## IN THE MATTER OF ARBITRATION BETWEEN

FEDERAL BUREAU OF PRISONS, ADX FLORENCE, COLORADO Agency	) ) ) FMCS CASE NO. 07-53631 ) )
AND	) ) )
	) March 27, 2007
AMERICAN FEDERATION OF GOVERNMENT	)
EMPLOYEES, LOCAL 1302	)
FLORENCE, COLORADO	) Arbitrator Thomas Levak
Union	)
	)

## AGENCY REPLY TO JUST CAUSE

In his March 23, 2007 email to the arbitrator, Mr. Bob Snelson states "I am having trouble believing that the Agency has no one that can represent them in this case prior to January of 2008." In that the Arbitrator must also find it may not be true, the Agency submits the following in support of the truth!

The Labor Management Relations Office for the Agency is split into two offices. There is an East and West office but all supervised by Mr. Christopher Wade in the East office. The West office handles all institutions West of the Mississippi which consists of approximately 50 institutions. The same amount is handled by the East office. ADX Florence cases are handled by LMR West. There were six LMR Specialist assigned to the West office, until recently when two of the Specialist sought other opportunities and transferred. There are now four specialist serving all 50 institutions. Besides representing the Agency in front of Arbitrators in the arbitrations process, the Specialist also represent management in Merit Systems Protection Board appeals. The Specialists also review disciplinary proposal and decision letters which come from all 50 institutions and advise the field on labor issues. The other three specialists are carrying a workload similar to mine.

The attached documents represent my current schedule until January 2008. As you can see, I only schedule two cases a month so that I have time to properly prepare for the hearings and to allow time to prepare closing briefs. It is the only way to manage the workload with fairness to the Agency to be prepared.

Attachment A is my affidavit, Attachment B is a copy of my case assignment which currently totals 68 cases. Attachment C is my scheduled calendar highlighted so that you can see my schedule verses the other specialists in my office. Attachment D are the various

correspondence which prove that these cases are set as my calendar indicates.

The Agency is not pleased that these types of documents have to be provided to the Union and requests the Arbitrator *order* the Union to handle them as confidential and not share them with any other Local in the Agency or any Union officials.

The Agency is certain that once these documents are understood, that just cause will be found to exist for the subject arbitration to be set for the offered date of January 10, 2008. If this is not done soon and another institution requests to set their case for hearing, then a date in February 2008 will be the next available.

Respectfully submitted,

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cc w/ attachments: Bob Snelson