



American Federation of Government Employees

LOCAL 525

Federal Correctional Institution, Williamsburg

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**Date:** July 27, 2009  
/s/  
**Reply To:** J. Norman, AFGE Local 525 Vice President  
**Subject:** Notice of Intent to Invoke Arbitration Amendment 1  
**To:** John R. Owen, Warden

**This will serve as notice that A.F.G.E. Local 525 intends to invoke arbitration regarding the yearly performance ratings for the bargaining unit members assigned to the Financial Management department.**

**Issues Involved**

**The yearly performance evaluations for the bargaining unit staff members assigned to the Financial Management department were not prepared in accordance with mandated policies and procedures. The affected employees right to be treated fairly and equitably in all aspects of personnel management as described in Article 6 of the Collective bargaining Agreement was violated by only receiving one quarterly performance entry. The Human Resource Management Manual (Program Statement 3000.03) clearly states that at a minimum each performance standard will be addressed quarterly. The quarterly entrees serve as a "basis" for determining an employee's final yearly rating. Without a basis for accurately evaluating these staff members, it is not possible to provide a "fair " final rating. This deviation is contrary to the purpose of the employee's performance and rating program as identified in Article 14 of the Master Agreement which states, "The employers' performance evaluation program is intended to increase the efficiency of operations, foster good employee morale, strengthen employee-management relations, and evaluate work performance based upon established elements and performance standards." The agency deviated from standards set forth in Article 31(d) of the C.B.A. when they failed to respond to a properly filed formal grievance from the Union. This repudiation of the parties collective bargaining agreement is a violation of 5 U.S.C. 7121 and clearly an Unfair Labor Practice as defined in 5 U.S.C. 7116.**

Notice of Intent to Invoke Arbitration continued

**Violations**

**5 U.S.C. 4302, 7116, 7121**

**Master Agreement: Article(s) 6, 7, 14, 31**

**Program Statement 3000.03 (Human Resource Management Manual)**

**Any other rules, laws, and/or regulation**

**Remedy:**

**Cease and desist in the current method of evaluating bargaining staff members**

**Prepare evaluations in accordance with applicable laws, policies, and procedures**

**Make whole affected bargaining unit staff members**

**Make whole A.F.G.E. Local 525 for incurred attorney fees if applicable**

**Any other remedy deemed necessary and appropriate by the arbitrator**

**Received : \_\_\_\_\_**

**Date : \_\_\_\_\_**