



NATIONAL BORDER PATROL COUNCIL

MEMBER GUIDE

GET CONNECTED WITH RGV LOCAL 3307

- **GET NEWS AND INFORMATION AS IT HAPPENS**
- **STAY INFORMED WITH ISSUES THAT IMPACT YOUR CAREER**
- **TAKE A ROLE IN ENSURING THAT YOU HAVE A VOICE**
- **ELIMINATE RUMORS & MISINFORMATION**

Be “*in the know*” by subscribing to our electronic newsletter, “*The Conundrum*.” By subscribing, we’ll ensure that you receive news and information as it happens. There are too many rumors that unnecessarily spread like viruses due to misinformation, manipulation of information, or a complete lack of information. RGV Local 3307 is dedicated to keeping its members informed with factual and pertinent information regarding all issues that impact the membership and that is why we’ve published this Member Guide. We strive to ensure that our members get the latest news that matters and we want to eliminate the possibility of members going without information regarding their membership, benefits and career. As a member of the Union, you're eligible to receive all notifications via “*The Conundrum*,” as well as through text messages on your cellular phone. All you need to do is fill in and submit the tear-away card on the pamphlet issued to all members by the station Union Representatives. It’s that easy! You can also visit our website (www.rgv3307.org) and submit your information through the “*newsletter*” link at the top center of the page. In addition to news and information, you'll also receive notifications for all Local 3307 Union Meetings, special events and training seminars. There is no reason for any member to be “*in the dark*” when YOUR Union is making it extremely easy to receive information.

NBPC & RGV LOCAL 3307 AT A GLANCE

- **NBPC REPRESENTS OVER 16,000 BARGAINING UNIT MEMBERS NATIONWIDE**
- **RGV 3307 HAS A VERY HIGH RATE OF UNION MEMBERSHIP**
- **RGV 3307 HAS A MODERN MULTI-USE OFFICE & UNION MEMBERSHIP HALL**
- **RGV 3307 HAS OVER 100 UNION REPRESENTATIVES AND ACCESS TO 9 NBPC ATTORNEYS DEDICATED TO ENSURING THAT YOUR RIGHTS ARE PROTECTED**

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PROTECTING THOSE WHO PROTECT OUR BORDERS



**NATIONAL BORDER
PATROL COUNCIL**

Local 3307 - Rio Grande Valley, Texas

Corpus Christi Kingsville Falfurrias

Edinburg Rio Grande City McAllen

Weslaco Harlingen Brownsville Ft. Brown

Thank you for your membership with Local 3307 of the National Border Patrol Council (NBPC). As a member, you will enjoy the protections afforded to you by one of the premier law enforcement unions in the United States. The NBPC has long been one of the most vocal and powerful unions in the entire Federal Government. Our members are located in every Border Patrol Station and Sector in the U.S. and Puerto Rico. Local 3307 is under the direction of seven Officers elected to serve as members of the Local 3307 Executive Board (E-Board). The E-Board consists of the President, Executive Vice President, three Vice Presidents, a Secretary/Treasurer, and a Sergeant At Arms. Each E-Board Officer is elected by the membership of Local 3307. All E-Board Officers are full-time Border Patrol agents with many years of experience, both in the field and in dealing with administrative matters that affect our members conditions of employment. The Executive Board is supported by over 100 Union Representatives located at stations within the Rio Grande Valley Border Patrol Sector. Each Representative is trained to assist members of our Union in all facets of their government employment. Local 3307 Union

Representatives are volunteers who are dedicated to ensuring that our Collective Bargaining Agreement (CBA), as well as laws, regulations and policies are adhered to and applied consistently and fairly throughout their respective areas of responsibility. The Union represents non-supervisory Border Patrol agents, as well as many support personnel, who are assigned to all nine Border Patrol Stations, the CPC, and the Headquarters of the Rio Grande Valley Border Patrol Sector. Our Representatives assist members with issues such as grievances, discipline, representation before investigative bodies, and access to the PORAC Legal Defense Fund. Local 3307 also has access to NBPC Attorneys located throughout the US, including the Rio Grande Valley. As a Union Member, you join an organization which exists solely for the protection of our members' rights. As Federal law enforcement officers and employees, our members require the best protection available to ensure that they are not subjected to unfair or unjust discipline. Furthermore, our members are protected against needless harassment and unwarranted investigations. We ensure that our members' workplace rights are respected and we vigorously pursue those who choose to violate them. We do not tolerate bad management and we strive to ensure fairness and equality in our

workplace. There are many outstanding leaders in management positions throughout the RGV Sector and Local 3307 enjoys a great working relationship and rapport with many of them; however, we remain vigilant because of those who feel that they do not have to respect our member's rights. Our Union has represented hundreds of employees, in all areas of their employment. We enjoy a very high rate of membership amongst eligible employees, with some stations having a membership rate close to 100%. There are many benefits to being a member of Local 3307 of the National Border Patrol Council; however, the single most important reason to be a member is to provide assurance to yourself that in your specific time of need, you will have the collective voice of a STRONG UNION behind you, and you'll NEVER stand alone!

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-The Conundrum- is published by, and is the official newsletter and member guide of, NBPC Local 3307

www.RGV3307.org

PROTECTING THOSE WHO PROTECT OUR BORDERS

The Grievance Procedure

A grievance is a complaint in which a member of the bargaining unit can express their dissatisfaction with a specific workplace issue. Grievances are filed in order to correct any perceived mistreatment by management, or to correct violations of the Collective Bargaining Agreement (CBA), any law, regulation or policy. Grievances can be filed on behalf of individuals, a specific group of individuals, or on behalf of the entire bargaining unit. If you elect to pursue a grievance on any issue, the most important factor to remember is that you have 30 calendar days from the date of the incident to file a grievance, (this time limit will not apply where it is established that the employee had no way of being aware of the incident). Grievances are filed at the level where the action being grieved was initiated. For example, if the issue that you are grieving was initiated by an action or decision made by an WC, then you do not begin your grievance with your first-line supervisor because the action being grieved was initiated by the WC. If you decide that you want to file a grievance, you should contact a Union Representative in order to assist you with the preparation and presentation. Your Representative will guide you through the process and will ensure that all procedures are followed accordingly. If you decide to file a grievance without the assistance of a Union Representative, then management has an obligation, as per the CBA, to notify the Union of your grievance and to afford the Union the opportunity to be present when the grievance is filed. There are three (3) steps in the grievance procedure, and these steps are outlined in the CBA. The following is a quick outline of the procedures for filing a grievance. This is only an outline and should not be relied upon solely when preparing a grievance;

contact a Union Representative for further information and assistance. [STEP I GRIEVANCE](#) - A Step I Grievance is presented to your immediate supervisor, (or to the management official responsible for the grievance), within 30 calendar days. It shall be presented orally in an informal attempt to settle the matter. The management official shall attempt to resolve the issue; however, at the option of the employee, they may elect to pursue the grievance at the next higher level of supervision if that level is not one of the managers cited in Step II. Management has five (5) work days, after the presentation, to respond to the grievance. If the employee is dissatisfied with the response presented by management, then the employee can proceed to the next step in the grievance procedure. [STEP II GRIEVANCE](#) - A Step II Grievance is presented within fifteen (15) calendar days of the decision of the Step I Grievance. The Step II Grievance is a formal written grievance and is directed to the Chief Patrol Agent. Due to the nature and complexity of most grievances that make it to this step, a Union Representative will consult with a member of the Union's Executive Board to ensure that the grievance is handled appropriately and that it meets all necessary criteria. The Step II Grievance will also be presented in person at the Sector Headquarters to the Chief Patrol Agent, or their designee. Their written decision will be rendered to the employee and their representative within twenty (20) calendar days. If the employee is still dissatisfied with the response provided by the Chief Patrol Agent, then the employee can proceed to the next step in the grievance procedure. [STEP III GRIEVANCE](#) - A Step III Grievance is presented within fifteen (15) calendar days of the decision of the Step II Grievance. The Step III Grievance is also a formal written grievance and is directed to the Office of Border Patrol Headquarters in Washington, DC for action. A written decision

will be rendered to the employee and the Union within thirty (30) calendar days. If you, the employee, are still unsatisfied with the decision, then you may submit the grievance to the Local 3307 E-Board for consideration on whether to invoke the case for Arbitration. Only the Union can invoke arbitration on a case. The Local 3307 E-Board members each have the ability to vote on a case, and in the event of a tie, the Local 3307 President's vote will break that tie. All arbitration decision votes are final.

"Leadership is solving problems. The day soldiers stop bringing you their problems is the day you have stopped leading them. They have either lost confidence that you can help them or concluded that you do not care. Either case is a failure of leadership."
- Colin Powell

The Process of Arbitration

Arbitration is a method utilized by the Union to present either a grievance or a disciplinary / adverse action before an independent and neutral Arbitrator for review. Arbitration is widely used in both the private and public sector as a means of having someone who has no allegiances to either side (Union or Management) review a case and make an independent decision. Arbitrator's decisions are binding on both the Union and Management and there is a very narrow scope for appeal. If selected for arbitration, your case will be transferred to and handled by a Union Attorney from the NBPC Legal Division who will handle all aspects of your case, including the preparation of your case for the hearing, as well as the presentation before the Arbitrator and the submission of the post-hearing brief (a legal case summary).

PORAC Legal Defense Fund (Criminal & Civil)

Local 3307 Union Members are entitled to protection administered by the Legal Defense Fund (LDF) of the Peace Officers Research Association of California (PORAC). PORAC LDF ensures coverage to members for acts or omissions WITHIN the scope of employment in both Civil and Criminal Matters. In Civil Matters, if the Agency defends and indemnifies you, the LDF will provide you an experienced attorney to monitor your case, which means that the attorney will be available to answer questions about the case, review the pleadings and discovery, watch for conflicts between you and the Agency, and watch for inadequate representation. IF the Agency refuses to represent you for an act or omission within the scope of your employment, or if there is a legal conflict of interest between you and the Agency, inadequate representation by the Agency, or a considerable likelihood that punitive damages could be awarded against you, then you will be provided with independent counsel by the LDF. In Criminal Matters, you're entitled to full representation by an experienced criminal attorney from the onset of the investigation through trial. This benefit is available no matter which agency does the investigation, or whether it's Local, State, or Federal (including the FBI & OIG). In both Civil and Criminal cases, there is no cap on benefits; you are entitled to customary and usual services which include investigators, expert witnesses, polygraphists, court reporters and court costs. There is also coverage in the event of a conflict in which each member gets separate counsel. You **MUST** be a member in good standing to have coverage provided and the incident for which you are being provided representation **MUST** have occurred

AFTER your membership became effective. Unless you are independently wealthy, (the LDF currently has reserves in excess of 8 million dollars) you unnecessarily risk potential financial ruin if you are not a Union member and an incident occurs which requires you to seek legal representation on your own. Take for instance a case in Arizona in which a Border Patrol Agent shot and killed an illegal alien who was attempting to assault him. The Agent was cleared and fully supported by the Border Patrol for his actions; however, he was still indicted and prosecuted criminally by the State of Arizona for killing the illegal alien. The U.S. Government refused to indemnify and represent the Agent after he was charged criminally. After two mistrials, the State declined to re-try him for a third time, thereby ending the injustice. Because he was a member of the Union, PORAC financed the entire cost of his representation for the criminal trials, which totaled over \$330,000.00 dollars! Had he not been a member, he would have been responsible for providing his own representation against a well-financed prosecution backed by the State of Arizona. The Union's LDF (PORAC) has unrivaled success in representing law enforcement officers. It is the nation's largest and most successful Legal Defense Fund; run by and for law enforcement. The Fund is a Trust that provides legal service benefits for public safety personnel, including members of the NBPC. The fund has been in existence since 1974 and currently has more than 99,000 members. It is a group plan, therefore you cannot join the LDF as an individual. Rest assured, that as a member of the Union in RGV, you will receive the best legal representation for law enforcement officers.

Representation during Formal Discussions & Weingarten Examinations (Memorandums)

Article 31 (Weingarten) Notices are issued by management officials during the "fact-finding" period of an investigation. Initially, when you get served with an Article 31 Notice, you may be surprised by the fact that you are getting one. Many times you know that you have done nothing wrong, so you ask, why does management issue them out when a memorandum is requested? Simply stated, an incident has occurred that requires management to investigate. It may be triggered by an allegation of misconduct, or it may be because of a simple matter, such as arriving late to work. Whatever the cause, management has put you on notice that an investigation is being undertaken and the memorandum is your opportunity to explain the circumstances. The Article 31 Notice informs you of your right to Union representation because the matter could lead to disciplinary action being taken against you. Union Representatives are available to assist you regarding any incident for which you are served with an Article 31 notice. Union Representatives will assist members in preparing documentation on all incidents which have led to the issuance of the Article 31 Notice, regardless of whether the issue involves on-duty or off-duty incidents. You must understand that any memorandum generated can be utilized for disciplinary action, up to and including removal. It is of the utmost importance that you receive proper assistance when documenting your version of events. Union Representatives are trained to assist bargaining unit members in gathering and coordinating all the facts necessary to ensure that your views are articulated properly. Representation by the Union is also available whenever a management official at your station wants to speak to you regarding any incident in which you will be questioned about a matter under investigation. Some managers will request to speak to an employee behind closed doors, without informing them of their right to Union representation. Do not fall for this tactic! Many times you will find that there is more than one management official in the room and you're alone! This tactic is often utilized by unscrupulous managers as a way to circumvent the requirements of Article 31 of the CBA. You should immediately invoke your right to have a Union Representative present if this occurs.

Disciplinary / Adverse Action Procedures

As a member of the Union, you are entitled to representation if you receive a proposal for disciplinary or adverse action. A disciplinary action ranges from an Official Letter of Reprimand up to a 14-day suspension, while an adverse action ranges from a 15-day suspension up to and including removal, or demotion. [SECTOR DISCIPLINE / DISCIPLINARY REVIEW BOARD](#) - Depending on the nature of an offense or misconduct, a proposal for disciplinary or adverse action will be proposed and served upon an employee after an investigation is completed. Usually, the Chief or Deputy Chief will be the Deciding Official in these matters. For adverse actions, the proposal is generated by a member of the Disciplinary Review Board (DRB). The DRB is a panel of senior management officials who meet periodically, as needed, to review investigative reports that have been generated and which may require more

serious action. The DRB has the authority to propose removal, yet they can also propose disciplinary action. Many times, a case may be referred to the DRB and then the DRB may determine that there is no action required, in which case, the file will be remanded back to the Sector where the employee is assigned. [THE PROCESS](#) - Whenever management completes an investigation into an incident, the complete investigative packet is reviewed by several persons who determine whether or not "corrective action" is required. Upon receipt of an investigative packet, Labor and Employee Relations (LER) Specialists review the documentation and report to management whether they believe violations of any applicable policies exist, and if so, what type of action is recommended. LER Specialists then process the case, and at that time, it may be forwarded to the CBP Office of Chief Counsel where a CBP Attorney will review the case for "legal sufficiency." Once finalized, the proposal is sent to the Patrol Agent In Charge of the employee's

respective station to be served upon the employee. When served with a proposal for disciplinary or adverse action, a management official from your duty station will contact you and notify you of their intent to serve you with the proposal. They will have you sign the acknowledgement letter, which is not an admission of guilt; it only serves as proof that you received the notice on a specific date and time. You will then be given a packet consisting of all the documentation that was utilized to propose the action. You will receive every memorandum, report, interview, photograph and any other "evidence" that management compiled during the investigation of the incident. After reviewing the material, you can make a choice to contest the merits of the proposed action, the proposed penalty, or both. If you choose to do so, the Union will provide a Union Representative to review your case and to assist you with your defense/rebuttal.

Requesting Representation for Disciplinary / Adverse Actions (Appeals)

If you are served with a proposal for disciplinary or adverse action (Proposal Letter) and you want to contest the proposal, the penalty, or both, you must contact a Union Representative immediately. Be advised that all proposals have specific timeframes (usually 10 days from the date that you receive the proposal) in which you must respond either orally or in writing. You will need to sign a Designation of Representative Form which designates the Union as your representative in the matter. You will then meet with your Union Representative to ensure that he/she is aware of all aspects of your case. The Union will then conduct its own investigation and analysis of the matter, including interviewing witnesses and gathering information and affidavits to assist in presenting a response to the proposal. Your representative may then prepare a written response to the proposal. An appointment will be made for you and your representative to meet with the designated management official. The meeting will be held at the Sector Headquarters and will be attended by a Deciding Official (CPA or DCPA) and a LER Specialist, and in the case of an adverse action, a Court Reporter. The Deciding Official will listen to your arguments,

points of view, or concerns and they will then make a determination based on all of the information made available. Once a decision is made, you will be notified in writing (Decision Letter) of that decision. At that time, you should immediately notify your Union Representative and ensure that a copy of the decision is given to him/her. If you are unsatisfied with the decision and you wish to appeal it, your representative will present the case to the Executive Board, who will then vote on whether or not the case will be accepted and processed for arbitration. If your case is accepted for arbitration, it will be transferred to a Union Attorney from the NBPC Legal Division who will then present your case to a neutral Arbitrator at a scheduled hearing. All disciplinary / adverse action cases are considered on their merits and their impact upon the entire bargaining unit. Local 3307 will not allow unfair or unjust discipline against its members and will exhaust all efforts to ensure fairness and equality amongst the bargaining unit of the Rio Grande Valley Sector. If an adverse action case is not processed for arbitration, an employee can appeal the adverse action to the Merit Systems Protection Board (MSPB), or through the EEOC.

Union Representation for Administrative Investigations (OIG / OPR / MIT)

Whenever employees are faced with an internal investigatory interview, a number of conflicting priorities arise. First of all, the notice to the employee demanding that he or she appear for an interview is often somewhat vague as to the allegation(s). Employees may well not know exactly what they are facing. Employees may feel that the mere fact that an investigation has been initiated is a stain upon their reputation. They may then try to erase this stain by talking to the investigator without the benefit of a Union Representative because they think that having someone else present might just "confuse" or "complicate" the situation and the matter will be resolved easier and sooner. Nothing could be further from the truth! REQUESTING REPRESENTATION - If you are notified that you will be interviewed by the DHS Office of the Inspector General (OIG), the HSI or CBP Office of Professional Responsibility (OPR), or the Sector Management Inquiry Team (MIT), and you would like to have representation from the Union, then you should immediately notify a Union Representative. As a bargaining unit member, you have the right, under the law, (5 U.S.C. § 7114) and under the CBA (Article 31A) to have a Union Representative present during these interviews; however, this right is not self-enforcing. You must request that the Union be present during the interview. Investigators will often try to convince employees that they don't need a Union Representative by saying such things as, "well, if you didn't do anything wrong, why do you need the Union here?" Here's why: The Union ensures that your administrative rights are protected and that proper procedures / policies are enforced regarding administrative investigations. The

Union has Officers and Representatives who have undergone specialized Administrative Investigations training and who are familiar with the rights and warnings (Weingarten / Kalkines / Garrity) afforded to all bargaining unit members during administrative investigations. The aforementioned rights and warnings are utilized during administrative investigations and are briefly described here. (In criminal matters, PORAC will be contacted and an attorney will be made available to you immediately.) Only a trained Union Representative can assess a situation to determine what rights you should be afforded, so protect yourself and contact us.



WEINGARTEN - This is the most common right that you will ever deal with. Prior to taking a statement (written or oral), management MUST inform you of this right; however, YOU must invoke this right for it to become effective! Many times, employees feel pressured to turn in their memorandums, or go into interviews or "meetings" alone without the assistance of the Union. The decision is yours, but if you are being told that it is better that you not get the Union involved, then there is probably a bad reason for it. Do not let any management official take advantage of a situation and make you feel like you have something to hide, simply because you are asking for Union assistance. Management officials who attempt to coerce bargaining unit members out of representation by the Union, do

so because they are either going to violate your rights and pull some underhanded tricks, or they already have and they would rather not have the Union involved because then they have to act within their proper scope and authority. There are many good managers out there that will afford you every right available to you, not only because it's the right thing to do, but also because of their character and morals. Similarly, there will always be those managers who become angry and defensive when you request Union Representation. Usually they'll say something to the effect of, "I'm not afraid of the Union." They mainly say it as an attempt to intimidate bargaining unit members into forgoing representation by the Union. They'll also say things like, "Well, if you get the Union involved, then we're going to go a different route with this matter." Those statements should let you know exactly the type of manager that you're dealing with. The Union is not here to intimidate management. We're here to ensure fair and equitable treatment of our members. Invoking your right to Union representation is not a reason that management can utilize to intimidate our members, in fact, it is unlawful for them to do so and the Union can take action against them for that alone. A management official cannot attempt to coerce an employee into waiving their lawful and contractual rights; it's against the law and can be filed as an Unfair Labor Practice (ULP). Utilize your right to a Union Representative - Demand it! KALKINES - This warning is given when the possibility of criminal prosecution has been removed and the employee is required to answer questions in an investigation. This is signed prior to any questioning or taking of a sworn affidavit by any investigator who is

Union Representation for Administrative Investigations (Interviews) cont.

conducting an administrative investigation. [GARRITY](#) - This right originates from a 1967 U.S. Supreme Court ruling (*Garrity vs. New Jersey*). It affirms that it is the right of a law enforcement officer to be free from compulsory self-incrimination. The basic thrust of the Garrity Rule is that a law enforcement officer may be compelled to give statements under threat of discipline or removal, but those statements may not be used in the criminal prosecution of the law enforcement officer. The courts have held that choosing to work in law enforcement does not give a person a “watered-down” version of their 5th Amendment Right against self-incrimination. The 5th Amendment states in pertinent part, “No person...shall be compelled in any criminal case to be a witness against himself...” This right is extremely important to understand and it is asserted when you are being compelled to give testimony under the threat of discipline regarding possible misconduct which could lead to criminal charges. If you make a statement when there is no compulsion, Garrity will NOT apply. If you are questioned and you believe that there is a remote chance of criminal charges being levied against you, you should not answer without first determining whether you are being ORDERED to answer the question under threat of discipline (AND it should be documented). This will ensure that you are protected under Garrity. When dealing with this type of situation,

you should immediately contact a Union Officer for assistance. [LEGAL RIGHTS OF BORDER PATROL AGENTS AND EMPLOYEES](#) - Border Patrol Agents and employees enjoy the same constitutional protections as other citizens. These protections are not automatic; however, they must be asserted by the employee. Investigators may or may not advise employees of their right to remain silent and obtain legal counsel pursuant to [Miranda](#). If an employee volunteers information, any statements made may be used against him or her in both criminal and administrative proceedings. [NOTICE TO APPEAR](#) - You can always be ordered to show up at an investigatory interview. Ordering an employee to go to an interview is totally separate from what the interview is about, and whether the employee can be ordered to give a statement. Administrative and criminal immunity are partially addressed in Article 31 D of the CBA. [MIRANDA WARNINGS](#) - an employee facing possible criminal charges has the right to remain silent (*and the right to an attorney*), unless forced to answer under threat of discipline, in which case, their answers cannot be used against them criminally, but can be used against them in administrative actions. As explained earlier, the possibility of administrative action entitles employees to Union representation. If you are advised of your Miranda Rights, contact a Union Representative to ensure that PORAC is notified.

On-Duty Injuries (COP & LWOP) - Understanding Worker's Compensation

If you suffer an injury while on duty, then you should immediately file a CA-1 (Federal Employee's Notice of Traumatic Injury and Claim for Continuance of Pay/Compensation). There are many forms that have the “CA” designation, which is short for the Federal Employee's Compensation Act (FECA), and it is then followed by the number designating the form, such as a CA-2 (Notice of Occupational Disease), CA-7 (Claim for Compensation), CA-16 (Authorization for Treatment) and CA-17 (Duty Status Report). After you file the CA-1, you should request a CA-16. The CA-16 is a guarantee of payment for a doctor to treat you for your injury. It is very important that you see a doctor (of your choosing) immediately! The CA-16 is issued to you by a supervisor and they cannot withhold the form simply because they

suspect that your injury did not occur on duty. There is a process in which management can challenge your claim; however, benefits (*including treatment*) can't be withheld while they attempt to controvert (challenge) your claim. If you feel that you are being harassed because of a claim filed, contact a Union Representative or Officer immediately. The NBPC has Union Representatives who have received extensive and in-depth training in the highly specialized area of Federal Worker's Compensation. [CONTINUANCE OF PAY \(COP\)](#) - ([dol.gov](#)) The FECA provides that an employee's regular pay may continue for up to 45 calendar days of wage loss due to disability and/or medical treatment after a traumatic injury. The intent of this provision is to avoid interruption of the employee's income while the case is being adjudicated. COP is not considered worker's compensation and is therefore subject to the

usual deductions from pay, such as income tax and retirement allotments. After entitlement to COP ends, the employee may apply for compensation or use personal leave. [LEAVE WITHOUT PAY \(LWOP\)](#) - If you exhaust your entitlement to COP, then you must notify the Department of Labor (DOL), (prior to the end of your COP), that you will be requesting compensation, as you will be placed on LWOP. Once you are placed on LWOP by the Agency, you are officially receiving benefits from the Office of Worker's Compensation Program (OWCP). This includes payment of your salary on a monthly basis at the rate of 66% (no dependents) or 75% (with dependents) of what you were earning prior to your injury. [LIGHT-OR LIMITED-DUTY ASSIGNMENTS \(Alternate Duty\)](#) - During the course of your treatment, you may be

On-Duty Injuries (COP & LWOP) - Understanding Worker's Compensation (cont.)

asked to return to work on alternate duty. Unless you are unable to return, you must accept whatever reasonable employment offer is made by the Agency. Such an offer may be made by telephone but must be confirmed in writing within 48 hours to be valid. The offer should include a description of the duties and requirements of the offered position. Form CA-17 is the form required by the DOL to determine what type of suitable offer of employment your physician will allow. Your goal should be to return to full duty as soon as possible, without risking further aggravation or injury to yourself. You should follow the advice of your physician, as his sole interest is ensuring your recovery. You should also remember that no one is allowed to view your private medical information. The DOL will not allow the Agency to view any confidential information regarding your injury or treatment. Do not be fooled into believing that you must present private medical information to the Agency to continue getting benefits, (a CA-17 or a CA-20 should be utilized for that purpose). The DOL will ensure that they have everything that they need to make a determination on your eligibility to receive benefits. This documentation should go from your physician to the DOL. There is absolutely no reason for anyone (outside of certified

and qualified individuals in the DOL) to have your private medical information. Your medical privacy is protected under a law known as the Health Insurance Portability and Accountability Act of 1996 (HIPAA). [SCHEDULE AWARD / DISABILITY COMPENSATION](#) - After you return to full duty, you can request compensation for any permanent disability by filing a CA-7. You will need to provide documentation from your physician, which will consist of a statement certifying that you are at your maximum medical improvement (MMI). The statement will include a percentage of disability that will determine the amount of compensation you will be awarded (schedule award). This amount is computed in weeks and is based off of the body member affected. [APPEALS](#) - OWCP also has an appeals process for issues arising from the FECA. The Employee's Compensation Appeal Board (ECAB) was created to hear appeals taken from determinations and awards under the FECA with respect to claims of federal employees injured in the course of their employment. [OWCP ASSISTANCE](#) - Due to the nature and complexity of these types of issues, direct all inquiries to a Local 3307 E-Board Officer. Members will receive the proper assistance from a Union Representative who is experienced in OWCP.

Non-Member Representation

All bargaining unit members are eligible to join the Union; however, only those that sign up and voluntarily pay dues are Union Members. Local 3307 will review each issue affecting any bargaining unit member and will make a determination based on the issue's merits and its effect on the bargaining unit. Local 3307 members should rest assured that our resources will always be prioritized for our dues-paying members. Non-members who harbor bitterness toward the Union will oftentimes make their sentiments publicly known with anti-union comments. This is usually done in a futile attempt to deflect attention from their own shortcomings, or they do so in an attempt to receive affable treatment from management officials. They believe that their anti-union comments and negative attitude towards the Union will provide them with protection when they themselves are facing management's scrutiny. They can

almost always be identified as those who show a willingness to flatter managers without a thought to their own personal dignity. There always has been, and there always will be, those who have an anti-union mentality and agenda and are vocal about it. Fortunately for the Union, they usually leave the bargaining unit and become managers, where because of their hostile view towards the Union and their inability to become real leaders, they become some of the best recruiters for Union membership!

Local 3307 Union Membership Meetings

Meetings are open to all dues-paying members. The meetings are held every two months, at the Local 3307 Union Hall in Edinburg, Texas; however, dates, locations, and times are subject to change. Notices are posted at every station prior to each meeting. Dinner is always served prior to the General Membership Meeting. We encourage members to attend and get updated information regarding all matters of importance.

Become a Member of NBPC Local 3307

If you are not a member of the Union, and you would like to sign up, contact any Union Representative at your duty station. You will need to fill out a Form 1187 (Authorization for Dues Deduction). Any Union Member can recruit and sign up a non-member; however, you will need to turn the form in to a Union Representative. Upon the Union's receipt of a signed Form 1187, you will officially become a Union Member. Coverage with PORAC becomes effective upon their notification by the Local 3307 Secretary / Treasurer, so it is imperative that you submit your completed form to a Union Representative without delay. Benefits that include representation by our attorneys must be the result of an issue that occurred while you were a member in good standing with the Union. RGV Local 3307 and the National Border Patrol Council both have a very high rate of membership in the Union.

"As Leaders, you cannot force people to trust you; through your actions, you can show them that they can."

Executive Board Officers & Staff



Paul A. Perez - President

Paul A. Perez entered on duty with the U.S. Border Patrol in July of 1997, graduating with the 342nd Session of the U.S. Border Patrol Academy in Charleston, SC. After the Academy, he was assigned to the Kingsville, Texas Border Patrol Station, in what was then known as the McAllen Sector. Paul was in one of the first classes in which the Sector trained agents as Emergency Medical Technicians (EMTs), successfully completing the course in 2000 and becoming certified by the State of Texas, a certification he still holds today. He served as a FTO and was on the Sector's first-ever All Terrain Vehicle (ATV) Unit. He's been detailed to Brownsville, Texas (1998/99); Detroit, Michigan (2001); and Tucson, Arizona (2007) all in support of Border Patrol enforcement activities. In 1999, he decided to become active in the Union and attended basic Union Steward Training. Prior to becoming the Local President in 2002, he served as a Union Representative, Chief Steward of the Kingsville Station, and as a Vice President for the Union. Since Paul became a Union Representative, he has

Contact Information

Paul A. Perez (President)
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P.O. Box 5129

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represented hundreds of employees in grievances and disciplinary appeals, as well as those involving the Equal Employment Opportunity Commission (EEOC), the Federal Labor Relations Authority (FLRA), and the Merit Systems Protection Board (MSPB). He has successfully defended numerous employees against proposed removals and terminations. He's provided representation to members during administrative internal investigations with the Office of the Inspector General (OIG), HSI, CBP Office of Professional Responsibility (OPR), and the Sector Management Inquiry Team (MIT). He has been the Union's Technical Representative and an assistant Employee Advocate in many arbitration hearings. Paul has been trained extensively in many diverse areas such as: Arbitration Advocacy (Basic & Advanced); Administrative Investigations; Adverse Actions; Contract Law & Interpretation; Interview and Interrogation Techniques (REID); Technical & Legal Research and Writing; Federal Labor Law; Family and Medical Leave Act (FMLA); FLRA Law; Regulations & Hearings; Worker's Compensation & ECAB; Employee Medical Privacy; MSPB Practice & Hearings; Employee Advocate (Basic & Advanced); and Equal Employment Opportunity (EEO). As the Local President, Paul has bargained and negotiated numerous policies at the Station, Sector and National levels. He was also a member of the NBPC's national-level team that successfully fought and defeated, (in both the U.S. House and Senate), "MAX/HR," the Department of Homeland Security's unsuccessful attempt to virtually eliminate collective bargaining rights for members of the Border Patrol. In March 2007, at the biennial National Border Patrol Council Convention, Paul was elected to the NBPC's National Executive Committee (NEC) as the Vice President of the NBPC Southern Region, which has oversight of the NBPC Locals in Texas and New Mexico (El Paso; Big Bend; Del Rio; Laredo; and RGV), as

well as the BP Academy in Artesia, NM. As a Local and National Officer, he has provided basic and advanced Union training to over 250 Union Representatives throughout Texas and the Northern Border, many of whom now occupy Local and National positions within the Union as well as management positions with the Border Patrol. At the National Level, Paul has participated as a member of the Union's negotiating teams in Washington, D.C. during bargaining sessions for national-level policies, such as the CBP Use of Force Policy, the CBP Pursuit Policy (*Emergency Driving and Vehicular Pursuits*), the BP Uniform Policy and the Canine Policy, to name a few. He also coordinates and oversees the NBPC's annual national training seminar. In addition to his duties with RGV3307, Paul oversees the NBPC's Litigation Committee & Legal Division. In that capacity he provides oversight of all legal work assigned to each of the NBPC's 9 attorneys and 2 paralegals who provide administrative and criminal representation, as well as legal guidance, to members of the Union nationwide. Paul is a native of North Texas and a proud military veteran who has also served as a member of the RGV Sector Honor Guard. [PERSONAL MESSAGE](#) - "I am very honored to serve as your Union President and I will continue to ensure that our Union thrives and that our members' rights are always protected. Prior to transitioning to the position that I currently occupy, I spent the first half of my career working in the field alongside some of the best men & women in the Border Patrol. It's from that experience and the discussions that I have on a daily basis with you all (our members), that I draw from in order to make the decisions that we make as a Union. I thank you for being a member of RGV3307 - YOUR UNION!"

- Paul A. Perez (KIN BPS)

www.RGV3307.org

Executive Board Officers & Staff of NBPC Local 3307

Alberto Trevino III
Executive Vice President

Alberto Trevino III started with the Border Patrol in June 1995 and attended the 287th session of the BP Academy in Glynco, GA. Albert was assigned to the El Paso Station in the El Paso Border Patrol Sector before transferring to the Harlingen Station in the RGV Sector in 1997. He has been assigned to several details at the Harlingen Station, to include Prosecutions, BORCAP, Airport, Background Investigator, and also served as a collateral duty Peer Support Member. Albert was first elected to the Local 3307 Executive Board as the Secretary in 2000. In 2005, Albert was elected as the Local's Executive Vice President, the position which he holds today. In addition to being a Local Executive Board Officer, Albert was elected as a At-Large National Vice President of the NBPC's Executive Committee (NEC). As a NEC Member, Albert oversees the NBPC Legislative Division and our contracted lobbying firm. He is responsible for coordinating and managing all nationwide legislative issues affecting members of the NBPC. Albert has been trained in all aspects of Federal Human Resource laws and programs, as well as employee's rights. He has represented members in all aspects of their federal employment, ranging on issues from grievances to removals. Albert is a native of Harlingen, Texas. Prior to becoming a Border Patrol Agent, he was a Harlingen Police Officer for over 7 years, holding an Advanced Police Officer license, as well as an instructor's license. During his last two years with the PD, Albert served in the training division and held certifications in Pursuit Driving/NEVO, Field Nystagmus Gaze (DWI), and defensive tactics. Albert resides in Harlingen, Texas.

Juan Hernandez
Secretary - Treasurer

Juan A. Hernandez began his career with the Border Patrol on May 12, 2003, as a member of BP Academy Class 550 in Charleston, South Carolina. Upon graduation, he was assigned to the Falfurrias Border Patrol Station in the Rio Grande Valley Border Patrol Sector. In 2005, Juan received his certification as a Physical Techniques (PT) Instructor and in 2007, he was assigned to instruct at the BP Academy in Artesia, NM for BP Classes 671 and 704. Juan became active with the Union in 2008 after completing Basic Union Representatives Training. He later received advanced training in Administrative Interviews Representation, Disciplinary and Adverse Action Representation and Worker's Compensation Training. In 2013, Juan was appointed as a Chief Union Representative for the Falfurrias BPS, where he was responsible for overseeing all Union activity at FLF. In 2014, Juan was elected as the Secretary-Treasurer for Local 3307, the same position that he holds today. In that capacity, he is one of three Local Executive Board Officers that have a fiduciary role with the Union (*the other two being the President and Executive Vice President*). As the Secretary-Treasurer, Juan is responsible for maintaining the financial records, creating records of all meetings for Local 3307, and receiving all monies and/or dues paid into the Local. He's also responsible for making all deposits and disbursements of funds, as well as making regular financial reports to the members at all Union Membership meetings. Juan is a native of McAllen, where he resides.

Ramiro L. Gonzalez
Operations Manager

Ram L. Gonzalez entered on duty with the U.S. Border Patrol in October 1988 at the El Paso, Texas Border Patrol Station. Ram served in the military prior to entering on duty with the Border Patrol, and he was also a Firefighter and a Police Officer in the Rio Grande Valley. Ram transferred from the El Paso Sector to the Brownsville, Texas Border Patrol Station and then Harlingen, Texas, where he retired in 2013. As a Senior Patrol Agent, Ram experienced all aspects of Border Patrol activities, to include specialized training in Employer Sanctions, Intelligence, BORCAP, Prosecutions, and Sensors. Ram served on many details to the Southwest and Northern Borders, as well as an Instructor at the Border Patrol Academy. Ram assumed duties as Secretary / Treasurer of NBPC Local 3307 in November of 2008. He became an active Union Representative in 1994, serving with the NBPC's El Paso Union (Local 1929) prior to transferring to the Brownsville Station. He remained active and was a Union Representative until he became the Treasurer in 2000. As the Chief Financial Officer for Local 3307, Ram received advanced training certifications in accounting methods and financial officer responsibilities, meeting regulatory requirements set forth by the Department of Labor, Internal Revenue Service and accredited by the National Labor College and the American Federation of Government Employees (AFGE) Union. In 2009, Ram was appointed as an Executive Assistant to the National Border Patrol Council, where he provided training and guidance pertaining to financial and fiscal responsibilities to the individual NBPC Locals throughout the country. Ram is a native of the Rio Grande Valley and continues working for the members as the Operations Manager. He resides in Harlingen, Texas with his family.

Executive Board Officers & Staff of NBPC Local 3307 (cont.)

Manuel A. Rocha
Vice President

Manuel A. Rocha attended the 418th Session of the Border Patrol Academy in Glynco, GA on October 18, 1999. He was stationed at the Kingsville Border Patrol Station in the Rio Grande Valley Sector. From August 2002 through September 2005, Manuel was a Canine Handler assigned to the Kingsville Station and the Sarita, Texas Border Patrol Checkpoint. He is also a certified All Terrain Vehicle (ATV) agent and has served on numerous Highway Interdiction Teams and Brush Crews while assigned to the Kingsville Station. As a certified Field Training Officer (FTO), he trained 4 separate classes of Border Patrol trainees assigned to the Kingsville Station. He instructed agents from both the Kingsville and Falfurrias Stations on Checkpoint Operations and extended records checks. Manuel became a Union Representative in 2004 after attending Basic Union Representatives Training. He then attended advanced Union Representatives Training and began representing members in disciplinary cases and grievances. In 2010, Manuel was appointed as the Local 3307 Health & Safety Officer where he received specialized training in Federal Health & Safety and OSHA regulations. In 2011, he was elected to the Executive Board as a Vice President for the Local, and he continues to serve in that position. Manuel has received basic and advanced training conducted by Union Attorneys at Local and National training seminars, as well as in the specialized area of Federal Workers Compensation. Manuel is a dedicated Border Patrol Agent and Union Representative. He is a native of Brownsville, Texas and has resided in Kingsville since his EOD in 1999.

Chris Cabrera
Vice President

Chris Cabrera joined the ranks of the Border Patrol in October 2001, graduating with the 487th Session of the BP Academy in Glynco, Georgia. Before entering on duty with the BP, Chris served for 4 years with the U.S. Army's 25th Light Infantry Division. Upon graduating from the academy, he was stationed at the McAllen Station in the RGV Sector where he served on the Marine Operations Unit for several years. In 2005, Chris completed Basic Union Representatives Training and became an active representative of the Union. Three years later, in 2008, he was elected as the RGV3307 Sergeant at Arms and served in that capacity until 2010, when he was elected as a Vice President, the position that he occupies today. In 2013, Chris was appointed as the RGV3307 Spokesperson, and in 2015, he was appointed as the NBPC's Deputy National Spokesperson. As the Union's media spokesperson, Chris has engaged the media at the local and national level, appearing on both radio and television cable shows to promote the Union's aggressive media campaign. He's been a frequent guest on numerous local and national cable television shows and radio stations, and provides regular commentary in digital and print media throughout the country. Chris also serves as a producer and co-host of the Union's podcast, "The Green Line." In addition to his media duties, he continues to represent members with disciplinary and adverse action cases, administrative interviews, grievances and he has served as a bargaining team member for the DMT, EMP, HPU and Boat Patrol Policies. Chris is a native of Dallas, Texas and resides in Edinburg.

Juan M. Ayala
Vice President

Juan Ayala began his law enforcement career in 1996 with the City of Port Isabel Police Department, and then later as a Sheriff's Deputy with the Cameron County Sheriff's Department. Juan entered on duty with the Border Patrol in September 2001, and was assigned to the Kingsville Border Patrol Station in the RGV Sector. During his tenure at Kingsville, Juan accomplished a variety of Border Patrol and checkpoint functions such as BORCAP, Prosecutions, INTEL, FTO, Post Academy Instructor, Law Instructor, OC/ASP Instructor, and Canine Handler. During his time as a canine handler, he was recognized by the U.S. Attorney General's Office for the largest seizure of narcotics within the RGV Sector, the Kleberg County District Attorney's Office for life saving efforts, and he was also recognized by the CBP Commissioner for his dedication to the RGV Canine Program. Juan became a Union Representative in 2007. He assisted members with a variety of issues such as memorandum preparation, use of force representation, allegations of misconduct and minor disciplinary cases. In July 2011, Juan accepted a transfer to the McAllen Border Patrol Station and was afforded the opportunity to utilize his experience by assisting members at the McAllen station. He assisted members with disciplinary cases, adverse actions and removals. In 2012, Juan was elected as a Vice President of the Union, the position he holds today. As his career with the Union has progressed, his dedication and efforts became well known Sector-wide and he began to assist agents from other RGV stations. As a VP, Juan has gained experience in bargaining, grievances, arbitrations, adverse actions and OWCP.

Executive Board Officers & Staff of NBPC Local 3307 (cont.)

Hector Guerra Sergeant At Arms

Hector Guerra joined the U.S. Border Patrol on June 3, 2003. He graduated the Border Patrol Academy in Charleston, South Carolina with class 552 and was stationed at the Falfurrias, Texas Border Patrol Station. He transferred in May of 2016 to the Kingsville, Texas Border Patrol Station. Hector has served with the Union in various capacities, to include the Chief Union Representative of the Falfurrias Station, the appointed Health & Safety Officer for NBPC Local 3307, as well as an EEO Director for the Union. In June of 2016, Hector was appointed to fill the vacant position of the Local 3307 Sergeant At Arms. He has been trained extensively in health and safety matters, as well as in EEO and general member representation. Hector has represented numerous members in disciplinary/adverse action cases and grievances, as well as before investigative bodies such as the Management Inquiry Team (MIT), CBP Office of Professional Responsibility (OPR) and the DHS Office of Inspector General (OIG). He is a native of, and resides in Harlingen, Texas.

National-Level Representation by the NBPC Executive Committee

The National Border Patrol Council's National Executive Committee (NEC) is the governing body for the national Union and is made up of 11 members from throughout the various sectors. The NEC includes the President, Executive Vice President, seven Vice Presidents, a Secretary and a Treasurer. All NEC Members are active duty or retired Border Patrol agents with several years of experience and knowledge in all facets of labor law. Each NBPC Executive Committee Officer is elected by Local delegates to the NBPC Convention, which is held every 2 years. The NEC has complete oversight of all 16 NBPC Locals within the Border Patrol. The NEC handles all national-scope issues, including the negotiation of supplemental agreements (policies) for the entire bargaining unit of the Border Patrol. They are also responsible for all lobbying efforts on behalf of the membership, as well as for the administration of the NBPC Legal Services Plan (LSP), which provides legal and administrative representation to Union members of the NBPC throughout the United States and Puerto Rico. Local 3307 Executive Board Officers Paul A. Perez and Alberto Trevino both serve as members of the NBPC's NEC, while Chris Cabrera serves as an appointed member in the capacity of Deputy Spokesman. For more information visit: www.bpunion.org

Rodney Sipes NBPC Legal Division Attorney



Rodney W. Sipes is a NBPC Attorney based in Edinburg, Texas. Mr. Sipes has handled Civil and Criminal cases in state and federal courts throughout the Northern, Southern and Western Districts of Texas. After graduating from Sam Houston State University with an undergraduate degree in Criminal Justice, with a Major in Law Enforcement and Police Science, and a Minor in Psychology, Mr. Sipes received his Law Degree (Doctorate of Jurisprudence) from the University of Texas Law School in 1988. Prior to entering into a solo practice, Mr. Sipes worked for three different law firms throughout the state, acquiring extensive trial experience in both the Civil and Criminal courts. He is licensed to practice before the Supreme Court of Texas and the United States Court of Appeals for the Fifth Circuit. He is also licensed to practice before the United States District Courts for the Southern, Northern and Western Districts of Texas. Mr. Sipes also serves as a PORAC LDF Panel Attorney. He conducts lectures and has speaking engagements at State Bar Continuing Legal Education courses throughout the state. As a member of the NBPC Legal Division, Mr. Sipes represents members in adverse action appeals, disciplinary and grievance arbitrations and administrative and criminal investigations and interviews. He has taught basic and advanced training seminars for Union Representatives at the Local and National levels. Mr. Sipes is based at the Local 3307 Union Office in Edinburg and practices law exclusively for the Union.



NBPC Legal Division Advisories for Members

Compelled Statements / Critical Incidents

Due to possible misunderstandings regarding an agent's rights when involved in a shooting, critical incident or use of force incident, this advisory serves to explain the rights afforded to all Border Patrol agents in the bargaining unit. It has been reported that agents have been told by investigators that they are "required" to give a statement regarding such incidents and in the past, some have gone so far as to threaten agents and their representatives with arrest for impeding their investigations because the agent declines to give a statement or wants to talk to their representative or attorney before giving a statement. Unfortunately, there are some managers who are equally misinformed and have repeated the same position - telling agents that they are required to give statements to local law enforcement regarding such incidents. The law is well settled. An agent involved in an incident has absolutely no obligation to provide a statement to law enforcement officials outside the Agency. This has been the law for nearly fifty (50) years, yet this issue seems to resurface every couple of years when we encounter a new group of local law enforcement officials or managers who are ignorant of the law or simply think that their demands override an agent's constitutional rights. The Fifth Amendment to the Constitution makes clear that, when questioned by law enforcement, people do not have to give a statement and have the absolute right to remain silent. In *Garrity v. New Jersey*, 385 U.S. 493 (1967), the United States Supreme Court addressed the issue of law enforcement officers being compelled to give statements as part of a criminal investigation.

In that case, the Court recognized that "policemen, like teachers and lawyers, are not relegated to a watered-down version of constitutional rights." Unfortunately, that is exactly what some local law enforcement officials and managers are trying to do - threaten agents and tell them that their Constitutional rights do not apply because you are a law enforcement officer. These bullying tactics are illegal and violate an agent's civil rights. The only time an agent can be compelled to waive their Fifth Amendment privilege is as part of an *administrative* investigation conducted by the Agency, not as part of any *criminal* investigation. State and local agencies and most federal agencies, including the FBI, do NOT have the legal authority to conduct *administrative* investigations of our agents. If a state, local or other non-CBP investigator is attempting to obtain a statement from one of our agents it is almost certainly part of a *criminal* investigation. Only the Agency can compel an agent to answer questions as part of an administrative investigation. When the Agency orders an agent to answer questions as part of an administrative investigation, under threat of insubordination, neither the agent's answer nor any evidence gained as a result of the agent's answer may be used against the agent in any criminal proceeding. This is the issue the Supreme Court addressed in *Garrity* nearly fifty (50) years ago. The law has not changed. You do not give up your rights because you put on the badge and gun and go "10-8." As a Border Patrol agent, you are entitled to the very same Constitutional rights that you took the oath to uphold and protect.

Obligations of Non-Agency Employee Witnesses to Participate in Agency Investigations

The Union has been advised that all too often, Agency investigators contact non-Agency employee witnesses (*spouses, friends, family and associates NOT employed by the Agency*) when seeking information in connection with criminal and/or administrative investigations. This advisory is intended to clarify misunderstandings concerning the obligations of non-Agency witnesses to participate in interviews sought by Agency investigators. In these instances, many Agency investigators have failed to inform non-Agency witnesses that their participation in providing a statement to Agency investigators is completely voluntary. It has also been reported that Agency investigators do not identify themselves as internal affairs investigators conducting a criminal and/or administrative investigation into the alleged misconduct of the Agency employee friend or relative. These tactics by Agency investigators have caused non-Agency witnesses to be misled, bullied, and coerced into providing statements. As explained in the legal advisory above, the Fifth Amendment to the Constitution makes clear that, when questioned by law enforcement, people do not have to give a statement and that they have the absolute right to remain silent. The only time an Agency employee can be compelled to waive their Fifth Amendment privilege is as part of an administrative investigation conducted by the Agency, not as part of any criminal investigation. The Agency can **ONLY** compel its **EMPLOYEES** to answer questions as a condition of their employment. Agency investigators do **NOT** have the legal authority to compel non-Agency employee witnesses to provide a statement, absent a subpoena or summons issued by a criminal or civil court. Because non-Agency witnesses are not employed by the Agency, they do **NOT** have an obligation to participate in Agency investigations nor are they subject to the Agency's employment policies requiring such participation. Your non-Agency spouse, friends, family and associates do not give up their rights just by virtue of your employment with the Agency. It is important for them to understand that their participation in an Agency investigation **IS** strictly voluntary. It is also important for them to understand that any information they provide to Agency investigators may be used against you for the purpose of administrative discipline and/or criminal prosecution. Spouses should also be advised that federal and most state courts recognize both a

NBPC Legal Division Advisories for Members

Obligations of Non-Agency Employee Witnesses to Participate in Agency Investigations (cont.)

marital communications privilege and a spousal testimonial privilege, which protects the confidential communications between spouses during a marriage. Such confidential communications between spouses can be destroyed if they are shared or overheard by someone outside the legal marriage. You should advise your non-Agency employee spouse, friends, family and associates of their rights in the event that they are contacted by Agency investigators. This will ensure that they can make an informed decision as to whether to voluntarily provide a statement to Agency investigators. The choice to participate is theirs alone and should not be influenced by anyone else, especially an unscrupulous investigator.

NBPC & RGV 3307

Frequently Asked Questions (FAQs)

Q. I just received a proposal for a suspension; What should I do?

A. Union Members should immediately contact a Local 3307 Union Representative for assistance. You only have ten (10) days to respond to a proposal for discipline so do not delay or you risk losing your opportunity to respond. You can send any correspondence via fax to: (210) 568-6779, or via email to: admin@rgv3307.org (Both are secure and your information will not be shared with anyone that does not have a specific need to know.)

Q. I believe I have an issue that should be grieved. What do I need to do and what is the timeline for filing?

A. Immediately contact a Local 3307 Union Representative for assistance. The timeframe for filing a grievance is 30 days from the date the incident/violation occurred or the Union/employee became aware of the incident/violation.

Q. I just received a notice that I am being sued for a job-related incident. What do I do?

A. Union Members should immediately contact the PORAC Legal Defense Fund at (888) 556-5631 or (800) 255-5600.

Q. I just received a notice that I am a target in a criminal investigation stemming from a job-related incident. What do I do?

A. Union Members should immediately contact the PORAC Legal Defense Fund at (888) 556-5631 or (800) 255-5600.

Q. What is the PORAC Legal Defense Fund?

A. The PORAC LDF is discussed in-depth in an article in this guide; however, it is one of the many benefits of being a dues-paying member of the Union. PORAC LDF provides valuable legal representation (criminal & civil) for members involved in matters that are within the course and scope of their employment. NBPC members fall under Plan II of the PORAC LDF. You can learn more through their website at www.poracldf.org

Representation by the NBPC Legal Division

The NBPC Legal Division consists of 9 Attorneys who specialize in protecting the rights and interests of Border Patrol agents and support personnel employed by the U.S. Border Patrol. The attorneys, along with paralegals and professional staff, are located throughout the country, including in RGV. Although many of the NBPC Legal Division Attorneys are located in different parts of the country, when assigned to represent a member, they provide in-person representation for all matters. All of the NBPC's Legal Division Attorneys are experienced litigators and many serve as panel attorneys for PORAC. They are well versed in understanding the challenges unique to representing federal employees, specifically law enforcement officers, in both administrative and criminal matters. NBPC Legal Division Attorneys represent the Union and its members in administrative matters before independent Arbitrators, the Merit Systems Protection Board (MSPB), the Equal Employment Opportunity Commission (EEOC), and the Federal Labor Relations Authority (FLRA). They also provide administrative representation for certain adverse action cases in accordance with the NBPC Legal Services Plan (LSP), as directed by the NBPC LSP Administrator. NBPC Legal Division Attorneys have successfully secured hundreds of thousands of dollars in attorneys fees, and millions of dollars in backpay due to unwarranted and unnecessary personnel actions taken against members represented by the Union. They also provide legal counsel and representation to our members in criminal matters for acts or omissions within the course and scope of their employment before any and all investigative agencies.

Q. Do non-members receive service from the Union?

A. Only to the minimum extent as required by law where the NBPC is designated as the exclusive representative and the non-member is not authorized their own representative.

Q. Does the NBPC provide legal coverage for personal matters?

A. No, but the NBPC may be able to provide attorney referrals.



“Strong People Defend Themselves;
Stronger People Defend Others”



LOCAL 3307 UNION REPRESENTATIVES

Chief Union Representatives

Adrian E. Garcia - Brownsville BPS
Israel Figueroa - Ft. Brown BPS
Israel Gomez - Kingsville BPS
Abraham Garcia - McAllen BPS

Jonathan Perkins - Brownsville BPS
Jose Rosales - Rio Grande City BPS
Haniel Iruegas - Kingsville BPS
Belma De Leon - Weslaco BPS
Micah Sublett - Corpus Christi BPS

Alberto H. Garcia - Ft. Brown BPS
Felix Rodriguez - Harlingen BPS
Jason Breeden - McAllen BPS
Audra Wannemacher - Weslaco BPS

Station Union Representatives

Juan L. Guerrero - CCT
Francisco J. Sanchez - RGC
Maximo Marquez - RGC
Michael Nichols II - RGC
Julio Ramirez - RGC
Gregory Callanan - MCS
Steven Tinder - MCS
Mike Fennell - MCS
Julio Salinas - MCS
Joseph Hernandez- HRL
Homero Delgado - HRL
Eric C. Nielsen - HRL
Juan Rabassa - WSL
Jairo Segura - WSL
Jose A. Ahumada - KIN
Michael Hibdon - KIN
Sherman Kemp - KIN
Jose Gallegos - KIN
Allen Ramos - KIN
Brian Lemay - KIN
David Popoca - BRP
Adrian Lopez - BRP
Juventino Vidal- FTB
Isaac Cantu - FTB
Omar Medina - FLF

Juan M. Vela - CCT
John De La Fuente - RGC
Nicolas Cantu - RGC
Judith De Leon - RGC
Vidal Montemayor - RGC
Manuel Perez - MCS
Christopher Mitchell - MCS
Eric W. Lafferty - MCS
Moises Garza - MCS
Stephen Pine - HRL
Jair Munoz - HRL
Juan Garcia - WSL
Isaac Villegas - WSL
David Duran - KIN
Hector Lopez - KIN
Kenneth Howard - KIN
Modesto Morales - KIN
Stefan Fonseca - KIN
Gerardo Espinosa - KIN
Lafayette Williams - BRP
Jorge Nava - BRP
Amador Carbajal - BRP
Iris Rodriguez - FTB
Sergio Vela - FTB
Raul Jimenez - RGV LECA

Steve Stephens - CCT
Anaisar Garza - RGC
Kellen Meador - RGC
Janie Villegas - RGC
Stephen Holbrook - RGC
Dominic Violante - MCS
Jose Florez - MCS
Marie Pantazatos - MCS
Albert Spratte - MCS
Pablo Quintanilla - HRL
Francisco Villanueva - HRL
Nate Trejo - WSL
Mario Ortega - WSL
Edgar Lopez - KIN
Jesus Torres - KIN
Luis A. Gonzalez - KIN
Reese Osburn - KIN
Luis Diaz - KIN
Juan L. Cantu - KIN
Juan Cenicerros - BRP
Alfredo Jimenez - BRP
Gerardo R. Gonzalez - FTB
John Fuller - FTB
Jesus Contreras - FLF
Normalinda Gonzalez - RGV MSS

NBPC & RGV 3307

Frequently Asked Questions (FAQs)

Q. If I transfer to another sector, can I remain a member of the Local that I left?

A. No, you can only be a member of the Local that has jurisdiction over your particular sector.

Q. Can the Union cancel my membership for me? What if I leave the bargaining unit?

A. The NBPC is not responsible for the termination of dues; the member and HRM are solely responsible for terminating dues. The NBPC cannot cancel membership; only the agency has the authority to do so, and only after the employee authorizes the cancellation on form SF-1188. Requests to terminate dues allotments are effective the first full pay-period following September 1, if the request is received in the servicing Human Resources Office by September 1. Locals are not informed of those individuals who transfer or are promoted and the NBPC cannot refund membership dues that were inadvertently paid to the Local following a transfer or cancellation of membership. If your dues were not terminated after properly submitting an 1188, or after transferring to a non-bargaining unit position, contact a mission support specialist for assistance. The Union does not receive any reports regarding employees transferring out of the bargaining unit or submitting an 1188.

Q. Do any of my dues go toward political contributions?

A. No! Federal Unions are prohibited by federal law from using dues for political contributions. AFGE and the AFL-CIO do make political contributions, but those contributions are from funds created by VOLUNTARY contributions from members. AFGE has a Political Action Committee (PAC) which is where they generate the funds to support various candidates. In other words, do not believe the fictitious rumors that the Union is using your dues to contribute to political campaigns because Federal law prohibits it!

Q. Why is the NBPC affiliated with the AFL-CIO?

A. In order to remain the exclusive representative for agents, the NBPC Locals are required to maintain affiliation with the following organizations: AFL-CIO and AFGE. If we were to sever affiliation, the NBPC would lose all of its assets, third-party legal insurance, as well as exclusive representation status and be placed into trusteeship, whereby AFGE national representatives (non-BP) would assume control of your Union and your representation. AFL-CIOs per capita is paid for by AFGE and totals \$8.64/member per year.

Q. Why doesn't the NBPC or Local 3307 ask for input from the members before negotiating policies?

A. The NBPC does ask for input from the members before negotiating policies. The information is typically posted on the website, when not restricted by policy. Due to time constraints imposed by the Collective Bargaining Agreement (CBA), the NBPC typically has only thirty (30) days from the date they receive the notice of a change to respond to the proposed change and for this reason, the NBPC relies upon input from the NBPC Local leadership. Under the CBA, a Local has only ten (10) days to respond to a notice of proposed change. Therefore, Locals typically seek input from certified Union Representatives before responding to any proposed changes. In RGV, the Local Officers ask the Union Representatives to seek input at their respective stations before providing feedback to the Officers drafting a response or negotiating the change. The Local Officers also discuss the proposed changes with bargaining unit employees at stations and work locations; however, input is also solicited at the membership meetings held bi-monthly.

Q. Why do Border Patrol Agents need a Union?

A. Border Patrol Agents need a Union to represent their interests at all levels of labor negotiations and political processes. There are many times when certain (not all) management officials attempt to use agents and circumstances for their own political gain within the organization. This is not unlike certain situations in the private sector. However, more alarming is that agents will be used as scapegoats for political correctness. It was not unusual in the past for certain Border Patrol managers to "throw an agent to the wolves" to appease special interest groups, individuals, or other law enforcement agencies. Groups and individuals routinely make false allegations against Border Patrol agents (which are almost always found to be unsubstantiated). The pressure from these groups and individuals then places a heavy burden on management and administration officials, who, at times, forfeit their personal integrity. The Union is usually the only protection that an employee has when personal integrity takes a back seat to the inconvenience of the truth and facts. It is for this reason that our agents need a Union!

Q. How do I become a member of the Union?

A. Contact a Local Union Representative at your assigned duty station; however, any member can sign up a non-member.

NBPC & RGV 3307

Frequently Asked Questions (FAQs)

Q. What type of training do Union Representatives in RGV receive?

A. For an initial certification, Union Representatives attend a 16-hour Basic Union Representatives Training Course which is taught by the Local 3307 Union President and/or a NBPC Staff Attorney. Upon completion of the initial certification, Union Representatives then undergo additional advanced training courses covering topics that include, but are not limited to: Disciplinary Representation; Adverse Action Representation; Use of Force Representation; Critical Incident Response and Representation; Workers Compensation Training (OWCP); EEO Training; Grievance Investigation and Representation; Administrative Interviews Investigation and Representation; and Contract Bargaining and Case Law Interpretation. All certified Union Representatives in RGV undergo a minimum of 16 hours of Continuing Education training each year and are required to show competency in the subject matters for which they represent members prior to working on active cases. Many Union Representatives have served for several years and as a result have acquired hundreds of hours of Union training.

“Trust takes years to build, seconds to break and forever to repair.”

Q. Why should I have a Union Representative review my memorandum prior to submitting it to management?

A. There are many factors that contribute to a finding of negligence and/or misconduct; however, none is more important than the initial notification and follow-up report(s). Many employees are not aware of their rights and the protections afforded to them during an administrative investigation. The investigation usually begins with an Article 31 (Weingarten) Notice being issued to an employee. Many managers, and most investigators, will not provide an employee with notice, other than what the law requires (the initial Article 31 Notice), when they're conducting follow-up interviews and interrogations regarding an allegation of misconduct or wrongdoing. Union Representatives are trained and understand the policies governing most of the day-to-day activities in which employees operate, so they know what information is necessary for reporting requirements. Essentially, Union Representatives act as an advocate for the employee and ensure that an employee's rights are not violated and that all courtesies afforded through the CBA and/or any applicable law(s) and/or policy are rendered.

Q. Why does RGV Sector utilize a Detail Management Team for detail selections?

A. In 2012, the Union and RGV Sector entered into an agreement establishing a Detail Management Team (DMT) SOP for selections for details, collateral duties and training. Prior to 2012, all selections were arbitrary and capricious and were made by managers who weren't accountable to anyone for any of their selections. Oftentimes, selections were based on a first-come, first-served basis in which announcements and solicitations were suspiciously open only during select dates and times in which the intended selectee was “the only one available” and happened to be “down the hall” when a “name was needed immediately.” The intended purpose of the DMT was to ensure that all selections were based on actual solicitations and that all eligible employees had an opportunity to apply for selection(s). Allowing the “good ole boy” system to be the only method of choice for making selections was not a good idea then, and it's not an option now.

Q. How is the DMT at RGV Sector stations staffed?

A. The DMT is staffed by bargaining unit employees nominated and elected to serve as members by their respective shifts.

Q. What are the duties of the DMT members?

A. They are tasked with ensuring that all selections are distributed in a fair and equitable manner. The DMT administers the SOP that was negotiated and agreed upon by the Union and RGV Sector Management.

Q. I believe that I was passed over for a selection, how do I address this matter, and to whom do I address it?

A. The RGV Sector Detail Management Team (DMT) SOP, specifically Section E., states, “Complaints arising from bargaining unit members regarding a non-selection will be directed to the DMT for remedy within five (5) calendar days of the employee being made aware of the non-selection. If the issue is under the purview of the DMT, an odd number, either 3 or 5 members of the DMT, selected by the Team Leader, will review the complaint, either in person, via e-mail, or by telephone, and they will then issue a remedy based on a majority decision of the DMT that is consistent with the terms of the SOP. The decision will be final. If the issue is beyond the purview of the DMT, standard grievance procedures will apply.”

NBPC & RGV 3307

Frequently Asked Questions (FAQs)

Q. I have an issue with the DMT that I believe does not fall under the purview of the DMT, how do I address it and to whom?

A. Section F. of the DMT SOP states, *"For disputes other than those identified under Section E of this SOP, the Team Leader, or their designee, will direct any complaint arising from the DMT regarding DMT SOP administration to the PAIC and the NBPC Local 3307 Union President, or their designees within five (5) calendar days of the employee bringing the issue to the DMT's attention. The Union, Management and the DMT will then attempt to collectively issue a resolution to the DMT. If there is no resolution to the matter, then the matter can be pursued in accordance with Article 33E, Step II of the Collective Bargaining Agreement."*

Q. How is seniority calculated within the RGV Sector?

A. Seniority is calculated in accordance with the agreed upon CBA definition between the NBPC and OBP CBA contract negotiating teams, dated July 18, 2013. Agreement is as follows:

- A. The total time an employee has served in his or her occupational series (e.g. Border Patrol Agent, Sector Enforcement Specialist, Law Enforcement Communications Assistant, Mission Support Specialist/Assistant.)
- B. In the rare event different occupations are competing for the same item in which seniority is considered, seniority will begin with the steps outlined in section D.
- C. In situations where an employee is reclassified in a different occupation within the U.S. Border Patrol due to circumstances beyond their control (e.g. injuries, RIF, audit), the employee's prior occupational time within the previous occupation will count toward their total time in the new occupational series for this purpose. Reclassification due to disciplinary issues do not constitute circumstances beyond the employee's control.
- D. In the event it is necessary to resolve ties in total time in occupational series (A), these criteria will be applied in the following order:
 1. The total time an employee has served in the U.S. Border Patrol, regardless of occupation,
 2. the total time served in CBP. Prior time spent in a Legacy agency will be credited to CBP time (e.g. Immigration and Naturalization Service, Customs.)
 3. alphabetical order applied in this order: last name, first, and middle, with each letter of the name serving as a tiebreaker when necessary.

Q. What is the dues structure for Local 3307, and where do my dues go?

A. The bi-weekly dues for Local 3307 are set at the hourly rate for a GS-11/3 per pay period (currently set at \$30.28). Of the \$60.56/month, \$20.91 goes to AFGE, and \$28.00 goes to NBPC, which leaves a total of \$5.82/pay period (\$11.65/month) that goes towards Local 3307 operations and member representation, and expenditures such as Union meetings, member outreach, Union Representative training seminars, and maintaining the Local 3307 Union Office. A full itemized listing of expenditures is presented during all Local 3307 Union Meetings during the Financial Officer's presentation. In addition, the Union adheres to all Internal Revenue Service (IRS) and Department of Labor (DOL) reporting and accounting requirements for labor organization expenditures.

Q. Are Union Membership Meetings open to all members? If so, what items are discussed and how is the meeting conducted?

A. Yes, all meetings are open to members of the Union. Specific topics of discussion are listed on the meeting announcements, which are posted in advance at each duty station and work location. Each meeting involves discussion of ongoing issues and updates on various topics that affect the membership. The Union conducts its meetings in accordance with Robert's Rules of Order, the standard for parliamentary procedures for deliberation and debate. The regular order of business is as follows: (a) Roll Call of Officers; (b) Reading of the Previous Meeting's minutes; (c) Report of Financial Condition; (d) Reports of Committees; (e) Unfinished Business; (f) New Business; (g) Comments; and (h) Adjournment. All members are welcome and are encouraged to attend.

Q. How can I become a certified Union Representative for Local 3307?

A. Union Representative basic certification classes are usually held in October of each year. Solicitations are sent out in advance. If you are interested in becoming an active Union Representative, you can send an email to us at: admin@rgv3307.org indicating your interest.

Q. I just transferred to RGV Sector and would like to transfer my Union membership. Who do I contact?

A. Any Union Representative can give you the proper form, which is a transfer of membership form. Once submitted, the agency will transfer your membership from your former Local over to RGV3307.

NBPC Mobility Programs Frequently Asked Questions (FAQs)

Q. What is the primary difference between a VRP, a ROB and a Swap?

A. The primary difference between the three (3) aforementioned mobility programs are that a Voluntary Relocation Program (VRP) transfer can be a funded move. Funding is set at different rates depending on whether an employee is single or married, and whether they own a home. Some VRPs, as well as all Relocation Opportunity Bulletin (ROB) and Swaps transfers, are considered "no cost" moves, for which the agency provides no funding. All three of the mobility programs are employee-initiated, meaning none are agency-directed reassignments. The VRP is subject to congressional funding.

Q. Are there any other mobility programs other than a VRP, ROB, or Swap? If so, what are the program parameters?

A. There are a few other mobility programs; however, the parameters are based on specific factors detailed within the program memorandums, which can be obtained through a Union Representative. Those programs are, 1) Spousal Transfer Program; 2) Compassionate Transfer Program; and one which will not be discussed in this guide due to the sensitivity of the program (see a Union Representative for information and details on that specific program).

Q. What are the main program parameters for a Spousal Transfer?

A. Both spouses MUST be permanent employees of CBP in order to seek and be granted a transfer under the program. The transfer is a non-funded move and a request for a transfer must be requested, as it is not automatic. When employees in different geographic locations get married and one or both are transferred so that the two are assigned to the same commuting area, the employees bear the cost of the moves/transfers. If approved, employees will not be eligible for further reassignment to a new duty station, except by promotion, for a period of two years after EOD at the new station.

Q. What are the main program parameters for a Compassionate Transfer?

A. Two of the most important aspects of the program are 1) employees may request compassionate transfers when dire emergencies exist affecting the physical or mental health of the employee or a member of the employee's immediate family and 2) the immediate family MUST reside in his/her household. Employees must understand that requests for compassionate transfers involving a person other than immediate family members regularly residing in the employee's household will not be accepted for adjudication. The Union stresses these two important factors because they are the primary cause for denial of transfers.

Q. What documentation do I need to obtain in order to submit a request for a Compassionate Transfer?

A. The documentation necessary to satisfy the requirements are at least two (2) independent medical opinions from licensed physicians or psychiatrists, which substantiate the circumstances necessitating a transfer. It is important to note that the language contained in the medical opinions should contain the most definitive language as possible ("must" vs "suggest") and the reasons why you "must" be relocated.

Q. Are there any time-in-service and/or any other requirements for the mobility programs?

A. Yes, there are certain requirements for mobility programs:

For VRPs, eligibility is defined as: Border Patrol Agents, GS-1896, who are interested in a lateral reassignment/relocation within the continental United States and who are serving on a career conditional or career status appointment. Upon arrival at their new duty station, agents must remain in a duty status at the location for at least one full year or they will be required to repay the lump sum payment to CBP; however, there are exceptions (see the VRP MOU). Agents relocated through the VRP or any other voluntary relocation program such as the ROB shall be ineligible to apply for another voluntary relocation for two full years. During the third year, the agents' seniority will be halved for the purpose of computing their placement on voluntary relocation lists. Full seniority is reinstated in the fourth year. NOTE: This provision only applies to funded relocations. Agents relocated under a "No-Cost Transfer" remain eligible to apply for funded relocation opportunities.

For Swaps, a BPA will be considered eligible if (s)he:

(1) Has served a minimum of three (3) years as a BPA, is not subject of any pending performance or disciplinary action, or is the subject of an investigation of alleged misconduct, that may prevent the performance of the full scope of required duties; (2) Has not received or been subject to three or more disciplinary actions (reprimand to fourteen (14) day suspensions), or a single adverse action (suspension of more than fourteen (14) days) within the last two (2) years; (3) Is not under a Last Chance Agreement (LCA); and (4) Has fulfilled any time-in-station requirements associated with any previously approved relocation or reassignment.

For ROBs, employees must be off probation and not be subject to any pending performance/disciplinary action, pending investigation of alleged misconduct, under a LCA, or received or been the subject of 3 or more disciplinary actions or an adverse action within the last 2 years. Employees approved will be ineligible for reassignment for 2 yrs.

CONTACT US

CRITICAL INCIDENTS & UoF

(Shootings / Use of Force with Injuries / Pursuits with Injuries)

PORAC (888) 556-5631 (24/7)

MEMBER ASSISTANCE LINE

(956) 342-1318 (24/7)

DOCUMENT REVIEW (E-FAX)

(210) 568-6779 (24/7)

NBPC LEGAL DIVISION

(956) 686-7980 / (855) 700-6272

LOCAL PRESIDENT

Paul A. Perez

(361) 219-9131

EXECUTIVE BOARD OFFICERS

Alberto Trevino III

Executive Vice President

(956) 792-3850

Chris Cabrera

Vice President / Media

(956) 342-1098

Juan M. Ayala

Vice President

(956) 244-1716

Manuel Rocha

Vice President

(361) 455-8836

Juan Hernandez

Secretary / Treasurer

(956) 205-5934

Hector Guerra

Sergeant At Arms

(956) 832-9139

E-MAIL

admin@rgv3307.org

SOCIAL MEDIA

(Twitter) @rgv3307

(Facebook) www.facebook.com/rgv3307

LOCAL 3307 UNION OFFICE & MEMBERSHIP HALL

MAILING/PHYSICAL ADDRESS/PHONE

4179 Crosspoint Blvd

Edinburg, Texas 78539

(956) 800-1884

www.RGV3307.org

How To Get Connected with RGV3307

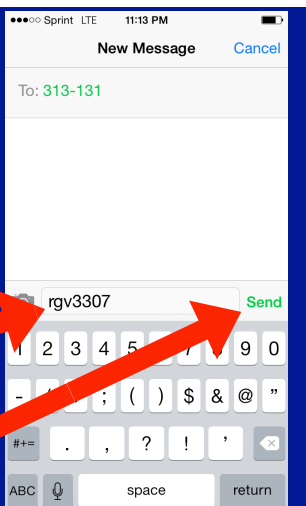
In addition to membership meetings at our Union Hall, outreach benefits meetings at each duty station and work location, as well as social media, the Union provides its members with additional opportunities to stay connected with issues and news that affect our membership. We've made it rather easy for members to stay informed. Follow the directions below and join our network of informed members. We'll keep you connected!

RGV 3307
Text Notifications
Sign-Up
Text "rgv3307" to
313131
from your cellular phone

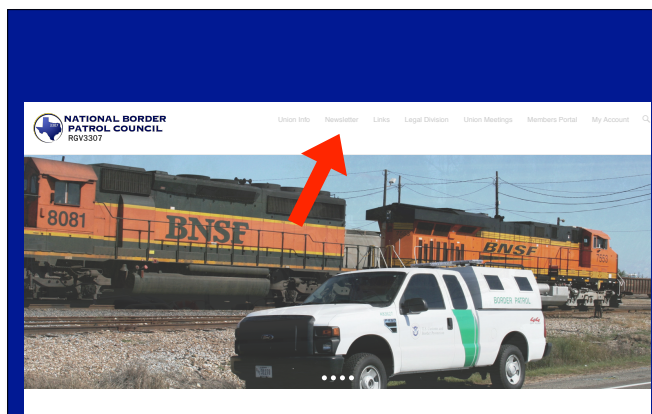
The Conundrum E-Newsletter Sign-Up

Click on the "newsletter" link at the top center of our website (www.rgv3307.org)

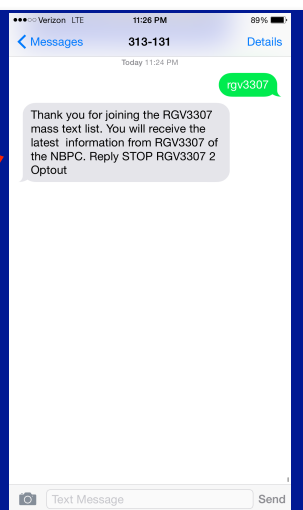
To: 313131



rgv3307
and then hit
Send



Receiving this message
will confirm that you are
registered in the system
and you should receive all
texts from RGV3307



RGV 3307 Newsletter - The Conundrum

"The Conundrum" is the official membership e-newsletter for RGV Local 3307 of the National Border Patrol Council. Signing up is simple. Just enter the required information and upon membership verification, you will be added to our list of recipients. For text alerts, you can also enter your phone number - Local 3307

* Email Address

* First Name

* Last Name

Phone Number

* Job Title

* Duty Station

Sign Up

www.RGV3307.org

- Access to the PORAC Legal Defense Fund (LDF) - Attorney Coverage

- Criminal & Civil Defense (course and scope)

- Line of duty shooting incidents (on-duty / off-duty)
 - Critical Incidents (vehicle accident / pursuit w/injuries; in-custody death; Use of Force w/injuries - criminal investigation, etc.)
 - FBI / OIG / OPR / MIT / State, County, Local investigations (criminal)
 - Civil Lawsuit (DOJ refuses to represent & indemnify)

- Access to the NBPC Legal Services Plan (LSP) - Attorney Coverage

- Administrative Representation (course and scope)

- 9 experienced NBPC Staff Attorneys (in-person representation)
 - 30-day suspension and above, including removal
 - Expert legal advice with full knowledge of Border Patrol issues, including all aspects of Federal Employment and EEO

- Access to highly training NBPC Officers & Union Representatives

- Administrative Representation (on-duty / off-duty incidents)

- Memorandum Assistance / Review
 - Disciplinary / Adverse Action Representation
 - Grievance Assistance / Representation
 - Administrative Investigations Representation (OIG / OPR / MIT)

- Access to AFGE Legal Representation

- EEOC administrative work / EEOC court litigation

- Representation by 1 of 4 Attorneys in the AFGE Fair Practices Department
 - Approval must be made by the AFGE National Vice President for Women & Fair Practices

- NBPC Death Benefit (\$8k) payable immediately to a member's family

- Successful reinstatement of numerous wrongfully removed members for both on-duty & off-duty incidents

- Full reinstatement, to include full backpay and benefits
 - Attorney Fees recovered in backpay cases (currently over \$500k)

- Successful mitigation of numerous proposed disciplinary penalties

- Experienced grievance representation for our members

- Successful in recouping backpay, lost pay and benefits for members
 - Successful in class-action backpay lawsuits for members recovering millions of dollars in awards

- Aggressive media campaign to ensure issues affecting our members are strongly voiced (local & national)



PROTECTING THOSE WHO PROTECT OUR BORDERS