



U.S. Department of Justice

Federal Bureau of Prisons

Office of the General Counsel
Employment Law and Ethics Branch

320 First Street N.W.
Washington, D.C. 20534

July 11, 2013

Peter A. Sutton, Regional Director
Federal Labor Relations Authority
Chicago Regional Office
224 S. Michigan Avenue, Suite 445
Chicago, IL 60604

Re: Case No. BN-CA-10-0041
Compliance

Dear Mr. Sutton:

This is to advise you of the Agency's compliance activities in the above-referenced matter. In accordance with the Order from Administrative Law Judge Richard A. Pearson, signed April 22, 2013, and served June 7, 2013. I apologize for the brief delay in responding. As you may not know, the two representatives originally handling this matter are no longer with the agency. We have been unable to locate the case file and have been working to locate additional copies of some of the documents necessary to comply with portions of the order.

The Posting Notice was received from your office on June 18, 2013. It was signed by Warden J. T. Shartle on June 25, 2013, and posted the same date. However, we determined that in scanning and sending the document, part of it was cut off. The document was signed again on July 11, 2013, and reposted the same date. It will remain posted for 60 days from that date. A copy of both the original and the corrected documents are attached.

FCI Fairton is in the process of restoring the 4/10 CWS practices for Case Managers and Correctional Counselors that were in effect prior to August 4, 2009, as is described in the order. The Agency will be sending an electronic message to all Case Managers and Correctional Counselors, advising them that the procedures identified in the decision that were in place prior to the Belfonti memorandum are being reinstated for determining the next quarter's work schedule. A copy of that message will be provided at a later date.

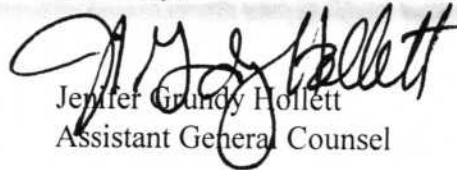
The Agency is in the process of determining whether it wishes to initiate I&I bargaining on the Compressed Work Schedules for Unit Management staff. Should that be the case, appropriate notification will be given.

Mr. Sutton
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As to the restoration of leave ordered by Judge Pearson, the Agency is in the process of seeking to determine exactly who is entitled to restoration and what should be restored. To facilitate this process, we have asked Senior Attorney Kenneth Woodberry, for assistance in locating documents from the case file. He provided that information late this afternoon and we will need some time to review it, along with other information that is being retrieved at the institution.

The Agency is committed to complying with Judge Pearson's Order as expeditiously as possible. We will be happy to provide an additional compliance update as this process continues.

Sincerely,



Jennifer Grundy Hollett
Assistant General Counsel

Enclosures (2)

cc: Warden Shartle, FCI Fairton
David Gonzalez, AFGE Local 3975



NOTICE TO ALL EMPLOYEES



POSTED BY ORDER OF THE FEDERAL LABOR RELATIONS AUTHORITY

The Federal Labor Relations Authority has found that the U.S. Department of Justice, Federal Bureau of Prisons, Federal Correctional Institution, Fairton, New Jersey, violated the Federal Service Labor-Management Relations Statute (the Statute), and has ordered us to post and abide by this Notice.

WE HEREBY NOTIFY OUR EMPLOYEES THAT:

WE WILL NOT change or terminate the 4/10 Compressed Work Schedule (CWS) options and practices for case managers and correctional counselors without first completing bargaining with the American Federation of Government Employees, Local 3975, AFL-CIO, the exclusive representative of our bargaining unit employees.

WE WILL NOT in any like or related manner, interfere with, restrain, or coerce employees in the exercise of their rights assured by the Statute.

WE WILL restore the 4/10 CWS options and practices that were in effect for case managers and correctional counselors prior to August 4, 2009.

WE WILL restore to case managers and correctional counselors in the bargaining unit any annual or sick leave that they took for time during which they would have been off work if the 4/10 CWS options had not been changed or terminated on August 4, 2009.

J. L. [Signature]
WARDEN

Federal Correctional Institution, Fairton, New Jersey



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Federal Correctional Institution, Fairton, New Jersey
(Agency or Activity)

Dated

July 11, 2013

By

J.T. [Signature]

WARDEN
(Title)

THIS NOTICE MUST REMAIN POSTED FOR 60 CONSECUTIVE DAYS FROM THE DATE OF POSTING,
AND MUST NOT BE ALTERED, DEFACTED OR COVERED BY ANY OTHER MATERIAL

If employees have any questions concerning this Notice or compliance with its provisions, they may communicate directly with the Regional Director, Chicago Regional Office, whose address is: Federal Labor Relations Authority, 224 S. Michigan Ave., Suite 445, Chicago, IL 60604-2505, and whose telephone number is: 312-886-3465.