



# COURT SECURITY NEWS

for the

*United States Court Security Officers Union*

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## USCSO

Website: [www.uscso.org](http://www.uscso.org)  
Email: [info@uscso.org](mailto:info@uscso.org)  
Phone (845) 486-4260  
35 Market St, Suite # 30  
Poughkeepsie, NY 12601

### EEOC RULING ON MEDICAL FOLLOW UPS

#### Special points of interest:

- EEOC RULING
- 2nd, 9th & 10th Circuit OUT FOR BID
- CBA WITH PARAGON
- PSOB LAWSUIT
- USCSOs Objectives

USCSO recently obtained a favorable decision in an EEOC charge against Akal Security concerning a CSO who was discharged in 2014 following a cardiac stress test. Although we have obtained favorable decisions in other EEOC medical charges, this particular decision is important because it found that the contractor had discriminated, since at least 2013 to present day against a class of CSOs with disabilities who could perform the functions of the job with or without reasonable accommodation. This is the first CSO medical decision we are aware of containing the class language. In addition, the decision is important because it found Akal violated the ADA by subjecting the CSO to an unnecessary medical examination (the stress test). We expect similar decisions to be issued soon involving other federal contractors.

This decision is a big victory for USCSO and the CSOs who have pushed back against USMS' medical evaluation process, which discriminates against CSOs who can and should be allowed to do the job. The class language will force the contractors to reexamine the way they are doing things because they will be concerned about potentially massive monetary liability. It will also mean that the EEOC will look at future CSO medical cases as being part of a larger picture, rather than only on their individual circumstances.

We hope to leverage this decision and others to force a change in the medical evaluation process whereby the ability of a CSO to do the job is not decided by a pencil pusher at FOH, but by a doctor who actually sees and examines the CSO. We also hope to use this decision to push back against medically unnecessary examinations, such as the stress tests and extensive diabetes testing CSOs are currently required to undergo."

**As a reminder USCSO is the only union representing CSOs that is fighting medical issues. All other unions have bowed out and refused to represent their membership for medical follow ups or terminations!**

### 2nd, 9th & 10th Circuits Out For Bid

USCSO is reporting that the 2nd, 9th & 10th Circuits have been put out for bidding by federal contractors. The return date for submitting the solicitation is May 4 2018. The date usually changes as there are alterations to the contract during the bidding process. Currently Inter-Con Security has the 2nd & 9th Circuits and MVM Security holding the 10th Circuit. We believe that the those companies holding the current contracts will be rebidding again. Other companies that may be bidding on the contracts also >>

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## 2nd, 9th & 10th Circuits Out For Bid

are Akal Security, Paragon Security and Walden Security. As USCSO becomes aware of other contractors taking part in the bidding process we will notify the membership promptly. The contracts normally are awarded in August/September with start of compliance on October 1st of any year. During the last round of bidding for the 3rd, 4th & 12th Circuits, two of the contractors protested the award. This then starts a lengthy process at the US General Accounting Office (GAO), where the protest is heard by an administrative law judge/hearing officer. The hearing officer can uphold the award or side with the company protesting and having the contract rebid. The company protesting the award can appeal the decision by the hearing officer and if they are ruled against a second time go into federal court for relief. This is the course taken by a contractor in the last round of bid for the 3rd & 4th Circuit which delayed the award for over a year. So as you can see the process is in no way clear cut or follows strict time limits. So we must be patient this year and see what companies are bidding and if there are any protests lodged. Again USCSO will promptly update you on any issues that may arise in the bidding process.

## Contract Negotiated with Paragon Systems

USCSO and it's Unit Vice Presidents met with Paragon Security in Washington DC. In April to negotiate our first CBA with Paragon. USCSO was able to finalize a CBA within two days of our first meeting. Negotiating the first time with any contractor is as was a new experience and all contractors have issues and items that are important exclusively to them. An entire new CBA must be put together which took considerable time and effort by our Business Agent Dan Hauschild & our attorneys. After the CBA is tentatively agreed to it must then be looked over by both parties for any revisions and corrections. Then and only then can the CBA be put out to the membership for ratification. This is why the process can seem very lengthy to the membership but we must make sure everything is in order. When this part of the process is complete we will then have the CBA sent out for the membership to read. USCSO will have The Honest Ballot Association send the ballots out for ratification. USCSO believes this is a good contract and that this should be ratified by the membership covered by the CBA.

## PSOB LAWSUIT

USCSO has filed a federal court action to have Court Security Officers covered under the Public Safety Officers Death Benefit (PSOB). In the last Newsletter we covered how USCSO has the support of Congressman Sean Maloney of New York to co-sponsor a bill to amend the Omnibus Crime Bill which the PSOB is covered under. The bill now is stalled because of a Senator from Nevada holding up the process for some political reason. So USCSO is taking a more direct approach in Federal Court where we would like the courts to decide if we should be covered under the PSOB. As we have reported before, this saga started with the murder of Stanley Cooper at the Las Vegas Courthouse. At first the argument for the denial of the benefit to his son was that Stan did not have any dependents. It was then found out that he was listed as a beneficiary. When that was proven to be true. The PSOB then took the position that we are not "Public Safety Officers." USCSO appealed this ruling and we were denied a second time. As a reminder; No matter what the USMS instructs at your training session in GLENCO, Georgia. **YOU ARE NOT AUTOMATICALLY COVERED** under the PSOB benefit.

## THE USCSO OBJECTIVE

USCSO's objectives are 1) Securing all CSOs & SSOs under one banner of a national CSO union and 2) providing the best possible representation to Court Security Officer nationwide. Nothing short of that is acceptable and your representatives strive daily to make this a reality. USCSO encourage CSOs nationwide to join us. Please help us fulfill that goal.

**UNITED STATES  
COURT SECURITY OFFICERS UNION**



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

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35 Market St.  
Suite # 30  
Poughkeepsie,  
New York, 12601

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Phone: 845-486-4260  
Fax: 800-967-0798  
E-mail: [info@uscso.org](mailto:info@uscso.org)

**We're on the web!**

**WWW.USCSO.ORG**

**\*This newsletter is only sent electronically to the email of our membership. Please inform your union representation of your current email address or email\*  
[info@uscso.org](mailto:info@uscso.org)**

## Links Section

**COURT SECURITY OFFICER SERVICES - Federal Business Opportunities:** link <http://www.fbo.gov>  
Then scroll down to agencies, select Department of Justice, and select "12 Offices" Scroll down and select "US Marshals Service"

**COURT SECURITY OFFICER SERVICES 2nd, 9th & 10th Circuits:**

<https://www.fbo.gov/index?s=opportunity&mode=form&id=6ee35faebe3399a32561eb65cd7ab303&tab=core&tabmode=list&=>

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**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>, Paragon—<http://www.parasys.com>

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### Executive Orders

**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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