



THE GRIEVANCE

UNITED STATES CAPITOL POLICE LABOR COMMITTEE

Date March 10, 2012

"The Legacy" of G St. & How the E-Board Slew the Dragon!

First, let me say that the Union is doing better than ever. Financially speaking, we're doing exactly what we should be doing: improving.

Now on to the bones of the matter. There is no need to mix words. The Executive Board voted 6-1 in favor of paying \$150,000 into our mortgage to right the ship. I will explain two things: why we did this, and what it means.

Why the Union did this;

The first step in explaining "why" is to understand the basics:

- In 2007 the previous E-Board purchased a \$700,000 unit at 1320 "G" Street SE
- They paid \$70,000 down at the time of closing
- Closing fees bumped the final cost of purchasing the building up to \$760,000, less the \$70,000 down, which left us with a \$690,000 mortgage.
- At the time of purchase the building was appraised between \$535,000 and \$565,000
- the mortgage was a 5 year balloon style mortgage, with an approximately 8% interest rate
- The mortgage matures in September of this year. Before last week, the amount to be paid, in full, as of the date of maturity was just over \$585,000
- By paying down \$150,000, we, as a Union, are now right-side-up on this mortgage for the first time ever (per the appraisal of \$455,000 from last fall).

Since Chairman Konczos and the 2009 E-Board took office the topic of somehow rectifying "G" Street has been a week-to-week issue. "How to fix it?" was usually the primary discussion. It was an awful predicament because the banks we spoke with would not refinance our balloon mortgage because the water was so incredibly high. Now, why did this have to happen now? First off, the monies had to be paid for us to be able to sit at the table, with any lender, not just the mortgage holder. You can understand that any regular bank would be quite disinterested in taking on or refinancing a loan that was \$140,000 upside down. Secondly, I'm sure at least one of you reading this knows that refinancing doesn't always take an hour or two, it is a long process. Now we are financially in a place where we can actually approach multiple banks and ask them to present us a competitive offer of rates and terms, something we could not have done previously. So, in short, we had to pay down our

treasury significantly to make ourselves more appealing to the lenders, save "G" Street, and preserve the Union's financial future from foreclosure, lawsuits, liens, and atrocious credit ratings.

What it means;

What it means is simple. By refinancing, we will be in the driver's seat of "G" Street, not battling for extensions or last minute hail-Mary style approaches with interest rates in the teens and twenties. You the Members will have a better understanding of the exact refinance of "G" Street by the summer (hopefully). Let me tell you where we're leaning:

- less than 5% fixed rate, 5 year balloon style business mortgage.
- possibly increasing (doubling payments) monthly payments to reduce month-to-month interest paid per payment (A Membership vote to change the budget would be necessary)
- without an additional payment: A small balloon payment close to \$100,000 would be due in 2017,
- with an additional payment: no balloon payment and building is owned by 2016 or early 2017 (depending on refinance agreement).

It is important to note, the Union is financially solvent despite this principle payment to the mortgage. Your legal representation, the meetings, gifts, survivor benefits, scholarships, and all normal activities and programs that the Union provided you two months ago have not changed. We are still the United States Capitol Police Labor Committee, we are just better than we were last year.

In closing;

I can understand that some of you might still be wondering if this was a good idea. I assure you that it is, but I do not want you to be content with my assurances. I would implore any Officer wishing to get more information to ask the necessary questions to be informed and judge us as a Board for the decisions we have made. We have progressed to this point by asking the necessary questions. You the Membership have always been the future of this organization, without your confidence this house of cards falls instantly. As such, I understand, as your elected treasurer, that it is my job to alleviate your financial worries about the Union.

If anyone would like to discuss or simply attain a copy of the most recent Union finances you can come to a General Membership Meeting, or email me at USCPTREASURER@gmail.com and I will forward you a recent Treasurer's financial report.

On behalf of our Executive Board I would like to thank you for your support. I am looking forward to working with you from my position as best as I can for as long as you will let me. Thank you.

Sincerely,

Bill Scofield
Treasurer

Brothers and Sisters

The Government Accountability Office (GAO) recently published their report on the United States Capitol Police Retirement Benefits, Pay, Duties and Attrition and how they compare to other Federal Police Forces. This report took over a year to complete and despite what you may have read in the press, the Labor Committee was pleased with the findings and believe the report to be quite thorough. While the media outlets were quick

to report on the story, their interpretation was very self-serving. Fox News who claims to be “Fair and Balanced” was anything but. I personally do not believe they read the GAO report since their headline was, “Capitol Police are raking in top-shelf starting pay and benefits” while leaving out that one of our proposals would save the Government upwards to 9 million dollars. Yes, they were right, we do have one of the highest starting salaries, but Fox News omitted that the Supreme Court Police have an identical minimum entry level starting salary and they always adjust their pay scale to match that of the Capitol Police. They also failed to report that Uniform Secret Service receive exactly \$176.00 less in starting salary than the Capitol Police, which is not as glaring as their article would lead you to believe. While the story was spun for the Media’s benefit, we are not sure if Fox was trying to be anti-union, anti-federal employees or anti-Obama since nationally Unions support the President. If Fox News wanted a true understanding of the officers who protect the Legislative Branch they could easily have focused on the sacrifices made by us daily to earn that salary. None of us joined the Capitol Police with the intention of becoming rich, we are the working class. Unlike most middle class we face the constant threat from terrorists both foreign and domestic, while missing family events such as birthdays, anniversaries, graduations and holidays due to work requirements. That would have been a “fair and balanced” assessment but it would not produce the headlines the media crave.

When we initially met with representatives from the GAO the Union submitted six (6) proposals in an attempt to increase our retirement benefits. It was determined that four (4) would cost the Federal Government and ultimately the tax payers too much to implement. Our fifth proposal would incur some additional cost and that was to compress our current pay scale from the maximum salary at twenty-six (26) years to twenty (20) years. A pay compression was recently done for the Secret Service (Pub.L No. 111-282 Statute 3033) in 2010. This law reduced the Secret Service maximum salary from thirty (30) years to twenty-two (22). Based on these findings we have told Members of Congress that twenty-two would be more reasonable and less costly while helping us achieve pay parity. The parity we strive for was not solely based on the Secret Service legislation but the discrepancy within the pay structure of the Capitol Police. Currently, Deputy Chiefs reach their maximum salary at year fifteen (15) while everyone below that rank reaches their maximum at year twenty-six (26). This happened because under 2 USC Section 1923a the Capitol Police Board has the right to establish a “Unified” pay scale. Sorry, but allowing a select group who are under the same Federal Employee Retirement System (FERS) to max out eleven (11) years earlier is not “Unified”.

The sixth proposal was to allow officers the opportunity to work until age sixty (60) instead of facing mandatory retirement at age fifty-seven (57). The Capitol Police Board already has this authority under the Capitol Police Retirement Act 1990 (Pub.L 101-428), but in order to maintain a fair and equitable process we believe legislation is needed.

The GAO determined that working these extra three (3) years an officer could increase their overall retirement benefits by 10%. They also concluded that the cost over the projection period would actually save the Federal Government an additional nine (9) million dollars while saving the agency approximately 1.1 million dollars (the final report determined that the US Treasury would save the 1.1 million not the affected agency).

Prior to the release of the final report all involved parties had an opportunity to respond to the findings, the Union took exception to the Office of Personnel Management (OPM) who believed that increasing the retirement age for us was not necessary. This comes from an agency that admitted to a backlog of over 48,000 claims for federal retirements that will take up to eighteen (18) months process! Until they correct their own problems they should not comment on what is in the best interest of our officers.

While OPM and the media missed the mark on the GAO report, the Executive Board will continue to meet with Members of the House and Senate, both Democrats and Republicans, to ask for their support and to sponsor legislation on our behalf.

Affiliate Membership of the Labor Committee

The Executive Board is proud to announce the implementation of our Affiliate Membership. This branch of our Labor Committee was designed for sworn personnel under the rank of Sergeant who are not part of the Bargaining Unit and provide them some of the benefits our members enjoy. The Office of Compliance ruled in its Certification of Representative issued on June 27, 1997 (Case No. 96-LM-1) that certain employees of the Capitol Police are not eligible to be part of the Bargaining Unit; these officers are defined under Article 1 Section 01.02 of our Collective Bargaining Agreement (CBA). While these officers will still not be covered under the CBA they will receive many of the same benefits as our current members. This internal union endeavor will allow these officers membership status of the Jarred Young DC Lodge 1 and give them the opportunities to participate in our Labor Committees scholarship program, provide for them in our Survivor benefits program, allow them to attend General and Special Membership meetings and vote in such meetings (excluding ratification of CBA votes), this will also provide them with any future benefits the Union enters into to include any promotional items. This will also entitle them to our Legal Counsel on certain matters. While we cannot grant them complete membership into our Labor Committee we believe this will be beneficial to those eligible to join. I want to thank President Chuck Canterbury of the Grand Lodge, National Fraternal Order of Police and DC Lodge 1 President Marcello Muzzatti for their support to make this possible.

Fraternally,

Jim Konczos
Chairman

2012 Scholarships

We are pleased to announce the Student Scholarship contest;

- **First Prize \$1500**
- **Two Runner Ups \$500**

We are pleased to announce a New Scholarship contest for our membership; the Officer's Scholarship contest.

- **There are five (5) \$500 Scholarships for dues paying members.**

We wish to thank the Congressional Federal Credit Union for donating \$1500 to the Scholarship fund.

See our web site or a Union Official for details

Greeting!

As our E-board enters another fiscal year together, I am proud to say we have strengthened our Union, increased savings, and we've controlled our finances. However, we still have a lot of work ahead of us.

A few months ago several officers advised some of our Union Stewards and the E-board of several safety and health issues concerning kiosks that have been reported to supervisors but no action had been taken. Instead officers were advised to "close the kiosk door" or "get back in the kiosk". What was reported is as follows:

There was a really bad acidic odor at Checkpoint #3 in the SW tips kiosk that was caused by a leaking kiosk battery. When officers from HD-3 reported this to a Sergeant, they were told to close the door. HD-1 reported this to a Sergeant as well, and no action was taken. When HD-2 officers reported it to their Sergeant, and finally the Sergeant called out a 10-100 and it was then discovered that the odor was caused by a faulty/leaking kiosk battery. This is just one example. The E-board decided to file an Institutional Union "health and safety" complaint with the Office of Compliance to address all of the officer safety and health concerns in these kiosks. We addressed the trip hazards caused by some of the Kiosk faulty rubber floors that are buckling, ripping, and tearing. Since the OOC complaint was filed, we've been working closely with the USCP safety office and AOC to remedy these issues and concerns.

The floors are a priority and currently the Tips Kiosk at checkpoint #1 in the NW is being beta tested with a new rubber/laminate top floor. We will keep you all posted on the progress. In addition to the floors, the ballistic glass in the kiosks was addressed. If the glass is cracked, report it to your Sergeant ASAP. A work order will need to be generated by the Sergeant to have the glass replaced. Mold and Mildew concerns were addressed as well. When it rains and snows the water brought into the kiosk has nowhere to go, there's no drain or vent system. This is what's been causing the rubber floors to tear. Water gets into the seams, then gets under the rubber floor with nowhere to go, and has caused the floor under the rubber to rust and creating the mold/mildew odor we breathe. Hopefully this new flooring system will fix some of these issues. Let's wait and see what happens next. The complaint with the OOC (Office of Compliance) will remain open until all of the issues that have been addressed are satisfied.

Be safe!

Gus "Papa" Papathanasiou
First Vice Chairman

Second Vice Chairman

It appears that everyone on the Hill is reading the Grievance. The reaction to the articles has run the gambit from love them to hate them. Let me begin by saying the articles that appear in the Grievance are intended to keep Union members informed of activities that are going on with their Union throughout the Hill. My last newsletter article "Ruffled Feathers" appeared to upset a few. It's hard to accept the truth sometimes when it's staring you right in the face. It was not my intention to discredit the management or anyone. We have a few outstanding managers who go above and beyond to work with the officers, and we have a few that no one would do anything for. I even had one who refuses to speak with me for fear of ending up in my article! I guess the old saying is true "the pen is mightier than the sword." Get over it and let's work together and make the department a better place to work for all.

I want to thank everyone for their support during the last term. Hopefully, the Board can live up to the challenges that we face in the upcoming term. We're open to suggestions/complaints from any Union member. We even have a question and answer column for you.

The board will be visiting roll calls to seek input from the members. Please speak up and let us know what's going on and what the problems are. We can't do anything if we aren't aware of the issues that affect your division. Finally I would like to take this opportunity to thank the members who helped out towards a good cause. As we completed our second year supporting the Toys for Tots program during our Veteran's lunch, I would like to thank the Congressional Federal Credit Union for their support and allowing us to use their Branches as collection points.

God bless each and every one - especially our troops.

Chris Ferguson
Second Vice Chairman

CP-550 Appeals

Some of the most frustrating moments that most of us feel as officers are when we receive that "informational CP-550" that your Sergeants deems necessary in your progress of becoming an outstanding officer.

CP-550A's were developed for those occasions in which you the officer who performed the action that warranted the "informational CP-550" to begin with feel that it needs clarification or appealing. We encourage officers to file CP-550A's if they feel that clarification/appealing is needed because the CP-550 doesn't include all of the information from your perspective.

The following Article is taken directly from the CBA. We encourage all to Learn it, Use it and Write it. Remember it's your personnel file that the Sergeant has enlightened with his words of wisdom, concern and counsel. It's our obligation and right as Law Enforcement Officers to ensure the accuracy of any entries and if any facts have been omitted we must correct, clarify and appeal any and all (do I dare say it) errors that our supervisors may have made.

ARTICLE 27

PERSONNEL PERFORMANCE NOTES (CP-550 & CP-550A)

Section 27.01 Purpose

The Parties agree that supervisors will advise subordinates in the form of performance notes that are positive, corrective and informational in nature. Personal Performance Notes are an integral part of tracking officer's progress and should accurately reflect all areas of performance.

Section 27.02 Notification

1. Supervisors will advise employees of personnel performance notes, including positive, corrective and informative notes, within seven (7) business days after the performance event to be recorded, or upon completion of review of the matter involved by the Chief of Police, or designated management official, except as provided in Subsection 2 below.
2. When circumstances such as the absence of either the employee or supervisor and/or work situations prevent a supervisor from advising an employee of a performance note within the prescribed period, the employee will be informed within seven (7) business days after both are available for that purpose.

Section 27.03 Clarification or Appeal Procedures

A bargaining unit employee may appeal to remove, modify or correct the issuance of a personnel performance note or may file a clarification statement to clarify or explain a particular performance entry, but not both.

A Personnel Performance Notes Appeal/Clarification form, CP-550A, will be used in either instance.

1. **CLARIFICATION:** A bargaining unit employee may complete the CP-550A, Clarification Statement, by checking the appropriate box to clarify or explain a particular personnel performance note entry.

A. The Clarification Statement must be filed within seven (7) business days from the date of the presentation to the employee.

B. The CP-550A will be filed in the bargaining unit employee's Unit Personnel File, with the referenced CP-550 entry.

2. **APPEAL:** A bargaining unit employee may appeal the issuance of a personnel performance note, through the chain of command, up to the employees' Bureau Commander, by checking the appropriate box and completing the CP-550A, Appeal.

The appeal will include specific and factual information which support and/or justify the requested deletion, modification or correction to the personnel performance note.

A. The employee must file the appeal with the supervisor making the entry within seven (7) business days from the date of the presentation. The supervisor will have seven (7) business days, following the submission of the appeal, to respond to the appeal. The time frame of seven (7) business days will be followed through each level of the chain of command.

B. An appeal not submitted by the bargaining unit employee within the time limits will be considered satisfactorily settled on the basis of the last decision received by the employee, which will not be subject to further appeal. An appeal not responded to by the appropriate management representative within the time limits, will be automatically advanced to the next step by the employee unless withdrawn by the employee and/or the Union.

C. The bargaining unit employee may request the assistance of a Union representative while preparing the written appeal. The Union representative will be on official time.

D. After the appeal has progressed through the chain of command, the Union Chairman, or the individual designated by the Chairman, on behalf of the bargaining unit employee, may forward an appeal to the Chief of Police, or his designee, via a memorandum, along with the Personnel Performance Notes and supporting CP-550A.

E. Upon completion of the appeal process, the appeal will be filed in the employee's Unit Personnel File, with the referenced CP-550 entry.

Section 27.04 Retention Time Limitations

The personnel performance notes, CP-550, and any CP-550A, will be purged from the bargaining unit employee's Unit Personnel File after one year. Tardiness related notations will be retained for one (1) year from the latest incidence of tardiness.

- Just remember your timelines and if your supervisor does not respond to you within their timelines, seven (7) business days, it is your responsibility to forward your appeal the next level in you chain of

command, so make sure you keep copies. Additionally it is NOT the supervisor's right to forward your appeal for you it's your right. Many of them will push it up the chain for you thus defending their position and causing those who may have been objective to prejudice you before they've even talked to you. If this happens to you let us know and we'll help you file the grievance.

Weingarten Rights - The Right to Union Representation

First and foremost, I want to take this time to thank each and every officer for their support and to thank all our shop stewards for stepping up. Most of you may not know that in our shop steward training, we have incorporated training from H.R. The training consists of, FMLA and workers comp. Please see your shop steward if you need any assistance with your paper work or if you have any questions.

"Weingarten rights" derive from a 1975 Supreme Court case, NLRB v. J. Weingarten, Inc. Essentially, they are the right to request assistance from union representatives during investigatory interviews, so that a steward may prevent management from coercing an employee into confessions of misconduct (either through threatening behavior, or simply through skilled interrogation techniques). The union steward can:

- serve as a witness to the actual content of the investigation;
- object to intimidating tactics or confusing questions;
- help an employee avoid making "fatal admissions;"
- advise an employee, when appropriate, against denying everything, and thereby giving the appearance of guilt or dishonesty;
- counsel an employee against losing her/his temper;
- discourage an employee from informing on others;
- raise extenuating factors.

Weingarten rights apply only in investigatory interviews -- that is, when management questions an employee to obtain information; and the employee has a reasonable belief that discipline (or other negative consequences) may result. If an employee is called in to a supervisor's office merely to be informed of a disciplinary decision, the courts have found that this is not an investigatory meeting. The decision to discipline the employee has already been made. However, if the supervisor asks additional questions about the employee's conduct, the meeting becomes an investigatory interview.

SAMPLE REQUEST FOR REPRESENTATION:

"If this discussion could in anyway lead to my being disciplined or terminated, or affect my personal working conditions, I request that my union representative be present at this meeting. Until my representative arrives, I choose not to participate in this discussion."

The employee may request union representation before, or at any time during, the interview. At that point, the employer must either grant the request and delay questioning until the steward arrives; deny the request and end the interview immediately; or give the employee the choice of having the interview without representation or ending it immediately. If the employer denies the request for union representation and continues the meeting, the employee has the legal right to refuse to answer questions. However, it is a good idea to phrase the refusal in such a way that it cannot be interpreted as insubordination; for example, by saying that you are willing to write down their questions and respond once you've spoken to a union representative. Employers sometimes assert that the steward's only function in these meetings is to observe the discussion (a "silent witness"), but this is not the case. The steward is also allowed to advise and assist the employee in presenting the facts. Once the steward arrives:

- The employer must inform the steward of the subject of the interview (the type of misconduct being investigated);
- The steward must be allowed to meet privately with the employee before questioning begins;
- The steward may speak during the interview, but cannot insist that the interview be ended;
- The steward may object to confusing questions and request for clarification (so that the employee understands what he/she is being asked);
- The steward may advise the employee not to answer questions that are abusive, misleading, or harassing;
- When the questioning ends, the steward can provide information to justify the employee's conduct.

The employer is under no obligation to inform employees of their right to representation. You lose your Weingarten rights if you do not assert them.

Know your labor law Weingarten rights - Use them or lose them!

By; Att. Gay Semel

- Most union activists know that employees have the right to union representation during an investigatory interview, but . . .

Question: Where does the right come from?

Answer: In the landmark Weingarten case, the United States Supreme Court ruled that a union-represented employee has the right to representation during an interview with management if he or she reasonably believes that disciplinary action will result. Although the right to union representation usually arises during an "investigatory interview," such an official setting is not required. Any conversation with management during which the employee is questioned and reasonably believes the questioning could lead to discipline triggers the right to union representation. (Note: Weingarten rights apply to private sector employees only. Unionized public sector employees usually enjoy similar rights but those are established by state law or collective bargaining).

Question: What is a reasonable belief?

Answer: A "reasonable belief" is based on an objective standard. When all the circumstances are evaluated, is it reasonable to believe that continued discussion could lead to disciplinary action? If so, the Weingarten right arises.

Question: What must an employee do?

Answer: The employee must request union representation. The employer has no obligation to make sure a union steward is present during an investigatory interview, or even to advise the employee of their right to union representation. Therefore, it is very important that the union educate bargaining unit members about their right to representation and when to ask for it.

Question: What happens after the employee asks for representation?

Answer: If an employee being questioned by a supervisor, a manager, a company security agent, or other company representative asks to have a steward present, the request must be granted or the interview stopped.

Question: What if the supervisor or other company representative continues the interview?

Answer: If a supervisor ignores a request for a steward and continues the interview, the employee should refuse to respond. The employee must be careful, however, not to do anything else that could be considered insubordinate. For example, the employee should not walk out of the interview. Rather, the employee should remain at the interview but advise the company representative that they are requesting a steward and will not answer questions without union representation.

Question: Does the employer have to provide the steward requested by the employee?

Answer: No, if the employee's regular steward is not available, the employer need only provide a steward in order to lawfully continue the interview. However, the employer cannot select a steward more to the employer's liking if the employee's regular steward is available.

Question: Must the employer allow time for the employee to consult with the union steward prior to continuing the interview?

Answer: Yes. When the union representative arrives at the interview, the employee has the right to consult with the steward privately before continuing the interview.

Question: During the interview, what can a steward do?

Answer: The investigatory interview is not a bargaining session or a grievance meeting and the employer is not obligated to bargain with the union representative. On the other hand, the employer cannot order the steward to remain silent. The steward is entitled to provide assistance and counsel during the interview. At the beginning of the interview, or when the steward arrives, the steward must be told the nature of the alleged misconduct. During the interview, the steward may request that a question be clarified. The steward may give advice to the employee on how to answer a question. The steward and the employee may confer privately regarding the question and answer. When the questioning ends, the steward may provide additional useful information. The steward may not tell the employee not to answer a question or to give a false answer. The steward may and should take notes throughout the interview.

Question: What should the union do if an employee is denied Weingarten rights?

Answer: If an employee advises the union that they requested union representation and it was denied, an unfair labor practice charge should be filed with the Office of Compliance (OOC). Ultimately, if the Union wins at the OOC, the employer will have to post a notice and, hopefully, will learn that Weingarten rights must be granted.

Note: this article was written by an attorney addressed specifically to unions covered by the National Labor Relations Act (NLRA).

** If a supervisor calls you into the office to issue a CP 550, ask for a shop steward. If the supervisor states this is not disciplinary only informational, ask the supervisor to include on the CP 550 that this CP 550 cannot and will not be used for disciplinary at any time during its twelve (12) month retention limitations. If the supervisor refuses to include the above statement, then ask again for a shop steward due to the fact that the CP 550 can be used for discipline.**

Tim Barker
Executive Chief Shop Steward

A Bunch of Stuff

Lately there seems to be so much going on that I have felt that writing on just a single topic would not address some of the concerns that I have.

1. Social Media is something that I feel needs to be addressed. Those of you who Facebook, My Space, tweet on Twitter, text, e-mail and anything else that is electronically recorded need to understand some things. During the FOP convention we attended training entitled; Off-Duty Conduct Facebook and Social Networking Issues taught by Christine L. Corl who is an Associate General Counsel for the National FOP. During this course we learned that the Courts are increasingly holding that off-duty conduct that negatively reflects on a department can form the basis for discipline. This includes Social Media in all of its forms. More and more the Courts are

sustaining the rights of employers to have access to employees “personal” social networking sites in order to challenge claims of physical and psychological injury.

It is estimated that 44% of employers are accessing Facebook pages to look at potential employees, and that 39% of employers have looked up profiles of current employees on social networking sites.

In *Locurto v. Giuliani* 2d Circuit 2006 it was determined that; Public Safety Officers can never shed their roles as employees, even off duty, because “part of their job is to safeguard the public’s opinion of them.”

- Some of the Off-Duty issues that are being monitored are;
- Injury leaves, Sick leaves and Workers’ Compensation claims.
- Hiring/Firing and Disciplinary Issues.
- Brady Concerns. (*Brady vs. Maryland*)
- Posting information that could breach security.

You need to really think about what you have posted on your Social Media, what your family and friends have posted on theirs. Remember that everything you put on Social Media now belongs to the internet.

2. This brings me to my second point, Department computers, blackberry’s and e-mails. Be aware that the department has every right to monitor, observe and read anything you do while using Department property. That computer or blackberry belongs to the Department. We as a Union discourage the use of any department equipment for personal use even if they say it’s all right. The Department has every right to monitor everything you while using THEIR computers and blackberries; this includes your Social media account, the text messages you send your family and friends, banking and what you’re surfing. Don’t kid yourself they can, will and are monitoring.
3. This will be the hardest topic that I address in this article. Not only because it makes me feel as though I’m taking management’s side but because it’s an issue that I feel strongly about. “Paying full time and attention” what does it mean? Lately the issue of cell phones has emerged and now we are seeing an effort of apparent “no tolerance” towards the use of cell phones while in a duty status. The Chief clearly stated to the Executive Board that the “why” for using a cell phone is much more important than “where”, but the “where” is also vital. Let’s face the facts; if we are involved in any kind of police action, and everything we do while on duty is considered a police action, we can and will be scrutinized by the public, press, Congress and our own management. The Monday morning quarterbacks will be unforgiving. Take a moment to sit and think of how fast and situation can go from “routine” to national and international news. With the recent arrest of a potential suicide bomber a block from the Capitol we must pay full time and attention to our responsibilities, our very lives will depend upon it.
We train at the three (3) yard line; two (2) rounds in three (3) seconds. So I ask the rhetorical question, how long did it take you to send that last text message? Don’t get me wrong, I don’t care what the public thinks or even what management thinks. I care about someone approaching you through a door, in a TIP’s car, at an exterior door, anywhere and suddenly changing from what appeared to be a disoriented tourist to a life threatening situation. It’s happened in the past and it can happen in the next ten (10) seconds. We have to give ourselves every advantage to react. If your officials ask you to call them and the only means by which you can call them is your cell phone, don’t do it. The Deputy Chief has told us that the officials are not supposed to be asking you to call them via your cell phone. So use your radio not your cell phone. Earlier I mentioned that the Chief recognizes, the why more than the where, and that we do have emergencies arise and we may need to communicate with someone using our cell phone. In cases like this request, over the radio for a

relief and out of the public's view make the call. Your officials are not above relieving you and they are not above the Department's cell phone policy. If anyone thinks that a bad guys looks at rank and say "Oh there's an official, I won't hurt them" they are sadly mistaken. Anyways I've said enough on this topic.

4. Last but not least. Transfers are an amazing opportunity for change. Lately it seems as though officials are the ones transferring. It's interesting when new officials come to your section/division. They invariably want to change something; those round things called wheels need to be reinvented. In essence what they are saying is that your former officials were uninformed, undisciplined, lazy bums who failed to enforce Department policy and procedures and you know they feel that way about their predecessors because they'll say, "Now that I am here, we're going to start doing things the RIGHT way". As if for the past three or four years your Section/Division had been doing everything wrong and from what I see at the Capitol we been screwed up for years. No one has been wearing their uniform correctly, 1301's are all screwed up and apparently no one knows who I am because now I have to wear my ID out the outside of my full uniform, I'd rather be called "Big Guy" than have to have officials learn my name all over again. At FRU-1's roll call officers were told that now we are in short sleeves officers can no longer wear their fleece hat, you have to wear your ball cap. That night it was below freezing, who thinks of this stuff? This was policy was reinforced on Saturday the 10th. The Captain, from his temperature controlled office, determined that it had finally warmed up enough at noon for FRU to put on their fleece hats. I have a seven (7) year old daughter who's given more responsibility when dressing herself. Inspector, Captain, Lieutenant and Chiefs many of these officers are just trying to pay full time and attention, stay comfortable and warm as break schedules tighten and rotations are becoming less appealing. I remember when most of you officials were officers, we were in three way rotations with two hours and forty minutes worth of breaks and in the winter, many rotations were hour on/hour off and please don't deny it because I worked with you. Officers who are too cold or too hot are distracted with self-preservation and could care less if someone sees a turtleneck under their jacket, distractions caused by stupid uniform policies are just as detrimental to the mission as any other distraction (cell phones).

Now we're supposed to greet our officials as they approach us. I just hope they approach us from the direction of my responsibilities so I can make their day. "Good morning Captain, how are you this fine and lovely morning?" Whatever you do don't get overwhelmed by their presence and accidentally call a male Lieutenant ma'am cause you'll get one of those memorable CP-550's that you will want to write home about (yes someone actually got a 550 for accidentally calling his male Lieutenant ma'am).

On a serious note, many times we have to just sit back and let these officials learn through our trials and their errors that your former officials weren't as incompetent as they think they were. So have patience, obey lawful orders and see your Union Representative and we'll do our best.

Fraternally,
Greg Baird
Secretary





**UNITED STATES CAPITOL POLICE
LABOR COMMITTEE**
Along with the
CONGRESSIONAL FEDERAL CREDIT UNION
PRESENT THE
OFFICER'S SCHOLARSHIP
Spring 2012

**Five (5) \$500 Scholarship Awards will be
awarded to the winners.**



Eligibility

- All candidates must be a member in good standing for one (1) consecutive year, or when first eligible to join the Labor Committee (new recruits, recent transfer from a non-bargaining element as outlined in the Collective Bargaining Agreement).
- You must provide with your application a letter of acceptance/proof of registration or enrollment from an accredited College, University, or Technical/Vocational School.
- The scholarship may only be used at an accredited College, University, or Technical School.
- All applications must be post marked by April 30, 2012 or delivered personally to an Executive Board Member by 1330 hours May 2, 2012.

See your Union Representative or our WEB Site for an Application



**UNITED STATES CAPITOL POLICE
LABOR COMMITTEE
SCHOLARSHIP
ANNOUNCEMENT**

Spring 2012

One \$1500 and two \$500 scholarships will be awarded to the winners.



Eligibility

- A member in good standing, for at least one year, of the USCP FOP Labor Committee can sponsor their son or daughter.
- A Candidate must be a High School Senior attending their first year of college.
- The Scholarship must be used at any accredited College, Technical School, or University.
- Scholarships will be awarded on a basis of scholastic merit, current achievements and future goals.
- **All applications must be post marked by April 30, 2012 or delivered personally by 1330 hours May 2, 2012**