



# Jailhouse Chatter

**AFGE Local 1612**

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## Modified Dry Cell??

A grievance has been filed against Paul Laird, North Central Regional Director on behalf of bargaining unit employees at USP Leavenworth and Council of Prisons Local 33. On April 5, 2014, staff at USP Leavenworth observed an inmate in the visiting room exchanging items in what appeared to be a potato chip bag. After observation of the inmate and review of video, the inmate appeared to be swallowing several balloons that had been in the chip bag. The visit was terminated; the inmate was written an incident report and locked up in SHU. Warden Maye ordered the inmate to be placed in a “modified dry cell.”

The Union was concerned over what qualifies as a “modified dry cell” because according to the Bureau’s own policy, there are strict guidelines to adhere to. A cell is either dry or it’s not. The Lieutenant had even advised his staff he felt very uncomfortable going against policy, as instructed to do so by the Warden, by having them use a “modified dry cell.”

When questioned by the Union, the Warden stated he “didn’t want to incur overtime cost to the Agency.” The Union also questioned the Warden as to why the Lt. was stopped from initiating dry cell procedures which would have not only confiscated the drugs, but prevented them from reaching the compound.

The lieutenant was told by the Warden to place the inmate in a cell by himself with the water shut off. The inmate was given a plastic bag for defecation. The inmate was left in the cell unmonitored and was told to call for staff to retrieve the bag once he had defecated. Staff was then supposed to examine the excrement to determine if drugs were present in the feces. Because of this “modified” procedure, the drugs were never obtained from the inmate.

The Warden failed to follow Bureau policy, failed to adhere to Employee Standards of Conduct and jeopardized the safety of the entire institution. In an effort to avoid overtime cost, he jeopardized the safety of staff. There will be more to come on this.

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# This Month in Labor History

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In 1869, female shoemakers form Daughters of St. Crispin in an effort to receive pay equal to men.

Mother Jones, an advocate for the working people helped lead a crusade against child labor in 1903. Mother Jones' led "March of the Mill Children" from Philadelphia to the gate of President Theodore Roosevelt's summer home in Oyster Bay, Long Island.

She publicized the harsh conditions of child labor. She has been labeled as possibly the "most dynamic woman ever to grace the American labor movement" by some while being labeled "the most dangerous woman in America" by employers and politicians.

In 1913, a New Jersey strike led by silk workers aimed to win an 8-hour work day and improved working conditions came to an end after 6

months of disputing. The workers' demands were unmet, but during the course of the strike over 1,800 strikers were arrested.

In 1932, federal troops set fire to the makeshift town created by unemployed WWI veterans. They veterans had set-up camp in order to demand the bonus they had been promised by the government but never received.

The Hatch Act is passed in 1939 which limits the political activity of executive branch employees of the federal government.

Two hundred demonstrators supporting striking waterfront workers were fired upon by police in Hilo, Hawaii. The incident became known as the "Hilo Massacre."

President Lyndon Johnson signed the Social Security Act of 1965

which established Medicare and Medicaid.

In 1970, NFL players had a 2-day strike over pay, pensions, the right to arbitrate and the right to have agents.

Former Teamster Leader Jimmy Hoffa disappears in 1975. He was declared legally dead in 1982, but his body has never been found.

In 1981, over 15,000 air traffic controllers go on strike. President Reagan threatened the strikers with termination for anybody that didn't return to work within 48 hours. Over 11,000 workers were fired. The strike was over better pay.

## Local Happenings

- The arbitration case regarding light duty continues October 22 and 23, 2014. Notify Karrie Wright if you have been denied light duty.
- A case regarding the 12-day suspension of a bargaining unit staff member is scheduled for arbitration November 19 and 20, 2014.
- The National Caucus is scheduled for September 1-5, 2014.
- An MSPB is pending on a termination case.
- The ratified edition of the Master Agreement has been approved!! The Institution Supplement will be ratified and negotiated as well. We will soon invoke on negotiations.
- Karrie Wright and Rachael Owens both won Regional awards during the Regional Caucus held in June 2014. Congrats to them!
- Partnership training between the Union and management will be October 20-24, 2014.
- Federal Mediation and Conciliation Services will provide partnership training November 12 and 13, 2014. Partnership is part of an executive order from the President.
- North Central Regional Vice President was recently misquoted by the Springfield News-Leader

The Council of Prisons Local has been extremely busy this summer with several things, including getting the first ratified Master Agreement signed since 2001!

The Master Agreement has taken over 14 years to negotiate and ratify. The ratified agreement is currently being printed and will be distributed soon. Because we have a new Master Agreement, our Local Institution Supplement will also be getting ratified. Your e-board and stewards are working hard to improve the supplement and then will be moving to negotiate the updated version with Management.

As you see to the left, there are pictures from our recent Regional Caucus. Mike Rule was present and provided some amazing training to the Locals in our North Central Region, including Springfield. Who is better to offer training than our Leaders themselves?! He comes with years of BOP and Union experience. Also making an appearance at the Caucus was Paul Laird, the North Central Regional Director for the Bureau of Prisons.

One thing discussed at the Caucus was Senator Toomey of Pennsylvania's "Correctional Officer Fairness Act of 2014." This proposed bill would eliminate the 10% penalty for correctional workers who withdraw from their TSP before the age of 55 ½. Did you know that you can go to [www.congress.gov](http://www.congress.gov) to review proposed bills? If you are interested in supporting a bill or are against a bill, contact information for our local representatives can be found on our website or by visiting AFGE's website on a non-government computer.

Another bill introduced by Senator Toomey is the gun-storage locker bill. This bill would require the BOP to provide firearms storage lockers, outside the secured perimeter of the institution, to staff members. This proposed bill is 2426.

### Untimely Paid Overtime

In March 2012, an arbitration filed by FCC Florence was upheld. Management had been refusing to pay overtime to employees until all necessary signatures were obtained on the overtime forms. This has led to employees not receiving compensation until later pay periods. The arbitrator found Code of Federal Regulation, 29 CF 778.106 clearly establishes that in most cases, employees should receive compensation within the same pay period. Despite this win, many institutions including Springfield, are not receiving overtime pay in a timely manner. The North Central Regional leaders for Council of Prisons Local have addressed this at the national level Labor Management Relations meeting. The issue was also addressed at the Partnership Forum with Bureau of Prisons Director Samuels in May 2014. The parties will continue to work towards a resolution prior to the next quarterly Labor Management Relations meeting, but in the meantime, Council of Prisons has encouraged Director Samuels to provide guidance to his Warden's on ensuring overtime is paid on time. The Union is contending that untimely paid overtime is a violation of the Code of Federal Regulation.



**Mike Rule, North Central  
Region Vice President  
CPL 33**



**Paul Laird, Regional Director  
Bureau of Prisons**

## Tube Feeding Coverage

During July’s Labor Management Relations meeting, the Union gave Management ideas to improve the “pulling” of staff to cover tube feedings. While this does fall under Management’s right to assign, we realize this is a hot issue. We have received a lot of feedback on the issue, such as inequity with tube feeding versus augmentation, departments using the same list for both types of coverage, staff being pulled so often they cannot complete their own work, etc. Management has agreed to hear our proposals to improve the situation. For clarification, if you are being “pulled” to cover tube feeding, you do have the choice between being a member on the team and providing coverage on a housing unit for an officer. Females are not excluded from participating on the use of force team either.

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### Knowledge is Power!

**AFGE Local 1612**



**We are only as strong as our members! We rely on our members to help us identify violations of our Master Agreement and past practice in order to ensure our rights are upheld! Votes are held at meetings! Come and vote for matters that will affect you!**

**The next meeting is being held Monday, August 11th at 4:30 pm at the Union house.**

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