

***Labor Management Relations  
Quarterly Meeting Agenda  
Central Office, Washington, DC  
September 4-5, 2024***

***Participants***

**Agency**

*Christopher Wade  
Jenniffer Hinton  
Marie Clarke  
Matt Mangold  
Sharon Gonzalez  
Clarice Prout  
Bryan Feinstein  
Pam Justice  
Darrin Howard  
Sylie Cohen  
T.Sion*

**Union**

*L. O. Davis  
Bill Axford  
Frank Bailey  
William Boseman  
Rick Heldreth  
Gerrod Dixon  
Joseph Heuring  
Jennifer Howard  
Temeka Hunter  
Greg Watts*

**September 4-5, 2024, Agenda Items  
Agenda Items: AGENCY**

1. Continuous Vetting—The Agency would like to discuss the Continuous Vetting is a process. It involves regularly reviewing an employee’s background to ensure they continue to meet suitability/fitness requirements and should continue to hold positions of trust. Automated record checks pull data from criminal, terrorism, and financial databases, as well as public records, at any time during an individual’s period of eligibility which will eliminate the need for 5-year reinvestigations.

***Resolution: The parties engaged in a lengthy discussion on this issue. The Continuous Vetting process will be implemented in accordance with Executive Order 13467, as amended, and with guidance from appropriate authorities, to include the Office of Personnel Management Memorandum for Executive Heads of Departments and Agencies dated October 3, 2023. The national Union may choose to invoke on changes to conditions of employment regarding the Continuous Vetting process consistent with Title 5 United States Code Chapter 71 et al.***

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2. Self-Reporting Requirements—The Agency would like to discuss the implementation of the Federal Personnel Vetting Management Standards that will establish requirements for all executive branch departments and agencies to execute personnel vetting programs across all domains. When an employee encounters certain events that would change a response previously provided on their investigative form, the employee must report the change.

***Resolution: The parties engaged in an extensive discussion about the upcoming implementation of self-reporting requirements established for all executive branch departments and agencies. It is anticipated that additional guidance will be received regarding implementation of self-reporting requirements. Either party may seek to revisit the issue in the future.***

3. The Agency would like to discuss Executive Order 14119—*Scaling and Expanding the Use of Registered Apprenticeships in Industries and the Federal Government and Promoting Labor-Management Forums*, as it pertains to labor-management relations.

***Resolution: Due to time constraints, this matter is deferred.***

## September 3-4, 2024, Agenda Items

### Agenda Items: UNION


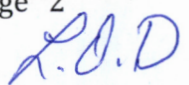
1. Wage Grade Surveys, FBOP and DCPAS Inter-Agency Communication—The Federal Bureau of Prisons relies on the work product of the Defense Civilian Personnel Advisory Services (DCPAS) to determine the pay level for WS employees in Construction and Maintenance, Inmate Trust Fund, Federal Prison Industries, and Food Service Departments. However, at the local level, it is often left to the Union to make contact with the nearest Military Installation to find when the next Wage Survey will be conducted.

The Union proposes that the FBOP assign a point-of-contact at the Central Office level to facilitate communication between DCPAS and FBOP facilities. The Central Office-level coordinator will notify institution wardens and local presidents when wage surveys will be conducted in their area. This open line of communication and timely information will allow local unions the opportunity to represent the bargaining unit employees affected by the wage surveys.

***Resolution: Due to time constraints, this matter is deferred.***

2. Clarification of Signing MOUs—The Council is continuously being told from Presidents that their Wardens were instructed by Central Office to NOT sign any new MOU's. If they determine they must write a MOU, it has to go to Central Office for review prior to being signed. This is part of the reason why some of these policies aren't being negotiated locally with an institution supplement.

***Resolution: Due to time constraints, this matter is deferred.***

3. Clarification of Signing Compress Work Schedules—The Council is continuously being told from Presidents that their Wardens are being instructed by Ethics Law Branch (ELB) to add language to compress schedules not agreed to locally. This issue was discussed previously in February 2024 LMR and (ELB) gives advice or guidance. The Council would like (ELB) to quit interjecting language in compress schedules that wasn't agreed upon locally.

***Resolution: The parties began discussion of this topic. However, due to time constraints, the matter has been deferred until the next session.***

4. Fixing America's Surface Transportation Act or "FAST Act"—What is the status of the BOP's implementation of the FAST Act? Specifically, the Act authorizes the installation of EV charging stations for government and personal vehicles (with reimbursement). Guidance from DOE outlines the framework for implementation of these stations at government sites.

***Resolution: Due to time constraints, this matter is deferred.***

5. Centralized Workers Compensation Unit—The Centralized Workers Compensation Unit were bargaining unit employees before transitioning to the new position. The Union would like to know why these positions aren't bargaining unit employees. These positions aren't supervisory positions, and they are performing the same duties as when they were working in the field.

***Resolution: Due to time constraints, this matter is deferred.***

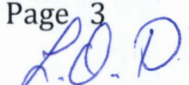
6. The union would like to discuss the current mailroom procedures. We believe it is essential to ensure that our staff's safety is prioritized, particularly in light of a recent incidents happening dealing with the mail.

We propose exploring contactless mail handling methods that would minimize direct contact with the mail. Implementing safer procedures would not only enhance the well-being of our staff but also streamline the operations.

***Resolution: The parties engaged in a detailed discussion of this matter. There were multiple concerns raised by the Union about the variations in the procedures and practices used to handle all mail across the Bureau of Prisons. Some of these concerns were glove thickness, lack of staff, availability of technology, negative pressure hoods, all staff having Narcan, delivery of legal mail, scanning of mail, possible workplace contaminations, etc.***

***Currently, Management is reviewing mail handling procedures, to include revisions to the Mail Management Manual. Additional locations where Narcan will be made available to employees will be explored. Management will continue to utilize medical intervention options as appropriate, explore technological advances such as contactless mail, and engage with outside stakeholders (e.g. the United States Postal Service) to further enhance mail handling procedures.***

***Staff are reminded to use required personal protective equipment as appropriate, to***



*include gloves and the N-95 respirators, to reduce potential exposure.*

**Old Business**  
**April 24-25, 2024, Agenda Items**  
**Agenda Items: UNION**

1. Locals right to bargain on issues related to National Policy—In the December 2014 LMR session, the following resolution was agreed to under item "2. Local right to Bargain on issues related National Policy.": "Resolution: The parties agreed to insert the following language into national policies, when no Institution Supplement is required: Should local facilities make any changes outside the required changes in the national policy or establish any additional local procedures to implement the national policy, the local Union may invoke to negotiate procedures or appropriate arrangements." In multiple recent published policies, this language has been unilaterally altered by the Agency. The words "None needed." have been added at the beginning of the section during the post-negotiation review, and the policies have been published with this extra, unnegotiated language. The addition of the phrase "None needed." is causing confusion in the field. It is being interpreted by some local management officials and HRM's to mean that they are not obligated to bargain a Local Supplement (regardless of any additional changes in procedures being made locally). The phrase should be stricken from all current policies and should not be added to any future policies. The resolution from December 2014 should be adhered to by Management, unless the parties mutually agree to alter it in the future.

***Resolution: Due to time constraints, this matter is deferred.***

2. Fair Retire Act—Under the Fair RETIRE Act enacted on 12/9/22, what guidance can you provide in how this is administered? The BOP has been and continues to separate a large number of injured and disabled employees, some of which can and will (or have) returned to the workforce in some capacity. How do we key a separation of this nature out of the Agency when separated? How would the individual know they are entitled to this? How would the new servicing HR department know that this individual coming in is entitled to the LEO retirement? Staff are being separated under OWCP quite often, and this is now surfacing as a question by employees. Any information you can provide is appreciated.

***Resolution: The Bureau of Prisons is awaiting official guidance from the Office of Personnel Management and/or Department of Justice on the implementation of the Fair Retire Act.***

3. Bureau of Prisons Childcare Subsidy Program—Staffing continues to be a challenge for the Federal Bureau of Prisons despite the various recruitment and retention incentives offered at various locations within the agency. A central theme hampers those efforts, though, and that is the cost-of-living relative to employee compensation. Additional trends in the broader

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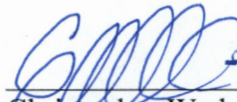
economy challenge the agencies' efforts to recruit, but one of central importance is the affordability and availability of childcare. Other federal agencies and private industry have addressed this challenge through childcare subsidies for their employees, yet the Federal Bureau of Prisons has yet to take advantage of the Childcare Subsidy Program authorized through legislation passed in 2003 (5 CFR Part 792).

The union proposes that the agency implement a childcare subsidy program based on the pay level of employees at each location considering each area's childcare costs by the beginning of FY 2026. The Childcare Subsidy Program does not define "low income" for the purposes of implementation; therefore, the agency is free to consider what constitutes "low income" for each institution based on the local economy. That determination should be made using readily available, third-party statistics reviewable by the union. The determination of "low income" should not arbitrarily be set by GS/GL pay level.

***Resolution: Due to time constraints, this matter is deferred.***



L.O. Davis  
Southeast Regional Vice President  
Council of Prison Locals



Christopher Wade  
Chief  
Labor Relations Office

09/05/2024

