



## Fax Cover Sheet

**Name:** Federal Labor Relations Authority  
Atlanta Regional Office

**Fax:** 404-331-5280

**Phone:**

**From:** Ricky Bullard, Vice-President of Communications, Union Local 501

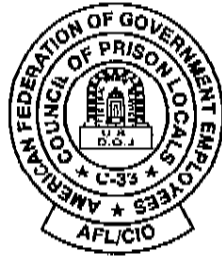
**Date:** Friday, October 23, 2009

**Subject:** U.L.P. Charge

**Pages:** ( 4 )

Comments: Please note the ULP Charge against FDC Miami.

Ricky Bullard, Vice President of Communications  
AFGE Local 501  
Miami, FL 33132  
Fax: (305) 675-2926  
Tel: (305) 982-1757  
rbullard@bop.gov



## Fax Cover Sheet

**Name:** Federal Detention Center Miami  
John Rathman, Warden

**Fax:** 305-536-7368

**Phone:**

**From:** Ricky Bullard, Vice-President of Communications, Union Local 501

**Date:** Friday, October 23, 2009


**Subject:** U.L.P. Charge

**Pages:** ( 4 )

Comments: Please note the ULP Charge

Ricky Bullard, Vice President  
AFGE Local 501  
Miami, FL 33132  
Fax: (305) 675-2926  
Tel: (305) 982-1757  
rbullard@bop.gov

Form Exempt Under 44 U.S.C. 3512

 <p style="text-align: center;">UNITED STATES OF AMERICA FEDERAL LABOR RELATIONS AUTHORITY <b>CHARGE AGAINST AN AGENCY</b></p>	<b>FOR FLRA USE ONLY</b>
	Case No.
	Date Filed

Complete instructions are on the back of this form.

<b>1. Charged Activity or Agency</b> Name: Federal Detention Center Miami Address: 33 N.E. 4th St. Miami, FL 33132  Tel.#: (305)982-1277 Ext. Fax#: (305) 536-7368	<b>2. Charging Party (Labor Organization or Individual)</b> Name: AFG : Council of Prisons Local 501 Address: 33 N.E. 4th St. Miami, FL 33132  Tel.#: 305 982-1049 Ext. Fax#: 305 975-2920
---	---

<b>3. Charged Activity or Agency Contact Information</b> Name: John Rathman Title: Warden Address: 33 N.E. 4th St. Miami, FL 33132  Tel.#: (305)982-1277 Ext. Fax#: (305) 536-7368	<b>4. Charging Party Contact Information</b> Name: Ricky Bullard Title: V.P. of Communications Local 501 Address: 33 N.E. 4th St. Miami, FL 33132  Tel.#: ((305) 982-1049 Ext. Fax#: (305) 975-2920
--	---

5. Which subsection(s) of 5 U.S.C. 7116(a) do you believe have been violated? [See reverse] (1) and Article 3.4, 7, 9, 27

6. Tell exactly WHAT the activity (or agency) did. Start with the DATE and LOCATION, state WHO was involved, including titles.

On October 20, 2009 the Bravo Unit #2 officer was pulled from their assigned post and required to cover Receiving & Discharge ( R&D ) due to staff shortage. By management reassigning the Bravo #2 officer to R&D, it deprived the bargaining members of overtime compensation. This also indicated that by pulling the bravo#2 officer, management does not agree to lower those inherent hazards and risks to the lowest possible level as per the Master Agreement. The Bravo # 2 post is a mission critical position and so is the R&D position that Management has fail to fill. In Management continuing to vacate this post they are ignoring the Master Agreement Article 9" to notify the Union of any changes in conditions of employment, and provide the Union the opportunity to negotiate ". Management and the Local have discussed the vacating of the Bravo#2 officer at the July 2009 LMR meeting ( see attachment ). Bravo #2 is being routinely vacated, leaving only one (1) officer assigned to the housing unit to monitor the inmates, conduct visiting and other activities in the housing unit, a task very demanding and places the officer at risks for mistakes and potential disciplinary consequences if he/she fails to complete their duties . Management continues to vacate this post for non-emergencies reasons and at their convenience and will There has been several informal attempts done by Mr. Ricky Bullard, V.P. of Communications for Local 501, in good faith to give management a chance to rectified these issues and conditions and Management has decided to ignore and disregard this local. There has been numerous times that this Management has eliminated this post with the dates noted:

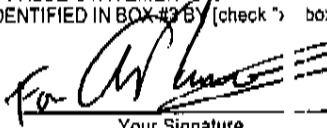
August 21,22,28,29, and 31, 2009  
 September 01,05, and 27, 2009  
 October 05, and 20, 2009

This Union seeks the following: 1) cease and desist the vacating the bravo #2 officer post. 2)Compensation to all bargaining members affected by the denial of overtime compensation due to this vacating 3) Revert back to the established Mission Critical Positions as per the Master Agreement. 4) Posting on the institutional premise. indicating that the Master Agreement was violated and will be adhere to in the future.

7. Have you or anyone else raised this matter in any other procedure?  No  Yes: If yes, where? [see reverse]

8. I DECLARE THAT I HAVE READ THIS CHARGE AND THAT THE STATEMENTS I BELIEF. I UNDERSTAND THAT MAKING WILLFULLY FALSE STATEMENTS CAN BE PUNISHED BY FINE AND IMPRISONMENT, 18 U.S.C. 1001. THIS CHARGE WAS SERVED ON THE PERSON IDENTIFIED IN BOX #3B (check box)  Fax  1st Class Mail  In Person

Commercial Delivery  Certified Mail

Ricky Bullard  10/23/2009

Type or Print Your Name Your Signature Date



**American Federation of Government Employees  
Federal Detention Center Miami  
33 N. E. Fourth Street  
Miami, Florida 33132**

Date: July 22, 2009

To: John T. Rathman, Warden

From: Charles Laugh, Local 501 President

**A. ART Scheduling**

**Issue:**

The scheduling and the assignments during ART were in direct violation of many Articles in the Master Agreement. The Master Agreement is for the entire year and not to be discarded during ART. (Repeat Agenda Item).

**Remedy:**

Schedule meeting between management and the Union to identify concerns regarding scheduling during ART. Schedule a meeting between Union and Management to identify and negotiate how ART scheduling is done in the future to enable CBA compliance and limited disruption in day to day operation in the institution.

**B. Special Housing Unit**

**Issue:**

The Special Housing Unit is being utilized as a regular housing unit. Management uses this Unit to house inmates pending bed space during a regular basis. The Special Housing Unit is specifically used to house Disciplinary Segregation Inmates, and Administrative Detention Inmates (Inmates that cause a disruption to the orderly running of the institution). The practice of housing bed space inmates in the Special Housing Unit not only causes a significant disruption of the orderly running of the institution but also raises inherent correctional hazards to staff and inmates.

**Remedy:**

We have an empty housing unit and also an Office assigned to a unit not being utilized on the Correctional Services Roster. Utilize these resources before disrupting the orderly Operation of the institution.

**From:** Ricky Bullard  
**To:** Acre, Darrol  
**CC:** E-Board  
**Date:** 10/2/2009 8:26 PM  
**Subject:** Informal

Sir, I would like to schedule a meeting with you to talk about the continuing vacating of the Bravo # 2 officer on the E/W shift. We have discuss this issue at LMR in the past. This post continues to be vacated by management for non-emergenc es and convenience. This is an attempt at an informal resolution.

R. Bullard  
VP Local 501  
[www.afgelocal501.com](http://www.afgelocal501.com)

"Everyone has his burden. What counts is how you carry it."

HP OfficeJet  
Personal Printer/Fax/Copier/Scanner

Fax History Report for  
Local 501 CPL C-33  
305 982 1050  
Oct 23 2009 6:55pm

---

Last 30 Faxes

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Aug 26	8:36am	Sent	93056752926	0:25	1	OK
Aug 26	1:22pm	Sent	93056752926	0:39	2	OK
Aug 26	1:54pm	Sent	93056752926	0:49	3	OK
Aug 31	11:25am	Received		0:37	0	No fax
Sep 4	2:53pm	Sent	94043315280	0:37	1	OK
Sep 4	2:55pm	Sent	93055367368	0:37	1	OK
Sep 8	2:02pm	Received		0:36	0	No fax
Sep 10	2:01pm	Received		0:37	0	No fax
Sep 10	2:03pm	Received		0:36	0	No fax
Sep 11	12:31pm	Received		0:40	1	OK
Sep 11	2:57pm	Received		0:36	0	No fax
Sep 13	1:30am	Received		0:36	0	No fax
Sep 15	3:54pm	Sent	93059821286	0:32	2	OK
Sep 15	3:59pm	Sent	93059329933	0:32	2	OK
Sep 15	4:04pm	Sent	93059329933	0:37	2	OK
Sep 15	4:05pm	Sent	93059821286	0:34	2	OK
Sep 19	2:00pm	Sent	99542399678	1:08	4	OK
Sep 22	9:39am	Received		0:50	1	OK
Sep 29	8:44am	Received		0:37	0	No fax
Sep 30	12:05pm	Received		0:37	0	No fax
Oct 1	10:43am	Received	3059145816	1:07	2	OK
Oct 13	8:25am	Sent	99542399678	0:36	2	OK
Oct 14	8:38am	Received		0:37	0	No fax
Oct 20	11:18pm	Received	3052323671	1:47	3	OK
Oct 21	12:44pm	Sent	93056752926	1:35	3	OK
Oct 23	5:53pm	Sent	94043315280	2:52	10	OK
Oct 23	5:59pm	Sent	93055367368	2:48	10	OK
Oct 23	6:04pm	Sent	93056752926	3:15	12	OK
Oct 23	6:52pm	Sent	94043315280	1:09	4	OK
Oct 23	6:54pm	Sent	93055367368	1:08	4	OK

Result:

OK - black and white fax  
OK color - color fax