



Thomas R. Kane
Deputy Director
Federal Bureau of Prisons



Eric O. Young
National President
AFGE
Council of Prison Locals

Striving for Sustained Partnership

National Council on Federal Labor-Management Relations

July 23, 2014

What We Do at the Bureau of Prisons

- ▣ The mission of the Federal Bureau of Prisons (BOP) is to incarcerate offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

How We Do It

- Staff are the Bureau of Prisons:

38,000 employees-- 81% are bargaining unit

Bargaining	31,328
Supervisors	5,204
Custody	18,399
Correctional Officers	14,746
Unit/Case Mgmt	3,414
PHS	871
Unicor Staff	994

ALL ARE CORRECTIONAL WORKERS FIRST

- 216, 000 federal inmates (increased 116% in 20 years) housed in
- 120 Federal Prisons

All Security Levels: high, medium, low, minimum and administrative
Varied missions including supermax, medical, mental health, pretrial detention

- Budget of \$6.8 Billion (more than 1/4 of entire Department of Justice budget)

Management Structure

- ▣ Director and Deputy Director lead the agency
- ▣ Agency headquarters has 9 Divisions each headed by an Assistant Director
- ▣ Six Regions each headed by a Regional Director
- ▣ All together 17 members comprise the Executive Staff
- ▣ *Policy Driven Agency: More than 300 policies guide staff in their everyday activities*

Our Union Partners

- ▣ American Federation of Government Employees, Council of Prison Locals C-33
- ▣ Executive Board led by National CPL President, comprised of 6 Regional Vice-Presidents and the National Fair Practices Coordinator, National Secretary-Treasurer, National Legislative Coordinator, and National Workers Compensation Coordinator and two National Representatives
- ▣ 100 Locals (each is led by a President and each has local autonomy)

Our Story

- The relationship between the Federal Bureau of Prisons (the Bureau) and the Council of Prisons Locals (CPL) is governed by a Collective Bargaining Agreement (CBA) known as the Master Agreement.
- For 20 years, Labor-management relations in the Bureau were contentious.
- In 2011, the agency held the first national discussion of partnership through a videoconference with all agency leaders including all wardens and union presidents, Executive Staff and E-Board members.
- The Federal Labor Relations Authority identified the BOP as having some of the worst unfair labor practices in all of Federal Government, with a significant case backlog in arbitration, and EEOC findings of retaliatory practices against employees who participate in protected activity.
- The agency was often criticized by the Department of Justice Office of Inspector General for not publishing timely policy to implement recommendations; this failure was a direct result of management and union being unable to collaborate as provided in the CBA.
- The parties were unable to agree on a new CBA during more than 13 years of negotiating; they did not sign a CBA for 16 years.

Agents of Change

- ▣ The Bureau's labor-management relationship began to change in December 2011, when Charles Samuels was appointed Director

"Teamwork is defined as an action by a team to achieve a common goal. A team is comprised of more than one person, and each member of the team normally has various duties and responsibilities.

All 38,000 plus staff working for the Bureau of Prisons comprise the BOP Team. A true teamwork culture and collaboration is very important at all levels of our agency. No single individual can accomplish the mission of the Bureau of Prisons without the support of our entire team. It takes collaboration and teamwork to accomplish our goals and meet our mission."

--Director Samuels, March 2012

- ▣ Deputy Director Tom Kane was appointed and many new members of the Executive Staff came on board, bringing new perspectives and approaches.

Agents of Change

- ▣ In September 2013, Eric O. Young was elected National President of the Council of Prison Locals. Several new E-Board members were elected as well.
- ▣ President Young established a new vision for the Council:

“Words have power, presence, prophetic implications and no geographical limitations. When you change your internal dialogue, you change your destiny.”

---Dr. Cindy Trimm

Winds of Change

Both Director Samuels and President Young were heavily influenced in their desire for collaboration by the tragic deaths of two staff who were murdered in February 2013:

Eric Williams , USP Canaan, PA

Oswaldo Albarati – MDC Guaynabo, PR

In addition to staff safety, both leaders share a strong commitment to public safety and share a common vision regarding enhanced inmate reentry efforts.

A new approach

- ▣ In May 2013, the Executive Staff and E-Board agreed to participate in Relationships by Objective (RBO) training hosted by the Federal Mediation and Conciliation Service.
- ▣ This training afforded the first opportunity for both sides to spend significant amount of time interacting on a social as well as a professional level.
- ▣ Many barriers were broken, permitting an open and honest exchange of information and establishing a solid foundation for a new relationship.

VISIT WITH THE ATTORNEY GENERAL



PARTNERSHIP ON DISPLAY

In January 2014, a National Video Conference was hosted by Director Samuels and President Young for all agency leaders, both management and union.

Director Samuels and President Young asked all leaders to embrace a true partnership approach and to adopt and abide several key principles:

- ▣ Follow all initiatives in the Master Agreement
- ▣ Establish an open-door policy with between labor and management
- ▣ Negotiate Ground Rules for Labor Management Relations to address matters at the lowest appropriate level
- ▣ Establish Core Objectives for local partnership

Support was offered from headquarters and national union leadership in the form of technical assistance and training to all requesting locations.

Partnership

- ▣ Regular partnership meetings of the Executive Staff and the E-Board to facilitate open, honest and confidential discussions
- ▣ Establishment of Relationship by Objective Committees to work through issues
- ▣ Enhanced Policy Development
 - Policy Negotiations
 - Joint Policy Writing Committees
- ▣ Labor Management Quarterly Meetings
- ▣ Communication with staff
 - Sharing with staff progress and accomplishments of partnership, giving credit to both parties
 - Joint communications to staff issued by the Director and National President

Joint Policy Writing Committees

Nine (9) Joint Policy Writing Committees were created covering a broad variety of topics from EEO to Reentry to Psychology Services to Safety

- These groups afford an opportunity for Pre-decisional Involvement and result in the best possible guidance for staff
- *6 participants from each side on each group*
- These groups permit the agency to work on many different policies at one time thereby addressing concerns raised by OIG and others regarding timely development and publishing of policies.

MASTER AGREEMENT

BOP Management and Council of Prison Locals
entered into a New Master Collective Bargaining Agreement

Signed May 29, 2014

Effective July 21, 2014 - 2017



OTHER SIGNIFICANT ACCOMPLISHMENTS REALIZED THROUGH PARTNERSHIP

- ▣ Safety: Management and Labor Agreed....
 - to allow local parties to develop rosters that result in a second officer in high security housing units on weekday evening shifts, and on day and evening shifts on weekends and holidays.
 - to expanding the pilot authorizing greater staff access to Pepper Spray
 - to pilot Millimeter Wave machines for staff searches
 - to encourage staff to wear stab resistant vests for personal protection.

Other Significant Accomplishments

- ▣ Policy: The Agency has published 37 policies since May 2013 when the parties attended the RBO Training; this represents more than 10 percent of all policies.

There are many more policies under development through the JPC process.

Sustaining Partnership

- ❑ The success of the current labor-management relationship in the Bureau of Prisons depends on continued commitment and work by both parties.
- ❑ We must stand together in both good times and bad. We must remember partnership is a sustained effort. We must remind ourselves where we came from and understand not all goals for partnership will be realized overnight.
- ❑ We must continue to communicate with staff, reinforcing the many successes and accomplishments and acknowledge failures that will undoubtedly occur.
- ❑ We must continue the RBO process and partnership forums.

ARTICLE 36

The Union and the Employer endorse the philosophy that people are the most valuable resource of the Federal Bureau of Prisons. We believe that every reasonable consideration must be made by the Union and the Employer to fulfill the mission of the organization.

This will be achieved in a manner that fosters good communication among all staff, emphasizing concern and sensitivity in working relationships. Respect for the individual will be foremost, whether in the daily routine, or during extraordinary conditions. In a spirit of mutual cooperation, the Union and the Employer commit to these principles

QUESTIONS

THANK YOU