



## Commissioned Officers Association of the U.S. Public Health Service

March 13, 2019

Mr. Hugh Hurwitz, Acting Director  
Federal Bureau of Prisons  
320 First Street, NW  
Suite 654  
Washington, DC 20534

Dear Acting Director Hurwitz:

The Commissioned Officers Association of the US Public Health Service is a non-profit entity that represents the uniformed officers of the USPHS, including the 775 or so officers assigned to the Federal Bureau of Prisons. We had a terrific relationship with Director Inch and worked with him on the FLRA arbitration case that was won on appeal by the BOP in March of last year. The heart of that case, as you undoubtedly recall, was whether PHS officers would be treated fairly in shifts and assignments, according to their seniority. We believed that the FLRA decision had settled the issue.

We have now learned that in at least one BOP facility, the Metropolitan Correctional Center in New York City, the union (AFGE) has persuaded BOP leadership at the facility to act as if the union had not lost the arbitration. From what our members tell us, the union has persuaded Correctional Center leadership that all decisions as to shifts, vacations, and time off will be done strictly by seniority, with all bargaining unit employees (unionized civilians) having priority over all PHS uniformed personnel, regardless of their actual seniority. This is precisely the issue that was decided in the March 2018 FLRA decision, which went against the union.

We are formally asking you to look into the situation at the Metropolitan Correctional Center and to direct such procedural changes as are necessary to bring the facility into compliance with the FLRA decision. We also ask that you remind all BOP facilities of their responsibilities under this decision.

We are prepared to meet with you to discuss our request if you feel such a meeting is necessary.

Sincerely,

Col. James T. Currie, USA (ret.)  
Executive Director