Federal Labor	
Relations Authority	
	UNITED STATES OF AMERICA
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	FOR FLRA USE ONLY
Case No.	
Date Filed	

CHARGE AGAINST AN AGENCY

Complete Instructions are on the back of this form.

- 1. Name and address of charged activity or agency 2. Name and address of charging labor organization or individual **Bureau of Prisons-FCC Butner** A.F.G.E. Local 408 P. O. Box 5000 P. O. Box 5000 Butner, NC. 27509 Butner, NC. 27509 3. Activity or agency contact information 4. Labor organization or individual contact information Name: Craig Apker Name: Edwin Kirton **Title: Complex Warden** Title: Vice President, Local 408 Phone: (919) 575-3900 Phone: (919) 575-3900 Home: (804)721-0844
- 5. Which subsection(s) of 5 U.S.C. 7116(a) do you believe have been violated? $\underline{4}$
- 6. Tell exactly WHAT the activity (or agency) did. Start with the DATE and LOCATION, state WHO was involved, including titles.

Currently there is a pattern of discrimination against staff at FCC Butner who file a complaint of on the job injury and a claim with the Office of Workers Compensation. Management is violating 5 U.S.C. 7116(a) Section 4. Management is not following the guidelines set forth in Program Statement 1601.04 "Workers Compensation Program."

Currently the safety department is handling the OWCP claims and performing the duties that per policy are assigned to the employee's supervisor. Staff who claim injury under OWCP are given misleading and incorrect information by the safety department. When injured staff are given Temporary Alternative Duty locations due to their medical restrictions from the injury, they are not offered reasonable accommodations. Among these accommodations are access to a printer, a fax machine, or a shredder.

Also there is mishandling of staff private medical information. There is no chain of custody for documentation. The Human Resources department has not established Employee Injury files. Personal medical information is not being handled securely or properly.

REOUESTED REMEDY

- 1. Management at each Institution will post the following notice on group wise and on all staff accessible bulletin boards for 9O days the notice will be signed and dated by all three Warden's at the Federal Correctional Complex Butner.
- 2. A copy of this posting will be provided to AFGE Local 408. WE HEREBY NOTIFY OUR EMPLOYEES.

THAT MANAGEMENT WILL NOT violates the rights of the employees or of Local 408 by committing prohibited personal practices which are inconsistent with the collective bargaining agreement, law and regulation.

WE WILL NOT in any like or related manner, interfere with, restrain or coerce our employees in the exercise of their rights assured by the Federal Service Labor-Management Relations Statue or Master Agreement.

WE WLL, meet with members of the Executive Broad of Local 408 to discuss any matter of

- concern that a bargaining unit member may have.
 3. Issue an order compelling Management Officials at FCC Butner honor the United States Code of Law and the Labor Contract.
- 4. That Management Officials comply within the Administrative Law of USC Title 5, 7102. Issue a cease and desist order to the management at FCC Butner with respect to this type of violation.

 5. Properly train administrative staff in handing of OWCP cases.

 6. Any other remedy's the Administrative Law Judge determines. And to be made whole. 7. Management to notify all employees via GroupWise of their recognizing the problems and steps to fix. 8. Offer reasonable accommodations to staff on TAD 			
7. Have you or anyone else raised this matter in any other procedure? X 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 ON THIS CHARGE 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 X Commercial Delivery Certified Mail 8. Larry, Nelson, Local 408 November 29, 2012			