



UNITED STATES OF AMERICA
FEDERAL LABOR RELATIONS AUTHORITY

225 Peachtree Street, NE,
South Tower, Suite 1950
Atlanta, GA 30303

Telephone 404/331-5300

Fax 404/331-5280

www.flra.gov

April 14, 2015

Jennifer Miller, Labor Relations Specialist
Federal Bureau of Prisons
Labor Relations Office
230 N. First Ave., Ste. 210
Phoenix, AZ 85003

Ollie Harris, HR Specialist
Jonathan Hemingway, HR Manager
Federal Bureau of Prisons
Federal Correctional Complex Butner
P. O. Box 5000
Butner, NC 27509

Re: Department of Justice, Federal Bureau of Prisons
Federal Correctional Complex-Butner
and
American Federation of Government Employees,
Local 408
Butner, North Carolina
Case No. AT-CA-14-0558

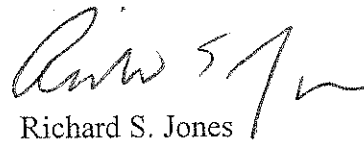
Dear Ms. Miller, Mr. Harris and Mr. Hemingway:

A copy of the Agreement and the Notice to All Employees are enclosed. As specified in the Agreement, the Charged Party will provide the Union with a copy of the OIA case file and the documents utilized for OIA referral within fifteen (15) business days. The attached Notice must be signed and dated by Warden Justin Andrews and immediately posted in conspicuous places, including bulletin boards and all other places where notices to employees are customarily posted at the Federal Correctional Complex, Butner, North Carolina for a period of sixty (60) days. The Agency should also email the Notice to all employees in the bargaining unit represented by the Charging Party. A copy of this email notification should also be emailed to the Atlanta Region's Compliance Officer Melissa M. Hardy at: mhardy@flra.gov.

The Agency is required to notify me in writing within thirty (30) days of your receipt of this letter of the initial steps taken to comply with the requirements of the Agreement and again after the completion of the posting period. The Charging Party should be served with copies of the initial notification and the final certification of the completion of the posting.

If you require any assistance or further information concerning compliance in this matter, please contact Ms. Hardy by phone at (404) 331-5300, ext. 5011, or by e-mail.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard S. Jones", written over a horizontal line.

Richard S. Jones
Regional Director

Enclosures

cc: Cheryl Daniel, 2nd Vice President
AFGE Local 408
P. O. Box 515
Butner, NC 27509



UNITED STATES OF AMERICA
FEDERAL LABOR RELATIONS AUTHORITY

Department of Justice, Federal Bureau of Prisons, Federal
Correctional Complex
Butner, North Carolina

Charged Party

and

American Federation of Government Employees, Local 408

Charging Party

Case No. AT-CA-14-0558

SETTLEMENT AGREEMENT

Subject to the approval of the Regional Director for the Federal Labor Relations Authority, the Charged Party and the Charging Party agree to settle the above-captioned case as follows:

1. The Agency will provide the Union with a copy of the OIA case file and the documents utilized for OIA referral within fifteen (15) business days of the date of this Settlement Agreement.
2. The parties agree that this agreement is being entered into due to the unique circumstances of this matter and it is not to be used as a precedent in any subsequent litigation, including but not limited to an arbitration hearing, proceedings before the Merit Systems Protection Board, proceedings before the Equal Employment Opportunity Commission, proceedings before the Federal Labor Relations Authority, and the like.
3. All parties agree that this Settlement Agreement does not constitute an admission of fault, guilt or wrongdoing by any party.

POSTING OF NOTICE – After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notices to the Charged Party. The Notices will be signed and dated by Warden Justin Andrews and then immediately posted in conspicuous places, including bulletin boards and all other places where notices to employees are customarily posted at the Federal Correctional Complex, Butner, North Carolina. The Charged Party will keep the Notices posted and maintained for 60 consecutive days from the date of posting.

E-MAILING NOTICE – The Charged Party will email a copy of the signed and dated Notice to all employees in the bargaining unit at the Federal Correctional Complex, Butner, North Carolina represented by the American Federation of Government Employees Local 408. The message of the e-mail transmitted with the Notice will state: “We are distributing the attached Notice to you pursuant to a Settlement Agreement approved by the Regional Director of the Federal Labor Relations Authority’s Atlanta Regional Office in Case No. AT-CA-14-0558.”

COMPLIANCE WITH NOTICE – The Charged Party will comply with all the terms and provisions of the

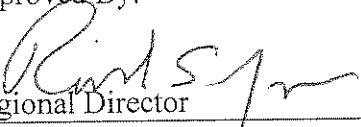
Notice.

SCOPE OF THE AGREEMENT – This Agreement settles only the allegations in the above-captioned case, and does not settle any other pending cases or matters. This Agreement in no way precludes any person’s right to file charges, or the General Counsel’s right to investigate and issue complaints, based upon matters that precede the approval date of this Agreement.

PARTIES TO THE AGREEMENT – If the Charging Party declines to become a party to this Agreement and the Regional Director determines that it will effectuate the policies of the Statute, the Regional Director may approve this Agreement and decline to issue or reissue a Complaint in this matter. If that occurs, this Agreement will be between the Charged Party and the Regional Director. In that case, a Charging Party may request review of the decision to approve the Agreement by filing an appeal with the General Counsel. If the General Counsel does not sustain the Regional Director's approval, this Agreement will be null and void. Approval of this Agreement by the Regional Director constitutes withdrawal of any Complaint and Notice of Hearing issued in this case.

PERFORMANCE – Performance by the Charged Party of the terms and provisions of this Agreement will commence immediately after the Agreement is approved by the Regional Director or, in the event the Charging Party does not enter into this Agreement, performance will commence immediately upon receipt by the Charged Party of notice that no appeal has been filed or that the General Counsel has sustained the Regional Director.

NOTIFICATION OF COMPLIANCE – The Charged Party will notify the Regional Director in writing of the steps the Agency has taken to comply with the Agreement. The Charged Party’s compliance notification will be made within five (5) days, and again after sixty (60) days, from the date of the approval of this Agreement, or, in the event the Charging Party does not enter into this Agreement, after the receipt of notice that no appeal has been filed or that the General Counsel has sustained the Regional Director. No further action will be taken in the above case provided the Charged Party complies with the terms and provisions of the Agreement and the Notice.

Charged Party Department of Justice, Federal Bureau of Prisons, Federal Correctional Complex Butner, North Carolina	Charging Party American Federation of Government Employees, (AFGE Local 408)
Signature and Date: /s/ Kenny Atkinson 4/9/15	Signature and Date: /s/ Cheryl Daniel 4/6/15
Name and Title: Kenny Atkinson, Complex Warden	Name and Title: Cheryl Daniel, Executive Vice President, AFGE Local 408
Approved By:  Regional Director	Date: 4-14-15