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**THE GRIEVANCE UNITED STATES CAPITOL POLICE LABOR COMMITTEE**

**Date** August 25, 2017

**Chairman’s Column**

Brothers and Sisters,

I hope everyone is enjoying the summer. As we get closer to the fall we will be entering a new fiscal year for the Union. Additionally, we will have Elections this November for E-Board and Chief Shop Steward positions. Nominations for these positions will occur in October at a Membership Meeting. In past years our elections were done in August, with nominations occurring in July. However, as a result of a vote conducted during a recent membership meeting, the election cycle has now changed which now coincides with our annual audit and makes more sense.

I'd like to welcome Officer Keith McFaden to the E-Board. Keith was appointed to First Vice Chairman per our Union by-laws, replacing newly promoted Sgt. Paul Mckenna. Congratulations to Paul, who will be missed by me and the Union. However, Keith is experienced and knowledgeable within the Union and he will be a tremendous asset.

H.R. 2294: also called the LEO Fair Retirement Act for Federal Law Enforcement to include Overtime to your high three calculation. This bill has been introduced by Congressman Peter King (NY), and co-sponsor to the bill is Congressman Bill Pascrell (NJ). I recently met with Congressman King along with the Chairman for the Park Police FOP (Ian Glick), in order to ensure we are all included in this bill. Hopefully this bill gets some traction and can pass in the future. Let’s keep our fingers crossed. This would be an incredible benefit to federal law enforcement if it passes.

H.R. 320: Introduced by Congressman Michael Capuano‎ (MA) to amend Title 5, United States Code, to give members of the United States Capitol Police the option to delay mandatory retirement until age 60. I've met with Congressman Capuano many times to discuss this bill. I've also met with Congressman Dave Reichert (WA) to discuss this bill; hopefully we will get bi-partisan support for this bill to move it forward.

Pay Scale compression:‎ A few years ago we proposed a pay scale compression which we presented to the USCP Board. This proposal was to condense our pay scale from 26 years to 20 years with a step increase yearly for those 20 years. We are still waiting on a CBO score on this item according to House Sgt. Arms, Mr. Irving.

‎Recently, several of our Union reps attended an FMLA -Workers Comp - Workbrain workshop/training for the stewards given by Human Resources to help the Union reps assist our officers when faced with these issues. I believe we had a productive day and a chance for all of us to go back and forth with some of the issues we are facing on the sections/divisions. I thank all the Union reps who attended.

There's a new line item for the FOP Legal Defense Plan in this year's budget. We had to make a few adjustments to our budget to make this happen and to keep our dues at $20 a pay period, which I have vowed not to raise dues as long as I'm Chairman. We also have our law firm Woodley and McGillivary ‎which is well worth it and needed for our Membership.

It was brought to the E-Boards attention recently that DC Lodge #1 severed the contract the lodge had with Robert Ades and Associates. We learned of this when we received reports from two of our members who were using Ades in divorce cases, started out with the discounted rate of $80/hour and we're later told‎ by Ades the new rate is $300/hour. We then as an E-Board did a little research and contacted Ades to find out what was going on. We met with two Ades attorneys and they told us the Lodge severed the contract with Ades. When we addressed this with the Lodge we were told there was a vote at a lodge meeting to sever ties with Ades because the Lodge felt that Ades was being double paid (by the Lodge and DC government), so they had a vote, and cancelled the Ades contract, without telling any of the other Federal Labor Committees this was going to happen. They basically told us none of your Board members or Trustee were present, and it was voted on....not only did this infuriate me and the rest of the E-Board members who were present, it also caught the other Labor Committees in attendance by surprise. The Secret Service rep had no clue, as did none of the other Federal Unions. You would think that an email to all of the Union leaders at the very least should have been sent out, which would have been the right thing to do. The Lodge sends emails all the time on other things like Jack Daniels bottles, x-mas parties, coins, etc... but not an email to anyone on the Ades contract being cut...UNBELIEVABLE!!!!

Regardless, we did some research, reached out to Ades to see what they can offer us, and we looked at the FOP Legal Defense Plan... we voted to go with the FOP plan and include this in our budget, which we tweaked in order to stay within the confines of our fiscal responsibility and to not raise dues. We in fact lowered the dues back in 2009 to $20, and have not raised them since, which is a remarkable feat. Meanwhile, back in 2009 we only had $40k in the bank with a mortgage balance of over $625k. NOW, our mortgage balance is $300k, we refinanced to a new commercial loan at 4% from the 5.5% we were at, and a balloon payment due this December. We also have over $400k in the bank for litigation.

With that said I'm very proud of this E-Board and our Union to get to where we are today, compared to where we were in 2009, this is a big accomplishment. Thanks to all of the Union reps as I know it's a thankless job that goes unrecognized but i realize it and appreciate every shop steward and union rep for what they do. Let's continue to be strong and united!

In Solidarity,

Officer Gus 'Papa' Papathanasiou

Chairman

**First Vice Chairman**

Fellow Brothers and Sisters,

I'd like to take the opportunity to introduce myself. I've been with the Department now for over 18 years with a grand total of nearly 30 years in law enforcement. I've served as Shop Steward for HD-3, HD-3 Power Shift, HD-2, and the House Division Chief Shop Steward. I was also the chief spokesperson for our current collective bargaining agreement.

Chairman Papathanasiou came to me several months ago and advised me that First Vice Chairman Paul McKenna was getting promoted and would like to know if I'd be interested in holding down that position until the next election. At first I wasn't sure, I haven't been involved (leadership) wise for several years now, but after discussing things with fellow officers and my family I decided to step up and take on the responsibility. I'm looking forward to the challenge and of course wish Paul the best of luck with his promotion to Sgt.

I've always had a good working relationship with management, and feel that's one of my stronger assets. Getting older you realize life is to short to quarrel over petty issues but stay focused on the bigger ones. You must communicate... speculation and assumptions will never work and those will usually put you or the department in a worse situation. There will be times that management and the union will agree to disagree, however, if violations have occurred that the department knew of or continue to practice while putting officers in a dangerous position, the union will fight. Unfortunately these resolutions don't occur overnight, most take time so please be patient when it comes to some of the bigger issues.

Officer safety has always been pet peeve of mine...every one of us is important, not just to our family's but to our fellow officers. We have always been in a love/hate relationship with the public. We have to look out for each other. It's getting more and more dangerous out there especially for law enforcement. With the current political situation in the country, warranted or not, we have to look out for ourselves. Stay alert and if you see something that can put ANY of us at risk please let me know... I will personally take the lead on it.

My other area of concentration I want to lend my services to is to our retirement. We are fighting a battle when it comes to this so be patient with us when it comes to this topic. There several proposals already out there, Chairman Papa and I are planning on meeting with several members in the near future to discuss options and recommendations to make our retirement better. This is a work in progress and I want to make this my number one priority.

I'm looking forward to the challenge and working with my fellow Executive board members and getting back into the "game". Please feel free to contact me via text or email, I will return your calls.

Stay safe,

Keith McFaden

First Vice Chairman

**Former First Vice Chairman**

I was planning on talking about our Union committees and how you can become more involved. However, after attending the funeral of my classmate and friend, K9 Officer Ryan Lee, I feel I must speak about something much more important.

* **Suicide**

The national suicide rate is about 11 incidents per 100,000 people, but for Law Enforcement that number climbs to about 17-22 per 100,000. Police officers are 8 times more likely to die from suicide than homicide, and 3 times more likely to die from suicide than from accidents. In 2016 alone, 108 officers took their own lives.

The “typical” officer who commits suicide:

* Off duty 86.3%
* With a gun 90.7%
* At home 54.8%

So what can we/you do? I know you have seen the posters hanging on wall; we have all been to training on this subject. How do we bring that training and theory into practice? The answer is “leadership”. In the case of suicide, leadership is not just from the top-down, it is also from the bottom and the middle. It’s a shared obligation regardless of your rank or position, and everyone has a role in suicide prevention. The stakes of inaction are just too high. Please remember, a suicidal person may not ask for help, but that doesn't mean that your help isn't wanted or needed.

If you know or suspect someone may be thinking about suicide, there are steps you can take to assist:

* Actively LISTEN
* Don’t be afraid to ask “are you thinking about committing suicide?” - If the idea isn’t already in their head you will not plant the idea there by asking
* Encourage them to talk about alternatives
* Stay close and provide support
* DO NOT be the only person helping- Seek professional assistance!!
* Encourage the person to call EAP at (202)224-3902 or the National Suicide Prevention Lifeline at (800) 273-8255

Remember: LISTEN…LISTEN…LISTEN!!!

For those that may be contemplating suicide, you may feel like you have no options left, but YOU DO! You may feel like no one cares if you live or die, but WE DO! I think I speak for every E-Board member, Chief Shop Steward, and Shop Steward when I say: WE CARE AND WE ARE HERE TO HELP!

**Please call me if you need help at (703) 919-0768, or follow the link below to reach another E-Board member you may feel more comfortable with. The important thing is that you know, help is out there, please, reach out.**

**Contact E-Board members**

<https://www.uscp-fop.com/executive-board-officers>

**Other numbers: CrisisLink- (703) 527-4077, Employee Assistance Program- (202) 224-3902, National Suicide Prevention Lifeline- (800) 273-8255**

Take Care,

Paul McKenna

Former First Vice Chairman

**Second Vice Chairman**

Greetings to all Capitol Police Union members,

I hope this newsletter finds everyone doing well. Recently it has come to the Labor Committee’s attention that upper management has decided to purchase white uniform shirts for those in the rank of lieutenant and above. To achieve a certain look the shirts will be customized and we all know "customization" isn't cheap.

While there is nothing wrong in trying to obtain a crisp and sharp appearance, there is something wrong with a Department that continually denies requests from the Union's Uniform Labor Committee to purchase BDU's for those Officers who would benefit from them. The Labor Committee has argued numerous times for BDU's.

Cases in point; are the Officers that work outside assignments. We have requested numerous times to have the Department supply BDU's for officers, only to  be told they are too expensive there is no funding. Several decision papers have been rejected on the purchase of BDU's.

It’s been excuse after excuse, but now the Department has somehow found the funds to purchase customized white shirts for upper management. This only widens the divide of "do as I say and not as I do" mentality. It wasn't that long ago former Chief Gainer did away with the white shirts to make the Department one.  Now this move by management makes one wonder why we have low morale and an “I don't care attitude” within the Department. In the words of a former chief Shame, Shame, Shame.

On a different note, the Department will not entertain paying hazard duty pay to officers who put their life on the line every day, but will pay hazard duty pay to a civilian unit that maybe answers a few calls a year. At one time this unit was manned by officers and civilians and they had a cordial working relationship, but now like a lot of specialty positions within the Department it is manned by civilians only who receive hazardous duty pay.  It has become one less thing for Officers to strive for within the Department, unless you want to retire and return the following day as a civilian and come in and work off the clock to receive Comp-time.

It is a disheartening and shame that we are seeing the Department “civilianize” more and more positions that were once filled by officers. This is limiting an Officer’s options for opportunity for change to the bare minimum.

Take Care,

Chris Ferguson

Second Vice Chairman

**Executive Chief Shop Steward**

Dear Union Members,

I want to start off by introducing you to seven (7) Chief Shop Stewards that represent all the divisions across the Hill.

Darien Giles: Capitol Division
James Blassingame: Library Division
Steve Riley: PMRD
Antwan McCall: House Division
Peter Hlywiak: Communications
Kevin Evans: First Responders
Keith Sloan: Senate Division

These seven officers are committed to advise, guide, and help you with your Union issues.

We also have Shop Stewards (too many to list) that serve within each division. They are a crucial part of Union itself. These Stewards file grievances, attend bi-weekly meetings with the supervisors, attend OPR investigations with officers, makes sure management adheres to the CBA, and review discipline with officers. All of these Stewards are knowledgeable of the CBA and receive valuable training from our Union lawyers to help our Union members.
Communicate with your Stewards and offer suggestions, ideas, issues that affect your divisions. Together we can be a strong Union!

PS: I've listed a twitter account below; the Union announces important dates and meetings periodically. Please state your full name so I can check you off on the Union roster: Twitter account is for Union members only.

Thank you,

D. Lee
Executive Chief Shop Steward

Twitter: @Uscp\_LaborUnion

**FRU Chief Shop Steward**

My name is Kevin Evans,

I am presently assigned as the Chief Shop Steward for the First Responders Unit of the Capitol Division.

I have 26 1/2 years of service with the US Capitol Police.  I have witnessed and experienced a lot through my tenure as an officer and as part of the management team for 10 years.  The most important thing that I have learned through those experiences is that people want to be fairly treated.  Your career as a Capitol Police Officer will be full of challenges.  As your Union representative, I am here to help you during your time of need.   We can't accomplish anything as one, only as a collective unit, a team.  "Together Everyone Achieves More".

Fraternally,

Kevin Evans

FRU Chief Shop Steward

**Recording Secretary**

Night Shift

Police work is inherently risky, but one of the greatest dangers to officers and the overall performance on the job is often overlooked-FATIGUE. Law Enforcement Officers work demanding schedules characterized by long hours, frequent night shifts and substantial overtime.

Insufficient rest or irregular sleep patterns, coupled with the stress of the job, can lead to sleep deprivation and possibly sleep disorders. The result can be severe fatigue that degrades officers’ cognition, reaction time, alertness and could impair their ability to protect themselves and the areas we protect.

Sleep disorders, which are typically associated with poor health, performance and safety outcomes, are twice as prevalent among police officers compared to the general public and a new study suggests that they remain largely undiagnosed and untreated. Having any type of sleep disorder was linked to an increased risk of physical and mental health condition, including diabetes, depression and cardiovascular disease. The researchers also found that officers with sleep disorders were more likely than their peers to make serious administrative errors or safety violations, fall asleep while driving and experience “uncontrolled anger” towards others. (Sleep Disorders, Health and Safety in Police Officers. Lso Information from the National Institute of Justice)

I do realize that only a portion of us work the midnight shift. Officers who work the night shift must combat their bodies’ natural rest period while trying to remain alert and functioning. It doesn’t matter whether we get enough sleep during the daytime. We all should be aware of the hidden dangers that face us every day.

No-one is going to care of you like you!

Regards,

Jodie Penny

Recording Secretary

**Sergeant-at-Arms**

In this article I want to talk about Esprit De Corps or more simply put, MORALE. I felt this would be an appropriate topic to discuss since recently I have had several conversations with officers at the Capitol Division about the low morale on the Division. I also had a conversation with a female officer on the Senate Division who was very passionate about the lack of morale on her Division and what could be done about it.

My position on this topic is pretty simple. First, if you are going to wait on the Department to do something about morale, you are going to wait for a very long time. It would be almost like waiting for the second Ice age. In other words, it’s never going to happen! So what do you do?

More importantly, what do we do as a Department and a Union? Here is a GREAT idea! We as a collective try and create our own morale and unity in this very important area, create our own Esprit De Corps! We need to help ourselves before we ask or expect others to help us.

In the past we have sponsored events that were put together for that very purpose and many of you chose not to participate. The Nationals games and Christmas Parties were planned by the Union to help boost morale, to help bring us together. Many chose to not participate.

You can’t complain about morale, if you choose to be part of the problem and not the solution. We have to help ourselves people. The only way things will change is if **WE** change them. Your Union is trying to restore the Esprit De Corps, and no one seems to notice or care. We need to all become part of the solution. Take time to contact me with ideas that would help build morale.

On another note I have I have worked on decreasing the pay scale for all officers. Meaning, instead of maxing out at 26 years you max out in 20 years which will increase your pay much quicker. I have been in conversation with House Sergeant at Arms, Mr. Paul Irving. I have recently met with him in reference to decreasing the pay scale; both meetings with him were extremely positive. The main reason I'm targeting Mr. Irving first is because he was instrumental in decreasing Secret Services pay scale when he was an agent there and I tactfully made sure I mentioned that to him. I look forward to working with Chairman Papa and forwarding this very important issue. It is my belief that this goal is an attainable goal. All it takes is dedication and hard work and that's what I have always brought to the table.

Be safe,

Vince Summers

Sergeant-at-Arms

**Treasurer**

FOP Legal Defense Plan

For many years, the USCP Labor Committee has enjoyed an affiliation with FOP DC Lodge #1 and the law firm of Robert A. Ades & Associates, P.C.

Aside from representing our members involved in on-duty incidents, the Ades firm also offered below-market rates for private off-duty legal matters. Pursuant to its contract with Lodge #1, the Ades firm offered members reduced-fee legal services for matters ranging from speeding ticket defense to estate planning and divorce. Ades did not charge the Labor Committee at all to represent dues-paying members during criminal investigations arising from duty-related incidents. Labor Committee members enjoyed these services as a part of the Labor Committee’s dues to Lodge #1. Consequently, neither the Labor Committee, nor its members, realized any additional cost beyond the bi-weekly dues of $20.

Late last year, Lodge #1 and the Ades Firm ended their direct relationship. This decision was due to a fee dispute. In a nutshell, Lodge #1 learned that the District government offered an employer-subsidized legal services plan for city employees, and the Lodge had been paying redundant fees for District employees, i.e., MPD, DC Corrections, DC Housing Authority Police, etc. Ades proposed a new rate for non-city employee Lodge members. They bypassed the Lodge and made the proposal directly to the Labor Committee. The Executive Board reviewed the proposal and rejected it for several reasons.

The Executive Board acted to find competent cost-effective criminal and civil representation for every dues-paying member. After analyzing several options, the Executive Board voted unanimously to join the FOP Legal Defense Plan (“the Plan”). The Board included a line item in the Labor Committee’s FY 2018 budget to cover the annual costs of plan membership. On July 20, 2017, the Executive Board presented the FY 2018 budget at a special membership meeting for review and ratification. The members present voted in the affirmative to ratify the budget without amendment.

The Plan is a self-funded and only available to eligible FOP groups. The plan is covered by the Employee Retirement Income Security Act (29 U.S.C. §§ 1001-1461). The Plan provides coverage for attorney fees and expenses to defend civil and criminal actions that arise from your law enforcement employment. The Plan is sponsored by the Grand Lodge FOP. The Plan started on May 1, 1995 and is currently operating in its 22nd year. If the need arises, you may retain the attorney of your choice. There is no cap on coverage if you select a plan attorney. All 50 states and the District have a panel of plan attorneys available. Because the plan is nationwide it will provide local counsel to our members for incidents occurring outside of the District. You may also retain a non-plan attorney of your choice, but coverage caps will apply.

More information is available at <http://www.foplegal.com>. The Labor Committee will publish contact information and detailed instructions on how to initiate a claim with a plan attorney. Please feel free to contact me with any questions, comments, or concerns at mdetorie@fop.net. You can also inquire with any Executive Board member.

Fraternally,

Mike Detorie

Treasurer

**Secretary**

Hello,

It has been awhile since we put out a newsletter. I would like to take a moment to address a few things that have been on my mind lately.

First, I remember many years ago when I went through boot camp for the Marine Corps our Senior Drill Instructor spoke to our platoon on our day before graduation. He told us something that I have never forgotten. There was a small number of us going into the actual infantry while many of the recruits would be going into other fields or MOS’s. I am sure that he had heard some of the “Squad Bay” talk about how one MOS was better than another, but most of the recruits not going to the infantry were giving those going into the infantry a hard time because we would not receive their “specialized” training. He separated out the 6 or 7 of us going into the infantry and he stood us up and he pointed to the others and said something to the effect that; (and he was genuinely angry when he said it) “You future Marines who think you’re better than those who are going into the infantry just remember one thing. You have a mission and that mission is to support these Marines going into the infantry. As a matter of fact everything you do whether its air support, artillery, motor pool, supply or even a legal clerk, will be to support these marines in the field. Because if they fail the Marine Corps fails!” Then he turned to those of us going into the infantry and said “Don’t ever forget that, they have a job because of you so don’t ever take a back seat to any other MOS.

Now why do I tell you this?

The job we do is the mission of the Department. If the officer at the door fails, or the traffic post fails then the mission fails. Every civilian, specialty assignment officer or special agent and supervisor is there to support us, the officer on the line. Why is it then that many officers feel just the opposite? It is the officer standing post that will first confront the threat, not someone who is safe in an office with weekends and holidays off.

Let me ask some questions; Do you feel that the Department supports you? Do you think that Human Resources cares? Do you think that your supervisors think that what you do is noticed? You stand out on the hot, cold or raining avenues all day long and some high ranking official from behind their desk, in a climate controlled office, who has never stood your post says; “Cut their breaks!”

When was the last time you received a positive CP-550 for anything other than a generic one that was given to every officer in your section. We actually had a Lieutenant announce at the CD-1 and later at a FRU-1 roll call that a CP-550 could only hurt you if he rolled it up a stuck it in your eye. He then put in writing that he would not order a sergeant to issue a positive CP-550. I guess he didn’t want to disturb my sergeant’s face book time. He then insisted that all of the holdover overtime that the Department has been experiencing the past 8 or 9 months was just “routine” and the General Order states that the Department doesn’t issue CP-550’s for “routine” work. But don’t tell them you need to go home because then you’re AWOL and you will get that CP-550, but don’t worry its only informative. From what I’m starting to see, sick leave is becoming pretty routine, so if you can’t write me up for routine stuff then ….. Hahaha just shut up, sign and date your CP-550.

Well I think I have said enough to really make some people angry so I had better stop.

My fellow officers, be safe, be alert and if you need a bathroom break call your sergeant,

Greg Baird

Secretary

**Executive Board**

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**Chief Shop Stewards**

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| --- | --- | --- |
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