

<p>1. Grievant(s) AFGE Local 408 on behalf of all affected bargaining unit employees</p>	<p>2. Duty Station Federal Bureau of Prisons FCC Butner, North Carolina</p>
<p>3. Representative of Grievant(s): Cheryl Daniel, 2nd Vice-President AFGE Local 408 Heidi R. Burakiewicz, Mehri & Skalet, PLLC</p>	<p>4. Informal resolution attempted with (name Person) Complex Warden Atkinson</p>

5. Federal Prison System Directive, Executive Order, or Statute violated:
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: Article 3, Section b and/or Article 18, Section p. Additionally, the Union alleges that the Agency is committing an unjustified or unwarranted personnel action pursuant to the Back Pay Act, 5 U.S.C. 5596.

6. In what way were each of the above violated? Be specific.
The Union alleges that the Agency has failed to distribute and rotate equitably among bargaining unit employees when filling overtime assignments in the Health Services/Medical Department. This has resulted in the deprivation of overtime assignments to bargaining unit employees. Additionally, the Agency has recently made a change prohibiting qualified employees who are not regularly assigned to the Nursing Department within the Health Services/Medical Department from signing up for Nursing Overtime. Finally, the Union alleges that the Agency has failed to maintain records of overtime assignments.

7. Date(s) of violation(s)
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 the grievance is filed and into the future until this grievance is resolved and/or the violation stops.

8. Request remedy (i.e., what you want done)
AFGE Local 408 seeks any and all relief available as a result of the Agency's failure to follow the Master Agreement and applicable laws as set forth above. The Union requests that the Agency correct its practices so that they are compliant with applicable law. The Union requests that each affected bargaining unit employee who expresses an interest in receiving damages by signing the union's required forms be made whole in every way including, without limitation, an award of backpay, interest, and attorneys' fees and costs pursuant to the Back Pay Act, 5 U.S.C. § 5596(b).

<p>9. Person with whom filed Ike Eichenlaub</p>	<p>10. Title Mid-Atlantic Regional Director</p>
<p>11. Signature of recipient</p>	<p>12. Date signed</p>

I hereby certify that efforts at informal resolution have been unsuccessful.

<p>13. Signature of Grievant(s) <i>Cheryl Daniel</i> <i>Cheryl Daniel 2nd VP Local 0408</i></p>	<p>14. Signature of Representative <i>Cheryl Daniel 2nd VP Local 0408</i></p>
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