

JUN

U. S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISON

1. Grievant(s) AFGE Local 408	2. Duty Station FCC Butner
3. Representative of Grievant(s) AFGE Local 408	4. Informal resolution attempted with (name Person) Complex Warden Kenny Atkinson

5. Federal Prison System Directive, Executive Order, or Statute violated:

Master Agreement in totality - Master Agreement Preamble, Article 6, Article 17, Article 36, and any other applicable laws, rules, guidelines and regulations.

6. In what way were each of the above violated? Be specific.

In June of 2015, the Union became aware that Local 408 Bargaining Unit employee Edwin Kirton requested to review his informal personnel file that was located outside of the Captain's Office at the Federal Medical Center, Butner, NC. Management at FCC Butner informed the employee the files did not exist, that they had been destroyed. The employee did not believe the Management official and contacted the Union with concerns. In an effort of showing good Partnership, Local 408 Union President Anthony Little directed Chief Steward Anderson to look for the files with a Management official beside him. No files were found, so in the spirit of good faith and believing that the Agency was working in line with the preamble, "Moreover, the parties recognize that the administration of an agreement depends on a good relationship. This relationship must be built on the ideals of mutual respect, trust, and commitment to the mission and the employees who carry it out.", Union President Anthony Little accepted the agency's answer that there were no files. Approximately a week later, a former manager advised the Union to look again because he knew the Agency was not telling the truth. At that point Local 408 President Anthony Little contacted Associate Warden Mark Bolster and asked him about these Performance Files. AW Bolster stated, "Yes, we have old Performance files by the Captain's office". At which time he (AW Bolster) went and located the files, As the Union was given false information, Local 408 President, Anthony Little suggested that the employees be given an opportunity to review the files, then the files could be destroyed. On 07-16-2015, Local 408 President, Anthony Little attended a meeting with Human Resource Manager Jonathan Hemingway and Associate Warden Morris Lewis in an attempt to avoid senseless litigation. Local 408 President Anthony Little gave them a simple solution, let the employees who wanted to review their performance files, review them and then destroy them. Collaboratively have a Union Representative and Management official there to observe the whole process and that would be the end of the issue. Local 408 President Anthony Little explained to Associate Warden Lewis and Human Resources Manager Hemingway how this would be good Partnership and would further eliminate the Union filing another grievance against the Agency. The next morning, Local 408 Union President Anthony Little received an email message from Human Resource Manager Jonathan Hemingway as notification the files were shredded, which is attached to this formal grievance. Local 408 Union President Anthony Little met with Complex Warden Kenny Atkinson in which informal resolution was not successful.


The Management Officials have obstructed the Union's and the employee's abilities to review documents and have destroyed documents that are damaging in current ongoing litigation cases filed not only by the Union but by individual employees.

7. Date(s) of violation(s)

July 17, 2015

8. Request remedy (i.e., what you want done)

1. Local 408 requests 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 actions carried out by destroying personnel files without affording the employee's the ability to review their files.
3. The grievant will suffer no reprisal, harassment, or intimidation, as a result of filling this informal resolution.
4. Attorney fees and costs associated with this issue in the event this issue proceeds to arbitration

9. Person with whom filed Kenny Atkinson	10. Title Complex Warden
11. Signature of recipient	12. Date signed
I hereby certify that efforts at informal resolution have been unsuccessful.	
13. Signature of Grievant(s)	14. Signature of Representative  Anthony Little, President, AFGE Local 408