



UNITED STATES OF AMERICA
FEDERAL LABOR RELATIONS AUTHORITY
CHARGE AGAINST AN AGENCY

FOR FLRA USE ONLY

Case No. DA-CA-12-0051

Date Filed: Nov 9, 2011

Complete Instructions are on the back of this form.

1. Charged Activity or Agency

Name: Federal Bureau Of Prisons, FCI Seagoville, Seagoville, TX.
 Address: 2113 N. Highway 175, Seagoville, TX, 75159

Tel. #: (972) 287-2911 Ext.
 Fax #: ()

2. Charging Party (Labor Organization or Individual)

Name: AFGE Local 1637
 Address: 2113 N. Highway 175, Seagoville, TX, 75159

Tel. #: (972) 287-6730 Ext.
 Fax #: ()

3. Charged Activity or Agency Contact Information

Name: Trina Wiginton
 Title: Human Resource Manager
 Address: 2113 N. Highway 175, Seagoville, TX 75159

Tel. #: (972) 287-0401 Ext.
 Fax #: ()

4. Charging Party Contact Information

Name: John Sullins
 Title: Steward, AFGE, Local 1637
 Address: 3017 Sandhurst Dr., Mesquite, TX, 75181

Tel. #: 214-534-5428
 Ext:
 Fax #:

5. Which subsection(s) of 5 U.S.C. 7116(a) do you believe have been violated? [See reverse] (1) and 1,5, 8

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

On September 26, 2011 the Union submitted a request to the Human Resource Department requesting the following information.

1. A breakdown of disciplinary charges and the resulting disciplinary action taken against all employees of FCI Seagoville from January 01, 2001 through the current date. The breakdown should include whether the employee was bargaining unit or non-bargaining, and if known their age, race and gender.

The Union defined their particularized need for the information as follows:

Item 1 – This information will be used by the Union to conduct a comparative analysis of the disciplinary system and the disciplinary actions taken against the employees at FCI Seagoville for misconduct. This information will also be used to ensure that the Agency is in compliance with Program Statement 3420.09 in issuing discipline/adverse actions to employees found to have committed acts of misconduct. Furthermore the Union will also utilize this information to ensure that no Prohibited Personnel Practices have been committed under Title 5 U.S.C. § 2302 (b) or that there has been no discrimination or retaliation taken against bargaining unit members based on the severity of discipline issued for the sustained offense. If a violation has occurred the Union will use this information as evidence in the remedy procedure in which it files. (Unfair Labor Practice, Grievance, Complaint with EEOC or Office Of Special Council) The Union also plans to enter this information into evidence in FMCS case # 11-58326-3 to show that the discipline issued to Plumbing Foreman Tim Smith was to severe for the sustained charge and disparate in nature.

As of November 8, 2011 the Agency has not provided the requested information or responded to the request in any form.

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 IN IT ARE TRUE TO THE BEST OF MY KNOWLEDGE AND 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 #3 BY [check "x" box] Fax 1st Class Mail in Person Commercial Delivery Certified Mail

John Sullins
 Type or Print Your Name

Your Signature

11-08-2011
 Date

FLRA Form 22 (Rev. 1/99)

United States Department of Justice
Federal Bureau of Prisons
Federal Correctional Institution
Seagoville, Texas

- Respondent

and

Case No. DA-CA-12-0051

American Federation of Government Employees, AFL-CIO
Council of Prison Locals
Local 1637

- Charging Party

SETTLEMENT AGREEMENT

The undersigned Agency and the undersigned Charging Party in settlement of the above matter, **HEREBY AGREE AS FOLLOWS:**

ACTION TO BE TAKEN – The Agency shall provide a breakdown of disciplinary charges and the resulting disciplinary action taken against all bargaining unit employees at FCI Seagoville from April 1, 2009 to the date of the execution of this agreement. The breakdown shall include the age, race and gender of each employee and shall be sanitized to preserve privacy of the employees.

PERFORMANCE- The Agency will provide the above mentioned information within one week of the joint execution of this agreement.

REQUEST TO WITHDRAW- The joint execution of this agreement shall represent the Union's request to withdraw Unfair Labor Practice Charge DA-CA-12-0051, and the Union's request that the Regional Director rescind the complaint in the above matter.

FCI Seagoville
(Agency)

Natalie Holick
By: (Type or print name and title.)

Natalie Holick
(Signature)

4/9/12
Date

AFGE Local 1637
(Charging Party)

John Sullins, 1st Vice President
By: (Type or print name and title.)

[Signature]
(Signature)

04/06/2012
Date