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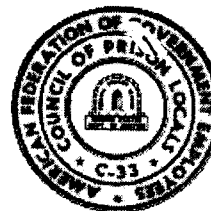
American Federation of Government Employees
Council of Prison Locals

Local 501

Khalil Abdel

Vice President of Communications

Federal Detention Center Miami
33 N.E. 4th Street Miami, FL 33023
(305) 982.1133 (305) 675.2926



DATE: February 7, 2011

ATTN OF:

Khalil Abdel
Khalil Abdel, VP of Communications

SUBJECT: Informal Resolution

TO: Linda T. McGrew, Warden

This is an informal resolution attempt as per the Master Agreement **Article 31: Grievance Procedure** that is being given to you to informally resolve the following issues that are stated below:

This memorandum is to inform you that Labor Management Relations with Captain Acre are deterring rapidly. This local has brought several issues to the attention of Captain Acre over the last couple of months, as a result Captain Acre continues to negate, and belittle the e-board members, by addressing new policies, procedure, and changes in working conditions without properly negotiating with the AFGE Local 501.

During annual training Captain Acre, stated, and continues stating that Arthuro, Reynaldo (President), and Ricky Bullard (Vice President) of the AFGE Local 501, are in agreement with the changes in the new Roster Program. Please note, that this Roster Program has never been approved, nor is it in the processes of being negotiated, therefore Captain Acre needs to refrain from making these comments and suggestion on behalf of the AFGE Local 501. This form of unscrupulous and unethical comments and

suggestions made are not welcomed, and need to cease and desist immediately.

Therefore, Captain Acre's comments and suggestion, and continues belittle of the unions position related to changes in working conditions, is bluntly a violation **Article 1 - Recognition Section (a)** The union is recognized as the sole and exclusive representative for all bargaining unit employees as defined in United States Code(USC), Chapter 71.

Furthermore, any changes in working conditions (Special Housing Duty PA keys),(Ion machine in Front Lobby)(Electronic Posted Picture File), and any other changes in policies or any work related issues which are related to the bargaining unit need to be negotiate first with the AFGE Local 501, thus violating Article 4 - **ARTICLE 4 - RELATIONSHIP OF THIS AGREEMENT TO BUREAU POLICIES, REGULATIONS, AND PRACTICES Section (a)** In prescribing regulations relating to personnel policies and practices and to conditions of employment, the Employer and the Union shall have due regard for the obligation imposed by 5 USC 7106, 7114, and 7117. The Employer further recognizes its responsibility for informing the Union of changes in working conditions at the local level. **Section (b)** On matters which are not covered in supplemental agreements at the local level, all written benefits, or practices and understandings between the parties implementing this Agreement, which are negotiable, shall not be changed unless agreed to in writing by the parties. **Section (c)** The Employer will provide expeditious notification of the changes to be implemented in working conditions at the local level. Such changes will be negotiated in accordance with the provisions of this Agreement.

As a result to these violations, our bargaining unit members are being exposed to new policies and procedures, and/or changes in working conditions that have not been negotiate or approves by the AFGE Local 501, thus resulting in bargaining unit employees being reprimanded and given minimal satisfactory evaluations on the electronic posted picture file review. It is apparent that this electronic posted picture program implemented by management, and imposed on our bargaining unit members has been implemented without negotiations/approval from the AFGE Local 501.

Remedies:

- The Agency to cease and desist with the above practices, and violations.
- The agency to abide by applicable Federal Rules and regulations, Master Agreement, Policies, Executive Orders, and any other law applicable.
- The Agency needs to immediately retract all Minimal Satisfactory performance log entries imposed on the bargaining unit members, and provide each member with an explanation of the correction made to their performance evaluations regarding this issue.

Any response made pertaining to this informal grievance need to be made in writing within the next ten (10) working days of the inception of this memorandum. Please provide the AFGE Local 501 any/all remedies and solution made by management to avoid future issues regarding the matter addressed above.

Note, that it's the AFGE Local 501 intent to cease and desist from any/all Labor Management Relations (LMR) meetings until management agrees to respect these negotiation/meeting, and stop violating and belittling the AFGE Local 501 executive boards rights and position with regards to any changes in working condition, or any other matter pertaining to our bargaining unit members, at the Federal Detention Center, Miami.