

AFGE Alert

Newsletter Local 171

May 1999

State of the Union

Good or Bad???

By Bill Wood

I am often asked what is going on in the Union I will attempt to express what is going on in this article so that all may be informed.



1. **Arbitration & Grievances:** At the time of this writing we have 7 arbitrations pending at the FCI and 9 at the FTC.

This does not include the 9 arbitrations pending on the supplemental agreement. The average cost for each of these is in the neighborhood of \$2,000 each. It is not inconceivable that we could spend well over \$50,000 this year on grievances and arbitrations. To give you some ideal of what they are I will give some of them a title. (1) Pull Posts, where they reassign you with out regard to seniority and roster, (2) Under Staffing and Over Crowding, where they harp on the per capita costs, (3) Union Animus, where they retaliate against the Union representatives, (4) Custody Overtime, where they are not handing out overtime fairly and equitably, (5) Official time, (6)

Changes in working conditions without negotiations, (7) Harassment of Staff, (8) Supplemental Agreement, (9) Cussing and attack on staff by Supervisor, and several others.

2. **Warden Fleming:** Sam has a saying that I will borrow. Warden Fleming is like Dolly Pardon at the age of 13, all indications are good but it is still to early to tell. Warden Fleming is easy to talk to and talks on a correctional officers level so everyone can understand. We do not agree on some things but we still believe that we can disagree and continue with dialogue until a third party decides. He does not want us involved with the incentive award program which makes me think that he wants to give these awards to who he wants with out any criteria used, but let's be reasonable here this basically how it works anyway. He tries to involve the union before he implements anything but sometimes he does not. We are continually trying to work with him as a Union, and to be candid, I like some of the things he is doing with inmates. Before some of you say it, we still believe that he is management and has to do what he is told whether

he wants to or not and there are things that we will not be able to agree on.

3. **Warden Morris:** Warden Morris has one personality trait that we can identify. He is going to do the wrong thing and he is going to do it just because he wants to. He refuses to cooperate with the Union and to give us our rights as guaranteed by law. We have been told that he would rather fight the Union than his manager's attorneys and so far he has made a believer of us. He allows his managers to harass and intimidate staff at this institution and even supports them while they do it. During the recent tornado in OKC he allowed his managers to force staff who had just lost their homes into work with the threat that if they did not come to work they would be AWOL. After all we are just one big happy BOP family which evidently must believe in incest. The regional director has just lost a large law suit and maybe that is the tactic we will need to use with Warden Morris, only time will tell.
5. **Bad Supervisors:** For the most part we have good supervisors. The problem with identifying yourself with a group is that no matter how you actually feel about a situation the public perceives you to be a part of the group. The BOP treats us in the same manner, for instance if one us does something wrong they make up a rule that causes all the rest of us to suffer just because of the actions of one person. You do have some rights and we are here to see that those rights are

4. **The Union:** It is hard to say what state of affairs our Union is in. Financially we have never been better. We have never been more organized. We have never had more actual cases working at one time. We have an E-Board working together for the same goals. But no matter what has been done so far we are divided. There is the FTC and FCI and we have a hard time making people understand that we are just one Union. Some decisions I make are very easy, they effect no ones career nor do they harm their promotion potential. There are some decisions I make that no matter what decision I make my own Union members are going to be hurt. This Union is operated as a counsel type program. We meet together, discuss the problems, then we vote and once the vote is taken we are united. None of the E-Board members are self-serving which makes this a lot easier. I hope you know and feel that you can come to us and if we can we will help.

protected. There are recourses that you have and we can help. You do not have to keep taking abuse from your supervisor. I encourage everyone to carry a small notebook and each time they are wronged by their supervisor to document it in that book. One instance in itself may not be enough to have a supervisor disciplined but several instances may be.

From the Secretary/Treasurer

by Donny Boyte

I have been in office for 1½ years now. I am eager to Help anyone I can, but as an Union Official I need your support. Come to the next regularly scheduled Union Meeting at Ruby's Restaurant in OKC. Ruby's is located at the corner of I-40 and MacArthur. The Date of the meeting is July 13, 1999 and the time of the meeting is 5:00 p.m.. This is the best way for you to find out what is going on in the Union.

If you have something pressing you, or affecting you, we need you to put it in writing. This shows us you are willing to go to the next level with it. As an E-Board we are devoted to make El Reno and OKC the best places in the Bureau to work.

All the negative things that come out of the mouths of supervisors about the Union need to be brought to our attention. Supervisors that say things like you can't have the day off because the Union is in negotiations have committed a ULP, and we need to know about this so that we can take care of the problem. The more organized and unified we are, the stronger as a local we are, So be heard.



Portal to Portal

by Bill Wood

There have been some new developments concerning the Portal to Portal issue. I have recently talked to Phil Glover and the Bureau and Council have finally made it to the negotiation process. Proposals have been exchanged on both sides. The reasons that actual figures are not being tossed around is that it makes negotiating next to impossible when you are negotiating with the Agency and the union members.

I will be so bold as to speculate a bit here and you must understand that this is speculation with little or no basis. The Agency originally offered you \$300 a year total for a settlement. They then tried to throw in some annual leave. During the convention those people you elected to represent you overwhelmingly decided not to accept these offers in a vote on the convention floor. Congress has recently changed the back pay law, when I say recently I mean in 1996. When this grievance began you could receive back pay, for six years.

| | | | |
|-----------------------|-------|-------|------|
| Dec 1999 | 5.76 | 0.30 | 0.43 |
| Jan | 4.19 | 0.71 | 0.42 |
| Feb | -3.09 | -1.74 | 0.38 |
| Mar | 3.99 | 0.54 | 0.47 |
| Apr | 3.86 | 0.29 | 0.46 |
| Last 12 month average | 21.72 | 6.27 | 5.53 |

House Resolution 979

Now you can only receive it for three years, but if you can prove that it was done on purpose by the agency you can receive double your back pay. So that would allow you to receive the same amount either way. Now, to the major part of speculation on my part. I believe that the average mean salary offered by the Council was in the neighborhood of \$1500. This is probably the high end, and simple math will let you figure what you will get. Six times the \$1500, or approximately \$9,000.

Please do not go out and buy a new car or spend this money before it gets here. Don't fall for the line the check's in the mail. In an attempt to keep you informed I offer you the previous information knowing that you will act responsibly. Remember this is the top end and \$300 dollars was the low end so somewhere between there is what you will actually receive.

TSP 12 month averages

| | C Fund | F Fund | G Fund |
|------|--------|--------|--------|
| 1998 | | | |
| May | -1.72 | 0.95 | 0.51 |
| June | 4.05 | 0.85 | 0.48 |
| July | -1.09 | 0.21 | 0.49 |
| Aug | -14.47 | 1.66 | 0.49 |



"If we pay them starvation wages— why do they need a lunch break?"

| | | | |
|-----|------|-------|------|
| Sep | 6.33 | 2.36 | 0.44 |
| Oct | 8.19 | -0.52 | 0.41 |
| Nov | 6.04 | 0.56 | 0.42 |

by Bill Wood

As many of you know this bill is about private prisons and the ability the federal government will have in not being able to spend federal monies on such prisons. If this bill passes then we have ensured that you and your family will be able to retire as government workers and not as a minimum wage employee for some fly by night corporation. If you have ever thought about writing your congressman or senator now is the time. If you have more than 5 years to retirement you should know that you are dangerously close to being privatized.

I am not trying to start a landslide here, but I am trying to promote some concern. Your Local has already spent thousands of dollars to combat you losing your jobs to these private companies. Do not be lulled into a state of thinking your job is safe because there is always going to be inmates, there is nothing further from the truth. Our last three directors have all went to work for the private prison industry. Do you not believe that this director is not planning on doing the same thing. She can manipulate the system while director and two years later be making three times the money plus stock options.

Come by the Union House and E-Mail your Legislators

- Senator Don Nickles Republican
senator@nickles.senate.gov Fax 202 224 6008
- Senator James M. Inhofe Republican
jim_inhofe@inhofe.senate.gov Fax 202 228 0380
- Representative Steve Largent
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- Representative Tom Coburn
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- Representative Frank D. Lucas
No E-mail Fax 202 225 8698

Three Rivers needs your help

by Bill Wood

Some of you may have heard of the atrocities happening at Three Rivers. We have a Warden there that is as close to Psycho as you can get without being committed. This warden The President of Leavenworth was attacked by a senior Lieutenant this past month in Leavenworth. It seems the Lieutenant allegedly struck the President of the Local, Lynn Looney, and after one punch the Lieutenant was rendered unconscious. Now the President is on home duty status. This is not an un-common state for this good man as he was on

has openly tried to get staff members to have a physical confrontation with him. He has agreed to things then backed out on his agreement. The latest thing was he had his wife barge into the Union office and disrupt a Union meeting. She was asked to leave and after several requests she finally left after telling them that they had no balls. Then mangers having a meeting in the larger room started throwing beer cans at the Union door and shouting obscenities. The members of the local called 911 and when the deputy showed up the Warden went out to meet him and the next thing you know the deputy was threatening the Union with charges for falsely dialing 911.

Now the Vice President of the Local is under investigation for assaulting the Warden's wife. This is a relatively new local with a lousy administration. Fortunately this Warden's own administration hates him as much as the Union does. An attorney has been retained and the District Attorney has been approached to take care of these matters. We can not stand for good Union members to be treated like this.

There is tentatively scheduled an information Picket for the upcoming Warden's conference, that is to be held in Three Rivers. I hope that all of us show our support, even if you cannot picket on these days I suggest that you give those Union Members a call and express your support. We intend on sending as many from El Reno as we can to show our support.

Executive Order

President Bill Clinton has issued an executive order allowing Agencies to give administrative leave to all that were affected by the Tornado's and used their own annual or sick leave during this time. I understand that the FTC has already given it's employees this administrative leave but at the FCI it is to be decided on a case by case basis. At the FCI you must also write a memo requesting this leave be converted to administrative leave.

Lieutenant attacks President of Leavenworth

by Bill Wood

home duty a year and then fired and just recently got his job back.

Let the guys in Leavenworth know you care. Give them a call and tell them you support them.

by Paul B. Rissler
Regional Caucus - Austin, Texas - 27 thru 30 April 1999

Notice



"My grievance pile is bigger than your grievance pile."

During the July 13th Regular Union Meeting motions will be taken to decide voting strength's of the Delegates attending the CPL Convention in September. The Following people are delegates by virtue of their office:

Bill Wood
Sam E. Craven
Max Mann
Donny Boyte
Breck Probst
Rick Miller
Ronald Davis

It looks like the Local will be entitled to 6 voting delegates and will have 3 alternate delegates. This is figured on a yearly average and may go up or down by the actual time of the convention.

South Central Regional Update

Supplemental Agreement - Local 171 has been in negotiations for the last 19 weeks, your local has done their homework. The union's team-members have participated on the negotiations Master Agreement. Your team is extremely qualified, I cannot say the same for managements team. This is true throughout the Bureau. For the most part Management



84 Union Leaders attended the **Council of Prisons Local #33 - South Central Regional Caucus** in Austin, Texas. El Reno's Union President, Bill Wood provided the Basic Steward Training. This is probably the best union training that I have ever witnessed.

AFGE 9th District Caucus - Springfield, Mo., May 8, 1999. Elections for the National Vice President were held and Mike Kelly is our new National Vice President for the 9th District. Local 171 and Local 919 (Leavenworth) supported Mike and were glad that he won the election.

TSP News - H.R. 208, clears the House of Representatives - The Thrift Savings Plan Participation Act, has been passed by the full House of Representatives and now goes to the Senate. This bill would eliminate all waiting periods for federal employee contributions to the TSP. This means that newly hired and rehired federal employees could start their contributions immediately.

Pay Raise - Urge your Representative and Senators to cosponsor H. Con. Res. 34 and S. Con. Res. 10, this legislation requires that military and civilian personnel receive the same pay raise. If the military pay increase goes to 4.8%, with the Hoyer pay parity amendment attached, much groundwork will have been laid to achieve a 4.8% raise for civilians in 2000 as well.

Portal to Portal Issue - Background - The Council of Prisons Local #33 has asked AFGE to provide a lawyer to negotiate our settlement with the Bureau of Prisons. AFGE drew up a proposal, this was presented to the BOP and now the BOP and AFGE will meet shortly to start negotiations. What is significant about this is.....we are using AFGE lawyers, your dues monies already pay these attorneys, the money received from the BOP will **NOT** have to be split with AFGE.

has never or rarely had to negotiate before implementation. Keep in mind that Management and the Union presented proposals prior to negotiations.....now, you tell me who did their homework..... it's evident. Rick Miller was the Chief Negotiator on the Master Agreement and Sam E. Craven was one of the Union Negotiators. The Union's team is just that, a

team. They are your team, negotiating better working conditions for you and me. Keep this in mind when you hear the rumors on the compound, keep this in mind when you, the staff members ask for a day off and certain Lt.'s tell you no, that you can't have a day off because of the Union.

Your team is ready each day to negotiate, why isn't management ready. Why can't they bargain in good faith, instead of sitting smug across the table from your representatives? One last thought.....Management has never given you or me anything, what we have gotten has been fought or bargained for.

Regional Director O.I. White has announced his retirement and Ron Thompson will be the South Central Regional Director. I have worked with Mr. Thompson on the National Labor Management Relations Committee for the past year. It is my hope that Ron and I can work together to solve Labor- Management problems in our institutions in this region.

Final Thoughts – Why am I in the Union..... If the Bureau of Prisons would adhere to their own policies, i.e., promote the best qualified, treat employees with respect, promote leaders not followers, allow decision makers to make decisions, we wouldn't need a Union.

How many times a day do you see the rules change because of who you are, or who the inmate is or what race or gang he is associated with. I detest this type of management, ask yourself how many different types of training that your supervisor attends on Leadership?

As a union member, don't you just want to go to work and be treated fairly? When you make a mistake, (not if, but when you make a mistake), don't you want to be taught the right way, instead of being slammed with days off? If management is going to treat you that way, then shouldn't your managers be treated the same way, such as ridiculing them with days off, rumors etc., Employees and Management, most times make the same mistakes, Don't you want their punishment, promotions and upward mobility dispensed equally as yours? That's why you are in the Union, that is why you fight each day. We don't believe this agency treats all their employees fairly and with dignity, and it shouldn't be too much to ask for management to begin doing so.