



**Notice of Intent to Invoke Arbitration continued**

American Federation of Government Employees

LOCAL 525

Federal Correctional Institution, Williamsburg

---

**Date: October 26, 2009**

**Reply To: J. Norman, AFGE Local 525 Vice President**

**Subject: Notice of Intent to Invoke Arbitration**

**To: John R. Owen, Warden FCI Williamsburg**

**This will serve as notice that A.F.G.E. Local 525 intends to invoke arbitration regarding the vacating of critical Correctional Services positions which resulted in a violation of Article 27 by not lowering the inherent risks within a Correctional Setting to the lowest level possible.**

**Issues Involved**

**Did the agency violate article 27 of the Collective Bargaining Agreement by failing to lower the inherent hazards to the lowest possible level when they vacated critical Correctional Services positions within the Institution?**

**Violations**

**On September 12, 2009, the Union discovered during the month of September 2009 the agency violated Article 27 when they resumed the practice of vacating Correctional Officer posts in lieu of authorizing overtime during periods of staff shortages. The practice of not authorizing overtime during periods when inadequate staff members are scheduled to work is detrimental to the safety and health of its employees and increases the inherent risks in a correctional environment. The impact on staff safety was increased when the agency decided to vacate positions within the most secure area of Institution (Special Housing Unit) in order to decrease costs. After conducting a review of the daily rosters the agency has vacated Correctional Services posts on 16 occasions.**

**Notice of Intent to Invoke Arbitration continued**

**The Correctional Services department head, Captain E. Rayburn did not adhere to a signed agreement with the Union that stated the department would not vacate positions within the Special Housing Unit. In addition, the agency violated article 31 by failing to respond to a properly filed grievance on the matter.**

**Master Agreement: Article(s) 3, 4, 6, 18, , 31**

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

**Remedy:**

**Cease and desist in vacating positions within Correctional Services**

**Lower the inherent risks within the Institution to the lowest possible level**

**Make whole affected bargaining unit staff members to the full extent authorized by law**

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