



COUNCIL OF PRISON LOCALS
(AFL-CIO)
AFGE Local 709
9595 W. Quincy Avenue
Littleton, Colorado 80123



Date: April 17, 2006

From: E. Donaldson, President, Local 709

To: W. A. Sherrod, Warden, FCI Englewood

Subject: Data Request

The Union is recognized as the sole and exclusive representative for the bargaining unit employees as defined in the United States Code Chapter 71, seeks the provisions of U.S.C. Section 7114 (b) (4), which is normally maintained by the agency in the regular course of business and which is reasonably available and necessary for full and proper discussion, understanding, and negotiation of subjects within the scope of collective bargaining.

Local 709 is requesting the Time and Attendance records for all of the powerhouse operators and alternates for the last five years. The Agency has already provided the most recent year (Pay period 1 of 2005 to present for the powerhouse operators) so that will not be necessary. Local 709 would also like to request that the remainder of the Time and Attendance powerhouse operators and alternates records be sanitized and not include employee Social Security numbers.

Particularized Need

Local 709 needs this information to determine if management officials have intentionally violated the Master Agreement, Laws, Rules and Regulations set forth. This requested information will enable the Union to fulfill its representational duties to represent all employees under the Statutes and administer the Collective Bargaining Agreement. The requested information is readily accessible.

The information is needed by the Union in order to:

1. To present evidence, if necessary, in a third party hearing that Management has violated articles of the collective bargaining agreement.
2. To present evidence, if necessary, in a third party hearing that Management has violated sections of the United States Code, and to determine if there are back pay issues involving unpaid Sunday pay, Holiday pay, and annual leave pay\ night differential that has not been paid in accordance with applicable laws.

3. To fulfill the Union's statutory obligations to represent all employees adequately, effectively, and fairly.

4. To assist and ensure the Collective Bargaining Agreement is enforced for all employees.

Public Interest

The disclosure of all the requested information would enable the Union to ensure that the Management is treating all employees fairly and equitably and that all of the employee's rights are being adhered to in accordance with the Laws, Rules and Regulations set forth. Disclosure would also serve the Union's/public's interest by allowing the Union/public to determine if the Agency is discriminating against its public servants on the basis of race, ethnic origin, age, gender, or on the basis of position held within the organization. The further disclosure of this information would assure the public trust that we as an agency can police our own and hold those persons accountable. Since all personal identifiers are public information, we believe the interest of the Union/public outweighs any privacy matters.

Other Matters

Local 709's point of contact is willing to meet with the appropriate agency officials to discuss the event giving rise to the Union's and employee's belief and perception, that the employees are being treated in a disparate manner.

Please contact myself at: (303)980-2319 or edonald@central.unicor.gov if the agency requires any further clarification of this request, or the format in which the information is provided to the Union, or the issue(s) giving rise to this request.

Please provide the requested information to Eva Donaldson, President, AFGE Local 709 no later than Tuesday, May 9, 2006, close of business.