



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

January 12, 2023


MEMORANDUM FOR DAVID PAUL, WARDEN

FROM: LMR Officials
FMC Lexington, KY

SUBJECT: LMR Meeting - January 12, 2023

The Labor-Management Relations meeting was conducted on January 12, 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
F. Marrs, 2nd Vice President
M. Christison, Secretary
J. Dize, Treasurer
L. Mullins, Steward
K. Schramm, Steward
J. Hobbs, Steward
S. McDaniel, Steward

Management

J. Wadas, AW(O), Chairperson
J. English, AW(P)
J. Sizemore, AW(CP)
G. Skeel, Asst. HRM
P. Johnston, Captain

Union Agenda Items:

Tabled Items from last meeting

1. AGENDA ITEM: Nurse Staffing

UNION: The MAT participants continue to increase and continue to be a liability. It was discussed adding suboxone training for all staff during annual training. The Union would like to discuss the progress on the Pharmacist position administering the narcotics.

The Union still has concerns about the procedures in SHU regarding observation of MAT inmates being double celled. The Union would like to request these procedures be disseminated (email, memorandum, etc.) so that all staff can be aware that SHU MAT observation should be single cell.

MANAGEMENT: Management followed up with EDM and all staff have completed all training. EDM will be disseminating additional training coming out soon along with the required training. We are currently finalizing the SHU process; we will be incorporating new procedures. The MAT room in the basement will tentatively be completed by the end of the month.

CONCLUSION: Both parties agreed to close this item.

2. AGENDA ITEM: COVID (Forced Leave) Settlement

UNION: On June 28, 2021, the Agency agreed in the National Settlement Agreement to credit leave, taken by employees, required to use their own leave because of each instance of being denied entry to the facility, resulting from the screening tool. The Union is aware that some staff may have not received their restored leave and we are requesting a follow up from Management for several individuals. The Union sent a data request to Human Resources to receive all Screening Site tool forms that were filled out. The Union is also aware there are other staff that were denied entry that were charged sick and/or annual leave that were not restored leave.

The Union also requests clarification of what the "screening tool" is. Is it the opinion of management that only the form used in the front lobby to record temperatures and medicinal use of staff is the screening tool? Does the use of the screening tool also include the observations of managers to determine that a staff should leave work?

MANAGEMENT: The screening tool is only used prior to entry to the facility. The screening tool does not include observations of managers to determine that staff should leave work.

CONCLUSION: This issue has been tabled until the next meeting.

New Meeting Items

1. AGENDA ITEM: Lunch Breaks

UNION: The Union still has a concern about lunch reliefs not being provided. One (1) Screening Site Officer is not capable of relieving

all staff between the third and fifth hour of their shift, per the Master Agreement. In the last LMR Meeting (October 2022), the Captain stated he sent out a directive on October 5, 2022, to the Lieutenants office, directing them not to pull the Screening Site Officer. As of December 9, 2022, the Union became aware of 16 days the Screening Site Officer was vacated or pulled since the directive was sent out.

MANAGEMENT: Management agrees that this post should not be vacated. If at any time this post is vacated, it should be addressed with the Captain or AW over correctional services so that it can be corrected.

CONCLUSION: Both parties agreed to close this item.

2. AGENDA ITEM: Mandate Overtime Credit

UNION: The Union would like to discuss further changes to the overtime procedures regarding the crediting of mandatory overtime. The Union conducted a survey of correctional officers and determined a majority of the officers preferred to receive credit for a mandatory overtime utilizing the following:

- Any overtime worked at least one (1) hour in duration as it is in the current MOU
- To include overtime roster sign ups, voluntary, all call, and involuntary overtime

The Union requests this be added in addendum to the current MOU for Overtime. The Union also requests this be disseminated to all custody staff so that they can become aware of the new procedures for overtime.

MANAGEMENT: Management agrees to follow the procedures outlined in the current MOU. Management is willing to look at any written proposal to include overtime roster sign ups, voluntary, all call, and involuntary overtime for consideration.

CONCLUSION: Both parties agreed to table this item.

3. AGENDA ITEM: Psychology Duty Officer Coverage Schedule

UNION: The Union discussed with management developing a documented procedure for bidding the psychology departments duty officer coverage. Formal Bargaining can be conducted if needed. Current

procedures have resulted in unfair distribution in the past and there seems to be no definitive procedures in place.

MANAGEMENT: The most recent bid process was based on seniority to make the bid process as fair and equitable as possible. Management agrees to work with the Union to try to find the most fair and equitable manner to distribute duties, within applicable laws and regulations.

CONCLUSION: Both parties agreed to close this item.

4. AGENDA ITEM: R&D Gate

UNION: The Union has been made aware that the interlock of the R&D pedestrian gate is malfunctioning. In control the inner gate shows open, even though it is actually secured, and prevents staff from opening the outer gate. The gate can also be forced open physically without control releasing the gate. Lockshop reports that the locking mechanism is not at fault, instead it is the electrical component.

MANAGEMENT: Management has already corrected this issue. Additionally, management agrees to look at any other possible resources to alleviate any other problems that may arise in the future.

CONCLUSION: Both parties agreed to close this item.

5. AGENDA ITEM: Morning Watch Control 1 Emergency Response

UNION: The Union would like to work with management to schedule a mock scenario, between the hours of 4am and 5am, for a control room, "officer down" situation. The Union is concerned that the current emergency response plans for entering the control room may not be updated due to the vacating of the M/W front lobby officer.

MANAGEMENT: Management fully supports additional mock and tabletop scenarios to ensure staff are properly trained and ready for this and all potential scenarios to include going over procedures in back to basics at annual training.

CONCLUSION: Both parties agreed to close this item.

6. AGENDA ITEM: Front Lobby Entrance Door

UNION: The Union has been made aware that front lobby officers are being told that they are not allowed to use the restroom. The master agreement addresses the use of restroom facilities by staff, and we believe the issue of the front lobby officer using the restroom is due to the front door being unsecured. If the door were secured the staff could secure the lobby and use the restroom without issue.

On, November 7, 2022, the AD of Administration, Central Office made remarks about the labelling of staff restrooms. She stated that Central Office had sent direction to the institutions to remove gender specific signage. This would help the front lobby officer restroom issue by allowing male staff to also use the bathroom that is immediately adjacent to the front lobby desk.

The Master Agreement Article 29 section b. (1). Speaks to all employees having access to restroom facilities that are readily available and that they be capable of being secured. The Union has concerns that the current practice may only allow for female staff to have readily available access to restroom facilities, while male staff would be required to leave their work area.

MANAGEMENT: Management agrees that all staff are entitled to a restroom break. If at any time a staff member needs to use the restroom, they should call the Operations Lieutenant and relief will be promptly given.

CONCLUSION: Both parties agreed to close this item.

7. AGENDA ITEM: Med Trips

UNION: There are eight (8) staff, four (4) teams, assigned to the hours of 6:00am - 2:00pm. There are frequent trips in the afternoon that result in unnecessary overtimes because there are not enough teams available later in the day. There are only four (4) staff, two (2) teams, assigned to the 8:00am - 4:00pm shift. The Union requests at least two (2) teams, four (4) staff, be adjusted from the 6:00am - 2:00pm shift to the 8:00am - 4:00pm shift to eliminate flagrant overtimes.

MANAGEMENT: Management agrees to adjust the medical trip roster to make three (3) teams, six (6) staff to the 6:00am - 2:00pm shift and

three (3) teams, six (6) staff to the 8:00am - 4:00pm shift at the start of the next quarter.

CONCLUSION: Both parties agreed to close this item.

8. AGENDA ITEM: Transgender Visual Search

UNION: On, October 30, 2022, Officer Rayburn was instructed to conduct a visual search on an inmate with male genitalia. Proper procedures were later emailed to all staff on how to properly conduct searches of transgender inmates. The Union would like to have written guidance disseminated to all staff that details that any staff of the opposite biological sex should not be ordered to conduct a visual search.

MANAGEMENT: Management agrees to send out written guidance to all staff clearly stating the standards for visual searches of transgender inmates and pat searches. This guidance will also be discussed during annual training.

CONCLUSION: Both parties agreed to close this item.

9. AGENDA ITEM: Wound Care

UNION: The Union has addressed the issue with management about who can provide additional coverage for wound care duties. Currently there is concern that the Telemed department and the Central Clinic cannot provide the necessary coverage. The Union would appreciate the coverage to be handled the same way that it had in the past with the physical therapy department.

MANAGEMENT: Currently the duties have been taken over by a returning staff member, after discussion with the union, Management agrees to look into avenues for wound care training for medical staff.

CONCLUSION: Both parties agreed to table this item.

10. AGENDA ITEM: LSA (Local Supplemental Agreement)

UNION: The Union would like to request the creation of an LSA that could stand in place of dozens of MOUs for the purpose of consolidation. We have found that having multiple overlapping MOUs creates confusion for bargaining unit staff and leadership. Having a single location for Lexington specific procedures would help prevent many commonly recurring issues.

MANAGEMENT: Management will ensure that all MOU's are placed on the Staff Only icon on the desktop so that all staff are aware of the MOU's they are required to follow.

CONCLUSION: Both parties agreed to close this item.

11. AGENDA ITEM: Camp Security

UNION: Due to recent events at Tucson Camp, the Union has concerns with the camp exterior doors not being able to be secured. We would like to discuss potential solutions to significant security issues. By leaving the exterior doors unsecured both staff and inmates are presented with serious life safety risks.

MANAGEMENT: This is a national issue. Once guidance is sent out, FMC Lexington will adhere to the requirements. There are currently side door alarms to ensure staff are aware of entrance and exits. Staff are equipped with OC, handheld radio, and restraints. Additionally, staff can call for assistance via the radio if the need arises.

CONCLUSION: Both parties agreed to close this item.

12. AGENDA ITEM: Boot Program

UNION: The Union would like to explore extra options for facilitating the boot program in an effort to reduce workload on staff.

MANAGEMENT: Management is willing to look at any written options for the boot program to see if it is allowable and conducive.


CONCLUSION: Both parties agreed to table this item.

Management Agenda Items:

Management had no issues to raise with the Union.

Meeting Adjourned at 10:30 a.m.



J. Wadas, AW (O)
Chairperson

K. Griffin, President
AFGE Local 817