

## EPA LABOR MANAGEMENT COMMITTEE

(Established Pursuant to Collective Bargaining Agreement  
Between NFFE, Local 2050, AFGE, Local 3331 and the Agency)

PURPOSE: To establish a clean air policy for EPA Headquarters buildings (Waterside, Crystal City, Fairchild) which ensures that the level of airborne pollutants in these buildings is kept sufficiently low to provide a healthful work environment.

BACKGROUND: Section 19 of the Occupational Safety and Health Act of 1970 seeks to ensure safe and healthful working conditions to all employees. The Environmental Protection Agency, regarded nationally as being in the forefront of establishing good environmental health policies, has identified indoor air pollution as a source of health risks and is therefore, striving to provide its employees with a work environment free from significant health risks associated with exposure to chemical, physical, and biological agents. Management is committed to maintaining a program capable of attaining this goal and the following principles are adopted:

- ° Maintain a well functioning ventilation system capable of distributing an adequate air supply to all employees;
- ° Maintain a program to control pollutants generated or accumulated within the building including monitoring as necessary;
- ° Institute, analyze and distribute the results of an employee occupational health survey at Headquarters buildings to detect possible indoor air related illness;
- ° Maintain an open forum for communications between employees and management on occupational health related concerns.

### PROGRAM

#### 1. Ventilation Systems

The Agency will take reasonable actions to overcome the constraints of the leases and other factors that Management does not fully control and that are impediments to achieving the following objectives:

The ventilation systems in buildings occupied by EPA employees at Headquarters will be well functioning as defined by recognized engineering standards and Federal and local codes. The amount of fresh air taken into these buildings will be equal to or greater than the latest American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE) guidelines (code #62). The rate of fresh air changes will be equal to or greater than the current ASHRAE guidelines for buildings that permit smoking (20 cfm/person).

At no time will outside air dampers serving any segment of the building be cut off completely. Agency personnel will monitor conditions of the dampers at least monthly. A record of these inspections will be kept and made available to the Union and to the EPA Facility Advisory Council. These inspections shall be unannounced and include a sufficient number of dampers to reasonably assess that the buildings are receiving adequate outside air. Access to diagrams of the ventilation systems of the Headquarters building will be made available to the Union.

Management will require that the lessors of our buildings take the following actions. The HVAC systems shall be maintained in good repair, be free of stagnant water, molds, and slimes. The HVAC system will be regularly checked for leaks, stagnant water, molds, and slimes. Records of these activities will be made available to Management and the EPA Facility Advisory Council. Management will perform spot checks of the information in the records.

Management will inform and educate all employees via a desk-dropped flyer whenever the HVAC system is being balanced. The flyer will indicate how the employees can participate in keeping the system balanced.

The HVAC systems shall be balanced to allow for proper amounts and direction of air movement throughout each building. All plans for major office changes, renovation, partitioning etc., which might significantly affect the air flow in the building will be evaluated for impact on the balance of the HVAC system. Changes in the HVAC system needed to maintain equivalent air flow must be made at the same time as the renovations.

As a rough measure of indoor air quality, the EPA Occupational Health and Safety Staff shall perform air monitoring for carbon dioxide at least quarterly as a test method to determine the need for, and effectiveness of, actions in "problem areas" (e.g., areas in which there have been employee complaints concerning air quality or areas previously tested and known to have poor air circulation). Records of these measurements shall be kept by OHSS and made available to the Union and the EPA Facility Advisory Council. These measurements will be used by the Agency as indicators of general air quality in the buildings. Carbon dioxide levels over 600 ppm warrant an evaluation; levels over 1000 ppm indicate a problem that must be corrected.

Management shall review the overall progress and condition of the ventilation systems on a yearly basis and make recommendations for program initiatives and budget required to achieve the needed improvements. These initiatives shall be made available to the Union and to the EPA Facility Advisory Council.

The Union shall be invited to accompany Management officials on inspections of the ventilation systems.

## 2. Control of Pollutants

Pollutants brought into the buildings or created in the buildings shall be controlled in order that unacceptable levels are not reached where employees are working (includes copy center and print shop).

The Occupational Health and Safety Staff shall keep a listing of toxic chemicals present in each building as required by the OSHA Hazard Communication Rule (29 CFR 1910.1200). This list must be kept up to date. Material Safety Data Sheets (MSDS) shall be made available to the Union, the Facility Advisory Council and to any requesting employee for all chemicals used in Headquarters buildings occupied by the Agency, contractor or owner personnel. Management will request that MSDS's are provided by contractors for all the chemicals being used in the building.

The Integrated Pest Management program shall be used to control insects and vermin within the buildings so that pesticide use will be kept as low as possible.

### a. Smoking

Employees are ethically responsible for making sure that their colleagues are not adversely affected by pollutants brought into their buildings for their personal use (e.g., hair sprays, cosmetics, etc.) or created within the building by personal habits (e.g., smoking, stored food, etc.)

The Agency understands that a smoking policy will increase stress to certain employees. However, the goal of the Headquarters smoking policy is to minimize exposure of nonsmoking EPA Headquarters employees to second hand smoke. This goal will be achieved by limiting all smoking to areas where the air is exhausted outside the building and not returned into the general building ventilation systems. At this time the only locations meeting this requirement are restrooms.

To reduce the inconvenience to both smokers and nonsmokers, rest-rooms on approximately every third floor, starting with the second floor, will be designated as smoking restrooms if this is permitted by the building owners. Smoking will not be permitted in the restrooms that are not designated.

This rule will take effect 15 days after signing. During the first 6 months, penalties for non compliance with the smoking policy will be limited to warnings through reprimands. After 6 months the parties will convene to resolve any problems that have arisen. This delayed enforcement will permit smokers time to adjust to the change and attempt to quit smoking. Also, all designated smoking restrooms will be checked to insure that their exhaust systems are functioning to a level which will insure that smoke generated in the restroom is exhausted and does not enter the general work place. Rest-rooms exhaust rates will be checked prior to the implementation of the smoking policy using velometers to measure the exhaust rate. Smoke tubes will be used to determine that a negative pressure exists in the restroom with respect to the general building air pressure. Ventilation in the

designated smoking restrooms will be checked annually. No further disciplinary action for smoking violation, other than that listed above, will be taken against smokers who violate this policy until a specific discipline schedule has been negotiated.

The Agency shall use its resources to offer free smoking cessation programs during work hours for groups of smokers consistent with the GAO ruling (File B-216856, August 22, 1986) on a continuing basis. Management shall evaluate the effectiveness of these programs yearly.

If smoking is permitted by building owners, the designation of smoking restrooms is as follows:

WSM (Includes all structures of the Mall and Towers complex) Smoking will be permitted in restrooms on every third floor starting with the 2nd floor. Thus, smoking will be permitted in restrooms on floors 2, 5, 8, and 11. In the malls, smoking will be permitted in all restrooms on the second floor. In addition, smoking will be permitted in the restrooms in the NE mall basement floor.

Fairchild Building On the floors that only EPA occupies (floors 3, 7, and 8), smoking will be permitted only in the 7th floor restrooms.

Crystal City Mall On the floors that only EPA occupies (floors 2, 7, 8, 10 and 11), smoking will be permitted only in restrooms on floors 7, and 11.

If smoking is not permitted in designated areas by building owners:

The agency will institute a flexible approach to allow smokers to go outside buildings to smoke. Such opportunities will be limited to once in the morning and once in the afternoon. These opportunities will not be in addition to any existing breaks and may not be added to the front or end of lunch periods. Smokers using these opportunities must notify their supervisors when they wish to leave and are responsible for making up any work they missed in their absence. The parties fully expect participating smokers to make a conscious and consistent effort not to abuse this opportunity.

b. PCB's

In light of the serious nature of exposure and the existence of fluorescent lighting with PCB ballasts in work space occupied by EPA employees at Headquarters, the Agency shall:

Inform all employees of the possibility that fluorescent light fixtures in their work area may contain PCB's and that the combustion products are potential human carcinogens. Inform employees that in case of fire affecting the ballasts employees should turn off the lights if possible, evacuate the area, not attempt to extinguish the fire, and contact the Occupational Health and Safety Staff and not to return to the area until OHSS indicates it is safe to do so.

Only persons adequately trained and wearing protective equipment should be allowed in the area during, immediately following, the fire.

Since decontamination may be necessary, wipe samples will be taken and analyzed by OHS. PCB contaminated items will be decontaminated or discarded so they will pose no hazard to employees.

c. Radon

The Occupational Health and Safety Staff will institute a radon monitoring program in each of the buildings occupied by EPA Headquarters employees sufficient in scope to assess whether there is any health risk to employees associated with radon exposure during the work day. The results of such surveys and the assessment will be made available to the Union and the Facilities Advisory Council.

d. Solvents

Employees will not be exposed to chemicals at levels known to be toxic or acutely irritating to the eyes, nose or throat or cause other physical ills to employees. Construction work in the buildings which results in the release of irritating or toxic dusts, aerosols or vapors will be conducted during employee non work hours whenever warranted. If construction work which would result in such releases must be conducted during work hours, EPA employees will be assigned to other work space not affected by the activity.

New carpeting shall be shampooed before the space is occupied unless it has been properly aired out or has been shown to not emit chemicals which cause health reactions to occupants. If vapors from carpeting or furniture result in a health reaction, the affected employees should be allowed to work at a temporary location until the problem is solved. Management will provide safe and healthful working conditions. If conditions at a work station are found to endanger the health of an employee, management will take reasonable actions to protect the employee.

e. Asbestos

The Asbestos Operations and Maintenance program is currently under revision and will be added in as soon as it is completed.

3. Occupational Health Survey

The Agency shall perform an occupational health survey of Headquarters employees to obtain baseline information on employees health and indoor air pollution. Results of the study will be summarized and made available to the Union and Facilities Advisory Council. Subsequent surveys will be initiated in response to specific problems.

4. Use of Technical Expertise

Management will request the support of the Agency's own scientific and technical experts to help resolve Headquarters employee health related issues.

5. Communication

The Agency will establish and maintain a forum for the sharing of information between employees and upper management concerning health and safety issues at the Headquarters buildings. This forum (called the Facilities Advisory Council) will consist of management officials and interested employees.

FAC will meet on a regular basis every 4-6 weeks. The agenda will be posted in all Headquarters facilities in advance and management will review topics for discussion from all employees.

By their signatures, the duly authorized representatives of the American Federation of Government Employees, Local 3331, the National Federation of Federal Employees, Local 2050 and the Headquarters, Environmental Protection Agency attest that they have agreed to and executed this collective bargaining agreement.

For AFGE, Local 3331

For NFFE, Local 2050

Mary Cicato 7-13-87  
Mary Cicato DATE  
President

William A. Spiglio 7/13/87  
William A. Spiglio DATE  
President

For the Agency

John W. Hirzy 7/13/87  
John W. Hirzy DATE  
President Elect

Earl E. Price 7/13/87  
Earl E. Price DATE

Gerald A. Bryan 7/13/87  
Gerald A. Bryan DATE