



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

October 22, 2024

MEMORANDUM FOR DAVID PAUL, WARDEN

FROM: LMR Officials
FMC Lexington, KY

SUBJECT: LMR Meeting - October 22, 2024

LMR was conducted at 12:30 p.m. in the Wardens Conference. The following were in attendance:

AFGE Local #817:

K. Griffin, President
A. Mabson, Exec. Vice President
R. Terry, Steward
J. Young, Steward
C. Parks, Steward
S. Wascher, Steward

Management:

K. Blanke, AW(O)
A. Reed, Assistant HRM
D. Boyer, Captain CS

J. Sizemore, AW(P)
A. Nelle, AW Secretary

Old Business

Union Agenda Items:

1. Portal issue

UNION: The Union remains concerned that the newly implemented hours by administration are causing portal issues for officers. Having the same start and end times as the previous shift creates unavoidable overtime complications. We urge administration to recognize and address these portal issues resulting from the recent roster changes.

MANAGEMENT: Noted

UNION: Agreed to table

New Business

Union Agenda Items:

1. Front lobby staffing

UNION: The Union requests additional staffing to support the front lobby officer in tasks such as wandling staff and visitors, monitoring the x-ray machine and metal detector, and assisting visitors and contractors with entrance paperwork, particularly on high-traffic visitation days.

MANAGEMENT: We currently do not have the staffing to support your request. Further assignment of duties is a management right and not open to bargain.

UNION: There have also been issues and misunderstandings of what the front lobby staff duties are, particularly what are the staff expectations when administering the ION Scan Machine on visitors. For example, one staff member was told not to stand up and approach guests from behind the desk when utilizing the ION machine, another staff was told they should stand up and approach guest using the machine, there needs to be some consistency here.

MANAGEMENT: We will look in that. Move to table.

UNION: Agreed

CONCLUSION: Table

2. Camera issues

UNION: Front lobby staffing needs access to security camera to monitor the front entrance to determine if there is someone approaching the doors that may be unsafe or a threat.

MANAGEMENT: This is an internal security issue your concerns on this matter is noted. As of now the Control Center Officers can see the camera. Move to Close

CONCLUSION: Closed

3. Front entrance memos

UNION: To help the front lobby process, the Union suggests creating a shared folder on the drive where all memos related to contractors and visitors can be stored. This would reduce delays caused by the officer having to search through hundreds of memorandums. Each department could be responsible for promptly removing expired memorandums

MANAGEMENT: It is a safety procedure to have paper copies of the front lobby memos in case electronic copies cannot be provided. However management agrees that we will set up a share folder to use on the computer.

Conclusion: Closed

4. Mailroom safety procedures

UNION: Due to the influx of mail arriving at the institution soaked in unknown substances, the Union requests the purchase of a specialized machine designed to detect contamination. This equipment would significantly reduce the risk of staff exposure to harmful substances and enhance overall safety.

MANAGEMENT: This is a national issue. New national guidance has been put out on this subject. At this time we do not have funding to make a purchase, and it would be a poor idea to rush into that when the new national procedures have just been rolled out.

UNION: Understood, we do not want staff to be trapped in the mailroom with Fentanyl exposure and have no way out until a contamination team arrives.

MANAGEMENT: Understood Move to Close

Conclusion: Closed

6. HVAC issues

The Union has been made aware the air conditioning system in the gym at the training center is not functioning properly. We would like to request it be repaired to ensure a comfortable environment for staff who wish to exercise.

MANAGEMENT: Facilities has only recently been made aware of these issues with the AC and heat. It will be addressed.

Conclusion: Closed

7. Custody Lunch Breaks/Delivery

Non-custody staff are permitted to pick up a lunch tray from the staff dining hall and return to their post. The Union has been made aware that custody staff are not given the same opportunity.

UNION: There are times when officers would like a tray delivered for the from the OM but they do not want to ask the compound officers. We would like something official put out that if asked, the compound officers will help out with getting trays to Cos on the Units.

MANAGEMENT: We understand your concerns, however management will not order staff to do this for each other. They are free to ask each other for a hand, but it's not appropriate to make it a duty of a CO.

Conclusion: Closed

8. Unfair overtime and mandates

Unfair mandates are being issued due to Lieutenants failing to fill the roster in a timely manner. Open posts, known well before the start of a shift, are being filled at the last minute, placing unnecessary hardship on staff and leading to last-minute mandates. This issue does not pertain to unexpected call-ins.

The Union also requests that rosters be posted at least two weeks in advance, as previously agreed upon.

Management: We agree and we are working to address this issue. Management is requesting 30 days to conduct training with supervisors and correct this issue.

Conclusion: Closed

9. SHU issues & Mary Todd complex

The Union has been informed several electrical outlets in SHU Control are nonfunctional because a breaker in Mary Todd needs replacement. As a result, the microwave is currently unusable.

Management: Has anyone done a work order?

UNION: Union, yes and facilities did something down there but it's still not fixed.

Management: Understood we will have facilities look into this.

Conclusion: Closed

10. The Union has been informed management is mandating officers who are working overtime on their scheduled days off.

Management: This practice should only be used as a last resort to maintain the safety of the institution.

Conclusion: Closed

11. Documentation of Sick Leave

The Union has been made aware that Lieutenants are not taking staff off the roster that utilize their sick leave which results in officers getting last manned and mandated out of turn.

Union: There is one Opts Lt in particular who is waiting until they have an Activities Lt come on shift and then telling them to change the roster and mandate when the Opts Lt got a call in several hours before.

Management: We will address your concerns.

Conclusion: Closed

12. Officers are being reassigned from their designated bidded posts to accommodate other staff members' preferences for overtime or mandatory shifts. Staff should only be allowed to choose from vacant or unassigned posts.

Union: It looks like only certain staff on certain posts are being shifted around to give priority to staff working Overtime.

Management: While we retain the right to assign work based on the needs of the institution, this should not be a standard practice.

Conclusion: Closed

13. Recreation property room

The Union requests the indoor recreation cage in the Special Housing Unit be cleared, with the stored property returned to the original property room. The current setup is preventing inmates from accessing recreation during inclement weather.

Management: The Union is the sole representative for its members however, the Union has no bargaining rights over AICs concerns.

UNION: We want to ensure staff and inmates are protected in this matter, we want to avoid Tort Claims, if possible, for lost or stolen items.

MANAGEMENT: We note your concerns.

Conclusion: Closed

14. Undocumented posts

Staff are being assigned to non-existent posts on the roster, leading to confusion about where they are to report for their work assignment. This forces staff to contact the Lieutenants for clarification, often causing frustration, especially as it typically occurs during shift changes.

MANAGEMENT: Staff are being assigned to undocumented or non-existing posts, like COMM-D. We were not previously tracking this matter, does this matter trail back to whomever is making the schedule? Yes, then it has been acknowledged and is being addressed.

Conclusion: Closed

15. Overtime

Management is giving preferential treatment when assigning overtime. The first person selected for overtime should have the first choice of available posts. However, the first person on the overtime list is often bypassed, while the second and third individuals are called instead and allowed to choose their preferred positions first.

Union: Further there are staff working Overtime in SIS for Phone Monitoring and Email Monitoring, shouldn't that be made available to all qualified staff.

MANAGEMENT: We agree to follow the Master Agreement in hiring overtime. We will put OT availability out to all qualified staff.

Conclusion: Closed

16. Changes to post notification

Staff are not being informed when their assignments are changed on the roster, leading to staff relieving each other late.

MANAGEMENT: We agreed, our best efforts will be made to notify staff of any and all changes made to shifts and posts.

Conclusion: Closed

17. Mandating out of turn

Officers, particularly medical escort trip officers, are being mandated out of turn. When medical trip officers are assigned to late trips multiple days in a row, the Lieutenants should assign staff next on the mandate list to relieve them, rather than repeatedly mandating the same officers each day.

UNION: This happens a lot lately where med trip officers must wait several hours to be relieved on shift. Guys return from med trips and are automatically mandated, some staff it happens so frequently that they do not assume to ever get off in time, they just assume they will be mandated and work OT.

MANAGEMENT: Do you have any ideas to fix this?

UNION: There is no perfect answer, only answer is to hire more staff, period, that's the only solution. We are still reeling from Covid, there were a lot of bad policies and practices born out of that time that are still in use today. There are certain post that get hit for mandate every day, we need to find creative solutions. Could the basement officer assist possibly, or the SHU property post officer?

MANAGEMENT: Lets table for now.

UNION: Agreed

Conclusion: Tabled

18. Equipment failures

UNION: Post equipment is broken, phones, radios, lock boxes that do not lock, the provided equipment that these guys need for the job is not functioning properly. Also, new hires are not being taught correct procedures on post, we need more staff to help cover training as well. Radios in the SHU do not transmit, can we do an acute area radio triage? We need working body alarms in the SHU, that's a must. Are there limp along strategies for the radios until the budget opens again?

MANAGEMENT: Where we find broken equipment, we will do our best to replace it. Staff has a responsibility to report missing or broken equipment. Management will task the Com Tech to swap out SHU radios that are non-functional.

Conclusion Closed

19. Narcotic Exposure

The Union is requesting staff who report exposure to narcotics and possible contamination to be medically assessed immediately to prevent serious injury or death to staff members.

UNION: Are we following national policy regarding narcotic exposure procedures? We have had staff exposed to Suboxone in the past, there seemed to be some confusion surrounding those incidents regarding procedure.

MANAGEMENT: There are wrong terminologies and incorrect stories being created around this topic. The staff member in question did not want to get and was not forced to go to post exposure treatment, we cannot force people to go to medical treatment if they refuse to do so. No staff member will ever be forced to remain on post after they have been exposed and request a medical exam.

Conclusion: Close

20. Threat assessments

The Union has been made aware that threat assessments are not being conducted for some staff, and when they are, the reports are often delayed and contain inaccurate information. The Union requests all staff, whether bargaining or non-bargaining, who report a threat be provided with timely and accurate assessments. Every employee should have an equal opportunity to feel safe at work.

MANAGEMENT: We agree everyone should feel safe at work, threat assessments are important, they should be accurate and reflect both sides issues in a fair manner Management will follow PS 3730.05 HOSTILE WORK ENVIREMENT PROGRMA STATEMENT. This PS clearly says that the decision to have a threat assessment committee is solely at the digression of the CEO.

UNION: We feel they are not being handled fairly, we feel like management cases are referred and our cases are not.

MANAGEMENT: The warden views all threat assessments with equity and fairness, your memos have been acted upon as is required in PS3730.05.

UNION: There are several examples of current on-going threat assessments we feel are not being taken seriously.

MANAGEMENT: Your concerns are noted. Management will continue to follow Policy

CONCLUSION: Close

20. Staff are still being assigned for sick and annual and mandates, even though they are not listed on the correctional services roster.

Management: Your Concerns are noted. We are aware fo the situation and the reasons for it.

Conclusion: Close

Meeting Adjourned at 2:45 p.m.

K. Blanke, AW (O)
Chairperson

K. Griffin, President
AFGE Local 817

Minutes prepared by A. Nelle AW Secretary