



U.S. Department of Justice

Federal Bureau of Prisons

*Federal Correctional Complex
Butner, North Carolina 27509*

September 1, 2015

Anthony Little, President, AFGE Local 408
Federal Correctional Complex
Butner, NC 27509

Dear Mr. Little:

This letter is in response to your grievance filed with the Warden's office on August 10, 2105. In the grievance, you allege violation of the Master Agreement, Master Agreement Preamble, Article 6, Article 17, and any other applicable laws, rules, guidelines and regulations.

In the grievance, you allege that Management Officials have obstructed the Union's and the employees' ability to review documents. You also state Management destroyed documents that are damaging in current ongoing litigation cases. The documents you reference in your grievance refer to old performance files located in cabinets outside the Captain's office at the Federal Medical Center.

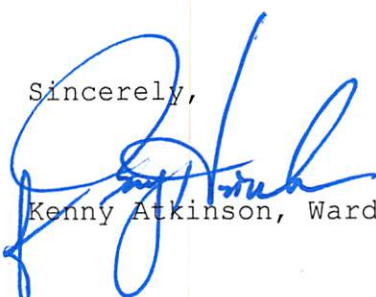
As remedy, you are requesting (1) immediate compliance with the Master Agreement and in specific, Preamble, Article 6, Article 17, and Article 36 (2) the agency Complex Warden compile formal correspondence to all bargaining unit employees regarding the action carried out by destroying personnel files with affording the employee the ability to review their files (3) the grievant will suffer no reprisal, harassment, or intimidation, as a result of filing this informal resolution (4) attorney fees and cost associated with this issue if it proceeds to arbitration.

In response to your grievance, please keep in mind that the Agency's main priority is to ensure employee personal identification information is protected and secure at all times. To this extent, when documents are found that are outdated or could possibly lead to a PII Breach, it is the Agency's number one objective to dispose of this information according to established policy and guidelines. The information found in the cabinets outside the Captain's office at the FMC was reviewed and Management determined that this information was

over 4 years old. In fact, several of the staff names in these folders are no longer employees of the Bureau of Prisons. It is important to note that based on guidance from the General Records Schedule, performance files more than four (4) years old will be destroyed.

In summary, the agency has established appropriate administrative, technical and physical safeguards to ensure the security and confidentiality of records to protect against any anticipated threats or hazards to the security or integrity which could result in substantial, harm, embarrassment, inconvenience or unfairness to any individual on whom information is maintained. Furthermore, please be advised that with the establishment of the Official Electronic Personnel Folder (OEPF), all hard copies of performance files are to be destroyed. All employees have access to their electronic personnel files which can be accessed by the employee at any time. The Agency's response to this incident was immediate with the purpose of protecting staff PII. Based on the above, your grievance and requested remedies are denied.

Sincerely,



Kenny Atkinson, Warden