Both parties agreed to table this item.

#### ***Topics for August Meeting***

##### **1. AGENDA ITEM: Flashlights in Control Center**

The flashlights in Control Center are old and worn out, half are inoperable and some barely emit any light. The Union is requesting the flashlights be replaced with more dependable flashlights. Master Agreement, Article 28, section b states; The Employer will ensure that adequate supplies of security and safety equipment are available for issue to and/or use by employees during the routine performance of their duties. This includes, but is not limited to, whistles, key chains, key clips, belts for equipment, disposable resuscitation masks and rubber gloves, handcuffs, two-way radios, body alarms, flashlights, hand-held metal detectors, weapons, ammunition, etc. Cases or holders, whichever is appropriate, to carry such equipment will also be available for these particular items of equipment normally using such cases or holders. Employees receiving such items will be accountable for them until they are returned to the Employer. Article 29, Section e states; The Employer agrees to provide, maintain, or repair all equipment for staff to fulfill their duties.

UNION: The Union had nothing further to add.

MANAGEMENT: Management has purchased brand new LED Maglites that are available in control to be chitted out if needed.

CONCLUSION: Both parties agreed to close this item.

## **2. AGENDA ITEM: Take Home Radio**

The Union is requesting the Local Union President be provided with a take home radio. The Union believes that this would allow better communication between Management and the Local President.

UNION: The Union had nothing further to add.

MANAGEMENT: Management stated that the only individual allowed to have a take home radio is the Captain who is Chief of Security for the institution.

CONCLUSION: Both parties agreed to close this item.

## **3. AGENDA ITEM: Radios**

The portable radios have been working intermediately again. The Union requests that this matter be looked into immediately, to resolve the problem. Article 28, section b states; The Employer will ensure that adequate supplies of security and safety equipment are available for

issue to and/or use by employees during the routine performance of their duties. This includes, but is not limited to, whistles, key chains, key clips, belts for equipment, disposable resuscitation masks and rubber gloves, handcuffs, two-way radios, body alarms, flashlights, hand-held metal detectors, weapons, ammunition, etc. Cases or holders, whichever is appropriate, to carry such equipment will also be available for these particular items of equipment normally using such cases or holders. Employees receiving such items will be accountable for them until they are returned to the Employer. Article 28, Section e states; If any equipment issued to an employee becomes unserviceable, it is his/her responsibility to inform. If any equipment issued to an employee becomes unserviceable, it is his/her responsibility to inform. Article 29, Section e states; The Employer agrees to provide, maintain, or repair all equipment for staff to fulfill their duties.

UNION: The Union believes there should be a contingency plan in place if we run out of radios that currently work as the parts for our radios are no longer being produced. The Union believes that FMC Lexington should find the total number of radios we have and the total number of radios that aren't usable. These numbers may be able to influence the order in which the new radio project is completed at our institution.

MANAGEMENT: Management agrees that the radios are an issue, they are old and have many problems, especially that there are no replacement parts. FMC Lexington is in line. This is a National Contract and they are going by the last time each institution received radios. When AW Johnson was here, he called and helped to get us bumped up a few spots on the list. The comm shop is scavenging parts for these Motorola radios since they are not being produced anymore.

CONCLUSION: Both parties agreed to table this item.

#### **4. AGENDA ITEM: Vacating Post**

The Union has been made aware that F4 Officer post is being vacated with 2 (two) SHU status inmates housed on F4 unit. The Union believes this is a safety concern for Nursing staff. It also violates Master Agreement Article 18 section (r): Normally, 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. When circumstances require a temporary [less than five (5) working days] change of shift or assignment, the

Employer will make reasonable efforts to assure that the affected employee's days off remain as designated by the roster.

UNION: The Union noticed that certain inmates on SHU status were housed on F4.

MANAGEMENT: Management agrees that we were vacating F4 because of the multiple staff that are currently up there and because there are currently no inmates on SHU status. They SHU inmates housed on F4 should be treated as they are in SHU.

CONCLUSION: Both parties agreed to close this item.

#### **5. AGENDA ITEM: Food Service Windows**

The Union has been made aware that inmates are standing at the Food Service entrance doors making inappropriate gestures towards female staff. The Union request that a mirror tint be placed on these windows so that staff can see in, but inmates cannot see out of food service. Custody staffing is so short that often there are not officers there with keys which prevents staff from addressing inmate behavior.

UNION: The Union believes that one way tint is a cheap, easy fix for this problem. Magnets would also address this issue.

MANAGEMENT: Management believes that if this occurs there should be incident reports written, the issues should be addressed, and stalking being reported if necessary. Management proposes to purchase magnets instead of tint, this solution has worked well in the past and is better for the security of the institution.

CONCLUSION: Both parties agreed to close this item.

#### **6. AGENDA ITEM: Control Center**

The Union request the handcuffs be relocated from the restroom inside of control center. During the shift change, staff are at a higher risk of falling on the steps while issuing handcuffs that are located in the restroom. The Union believes this would lower the amount of time staff are waiting in the key line as well as prevent staff injury.



UNION: The Union has been informed that many staff members have fallen when going back and forth up the stairs to retrieve the handcuffs. One staff member hurt their knee and had to eventually medically retire. The locked red boxes do not open properly at times causing a lot of time wasted on opening these boxes. The bottom step in the control center going into the bathroom is very weak.

MANAGEMENT: Management agrees to investigate changing if possible. Ensure that you are submitting work orders for any issues you are finding in your working area.

CONCLUSION: Both parties agreed to table this item.

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

The Union has noticed that Officers assigned to sick and annual are being scheduled weekends off. This creates a staffing shorting for weekends and causes more mandatory overtime.

UNION: The Union has noticed while looking at the last quarter during random weekends, that the sick and annual staff are being scheduled Monday through Friday with weekends off. This is not a normal practice for the sick and annual post as they are utilized for those who have sick and annual leave. The Union believes this is causing numerous mandates and overtimes on the weekends. This is proving to be a repeated practice.

MANAGEMENT: Management believes the amount of officers on sick and annual has made it more difficult to fill posts, and we have an officer currently on jury duty which requires a Monday-Friday schedule. Most officers call in sick or schedule annual leave on the weekends causing the discrepancy in overtime on the weekend.

CONCLUSION: Both parties agreed to table this item.

#### **8. AGENDA ITEM: Vehicle Maintenance**

The Union has become aware that med trip vans and perimeter vehicles are not being properly maintained. The Master Agreement Article 29 section (a): Vehicles will be maintained in a roadworthy condition with all safety equipment in good operating condition.

UNION: The Union agrees that they need to address this with the Med Trip Officers.

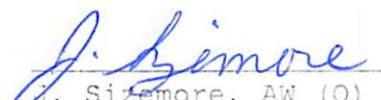
MANAGEMENT: Management checked with facilities and there are currently no active work orders for any vehicle. Management agrees that they will put a binder in all Med Trip Vehicles, and they will be filled out if they find an issue with the vehicle. This will ensure that facilities know of any vehicle that needs to be repaired.


CONCLUSION: Both parties agreed to close this item.

Closing:

The Union and Management have agreed to conduct LMP 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 September 26, 2023 at 12:30 p.m.

Meeting Adjourned at 2:55 p.m.

  
J. Sizemore, AW (O)  
Chairperson

  
K. Griffin, President  
AFGE Local 817

Minutes prepared by K. Hatfield, AW Secretary.