



# COURT SECURITY NEWS

for the

*United States Court Security Officers Union*

SEPTEMBER 2016

Vol 5

## USCSO

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### MEDICAL DISCRIMINATION CHARGES BEING FOUGHT

#### Special points of interest:

- *Medical Discrimination Charges Being Fought.*
- *CSO Contracts Awarded to Paragon Systems Inc.*
- *No Change FOH will continue to review CSO Medical Exams*

**Medical Discrimination Charges.** First and foremost, **USCSO** is the sole union that is continuing the fight against the government for terminating CSOs over medical issues! All other unions, (guard) and (small independent), either will not or cannot represent you because of the costs involved to initiate legal action. USCSO does not and will not adhere to this their failed policies, we have chosen to fight on your behalf! Why, because that is why USCSO was formed "to protect the employment of CSOs!" Our law firm is handling discrimination charges on behalf of a number of CSOs across the country who have been terminated from the program on supposed medical grounds by the USMS and more specifically the FOH . USCSO's attorneys have been able to negotiate large settlements with the USMS for it's members who were terminated for "color deficiency ." and other conditions that the FOH says impair or disqualifies a CSO from performing their duties. USCSO's attorneys were also able to attain settlements for CSOs who were required to undergo "unnecessary" tests by the FOH.

The settlements were the result of USCSO's attorney's filing EEOC charges with the USMS's EEOC office. The cases were brought to settlement by the USMS and the CSOs had the option of accepting the settlement being offered by the USMS or continuing with further legal action. USCSO is also filing EEOc charges against the contractors who employ the CSOs. In addition, the CSOs involved in these actions were able to keep the entire settlement payment because of the prepaid legal services provided by USCSO and not give up the costmary fees that a privately hired attorney would charge. In "right to work" (for less) states, if you are not a union member USCSO will not provide you with any legal representation if you are the subject of unnecessary tests or terminated.

Most of the CSOs involved have had their private physicians certified that they are able to perform the duties of the position and have done so in many cases for a number of years. This was most certainly the case with the color deficiency issue in which USCSO has brought charges against both the contractors and USMS through the different legal channels applicable to charges.

We have in certain cases been advised that a hearing before an EEO judge will be scheduled in some of the charges against USMS, but no date has been scheduled as of yet. Last year we had hoped that the contractors would be responsible for administering and reviewing the medicals, but because of unknown issues the FOH remained the exclusive party reviewing the medicals.

If you are the subject of unnecessary testing or are terminated by the USMS for medical reasons you must contact your Unit Vice President or the union office promptly so that USCSO can present your case to our attorneys for review. This must be done in a timely manner so when the first sign of trouble appears you do not miss any timelines required by the FOH. Again do not hesitate to contact the union, it is here to assist you.

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## Court Security Contracts Awarded

The US Marshal Service has awarded the contract for Court Security Officer services in the 3rd , 4th & 12th Judicial Circuits to Paragon Systems, Inc. located in Herndon, Virginia. This is the first circuit wide award for Paragon Systems. USCSO represents CSOs in the entire 4th Circuit (Maryland, North & South Carolina, Northern & Southern West Virginia, Eastern & Western Virginia) as well as CSOs in the the 3rd Circuit in the Eastern District of Pennsylvania.

Paragon Systems (<http://www.parasys.com/index.php>) successfully outbid Akal Security Inc. who has both the 3rd and 12th Circuits, and Walden Security who now holds the contract in the entire 4th Circuit.

Paragon Systems has many other federal security contracts throughout the country and are not a newcomer to the federal contracting business. USCSO hopes that because of this knowledge of the federal system for contractor that our negotiations with them will be expeditious.

The contract start of compliance date is set for October 1st, 2016. Which is the beginning of the 2017 federal contract year. USCSO has learned (as of the date of this writing) that both Akal Security and Walden Security have filed "bid protests" with the General Accounting Office (GAO) in Washington, DC.

What does this mean to the CSOs that will transition to Paragon Systems? At the moment nothing, you will comply with all requests from Paragon Systems to complete new application for employment etc. and you will be notified if your current employer Akal or Walden will remain in place or the transition will occur.

If a bid protest is successful then the transition will not take place until a later date after the resolution of the protests. This may include the contract being re-bid if the GAO requests a new round of competitive bidding. As you are well aware, this occurred a few years ago when bid protests were filed for several circuits and the process took over 2 years to be resolved. USCSO hopes this is not the case this time but we will be ready for any eventuality that occurs.

You may copy and paste this URLs to location the protests on the GAO's website **Akal:** <http://www.gao.gov/docket/B-413523.2> **Walden:** <http://www.gao.gov/docket/B-413523.1>

### NO CHANGE: FEDERAL OCCUPATIONAL HEALTH SERVICE (FOH) CONTINUES TO REVIEW CSO MEDICALS

Last year the companies were notified by the USMS that they would now be responsible for not only securing an examination physicians to administer the biennial Court Security Officer medical exams, but also for reviewing and determining if a CSO needed a follow up examination. This was thought of by most CSOs as a step in the right direction to cut down on redundant and unnecessary follow up exams.

The company's would have taken over the review process from the FOH possibly would have expedited the follow up process. This would have given CSOs more insight and the ability to question why a follow up testing was needed.

USCSO was notified last August of the rule change and one contractor required a language change (to the article that governs follow up examinations) to their newly negotiated contracts. Then a few weeks after the companies informed USCSO that the USMS had reversed themselves and would continue to use the FOH as the reviewing service for CSO medicals and follow up examinations. The reason given was the cost to the government to have the companies themselves review the exams. Of course we are disappointed in the USMS's reversal and hope that at some future date the USMS will allow the companies to again review the medicals.

## PRESIDENTIAL ORDER ESTABLISHING SICK LEAVE POLICY

Starting January 2017 all contracts "awarded after this date" must include (7) seven sick days for all full-time employees working under the new contract. The days will be cumulative from year to year but will not be paid out if un used at the end of your employment as a CSO. For example; you have 25 days left in sick time when you retire those day will be forfeited with no compensation. There is still many issues that will have to be negotiated with the employers over the new requirements and we will keep you updated when negotiations begin to discuss the days. You can go to the link below to read the full text of the law on the Whitehouse's web site.

[www.whitehouse.gov/the-press-office/2015/09/08/executive-order-establishing-paid-sick-leave-federal-contractors](http://www.whitehouse.gov/the-press-office/2015/09/08/executive-order-establishing-paid-sick-leave-federal-contractors)

## USCSO's ORGANIZING EFFORTS

USCSO in 2016 had a very successful year attracting new group to join our ranks. The most recent district(s) to join USCSO's are the Eastern District of Kentucky (EKY) and Columbus, OH. Both groups attempted to join us in July of last year but the guard union they belonged would not let them affiliate with USCSO. Columbus, OH will now be reunited with Cincinnati which is all part of the Southern District of Ohio.

The Separating or fracturing of the district (as guard unions like to do) caused dysfunction in representation and especially when it came to contract negotiations. When you fracture a district you essentially have the same district negotiating against itself which services no one's interests but the guard unions to keep you in a constant state of turmoil. It was a long and hard fought battle to extract these units from the guard union that was unwilling at first to disclaim them. The membership in both locations held together and voted through the National Labor Relations Board (NLRB) to become member of USCSO and join their fellow CSOs in a strong CSO only organization.

A job well done and it shows when CSOs unite and stick together that most things can be accomplished. Other districts from around the country that are eager to join USCSO but are being thwarted by guard unions or local presidents. This only hurts the cause of CSOs. The CSOs in the State of Colorado and the Island of Guam will also be voting shortly to join our ranks. Why do they want to join us? This is because USCSO's sole purpose is to represent CSOs and protect their employment. If you know any group that would like to join please call the union office with the contact info.

## USCSO'S OBJECTIVE

We would like remind our membership that there are many who were not part of USCSO as of the last newsletter and to remind those who were USCSO's objective is: It is one union made up of only **CSOs & SSOs**. Speaking with one united voice to bring all districts under one roof. So that we would have the strength and financial ability to sustain multiple law suits and arbitrations to protect the employment of **CSOs & SSOs** nationwide. The companies and USMS think and administer the program nationally and so must we!

**Note\*** But of course there are those who for whatever reason want to stop the uniting of the CSOs nationally. Be it **guard unions, independent associations or other self serving organizations** that want to leech off our membership for monetary gain only. The separating or "Balkanization" of the CSOs has only helped the cause of these organization to the detriment of the CSOs nationwide. USCSO has made great gains in representing and protecting the employment of CSOs. Help us continue this by supporting "your" union and spreading the word about USCSO!

**UNITED STATES  
COURT SECURITY OFFICERS UNION**



**USCSO**  
**"THE ONE TRUE UNION FOR CSOs"**

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We're on the web!  
[WWW.USCSO.ORG](http://WWW.USCSO.ORG)

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**\* If you would like an electronic version of this newsletter sent to you please email us at\* [info@uscsso.org](mailto:info@uscsso.org)**

**\* PLEASE NOTE \* THIS IS THE LAST NEWSLETTER THAT WILL BE MAILED TO THE MEMBERSHIP. ALL FUTURE NEWSLETTER WILL BE POSTED ON THE UNION'S WEBSITE FOR VIEWING @ [WWW.USCSO.ORG](http://WWW.USCSO.ORG)**

**COURT SECURITY OFFICER SERVICES - Federal Business Opportunities: link (Solicitation for 1st, 5th, and 8th Circuits)**

[https://www.fbo.gov/index?s=opportunity&mode=form&id=53bcad1cd77d766a9cbd60026074cf20&tab=core&\\_cview=1](https://www.fbo.gov/index?s=opportunity&mode=form&id=53bcad1cd77d766a9cbd60026074cf20&tab=core&_cview=1)

**Company websites:** Akal Security <http://www.akalsecurity.com> - Inter-Con Security <http://www.icsecurity.com> - MVM Security <http://www.mvmsecurity.com> - Walden Security <http://www.waldensecurity.com>

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**Executive Orders**

<http://www.whitehouse.gov/the-press-office/executive-order-notification-employee-rights-under-federal-labor-laws>

<http://www.dol.gov/whd/govcontracts/SCANonDisplcmntFinalRule.htm>

<http://webapps.dol.gov/federalregister/PdfDisplay.aspx?DocId=26553>

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**Wage Determinations OnLine.gov Go to:**

<http://www.wdol.gov/sca.aspx>

When on the page select:

"Selecting SCA WDs" then enter the county & state you want, then select "continue," after this then select "YES", next page select "NO", next page select "NO", next page "YES" scroll down and select "Printer Friendly Version," to view.

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**Stan Cooper's remembrance on "Officer Down" Memorial Page.**

<http://www.odmp.org/officer/20207-special-deputy-marshal-stanley-w-cooper>

**Harry Belluomini remembrance on "Officer Down" Memorial Page.**

<http://www.odmp.org/officer/358-special-deputy-marshal-harry-a-belluomini>

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