



**U.S. Department of Justice
Federal Bureau of Prisons**

North Central Regional Office

Office of Employee Services

*400 State Avenue
Tower II, Suite 800
Kansas City, KS 66101*

April 25, 2006

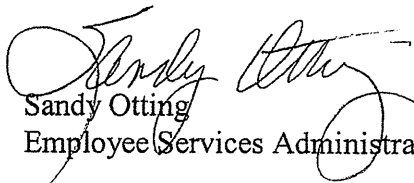
Tim Allport, Vice President
AFGE Local 709
Federal Correctional Institution
Englewood, CO 80123

Dear Mr. Allport:

This is in response to the formal grievance received in the North Central Region on March 30, 2006, in which you are alleging that Dr. Card, in the company of Dr. Wertz, issued a memorandum to you stating you "violated item three in the settlement agreement". You further allege she also reissued two negative performance log entries that were dropped as part of the settlement agreement, however, management failed to provide any evidence or details to show how you violated the agreement. You further allege Dr. Card was not authorized to rescind the agreement as she did not act as a signing authority on the agreement. Finally, you state you are reinstating the grievance filed to this office on August 22, 2005, and requesting a new arbitrator's list and hearing date.

Your grievance is procedurally rejected. You failed to file your grievance at the appropriate level. The Master Agreement Article 31, Section f., states when filing a grievance, the grievance will be filed with the Chief Executive Officer of the institution/facility, if the grievance pertains to the action of an individual for which the Chief Executive Officer has authority over. Since your grievance pertains to the actions of Dr. Card, the DAP Coordinator, and Dr. Wertz, Chief Psychologist, and the Warden has authority over the actions of these individuals, your grievance should have been filed with the Warden.

Sincerely,


Sandy Otting
Employee Services Administrator