



Local # 171 ALERT

A.F.G.E Local 171 of Council of Prison Locals #33

FTC Oklahoma City & FCI El Reno, Oklahoma

Editors: B. Coker & J. Lepird

Benefits Still Under Attack by J. Lepird

Newsletter
June 2018
Volume 1, Issue 2

The Office of Personnel Management (OPM) has again decided to go after Federal Employees where it hurts, in our wallets currently and even in retirement. The Director of OPM, Jeff Pon, sent a letter to the Speaker of the House outlining the current Administrations plans for current and future federal employees. These are not new and the Union has fought off these same plans before. Now, however, OPM has taken every single bad idea spewed forth to destroy federal employee benefits and wrapped it up into one neat little package.

The first item is to eliminate the FERS Retirement Annuity Supplement. This is commonly referred to as the "Social Security Supplement", and will disproportionately hit federal LEOs more any other type of Federal Employee. We have a mandatory retirement age of 57, and we all pay into social security. Federal LEOs, Federal Fire Fighters, and Air Traffic controls are currently the vast majority of those receiving the supplement because we are forced to retire earlier than other feds, giving our TSP contributions less time to grow. This supplement, which can range from approximately 900 to 1100 dollars per month during retirement, depending on years of service, provides the bridge for us to financially make it until we can collect our social security.

The second item proposed is to change our retirement calculation from the average of 3 years to an average of 5 years. Currently, when we retire our retirement annuity is figured on the average of the 3 top earning years (base pay+locality for GS employees) during our career. Changing it to the average of the top 5 years would lower our retirement annuity. It may not be a huge difference, but it will have an impact on your final retirement check.

The third item proposed increases what we pay for our retirement annuity. Currently we contribute 1.3% (if hired after 2012 3.1 or 4.4 depending on hire date) to our retirement, while non-LEO federal employees contribute .8% of their pay. The proposal would increase the amount everyone pays for their retirement annuity 1% per year until we reach 7.25% of our pay. The result is a pay cut of 1% per year for every federal employee. Currently the government contributes those funds to the retirement system, which is fully funded. FERS is in no danger of being underfunded with our current contributions, this is simply a way to decrease government spending on retirement that was promised when we were hired.

The final proposal is for retirees and current employees. The proposal will eliminate COLAs (cost of living increases) during retirement. What this means is that the amount of your retirement will stay the same as the years pass, and there will be no increases for inflation or the cost of goods increasing. As many folks who started in the Federal Government many years ago can tell you, the pay has increased because the cost of goods increase every year. We all see this when we go grocery shopping and when we pay our mortgage or rent and the cost of utility bills.

This is basically every bad idea that we, as Federal Employees, have contended with over the past several years wrapped up in a neat little packet. Attempts were made to add this recommendation to a recent funding Bill, which the Union stanchly opposed. Currently, we all need to ensure that our representatives at the capital understand that we are not for these reductions, and these reductions produced no huge savings when compared with the funds spent on the budget as a whole. Eliminating all of our retirement benefits would not balance the budget or even make a dent in the current spending measures.

Inside this issue:

President's Desk	2
Congratulations	2
CPOF	2
Decisions	3
Workers Comp, COP	3
Chief Steward, ERE	3
CWW	4
Financial Report	4
Executive Orders	5
E-Board/Stewards	6
Your Rights	6

Next Union Meeting:

Tuesday July 10th 2018
5PM at the
FCI El Reno Union House
Meetings are held every other
month

The President's Desk by T. Townley

Local 171 would like to send out a special thanks to Congressman Steve Russell for attending the Correctional Workers Week Memorial ceremony. The ceremony is in honor of those who gave the ultimate sacrifice and for continuing to support those who jeopardize their lives daily inside BOP Facilities. Not only did Congressman Russell attend the ceremony at the FTC, he also gave a great speech during the memorial.

Local 171 would also like to thank everyone for the tremendous turnout at FTC's Union picnic Saturday May 19th. We've had great feedback about everyone enjoying the event. In closing, I would like to thank everyone who participated in this week's ceremonies and made it a special year! I would like also to thank the West Moore band for their outstanding performance at the ceremony! Every Year in May, during

Correctional Worker's Week please let us not forget when honoring those who gave the Ultimate sacrifice serving their country working for the Bureau of Prisons. Take a moment to remember and honor FCI El Reno's Donald F. Reis who gave the ultimate sacrifice working at FCI El Reno February 28, 1975.

Congratulations to the Winner! by B. Coker

On May 19th the winner of the Union CWW Pistol drawing was drawn at the FTC. P. Underwood is the lucky Winner of a New Glock. Make sure to congratulate him on his win.

This is the first year that the Local has done a fundraiser during CWW. It has been an overwhelming success so far. The Local wants to thank all the

Members that participated and purchased wrist bands. Your support in the drawing and as members of the Union is greatly appreciated.

The fundraiser helps the Union to offset the cost of our contributions to CWW activities. The fact that a lucky Member at both facilities wins a Pistol is a great bonus.

In our next issue we will let

everyone know who the lucky winner of the drawing is at El Reno. The CWW in El Reno was pushed to the week of June 17th.

Congratulations to the Winners of our T-Shirt contest gift cards. The winners are: C. Bishop at El Reno and G. Schaffer at Oklahoma City.

If you would like to see more Pistol drawings or similar events in the future, make sure to let us know.

Correctional Peace Officers Foundation by G. Brueggen

The Correctional Peace Officers (CPO) Foundation is a national, non-profit charitable organization created in 1984. Its primary function is to preserve and support the surviving families of Correctional Officers. The men and women who have lost their lives in pursuit of their chosen profession of protecting the public from those remanded to correctional custody and supervision in the nation's prisons and jails. CPOF helps its members and member's families with financial assistance in times of hardship in the event of a death or

catastrophic event such as illness, injury, and in some cases natural disasters. The Catastrophic Assistance program is designed primarily for correctional staff, spouses, and dependent children.

I personally have received assistance from CPOF when my house was struck by lightning and burned. CPOF sent me financial assistance, got with our clothing vendors and provided me new uniforms at no cost, and even sent some items for my children.

You can join CPOF for as little as \$3 a pay period. If you would like

to join CPOF call B. Coker or G. Brueggen in El Reno and we will get you signed up. In Oklahoma City contact B. Hutchinson. This is truly a wonderful organization that really cares about its members and wants to help in any way that they can.



Arbitration Decisions at El Reno by B. Coker

1. At FCI El Reno we recently received the decision for the Arbitration about staff Urinalysis (UA) Testing on December 20th 2017.

The Union won the case and received a judgement in our favor. The Arbitrator ruled: "The grievance is sustained. The Agency violated Article 6, Sections f and h of the Master Agreement; Article 6, Section h of the Local Supplemental Agreement; and the Parties' past practice" as shown during the arbitration.

The Union proved that we have a Past Practice and the Agency is going to follow it. Past Practice cases are difficult to win and this is a big victory for all of our Members.

The Agency does not want you to have a representative in the UA process. You do have the right to one in El Reno if you choose.

All Bargaining Unit Staff have a Right to Union Representation according to El Reno's Local Supplement under Article 6, Rights of the Employee, Section h. "During the collection process of Drug Testing, a Union Representative, at the employee's request, will be present, provided the designated representative is available within a reasonable period of time as defined in Article 6, section h of the Master Agreement. A Union Representative will be allowed to accompany the sample to the Post Office".

The Union encourages every Bargaining Unit Staff member to request a Union Representative for the UA process.

2. The Union also received a favorable ruling in a staff discipline case in El Reno. The Arbitrator ruled: "that the Collective Bargaining Agreement has been violated. The grievance is accordingly granted. The 14-day suspension is to be removed from the Grievant's file" and made whole for his losses, including backpay.

The Union will continue to hold Management accountable for their actions and ensure that they are following all of our Agreements and the Law.

Workers Comp – C.O.P. and the CA-1 by B. Coker

Often Staff ask what C.O.P is and how it works. C.O.P. stands for Continuation Of Pay and is an option that you choose to elect when filing a CA-1 for a traumatic injury. Your C.O.P. starts the next day after your injury when you are not able to return to work due to your injury. It runs for a period of 45 calendar days. After the 45 days end you go on the Workers Comp (OWCP) rolls.

Continuation of Pay is just what it sounds like. The Agency continues to pay your salary just as if you continued to report to work. However, as you're injured and

cannot report to work you remain home to recover from your injury. C.O.P. is a bridge to transferring over to being paid by Workers Comp. Many staff are able to get the treatment they need while on C.O.P. and avoid going to the next step of the process.

C.O.P. is only available when filing a CA-1. It is not an option on the CA-2. It is very important to also note that if your case is declined you will be required to pay back the Agency for the C.O.P. time you utilized. That is why it is very important to get the Union's assistance with your Workers

Comp case so we can help you through the process. The Union has Representatives with advanced training on the OWCP process and requirements.

In Oklahoma City contact T. Russell or B. Houck for help with your Workers Comp Case. In El Reno contact B. Coker or R. Barger for help through the process.

Don't go it alone and just hope for the best outcome, use the resources available to you to ensure the best outcome possible.

Chief Stewards Corner - El Reno by J. Lepird

One of the biggest hurdles that bargaining unit members run into when their rights, or the contract, is violated concerns timelines. The Master Agreement is fairly clear on the matter, specifically regarding the grievance process. Every bargaining unit member should be aware of his/her timelines so when seeking redress through representation, there is no misunderstanding.

When the contract is violated, per Article 31 of the Master Agreement, the Union has 40 calendar days to

address the violation in a grievance. This is not the date of occurrence, but the date that the Union became aware of the occurrence. Understand, however, that this provision is for when the Union could be reasonably expected to have become aware of the violation.

The Union is ready and able to take action whenever the Master Agreement is violated and bargaining unit staff members' rights are violated. If you believe the Master Agreement has been

violated, notify a Union representative as soon as possible. The violation is fresh, and the grievance investigation can be initiated with current information and accurate recollections of the grievable act. Do not wait, contact a Union Representative immediately to ensure your rights are protected. The Union can then begin the process and discuss the issue with the Agency, and start the grievance process if the Agency is unwilling to correct the violation.

Correctional Worker's Week El Reno

There has been quite a bit of talk about Correctional Workers' week, which is now past. We will be celebrating CCW in June. This has created a variety of issues, and unfortunately some information being put out is false or incomplete. We want to ensure that all of our members have an accurate picture of some of the issues we've had planning the events this year for CWW.

We had several issues regarding CWW that we brought to the attention of Management. As everyone knows, at the moment we are getting very short in Custody. When the CWW observation date was changed several times, each time we showed that each change created a problem with Officers being on vacation. During the real observation of CWW, only 3 Officers were scheduled for vacation. When the dates were changed several times, each date had 13 Officers scheduled for vacation. We are short on staff, and it looks like we will be short for a while.

Common sense says this decreases staffing because most of the vacations are taken in the summer. This means less people will have the ability to participate in CWW, and increases the likelihood of staff being excluded. These concerns were ignored and no plan was put into place and no arrangements were discussed to try to work around this

issue. It was just something that apparently wasn't a concern, and line-staff are going to be the folks that ultimately will have to deal with the result. A wait and see approach is not the best strategy.

We had concerns with the Executive breakfast. In previous years the Executives took time to cook the meal and the Union paid for the meal. Last year, the Union asked that the executives bring this tradition back, because it was a great morale builder and ultimately, some folks had issues with inmates cooking the meals. Instead of looking at this as a morale issue and something to give back, inmates again prepared the meal and management ignored this great opportunity to serve.

The Union asked, in the CWW meeting, to contact members of Congress on behalf of El Reno Staff to come and speak at the memorial service to honor our fallen. We were able to work with a Congressman's office and Congressman Russell graciously attended the memorial event at FTC OKL. We wanted to contact some offices and see if they would come out and attend the event here at FCI El Reno. Our efforts were shut down by a member of management before we could even attempt to make the arrangements.

The list goes on, but the fact remains that this CWW is looking like it isn't about honoring the folks who work at

this institution and keep it running daily. That is a problem for the Union, as we want the bargaining unit here recognized for their contribution to this country, and every effort should be made to allow everyone the opportunity to participate in a week created for them by presidential proclamation.

It is a sad day when simple, easy fixes are ignored and people's legitimate concerns are dismissed with little consideration. This is a time for honoring the fallen and honoring the commitment each and every staff member shows through dedicated service at this institution. It is a silly way to illustrate control, as we all know who makes decisions. However, those decisions should be made with the Staff here at the institution always at the forefront of consideration.

The Union supports all the hard-working folks at FCI El Reno. The Union will continue to sponsor meal-a-shift, which has been sponsored exclusively by the membership for some time. The Union held a contest for CWW shirts, and they will be handed out to the membership. There will also be a Union sponsored cookout on the Saturday following CWW, June 23rd, to thank each and every correctional staff member for their dedication and sacrifices that are made throughout their careers. Thank you for all that you do, Local 171 supports you and will do everything it can to ensure that everyone is treated fairly and your rights are not violated.

Local 171: Financial Report by S. Johnson

The Union is in great shape! We are very thankful to those who came before us. In the past, when Labor Management Relations were much better, the Union wasn't always forced to take every case to Arbitration. During those times, the Union could reach an agreement without having to spend thousands of dollars taking issues to a third party hearing. Every once in awhile, it was

possible to reach an agreement, shake hands and it was a done deal. Now, a handshake means nothing. A verbal agreement means nothing. Verbal agreements with a handshake never happened if it doesn't get put into writing. The problem with that is the Agency now subscribes to a "nothing in writing" philosophy. Our Agency has a contract with its' employees and that sometimes

means putting arrangements in writing.

The membership can rest assured, the Union is financially prepared and ready to face these and other challenges ahead.



Three Executive Orders (EOs) were signed on the Friday before Memorial Day, at around 3:00pm. These orders will have a variety of effects in the workplace. Many of the provisions of these orders are under review for violating current law. This article is to inform everyone about some of the provisions of these EOs. It is important to remember that these EOs are being reviewed and their legality, as well as how implementation will take effect. It will be a process and the time these EOs will be in full effect is unknown.

To simplify the contents of these EOs, as they are several pages each, we will be summarizing some of these issues. The information here is public, and the EOs are available to the public via the Whitehouse website. Everyone can look at these EOs, but we encourage you to do so on your own time not using government equipment. Implementation information should come from each Agency, however the information provided is contained in the orders.

1. It will be harder to defend yourself from "performance based" adverse actions (suspensions, demotions, terminations) by making Performance Improvement Plans (PIPs) optional and much shorter when used (30 days). Conduct based adverse actions will be harder to defend as well because the EO removes progressive discipline. This means that if you make a mistake you can be punished much more harshly for a first time offense than previously.
2. During RIFs (Reduction in Force), seniority has been the factor in reassignment and retention. Under the EO, this is no longer the case. It will simply be based upon performance.
3. The EO removes the ability for Shop Stewards and other Officials to work on grievances at the worksite during the workday. If there is an issue, the person assisting you with the

issue will be expected to do so on leave or LWOP. This includes attending and preparing for arbitrations. Basically, your access to help with contract violations becomes very limited. It also makes representation harder, by requiring Management to give written permission for almost any act of Union Representation, taking away your ability to get representation when needed.

4. Agencies have been instructed to open Collect Bargaining Agreements (Master Agreement) ASAP to make drastic changes to bargaining unit members' rights. If the Union doesn't agree, it sets up a system to go straight to the Impasses Panel for a rubberstamp to drastically reduce rights in the workplace.
5. Official time granted to lobby Congress, guaranteed by Law, will not be authorized. OC spray, Gunlockers, stab resistant vests, and fighting off attacks on benefits and retirement have all been achieved through visiting Congress and educating members of Congress about the real impact these areas have on the line-staff, which has been done on granted Official time. Removing the ability to interact with Congress is aimed at limiting our ability to work for all federal employees as the Union is a major voice for protective equipment and benefit protection.

This is not a comprehensive list, but gives everyone an idea about some of the major challenges we are facing as bargaining unit members. These actions are direct steps toward making federal employees "at will" employees. Many of these provisions will be challenged in court, and the Union will be working to keep your rights intact.

Outside of the EO changes, some rights will still remain in effect.

1. Rights under the Law and the Master Agreement will remain in effect for now. Proposed adverse actions can still be defended against through the Merit System Protection Board. Grievances can still be filed under the Master Agreement, though they are attempting to take away the time needed to do so.
2. We still have our rights as citizens and can engage in collective action that includes collective bargaining, lobbying the Congress, going to court, and protesting these actions in a lawful manner.
3. The Union still has the right to represent every member of the bargaining body for any violation of law, regulation, or the Master Agreement.

Please understand we will still represent the bargaining body and will be doing our best to combat these attacks on federal employees. We are not alone, and there is a bipartisan effort to stand up for the folks that keep the government running. Though we here at the local level will be working on our own time, this is not something new to the folks here as we do it regularly now anyway. We will continue to stand up when your rights are violated and do our best to represent the bargaining body as representatives of your Union, AFGE Local 171. Thank you for your membership and support, tough times make us stronger collectively, even with all the adversity we have been facing the past several years.



Local 171 E-Board/Stewards

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United We Stand Together in Solidarity

Local 171 Website
www.afgelocal171.com

E-Board

T. Townley – President

S. Johnson - Secretary/Treasurer

B. Coker – Vice-President ERE / OWCP

B. Hutchinson – Vice-President OKL / CPOF

J. Lepird – Chief Steward ERE / Legislative Coordinator

T. Russell – Chief Steward OKL / OWCP

S. O'Brien – Sergeant at Arms

Stewards – El Reno

R. Barger – Correctional Services/OWCP

C. Bishop – Correctional Services

K. Menz – Correctional Services

G. Strider -- Correctional Services

T. Norton -- Correctional Services

D. Boling – Education/Recreation/DAP

J. Headrick – Facilities/Unicor

G. Brueggen – Health Services/CPOF

B. Kuykendall – Trust Fund

J. Delk – Food Service

Stewards – Oklahoma City

B. Houck – Correctional Services

M. Michon – Correctional Services

C. Hannaford -- Correctional Services

D. Jones -- Correctional Services

J. Williams -- R&D

M. Hennesy -- EEO

J. Taylor -- Facilities

D. Watts -- Business Management/CPOF

T.J. Howard -- Business Management

J. Grigsby -- Food Service

D. McMullin – Food Service

C. McPherson -- Unit Management

J. Lyon -- Unit Management

Your Rights – Sick Leave – FFLA and FMLA

Staff accrue sick leave as a benefit of their employment with the Bureau of Prisons. As a benefit it is something that you earn and save to use when necessary. You have a right to use your sick leave when unable to report to work due to a personal illness. Article 20 in the Master Agreement addresses Sick Leave and the requirements that can be put on its use.

In addition to Sick leave, Staff can also elect to use Family Friendly Leave (FFLA). Normally you would just call in and

request to use "Family" leave.

This comes out of your sick leave balance. However, it can be used to care for a sick child, take them to a doctor's appointment or care for a family member. There is a limit of 13 days per year that you can use Family leave.

For major medical issues Staff can invoke and use Family Medical Leave (FMLA). Normally you invoke FMLA leave with a Request for Leave or Approved Absence form (OPM 71). In box 5 you invoke FMLA leave and check the

Reason.

1. Birth/Adoption/Foster Care.
2. Serious health condition of spouse, son, daughter, or parent.
3. Serious health condition of self.

The Agency can require a certification from your Doctor to authorize your FMLA and give you a form to have the Doctor fill out. You can choose to use sick or annual leave under FMLA.

Contact the Union if you have any questions about using sick leave under either of these laws.