

<p><b>1. Grievant(s)</b> AFGE Locals 405 and 408 on behalf of all affected bargaining unit employees</p>	<p><b>2. Duty Station</b> Federal Bureau of Prisons FCC Butner, North Carolina</p>
<p><b>3. Representative of Grievant(s):</b> Julius Pyles, President, AFGE Local 405 Edwin Kirton, III, President, AFGE Local 408 Heidi R. Burakiewicz, Kalijarvi, Chuzi, Newman &amp; Fitch, P.C.</p>	<p><b>4. Informal resolution attempted with</b>  <b>Warden Holland</b></p>
<p><b>5. Federal Prison System Directive, Executive Order, or Statute violated:</b> The Union alleges that the Agency is violating applicable policies, statutes, regulations and the Master Agreement concerning the requirements for providing employees with performance evaluations, incentive awards, and step increases including, without limitation, Program Statement 3000.03, Chapter 4; Program Statement 3451.04; 5 U.S.C. § 4302; 5 C.F.R. Part 430; 5 C.F.R. § 532.417; 5 C.F.R. § 531.404; 5 C.F.R. § 531.504; 5 U.S.C. § 2302; and 5 U.S.C. § 5596. Additionally, the Union alleges that the Agency is violating the Master Agreement between the Federal Bureau of Prisons and the Council of Prison Locals including, without limitation, Articles 3, Section b, 7, and 14.</p>	
<p><b>6. In what way were each of the above violated? Be specific.</b> The Agency is not following the requirements for the provision of performance evaluations, incentive awards, and step increases. For example, the Agency is not timely and accurately provided bargaining unit employees with performance standards, log entries, quarterly and/or annual performance evaluations; supervisors are rating employees even though they do not actually work with and/or supervise the employees and/or did not supervise the employees for a minimum of 90 days; the Agency is cutting and pasting inapplicable information into the performance evaluation forms concerning other individuals; supervisors are not completing quarterly evaluations and/or performance logs as required, and are not meeting with employees regarding their performance logs and evaluations, despite requests by employees to meet with their supervisors; raters are not utilizing input from supervisors or including specific examples when issuing evaluations; annual ratings are not always consistent with the quarterly performance log entries; etc.</p> <p>The Agency is refusing to give employees whose performance warrants an overall rating of "Outstanding" such rating. As such, employees whose performance warrants an overall rating of "Outstanding" are being taken out of consideration for additional recognition for reasons that have nothing to do with their performance. This has resulted in employees not receiving Awards and Bonuses, such as Cash or Non-cash Awards, Quality Step Increases, and Sustained Superior Performance, and has negatively affected employees when applying for jobs and promotions.</p>	
<p><b>7. Date(s) of violation(s)</b> This is a continuing and ongoing violation. Pursuant to the Back Pay Act's statute of limitations, the recovery period extends back six years prior to the date this grievance is filed and extends through the present and continuing into the future until this issue/grievance is resolved.</p>	
<p><b>8. Request remedy (i.e., what you want done)</b> AFGE Locals 405 and 408 seek any and all relief available as a result of the Agency's failure to follow the Master Agreement and applicable laws, regulations, policies as set forth above. The Unions request that the Agency correct its practices to be compliant with applicable law, regulation, and policy. The Unions request that each affected bargaining unit employee be made whole by having their evaluations revised to reflect the appropriate rating, and for every employee who expresses an interest in receiving damages by signing the unions' required forms be made whole in every way including, without limitation, an award of back pay, interest, and attorneys' fees and costs pursuant to the Back Pay Act. 5 U.S.C. § 5596.</p>	
<p><b>9. Person with whom filed</b>  Angela Dunbar</p>	<p><b>10. Title</b>  Mid-Atlantic Regional Director</p>
<p><b>11. Signature of recipient</b></p>	<p><b>12. Date signed</b></p>
<p>I hereby certify that efforts at informal resolution have been unsuccessful.</p>	
<p><b>13. Signature of Grievant(s)</b> <i>Julius Pyles (RB)</i> <i>Edwin Kirton (RB)</i></p>	<p><b>14. Signature of Representative</b> <i>Julius Pyles (RB)</i> <i>Edwin Kirton (RB)</i></p>