

***Labor Management Relations
Quarterly Meeting Minutes
Central Office, Washington, DC
November 7-8, 2023***

Participants

Agency

*Christopher Wade
Doug Goldring
Sylvie Cohen
Isaac Thomas
Tamike' Harper-Young
Susan Giddings*

Union

*Brandy Moore White
William Boseman
Steve Markle
Richard Heldreth
William Axford
Charles D'Apice
Benjamin Friedrich
Richard Hernandez
Clint Freeman*

January 18-19, 2023, Agenda Items
Agenda Items: UNION

1. The Union seeks clarification - what is the lowest level management official (position) that is authorized to add or remove positions from the authorized complement of an individual facility?

Resolution: Deferred

2. Changes to Position Descriptions:

Notice is not being sent to the Union when there are changes to Position Descriptions.

Resolution: This matter was not discussed as it is the subject of ongoing litigation.

*all
JGH*

April 12-13, 2023, Agenda Items
Agenda Items: UNION

1. **The Union has concerns with the availability of qualified/certified staff to provide psychiatric treatment and medications at some facilities. This also affects the BOP's ability to make sound recommendations regarding competency to the judicial system.**

Resolution: The parties engaged in an in-depth discussion on this matter. Primary care providers are trained and licensed to provide first-line psychiatric care. In complex cases, providers may refer and/or consult with appropriate psychiatric healthcare providers. The Bureau continues to use various methods to attract, hire, and retain specialists in the mental health arena. This includes hiring psychiatrists using Title 38 (to pay psychiatrists a market pay supplement), direct recruiting, instituting telemedicine, and using Advanced Practice Providers and/or social workers, where appropriate.

2. **After Compressed Work Schedules are negotiated at the local level, agreed upon, and submitted for legal/technical review, OGC is insisting that additional language be added to the agreements that was not proposed by the parties. The additional language does not correct any legal/technical deficiencies with the agreements. Refusing to approve the agreements for this reason equates to bad faith bargaining.**

Resolution: Deferred

September 6-7, 2023, Agenda Items
Agenda Items: UNION

1. **The Union has seen some examples of discrepancies with pay between actual annual salaries and what is actually paid per pay period. The parties need to determine if this is a widespread issue with calculations.**

Resolution: The union withdrew this agenda item.

2. **The Union is requesting that a standardized fentanyl test be identified, as fentanyl overdose and exposures are a significant hazard within our institutions.**

Resolution: Pursuant to Program Statement 6060.08, Urine Surveillance and Narcotics Identification, each Captain will ensure the institution maintains a supply of Narcotic Identification Kits (NIK) tests to determine the identity of unknown substances.

*Call.
JGH*

NIK tests include the testing of fentanyl.

The agency will continue to comply with the Occupational Safety and Health Administration's record keeping rules and regulations provided for in 29 C.F.R. 1904.

3. Status of inmate mail copying/distribution initiatives, designed to decrease the amounts of harmful substances entering our facilities. Are pilot programs ongoing/being considered? What is the criteria affecting decision-making on these programs?

Resolution: As previously stated in the April 2022 LMR Quarterly Meeting minutes, the mailroom pilot program has been discontinued. There are, however, other practices consistent with current policy, that may be adopted to assist with detection of narcotic introduction. These practices are identified in a memorandum issued by the Correctional Programs Division and can be found at: https://sallyport.bop.gov/co/cpd/corrpgm/docs/corr_sys/memos/Mailroom_Procedures_9_14_18.pdf.

4. What is the criteria for the Agency's so called TJM, FCE,FFD, IME and RMI. Where can this be located? (Temporary Job Modification, Functional Capacity Exam, Fit For Duty, Independent Medical Exam, Request for Medical Information). Additionally, is this criteria different for employees that have OWCP cases?

Resolution: Deferred

5. Compliance with arbitration awards. In instances where the Agency has not filed a pending exception to a final arbitration award, those awards are binding on the parties. There are awards where the Agency is not fully complying as required, or is not complying within a reasonable time frame.

Resolution: As a reminder, consistent with 5 USC § 7122, arbitration awards become final 30 days after issuance, unless one of the parties files exceptions (appeal) or other appropriate legal, administrative, or judicial challenge to the award. Arbitration awards should be implemented within a reasonable time after becoming final, given the complexity of the award.

November 7-8, 2023, Agenda Items

Agenda Items: UNION

1. The Union has concerns regarding management variables being applied to inmate custody level scores, resulting in inmates being placed in facilities that are not appropriate for them.

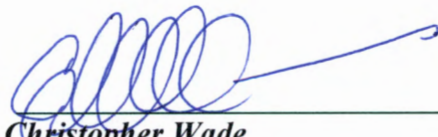
Resolution: The parties began a discussion on this agenda item, but deferred this matter.

2. The Union would like to discuss adherence to the Pregnancy policy in the field, specifically the language concerning employees being assigned to modified emergency response capacity, and not being required to work in post where OC spray is carried.

Resolution: As a reminder, pursuant to Program Statement 3792.10, Staff Pregnancy and Parenting, upon their request, pregnant staff will be assigned modified emergency responses (non-physical) and will not be required to work in posts where chemical OC spray is carried.



***Richard Heldreth
Mid-Atlantic Regional Vice- President
Council of Prison Locals***



***Christopher Wade
Chief
Labor Relations Office***

