

A.F.G.E. ALERT

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FCI El Reno, Oklahoma

Local 171 of Council of Prison Locals #33

FTC Oklahoma City &

Officer Sheppard

by Rick Miller

Officer Sheppard was in a very serious auto accident on the morning of 2-11-2002 in Oklahoma City. Officer Sheppard was hit by a Trash Truck in the side while driving a van. His air bags that he had on his new van failed to operate and the Police now have his vehicle and are investigating why these safety devices did not work. Officer Spivey and myself went to the hospital in order to be with him and his family. We wanted to know if there was anything we could do to assist his family in these times of grief.

Sadly, we were informed that officer Sheppard would most likely not live for another four days. We followed up the next day and found that Officer Sheppard was still in the emergency room and they believe he may now have internal injuries as well, as he is losing a lot of blood.

Officer Sheppard was activated with his guard unit shortly after the September 11 tragedy. Although, he never had to leave home, as he was a part of the troops providing security at Tinker Air Force Base. He was however enduring a painful salary cut between what he would make at the FCI and what he made as a soldier.

His wife, and family were very appreciative of the visit. In addition, Officer Sheppard's family is receiving contact from his commander in the Guard as well as Warden Peterson and Chaplin Fogue. In these times of grief these contacts mean a lot. This is not a Union or Non-Union issue, Officer Sheppard is a part of all of us.

The Sheppard family has asked that we keep Phillip in our prayers. Please contact Rick Miller or Jimmy Spivy for updates on Officer Sheppard and for further information. Because of where we work and the ability of inmates to get this information we are not being more specific. By the time this reaches print we hope that we have good news to give you

- The private contractors who stand to benefit at the expense of public safety is the prison jobs are privatized are the Corrections Corporation of

Privatization of Federal Prisons Threatens Public Safety?

By AFL-CIO

- The Department of Justice, responding to the Bush Administration's mandatory privatization quotas, has placed 7200 federal corrections positions on its FAIR Act Hit List.
- The BOP has informed its employees that to comply with the quotas, virtually all of the jobs at low and medium security federal prisons may be transferred to private contractors.
- The quotas, which have been imposed on all Executive Branch agencies, require 5% of FAIR Act-listed jobs be either competed or directly privatized in 2002. In 2003 an additional 10% must be competed or directly privatized; in 2004 an additional 10% will be competed or directly privatized.
- The Bush Administration will allow agencies, including the BOP, to meet their quota without comparing the cost of continued in-house provision with privatization that a public-private competition using OMB Circular A-76. *Thus the American public may have its safety compromised through federal prison privatization and at the same time pay more than continued federalization would cost.*
- The terrorist attacks of Sept. 11 forced America to reconsider the wisdom of turning important law enforcement and public safety responsibilities to for profit contractors whose first loyalty is to the corporation's bottom line.

America (CCA) and Wackenhut. Together these firms control 75% of the private prison industry.

- CCA is notorious for abuse, riots, and escapes that occur at the facilities it runs. Colorado, North Carolina, South Carolina, Texas, and New Mexico have all experienced public disasters and cost overruns as a result of contracting out prisons. In 2000 alone, more than 200 instances of financial overcharging, escapes, contract cancellations, and lawsuits involving CCA have been reported by the Correction Criminal Justice Coalition. Wackenhut's record is no better, with equivalent numbers of public safety and criminal lapses reported since 1999.

Birds or No Birds?

By Bill Wood

There is a rumor out there that sometime back birds were found in the FCI El Reno water tower. When the Union got wind of this we approached the administration about the matter. I personally wrote a memorandum to Warden Peterson who called me into his office to talk to me about the situation.

Warden Peterson told me that around May of 2001 that an inspection was done of the water tower that is located in UNICOR area. He said that a small hole was found in the top of the water tower and that two (2) birds were found floating in the drinking water of the institution. He said that this was such a small event that the people inspecting the water tower did not even mention the birds in their report. Warden Peterson told the Union in this meeting that the quarterly water sample tests have been within the appropriate limitations. The Union, was satisfied that Warden Peterson had simply thought that this was no big deal and that probably it had been made to seem a bigger issue than it really was.

The Warden did offer to let me look at the report of the water tower and I declined as I believed him.

After talking to Warden Peterson the Union has been approached about this matter several times and

It seems strange to me that a facility the size of FCI El Reno, can be so interested in things like Chemical inventories, hazardous waste, annual toxic emissions, clean water act concerning our lagoons, infectious wastes, recycling. Lead poisoning, Asbestos, Industrial Hygiene(noise, ventilation, light, ergonomics, etc), Clean air, and Federal insecticide, Fungicide, and Rodenticide Act and so non-concerned about clean drinking water.

Supervisory Mis-treatment of

has done some investigating of its own. I am no longer sure that there is not some kind of cover up going on with this matter. I guess I would feel more comfortable about this matter if the warden was drinking the same water as I am instead of having specially filtered water brought in from UNICOR.

This is not the first time we have had problems with the water here at FCI EL Reno. If you will remember back, the outside warehouse had problems with their water where it started stinking and when tested it was found that it had ----- in the water. This was caused by the water being used by the warehouse being on a fire line and not a significant amount of water being moved through the system. This was a potentially dangerous situation and was corrected by staff being brought pure water out of the UNICOR plant.

You may be asking what is the big deal with this anyway and why is the Union making such a fuss about it?

I believe the Union's primary concerns should be with the health and safety of its members and to make the government responsible for its actions always has been a responsibility of Unions from their conception. I do not know if this is simply staff making a big issue out of a small issue or a case of the Warden telling me a story he wants me to hear.

Now if it was only two birds probably the contamination per parts per million would be minimal. If it was six bags of birds as we are being told then maybe the contamination is noteworthy. Not only were inmates, and staff exposed to this potential hazard but let's add the potential hazards to the children that live in the staff housing.

In addition, you add the fact that these birds were poisoned by United States Department of Agriculture it brings to the mind what possible problems could come from this poison being added to the drinking water through these contaminated birds. I remember another incident where the tunnels were fogged and staff have yet to recover from that incident.

Staff

by Rick Miller

In today's work force, there is no place for mis-treatment of staff by a supervisor. There should be no tolerance for it and there won't be, if you are a bargaining unit employee of Local 171, unless you are allowing it to happen.

What am I talking about? I am glad you ask! I am talking about the coercion, intimidation, threats, bullying, lack of respect and in general overall abuse dealt out on a daily/weekly basis from managers/supervisors towards bargaining unit staff.

The law (workplace violence) prevents it. The US Department of Justice directive on workplace violence prevents it. The Federal Bureau of Prisons Program statement prevents it. Just as importantly so, your Master Agreement and Local Supplemental Agreement prevents it.

But understand, none of the above kicks in, or means anything if you cow down and expect it. We are all human and all of us understand as a human we are going to have a bad day from time to time. When these bad days by the supervisor become to be expected and/or excepted as just the way it is going to be and is something you have to do to keep your job then a problem exists.

When these conditions exist, it is considered to be a hostile work environment and you are protected from such activities by the above mentioned laws, directives, program statements, and agreements.

If you have this going on in your department or you think you may have, contact your union official. Many times if this is happening, a simple meeting with you, the union, and your manager/supervisor can correct the situation. If not, we will take it to upper management for you or with you. If we get no resolution there, we will then file the grievance and take it to a hearing for you if necessary and have a third party ruling on it. The Union is willing to do this as many times as needed to resolve the problem.

Never doubt, if you belong to this local, and you need help, that you will be represented to the fullest of our abilities. You are the reason we exist as a labor organization, the labor organization is not the reason you exist.

His answer was classic Schwartzkopf. He said, "I believe that forgiving them is God's function. Our job is simply to arrange the meeting."

House of Representatives fights for pay parity again for Federal Workers.

by Bill Wood

The same group of House members, who sought parity last year in federal civilian and military pay, are championing the same cause again. Following release of the FY 2003 proposed federal budget the lawmakers—all from the Washington area—will seek a higher federal raise than the 2.6% amount Bush includes

New Stewards appointed

by Bill Wood

The Union has appointed some new stewards. Recently the Union has trained four new stewards in Union activities as well as six other stewards in activities such as workman's compensation and organizing.

Tracey Russell and Jimmy Spivey will be the two stewards in charge of workman's compensation issues. They will be getting further training in the near future as I believe this to be a very big issue that is handled poorly by this local.

The Union has also appointed specific stewards to be in charge of specific committees that the Union is allowed to attend. This should minimize the confusion that we are now having on who attends what meeting.

LMR at Both Institutions

by Bill Wood

Both the FTC and FCI are now having regular LMR meetings. This is in an effort to resolve problems before they become major problems. Don't get to excited as so far this has not proved to be major event as most of the items are tabled with no real action taken on them.

Quote by General Norman Schwartzkopf

In a recent interview, General Norman Schwartzkopf was asked if he didn't think there was room for forgiveness toward the people who harbored and abetted the terrorists who perpetrated the September 11 attacks on America.

in his plan. Bush proposed a 4.1% increase for members of the military. The group, which represents a large number of federal employees, thinks civilian workers also should get a 4.1% pay raise in 2003. "Until we make the long-term fixes to our employee pay system that will be needed to truly compete with the private sector, pay hikes are critical to maintaining morale and otherwise leveling the recruitment playing field," said Rep. Tom Davis, R-Va. OMB's Mitch Daniels noted that using the change in the Employment Cost Index as a basis for adjusting federal pay, as has been done in recent years, would have resulted in a 3.6% civilian raise in 2003.

Letter from Philip Glover to John Ashcroft.

by Phil Glover

January 18, 2002

The Honorable John Ashcroft
Attorney General of the United States
Constitution Ave and 10th St., NW
Washington, DC 20530

Dear Attorney General Ashcroft,

My name is Phil Glover, I am a correctional Officer and Union Official from the Federal Bureau of Prisons. I am the elected President of the Council of Prison Locals, AFGE which represents over 24,000 bargaining unit employees in the federal prison system.

This is the third attempt I have made to request a meeting with you or your staff. The issues we would like to present are continued disapproval of representation for correctional workers who are sued by inmates. The law enforcement officers we represent should be supported by the Department of Justice when inmates pursue lawsuits which are unfounded.

The Justice Department has repeatedly failed to represent Correctional Workers causing them to take out second mortgages on their homes, borrow from family, or have the union support them while an inmate alleges all kinds of atrocities which hasn't been investigated or proven. It has become one of our top issues this year.

Our other issue, is the decision to take 7,200 law enforcement officers on the FAIR Act inventory. We would like the opportunity to express our viewpoints on this to the Justice Department.

We understand how busy the Department of Under the direction and guidance of Kathleen Hawk Sawyer, Director of the Bureau of Prison, Keith Hall Assistant Director, Human Resource Management Division, put out a memorandum stating that the new employees of the Bureau of Prisons attending Glynco will not be compensated for working any hours beyond the standard forty (40) hours. The agency instructed other supervisors to falsify pay documents to reflect no work was being performed outside the standard working hours, but then states training authorization will cover employees in work related injuries occurring outside the normal working schedule. This is also a change in working conditions and was never negotiated with the Council of Prison Locals National Executive Board.

The requested remedy is for all affected employees to be paid 16 hours of overtime pay; for all future affected employees attending Glynco to receive all

Justice is since the September 11 attacks. Our law enforcement officers at the nations prisons share this load. We believe a meeting is in order to fully understand the administration's actions on these important issues. Please have someone contact me with any available dates.

Sincerely,

Philip W. Glover
President
Council of Prison Locals

As of this date no attempt has been made by the Attorney General or any of his staff to set a date with the CPL as to when these issues can be discussed.

National Grievance filed on forcing attendees to work without compensation at Glynco.

by Bill Wood

February 6, 2002, Mark Lowe wrote a memorandum to all timekeepers and supervisors at FCI El Reno. In this memorandum it explained that Glynco's training schedule has been changed from Monday through Friday to Monday through Saturday with Saturday being a non paid day.

The Council of Prison Locals filed on this change in working conditions in February 2002. The body of the grievance reads as follows.

pay and benefits due; and any and all other actions deemed necessary to make the affected employees whole.

Filed with Joe Chapin, Chief LMR.

UNICOR goes private

by Bill Wood

Delco Remy, a division of General Motors is the first to use prison labor for a private adventure. Two UNICOR areas one in Petersburg, Va. and the other in Beaumont, Texas will now make car parts.

Petersburg I understand will make generators and starters and Beaumont is supposedly going to assemble motors. The inmates are to paid up to \$1.60 per hour for their work.

UNICOR lost it's mandatory source from the DOD and now several other agencies are bucking the system. Virtually UNICOR has lost mandatory source for all

government agencies. Without mandatory source the UNICOR factories are becoming silent with inmates being laid off on rotating schedules.

Remember Mr. Schwab's comment to congress while looking for other jobs. He said that with or without mandatory source UNICOR could compete. How wrong can you be? Now as the inmates lay idle in prison we find other problems arising. I talked to employees of Leavenworth this past week and they are having severe problems in the USP. No money to pay gambling debts and for drugs is causing major problems inside the walls. Eventually it will spill down to the FCI's, but don't worry you may not even have a job here anyway due to the FAIR Act.

The contract has been signed by UNICOR and Delco Remey. For the time being UNICOR staff are going to be kept for security with Delco Remey providing training for inmates. You got to wonder what kind of security clearances these training staff will have.

This brings me to my first point of the situation between the Captain and myself over the custodial roster. As the Chief Negotiator of the Master Agreement, I did have part in each and every proposal that was written and proposed for the Master Agreement negotiations. I did negotiate on each and every proposal up to an agreement, to include the ones which we could not reach an agreement and took to a Federal Service Impasse Panel. Therefore being a correctional officer as three other negotiators were on the national negotiations, me having attended the custodial roster committee for some seven years at the time, I knew the problems you have with a custodial roster. So we the correctional officers of the national negotiating team, pretty much wrote, proposed, and negotiated article 18 of the current Master Agreement, and especially section d of that agreement. So If I don't know the meaning and the intent of Article 18 of the Master, who does, the Captain? He wasn't there before, during, or after the negotiation of it.

Last Quarter the Captain says he is not going to allow officers that got bumped off of the sick/annual (S/A) roster during the roster committee to be credited with a S/A. But, if they were pulled off and put into a quarterly assignment after the roster was posted it would be accredited. I attempted to inform the Captain, this was a past practice, which had been created in order to settle a ULP in which an employee had filed against the previous Warden. That it was Warden Fleming himself, that made the agreement with me and that agreement

Custodial Roster

by Rick Miller

This coming quarterly roster will be a little different than times past, thanks to our Captain! I will attempt to explain this in as short a version as I can, but it is rather complicated. Having said this, please do not hesitate to contact me, (Rick Miller) and inquire if I fail to get my point across in this article.

I have been the union official that has overseen and attended the custodial roster committee as a representative of the union for the past fourteen (14) years. There was one exception when I was the South Central Regional Vice President I did not set on the committee for a year and there has been four or five other times over the 14 year period where I was out of town. I also helped negotiate the Master Agreement that we presently operate under and understand the intent of the Master Agreement.

sets a past practice. Meaning it will be done for every officer it happens to in the future.

The Captain resolved that he would go with this procedure this time, but he would be talking to me in the near future. Shortly thereafter, the Captain, was back in contact with me about this situation. He informed me that he can find no lieutenant that knows anything about this alleged agreement I had with warden Fleming.

Imagine that! Could it be that because the Lieutenant's hadn't been doing their jobs and keeping track of who should or should not be credited with working S/A rotation? You guessed it, that's right.

So after the second and third conversation between the Captain and myself, where I informed him a grievance would be filed every time he disallowed this procedure, he dropped the issue or so I thought. In truth, what he did, was he went behind my back to another Union official, that knew nothing of the Captain's and my conversation. The Captain, through these underhanded tactics got himself an agreement to do it the way he wanted.

Shame on you Captain this time, shame on us the next time. **BUT**, just so you know, we know now, there will not be another time. Better men than you have tried to divide this Local, don't waste your time, it is not going to happen. Evidently, Captain, you forget that you used to be a part of this Local, and to us you have only shown your true colors. Now we know, so shall everyone else that we reach out and touch.

What this means to the correctional officer is,

now, even though you are shown on the S/A roster you still need to fill out a request form with all three choices filled out. This is just in case you get bumped off of the S/A roster. If you don't you will be placed into an empty slot on the roster and will have lost your rights of seniority and in addition will not be credited with having worked S/A.

This brings about another serious disruption to your lives through the Custodial Roster. Since, we now do it the way the Captain wanted it done, that is, once you are bumped off of the S/A roster, we now will go to your first choice on your request. If you have more seniority than the officer that has already obtained that post by the use of the blank roster and their first request you will be placed in that post. The Officer thinking and acting in good faith that signed the blank roster is now screwed. He gets the second choice, on his

It is pretty simple, a happier work force is a more productive workforce. Why would the Captain want to take something so small that means so much to his workforce? I do not know, I can't answer for him and he does not seem to have a legitament reason for me. I **do know** one thing, for the past two years, when the custodial roster was set, 95% or more of the officers received their first choice, and approximately 99% of all officers were satisfied and happy with their assignments.

I don't believe I will be able to quote these figures on our next roster, but you will all know why, now.

request form which in turns bumps another officer, who may bump another officer, and so on and so forth. The possibility is that up to 50% of the correctional officers can and will lose their first, second and third choices on the request form. This effectively stops the whole purpose of the blank roster system a system that has proven very effective and reduced the time the roster committee has to spend to less than an hour.

You may remember that Wardens A. Flowers and L. Fleming whole heartedly agreed with the way we did the blank roster. Why? Because the blank roster system was created for the less senior officers so they did not have to shoot their three requests in the dark and most likely not get any of their requests. This procedure was of great benefit to the Correctional Officer and their families.