




**U.S. Department of Justice**

Federal Bureau of Prisons

*Federal Correctional Complex  
P.O. Box 1000  
Butner, North Carolina 27509*

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**DATE:** September 14, 2016  
**TO:** LMR Meeting File - Local 0408  
**FROM:**  Shaw Hargett, Human Resource Manager  
**SUBJECT:** LMR Meeting Minutes

A Labor Management Relations meeting commenced at 9:00 a.m. Members present were:

M. D. Smith, Associate Warden - FMC  
M. K. Lewis, Associate Warden - FMC  
Cynthia Swain, Associate Warden – FCI 2  
Eric Emmerich, Complex Captain  
Henry McMillian, Complex HSA  
Shaw Hargett, HRM  
Chandra Richardson, HRM Trainee, Recorder  
Anthony Little, Local President  
Melvin C. McLawhorn II, Vice President – FCI 2  
Shellie Anderson, Vice President - FMC  
Delshon Harding, Chief Steward – FMC  
Larry Nelson, Chief Steward – FCI 2  
Charles Williams, Steward – FMC  
Eduardo Sosa, Steward – FCI 2  
Michael Neal, Steward - FMC  
Andrea Harris, Legislative Coordinator

**OLD BUSINESS:**

**Item 16-62**

**Veteran Discrimination**

**Discussion:**

Union states that they would like Management to forward data request to Grand Prairie and include them in the response. Management will forward the data request to Grand Prairie.

**Status:**

Tabled

**Item 16-65**

**Augmentation**

**Discussion:**

Union states a response was received from grievance that was filed.

**Status:**

Closed

**NEW BUSINESS**

**Item 16-74**

**Fair and Equitable Treatment**

**Discussion:**

Union states that they would like all disciplinary processes to be fair and equitable. Management states they are following Article 5, section 2a, of Master Agreement. Union referred to Article 6, section b2 of Master Agreement.

**Status:**

Closed

**Item 16-75**

**Portal to Portal Issues**

**Discussion:**

Union states that someone was not compensated for all overtime worked. Management states that they will meet with staff that was involved to resolve this issue.

**Status:**

Closed

**Item 16-76**

**Data Request**

**Discussion:**

Already covered in 16-62

**Status:**

Closed

**Item 16-77                      Emergency Trips**

**Discussion:**                      Union states that there should be refresher training on the medical emergency policy and procedures. Management is asking that specific incidents be sent to the HSA. Union feels that medical personnel should be used during medical emergencies. Union states that the appropriate vehicle should be used during medical emergencies. Management states that they will respond in writing within 14 days.

**Status:**                              Closed

**Item 16-78                      Use of Force Videos**

**Discussion:**                      Union states that a settlement was made with Management that no changes would be made regarding immediate use of force and video recording staff unless negotiated with the Union, any deviation against the agreement will result to filing a ULP. Management would like to review the memo; Executive staff will meet with Warden Holland and Warden Andrews. Management will respond in writing within 14 days.

**Status:**                              Closed

**Item 16-79                      FFLA/FMLA**

**Discussion:**                      Management will provide training to Nurse Managers during the next meeting that will be held later this month.

**Status:**                              Closed

**Item 16-80                      Lab Competency Form**

**Discussion:**                      Management states that this is an open book exam, and staff have been given all information to assist with the exam.

**Status:**                              Closed

**Item 16-81                      EOD Roster**

**Discussion:**                      Management states that EOD roster has been sent to staff.

**Status:**                              Closed

**Item 16-82                      Nursing Mandates**

**Discussion:**                      Management states that they are going to designate one Nurse Manager responsible for managing the overtime scheduling. Management is requesting that specific details are sent to Associate Warden Smith. Management will reiterate the proper procedures on how to mandate overtime. Union states that they will be monitoring to ensure that Management is following overtime procedures. Union feels that mismanagement of the roster has increased nursing mandates.

**Status:**                              Closed

**Item 16-83                      Nursing “Umbrellas”**

**Discussion:**                      Union states the MOU may need to be renegotiated in the future. Management mutually agrees that the MOU needs to be renegotiated.

**Status:**                              Closed

**Item 16-84                      NM Coverage**

**Discussion:**                      Management states that Nurse Managers will be pulled back from covering nursing shortages at this time. Union states they will continue to monitor mandates.

**Status:**                              Closed

**Item 16-85                      Compressed Work Schedule**

**Discussion:**                      Management states that a meeting is tentatively scheduled for Tuesday, September 20, 2016 with the designated Union official and Management.

**Status:**                              Tabled

**Item 16-86                      Fourth Floor**

**Discussion:**                      Management states this was an isolated incident and was previously addressed. Union is aware that position should not be vacated but occasionally extraordinary cases may happen.

**Status:**                              Closed

**Item 16-87****Sick Leave****Discussion:**

Management will continue to follow Article 20 of the Master Agreement. Union is requesting the criteria for which the employees were given sick abuse letters within 7 days; sick leave abuse letters could lead to filing a grievance. Management states that Article 20 does not explicitly define criteria, it simply states questionable. Union states the reason for request is based on Article 6 2b of the Master Agreement. Union feels the questionable sick leave abuse letter is misleading; when it reads "in addition sick leave use under FFLA or FMLA will not be approved unless you provide this office with the appropriate certification. Union states that under FFLA the employee does not have to provide management any medical certification."

**Status:**

Closed

**Item 16-88****Roster Rights****Discussion:**

Union states that roster rights have been taken away from stewards and e-board members. Union is requesting to have full complement of roster rights, to local 408. Union is willing to negotiate the amount of stewards that will have access to the roster, this will be the last attempt to resolve this matter before filing a ULP. Management will provide the Union a written response within 7 days.

**Status:**

Closed

**Item 16-89****Workers Compensation****Discussion:**

Management states that all documentation has been sent to Dept. of Labor. Union would like to know what Management has in place so that things will not fall into the cracks in the future. Management states that they have educated the appropriate managers on the Workers Compensation process.

**Status:**

Closed

**Item 16-90****Pharmacy****Discussion:**

Management states that they need specific information to research this matter.

**Status:**

Closed

**Item 16-91**                    **Reasonable Accommodations**

**Discussion:**                Management states that it is the Warden's discretion to grant reasonable accommodation to staff with non-work related injuries.

**Status:**                      Closed

**Item 16-92**                    **Investigation referral refusing mandates**

**Discussion:**                Refer to 16-82

**Status:**                      Closed

**Item 16-93**                    **Official Time Request**

**Discussion:**                Management states HRM is going to address this during the next Nurse Manager meeting. Dept. Heads have been trained on the appropriate procedures of approving official time.

**Status:**                      Closed

**GOOD OF THE ORDER:**

HR is working with Complex Captain to schedule BPT class as well as additional training for former BPT shooters after annual firearms are complete.

DVSAS training is not working, Central Office is aware and working on the issue.

Boot vouchers, can we use Gals as a vendor? Gals would need to be an approved vendor.

Management stated that designated signs were supposed to be in place 30 days ago and have not been in put in place by the Facility Department.

T&A's at Correctional Services FMC, they are not receiving copy of their T&A bi-weekly.

2E overflow rooms have no showers; emails have been sent to the Captain and no response.

Forces cell equipment has not been cleaned; mental health lieutenant is responsible for ensuring equipment is cleaned.

Special Salary Rate for Nurses has been sent for approval to Central Office.

**Portal issues:**


Ongoing portal issues

The next LMR Meeting is October 12, 2016



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M. K. Lewis, LMR Chairperson



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Anthony Little, President Local 0408

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Cynthia Swain, LMR Co-Chairperson