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[DESCRIPTION](#) [NEWSLETTER](#) [CURRENT ISSUES](#) [PRESS RELEASES](#) [LINKS](#) [MEMBERS](#)
[PAGE](#) [HISTORY](#) [SITE INDEX](#)

Inside The Fishbowl

Official Newsletter of NTEU 280

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UPCOMING EVENT

We will have a general membership meeting on Wednesday, June 11, 2003, from 12 noon until 2:00 p.m. in the NETI Conference Room 6226 in Ariel Rios South. The agenda will include discussion of the recent memo on Competitive Sourcing, news about the Chapter election and negotiations for a new collective bargaining agreement, and solicitation of views about representation and the national NTEU convention later this summer. Arrangements are being made for a limited number of telephone lines to permit members who cannot be present in person to participate. Call Chapter 280 President Jim (James J) Murphy (202) 566-2786 to make call-in arrangements. Thank you.

FROM THE CHAPTER PRESIDENT

Memorial Day seems to be a good time for reminiscence and reassessment. My three-year term of office as President of Chapter 280 will soon draw to a close. As you know, our local Constitution bars the President from serving consecutive terms. I must acknowledge with gratitude and admiration the support that I've received from our Executive Board and Stewards. All worked hard and selflessly on behalf of the EPA Headquarters professionals in our bargaining unit, and I salute their loyalty and stamina for expressing their willingness to serve again in the coming term.

I should also say a few appreciative words about our brothers and sisters in the NTEU National Office. Sometimes described as "a Washington law firm masquerading as a labor union," the NTEU National Office has been accessible and given us solid support. In particular, the DC Field Office, and the Legislative, Public Relations, and Training Departments have been there for us on many occasions. The Negotiations Department is engaged in what we hope is the final phase of bargaining to establish a national contract for EPA's various NTEU shops here and across the country. The National Office moved this spring to NTEU's own building at 1750 H Street NW, not far from the White House, giving room to grow, as well as potential rental income from other tenants. Do you remember how this year's federal pay raise was improved from the initial proposal of 2.6% to 3.1% and then to 4.1%? Credit the lobbying efforts of the NTEU Legislative Department, working with our colleagues at AFGE and other federal Unions.

Which brings me to the general condition of "the House of Labor" - strong and united, in spite of attacks, or maybe *because of* attacks, such as the Administration's enthusiasm for giving federal jobs to the private sector (sometimes called contracting-out, or privatization, or outsourcing, or my favorite euphemism "competitive sourcing"). I used to work in contract research for Stanford Research Institute. I doubt very much that privatization will save the taxpayers anything, and I fear the loss of competence and institutional memory that contracting-out will lead to. Some want to let the pendulum swing back to the days of the spoils system, and away from the professional Civil Service that has served the country well.

On the positive side, a major rally was held on Tuesday, May 20, at Freedom Plaza to resist contracting-out of federal jobs. Mr. Leroy Warren of the NAACP Federal Program was master of

ceremonies, introducing speakers from many federal agencies and Unions, including AFGE, NAGE, AFSCME, and our old Union, NFFE. NTEU and our allies in PEER were highly visible. [See the article on the press-conference/rally elsewhere in this newsletter.] Also on the positive side, EPA still has a viable national partnership council, including the four Unions representing EPA employees in the U.S.: AFGE, Engineers and Scientists of California, NAGE, and NTEU. I wish the Administration would experience a vision that we are all on the same team, working for the health and safety of the American people.

As an old commercial said, "Thank you for your support." - Jim (JamesJ) Murphy

FROM THE "PRESIDENT ELECT"-Top Priority EPA Union Partnerships

Changes in Union Leadership

The nominations for the coming term for NTEU Chapter 280 have concluded. Seems I'm running unopposed for President. Indeed, the entire slate is running unopposed. The major changes will be that Jim Murphy and I will be trading spaces as President and Executive Vice President. Also, Mr. Alfred (Al) Galli will be joining the Executive Board in place of Dr. Richard Nalesnik. Seth Low, our editor, has been voted in to replace the suddenly retiring Bill Garetz. I'm not sure how to judge the lack of competition. It could be that members are satisfied with the work of the current team. It could be that disinterest or distraction caused no one else to nominate. However, a word of advice to the membership. In the coming year or two, our Union may be losing one or two of its full time officers. It will be necessary for more people to get involved and among those involved, one or two to start considering a full time union position.

Not being the type to wait for the transition to take place I am formulating my strategy for the next term even now.

Will Your Job Be Contracted Out?

With the War on Iraq basically over, the Administration will begin focusing its efforts on domestic policy. Be afraid, be very afraid. Part of this domestic policy is that the Administration intends to cut the government workforce IN-HALF. This is a federal worker crisis of proportions we have never encountered before. In order to fight to preserve the jobs of our fellow EPA workers and in order to preserve the integrity of government, it is crucial that the Unions work together in close partnership. Therefore, I am placing a functioning partnership between NTEU 280 and the rest of EPA's Unions as my top priority. Such a partnership is currently in effect with all but one of EPA's Unions. That one exception, is Headquarters' own AFGE Local 3331.

The President of AFGE Local 3331 was conspicuously absent from the Partnership meeting mentioned in Bill Hirzy's article. She was also conspicuously absent from the anti-contracting out rally in Freedom Plaza also written about by Dr. Hirzy. While our two locals used to have at least monthly meetings to discuss joint concerns, these meetings have not occurred for about a year. As President-Elect I have invited the Executive Board of AFGE Local 3331 to resume these joint meetings and will keep you posted as to their response.

In order to defend the rights of our respective bargaining units, it is best that we work together rather than in the current state of separation. We need to speak in a voice of solidarity. Our role here is to be employee leaders.

QUOTE OF THE MONTH

Today I saw a slave more powerful than the Emperor of Rome.

(Ed. From the movie Gladiator. The statement is made after a gladiator refuses to kill his opponent as ordered to do so by the Emperor. Nor could the Emperor order the refusing gladiator killed because the crowd in the Colosseum would turn against him if he did so.)

LETTER TO THE EDITOR

. . . . I finally got to see the movie GLADIATOR. (Have you ever seen it?) I was deeply impressed by the story of how a man, a military general, no less, who lost everything, right after being asked to rule -- yet lived thru his own execution; put his life back together in a utterly hopeless arena, and accomplished Marcus Aurelius's wishes, without invading Rome, while dying from a fatal puncture wound, right in the Colosseum by fighting the very "caesar" who murdered his own father, -- wow! That's the spirit that your newsletter needs to capture! I saw your April issue takes a step towards that spirit, but then stop short of describing the next steps towards the strength-building which NTEU 280 needs to define. Next issue, do that, ok? How about building on the 2003 Science Forum for starters? Let me know what you think when you get a minute, ok? Thanks. (Name omitted at the request of the writer.)

Ed. Response: Yes, I have seen the movie Gladiator and have found it most moving. It also is relevant today for it demonstrates that there is power through unity, and once the people are energized and focused, even an emperor is powerless to resist the will of the people. The lesson still holds true today in America. If we unite and work through our Union and exercise our rights as citizens, we can direct the shape of the future and decisions to be made by management. We can make it most difficult for management to fire a whistle-blower, or someone who will not agree that $2+2=7$.

As will be seen in this edition, our Union right now has added its voice to prevent the firing of an employee whose only crime was to have scientific integrity as the guiding principle for his research. Similarly, the Union seeks to expose the actions of a manager, one who allegedly has violated the rights of those she supervises.

Yes, there is strength in unity. Or as stated in the movie just before a major battle scene in the Colosseum: "We stand a better chance of survival if we work together. If we work together, we will survive." And against all odds, they did!

EPA MOVES TO FIRE DAVID LEWIS

SENATORS AND UNION COME TO HIS AID by Bill Hirzy

EPA is moving to terminate the employment of Dr. David Lewis, who raised questions about health risks associated with EPA's policy of encouraging land disposal of sewage sludge. Senator James Inhofe (R-OK), Chairman of the Senate Committee on Environment and Public Works and Senator Charles Grassley (R-IA), Chairman of the Senate Finance Committee have written to EPA asking that the termination be halted..

Dr. Lewis' critique of EPA's science basis for its policy was published in *Nature* in 1998. The National Research Council last year said that EPA was using outdated science to support its land disposal policy for sludge. *Inside the Fishbowl* has covered aspects of this story over the past several years.

The dispute between EPA and Dr. Lewis goes back several years, and in a proposed settlement of it, EPA agreed to let Dr. Lewis go on an IPA for four years to the University of Georgia to continue his research. IPA regulations state that a person must return to his/her agency for a period of employment at least equal to the period of the IPA. Under that requirement, Dr. Lewis should remain in EPA's employ for another three and a half years. EPA says that Dr. Lewis agreed to resign by May 28, 2003.

Consistent with our union's position on defending scientific integrity, Chapter 280 President, Jim Murphy has written to Administrator Whitman joining our voice to that of Senators Inhofe and Grassley asking that Lewis be kept on the EPA payroll doing his research for at least until September 2006.

UNION GRIEVANCE BEING FILED AGAINST MARY KAY LYNCH by Dwight Welch

A Union Grievance is being filed against Lynch. Ms. Lynch has sought to avoid having to negotiate a move involving four employees by claiming that it is not a group move but four individual moves, thus not being covered by the Generic Move Agreement. The Union is calling Ms. Lynch on her subversion of this legal process.

Few are aware that Ms. Lynch was a witness in a recent civil rights case in Federal District Court. We think her testimony is most illustrative. We intend to make it available to our members. Stay tuned for excerpts.

SPECIAL RESPONSE ON COMPETITIVE SOURCING

NTEU Chapter 280 Editorial Board

Below, in Black Font, is the attachment to Deputy Administrator Linda Fisher's May 28 Mass Mailer on competitive sourcing - with a response/rebuttal in Red Font from NTEU Chapter 280 following each of Linda's points.

COMPETITIVE SOURCING

ISSUE: To define competitive sourcing and describe EPA's approach to this Presidential Management Agenda initiative.

- Competitive sourcing is the process of determining whether a public or private sector source can more efficiently and effectively perform a commercial activity. (This administration's original proposal was that ALL our Civil Service activities, except for those that committed federal money [do you sign government checks?] or that made final decisions on government policy [do you sign off on F.R. notices?] are commercial, unless otherwise justified in writing by management as inherently governmental. Institutional memory apparently is worthless to this administration.)
- Competitive sourcing is not synonymous with outsourcing and/or privatization.(Not in all cases - only in about 50% of cases is it synonymous with privatization - see below - and even if we in the Civil Service win a competition, RIF's can happen because the Most Efficient Organization resulting from the competition will virtually never have the same numbers, types and grades of Civil Service employees as the original organization.)
- This initiative focuses on competition - not contracting-out or eliminating jobs.(Whether it "focuses" on eliminating Civil Service jobs or not, that is what happens every time a competition is lost and often when a competition is won.)
- Competitive sourcing, aligned with our human capital strategy and strategic plan, will allow EPA to devote its limited resources to providing the best possible environmental and public health services to our customers, the American public.(Except for the resources devoted to running the competitions and the highly negative impact on Civil Service morale cause by them. Resources should be efficiently managed by competent managers in the first place - that's what they get paid for. Good managers make for successful organization, poor ones for failures. "Limited resources" - the richest country in the world can't afford to run its civilian governmental functions? Who are they trying to kid?)
- When the government "wins" a competition, we have proven our efficiency as a service provider, and we get credit toward our competitive sourcing goals. (The "we" in "we get credit towards....," is sure not Civil Service staff - it's upper echelon career and political managers.)
- Competitive sourcing goals are based on the number of commercial full-time employees identified in the 2000 Federal Activities Inventory Reform Act Inventory. EPA identified 600 FTEs as "commercial" in the 2002 inventory.(So, if the average rate of competition wins by government of 50% is realized at EPA, then only about 300 of our Civil Service people will out of a job. In my home office, even risk assessment work has been classified as commercial, even under the more benign definition. How long before every Civil Service employee who doesn't sign checks or determine policy is under the gun? Keep Pastor Niemoeller's lament in mind - "First they came for the Jews, but I was not a Jew so I did not protest; then they came for the Communists, but I was not a Communist.....etc., etc.; and then they came for me.")

- The long-term goal - to review 50 percent of our commercial activities, or 300 FTEs - equates to less than 2 percent of our total Agency personnel ceiling.(First, long range, they came for the 300.)
- To meet FY2003 goals, EPA will complete the review of 90 FTEs by the end of the fiscal year. To date, 37 are complete, 42 are in-progress, and the remaining 11 have been identified. (Immediately, they came for the 90.)
- EPA is holding competitions and, where very small numbers of people are concerned, converting work directly to contracts to meet its goals.
- Employees whose functions are being competed are notified, along with their union representatives, prior to the competition start.
- No adverse employee impacts have occurred to date, and no significant impacts are expected.(The Final Solution for the Civil Service is still being formulated.)
- An Inter-Office workgroup is developing an approach to identify future candidates for review.(And then they will come for you.)
- OCFO and OARM are EPA offices responsible for competitive sourcing.

This fight will go on for some time, and the EPA unions are organizing to defend the Civil Service from this attack - inside the Agency and outside it. The next issue of *Inside the Fishbowl* will have more information.

SCIENCE FORUM SUCCESS by Bill Hirzy

An overflow audience heard Paul Connett, Professor of Chemistry at St. Lawrence University explain why water fluoridation is considered by many, including this union, to be an unethical, ineffective and unreasonably risky public policy. No one from any organization promoting fluoridation could be persuaded by EPA to appear for the defense, a remarkable admission by promoters of the chimeric nature of their case.

Connett pointed out that dental health in Europe, which is virtually free of fluoridation, is at least as good as in the U.S., where such long-fluoridated cities as New York, Boston and Philadelphia have terrible problems with dental caries among the cities' poor. "Either it works or it doesn't," he said, "and the evidence is clear, dental health problems correlate with poverty and the refusal of dentists to treat patients on welfare - not with lack of fluoride in drinking water." He showed the dose-response data on bone fracture incidence related to fluoride in drinking water and cited the work of EPA's own Karl Jensen and co-workers on the adverse effect of fluoride, and especially aluminum fluoride, on the brain and kidney in animal studies.

Edward Ohanian, Director of the Health and Ecological Criteria Division, Office of Science and Technology, Office of Water, nobly filled the time slot dodged by fluoridationists such as Tom Reeves, National Fluoridation Engineer, CDC, Howard Pollick, University of San Francisco, and Michael Easley, Director of the National Center for Fluoridation Policy and Research. Ed spoke on the state of the science related to EPA's activity regarding its drinking water standards for fluoride, noting that both the health-based, non-enforceable Maximum Contaminant Level Goal and the enforceable Maximum Contaminant Level are set at 4 mg/L to protect against crippling skeletal fluorosis. He also noted that EPA considers dental fluorosis, even of the severe variety, to be a "cosmetic" effect, not an adverse health effect and therefore excluded as a basis for setting drinking water standards. In answering a question from the audience, he said that EPA had no opinion about whether fluoridation was a safe and effective policy.

Several environmental organization were represented, including Natural Resources Defense Council, Environmental Working Group, Children's Environmental Health Network, Ohio Citizens for Safe Drinking Water and Second Look. The latter announced that its Statement of Concern, which, so far, NTEU Chapter 280, AFGE Local 3911 (Region 2- New York) and AFGE Local 3331 (HQ) have all signed. The Statement calls on communities that fluoridate and organization that promote it to review their policies in light of new science available on safety and efficacy, and it calls for a Congressional hearing on the policy.

The last hearings were in 1978, and a great deal of research information has been published since then, including an admission by CDC in 2001 (MMWR 8/17/01) that fluoride's effect is "primarily post-eruptive and topical" and that concentrations in drinking water are too low to materially affect caries retardation. In essence, fluoridated tooth paste and mouth rinses work, chiefly because of the high concentrations of fluoride present (double-blind studies confirm this: no such studies exist for fluoridated drinking water).

Representatives from eight Congressional offices attended the session, observing that CDC/PHS declined an invitation from a sister federal agency to speak on the merits of a federal policy pursued since the mid-1940's. One wonders why. Ocam's razor holds the answer. [Ed. Note, Ocam's razor is defined as a scientific and philosophic rule that entities should not be multiplied unnecessarily which is interpreted as requiring that the simplest of competing theories be preferred to the more complex or that explanations of unknown phenomena be sought firsts in terms of known quantities.]

DESTRUCTION OF THE CIVIL SERVICE SERIES by Bill Hirzy

The bi-partisan efforts, begun under Jimmy Carter, accelerated under Ronald Reagan, climaxing under Bill Clinton, and now nearing ultimate success under George II Bush, to destroy the Civil Service under the guise of improving efficiency continue apace, but not without resistance from organized government workers and their allies in government and among the citizenry.

Several hundred Civil Service workers and citizen allies rallied over the noon hour on May 20 at Freedom Plaza to protest renewed attacks on the Civil Service by this administration. Representatives from National Treasury Employees Union, American Federation of Government Employees, Public Employees for Environmental Responsibility, American Federation of State,

County and Municipal Employees, National Association of Government Employees, National Federation of Federal Employees, NAACP Federal Sector Task Force, Coalition of Black Trade Unionists and the National Parks Conservation Association, along with EPA and other federal employees gathered to hear speakers tell of their struggles.

Martha Harvin, a Department of Agriculture employee of 21 years, was told in January that her job had been "direct converted," to the private sector - not even the courtesy of a "competitive sourcing" exercise in her case. Several others in her work unit were also given the pink slip, including nine African American, one Caucasian and four people with disabilities. They were all told to hit the bricks by March 1, but have won a reprieve until year's end by fighting back. The spokesperson for the National Parks Conservation Association noted that contract employees who will replace Park Service Civil Service workers are unlikely to go the extra mile during off-duty hours to help people in trouble in the wilderness, as federal employees often do. She said that almost 90 percent of the Park Service Jobs targeted for "competitive sourcing" are held by minorities.

Among the signs carried by those at the rally was this one: "Privatization: Government by the people who brought you Enron."

COMPETITIVE SOURCING - INTERAGENCY REGULATORY FORUM SESSION

The Interagency Regulatory Forum (IRF) met May 22 to hear updates on the federal efforts at meeting the President's management goal on competitive sourcing. (In case you wonder why a "regulatory forum" is interested in competitive sourcing, the group used to call itself the Interagency Regulatory Reinvention Forum, but dropped the third word after Al Gore left government). Here are a few snippets of information from the meeting, from the union's point of view. In next month's edition, more on this meeting will be reported.

Some 99 percent of Bulletin A-76 exercises done since it was created in 1956 have occurred in the Defense Department, and, contrary to the assurances we have heard at EPA, the government **does not** win "about 90 percent of competitions." The figure is closer to 50-60 percent.

Another cheery bit of news from the IRF that we have never heard from EPA about competitive sourcing is that even if the government workers win the competition, a RIF is quite likely because the Most Efficient Organization created by the government bid probably does not have the same numbers, types and grades of employees as the current organization.

The IRF meeting revealed that the strategic workforce planning exercise we are undergoing at EPA is a must for upper management to be able to decide whether to "build or buy" expertise needed for future mission fulfillment. That is, once a reasonably clear picture of what the workforce capabilities are, in order to meet future needs, should the current workforce be re-trained (if necessary), or should contract employees be given the work? (Apparently the idea of actually hiring Civil Service employees to do government work is passe')

On this point, an example of how a shortage of aeronautical engineers was met during World War II was cited. Teachers (a group not in short supply) were hired, and these were trained to

understand the functional and construction requirements for part of an aircraft wing. Then the teachers taught others how to build that part of that component of the airplane. Much as in Chinese medicine (another cited example), some people are trained, exclusively, on how to remove an appendix - period, end of training. And when you need an appendectomy in China, that's who does it - not a physician or surgeon - just someone who knows how to clip the offending tissue and sew you up.

This sounds rather like some of the things we've heard about in parts of the pesticide program (and perhaps elsewhere at EPA), where English majors or Slavic Language majors become "experts" at toxicology or risk assessment largely by osmosis (er, I meant "cross-training"). The American people need to be aware of the implications of this approach to government workforce management. Do we want, for the sake of granting lower taxes to the richest among us, to impoverish government to the point of using people educated as experts in the Polish language to assess the risks of pesticides to our children? Do you want your child's infected appendix removed by an out-of-work, re-trained English major?

The value of strategic workforce planning can be damaged by the morale killing process of competitive sourcing, according to one speaker at the IRF meeting. People leave agencies during the competitive sourcing process, fed up with the idea of working for an organization that will - forever into the future - be looking for somebody else who will do the job for lower pay and fewer benefits, and who won't have a troublesome labor organization protecting worker rights.

One speaker cautioned managers to do a proper job of performance appraisals so that when a RIF occurs, the "dead wood" gets cut and not others. This of course assumes there is lots of "dead wood" around to be thrown overboard when the RIF comes and that managers won't target conscientious workers who don't go along with "2+2=7 science" for bad appraisals. It also assumes that substandard performance is strictly an employees problem, with no responsibility on the manager to properly coach and train and place employees where they can shine in the organization instead of fail.

Which brings me to my main concern, a point I made in a previous editorial: any duffus MBA must know from Management 101 that good managers make for successful, efficient organizations, while poor managers make for failed organizations. By focusing so much attention on condemning public employees as inefficient (otherwise, why competitive sourcing?) and stripping them of protections and rights won over the past century after long and painful struggles, and not on rectifying deficiencies in management, this administration (and to some extent the previous one) fails the American people and brutalizes its workforce, making it harder to bring the best and brightest into government employment and to keep them there. Under present conditions, I would not recommend Federal Civil Service employment to anyone.

Government workers are no different from other workers - they are not inherently inefficient and they respond well to good management. Government managers want to succeed in their careers of public service, but money allotted for their training and the training itself must be upgraded if that success is to be broader than at present. **The prospect of undergoing competitive sourcing into the indefinite future adversely affects productivity (remember that word?), first by the**

unending attendant anxiety and second by the actual time requirements of doing the competitions.

By the way, in the Department of Energy the cost of doing competitive sourcing is about \$7,000 per FTE studied. If that figure holds across the board, then competing just 425,000 jobs will cost - in the studies alone, RIF costs would be extra - \$ 3 billion.

I worked for nineteen years for a large, successful multinational chemical corporation. I cannot imagine myself and my co-workers successfully working there, whether in the Research, Manufacturing or Environmental Management Departments while simultaneously looking over our shoulders worrying whether management was going to bring in another team to do the work and having to do all the competitive sourcing steps required to keep our jobs. We couldn't have designed and carried out research programs, developed processes for manufacturing new chemicals, assessed environmental impacts and developed strategies for meeting regulatory requirements while at the **very same time** developing performance of work statements, designing a most efficient organization and doing all the complex calculations required for that. And doing it year after year after year.

My former company was - and remains - a success because it hired good workers and developed, trained and kept good managers.

Good management and dedication - not politically motivated gimmicks like competitive sourcing - bring success, in business and in government. Why is it so hard for government decision makers to understand that?

X-BYTES

By Dwight Welch

READER FEEDBACK

I got a lot of feedback from various people on the article on the unfair proposed firing of Jim Hamilton in the Office of Water, "Top Agency Geologist Retaliated Against As Office of Water Seeks Lowest Level." One person who prefers to remain anonymous urged that the Union needed to investigate Jim's supervisor Joan Harrigan-Farrelly, Chief of the Prevention Branch of the Drinking Water Protection Division of the Office of Water. According to the employee, Ms. Harrigan-Farrelly is well connected and one of those managers whose career has risen inexplicably quickly.

Still another reader wrote:

"I saw your article regarding Mr. Hamilton. Thank you for writing a balanced article, outlining a very troubling set of circumstances. I found it troubling, that EPA would attempt to fire someone like Mr. Hamilton, who I had the pleasure of meeting initially when he spoke as a guest lecturer for a course in Hydrology at Johns Hopkins University, and then who I worked with in the

(project title deleted to protect identity). With his credentials, surely the Agency can find a better solution than to fire him. I hope the matter can be resolved expeditiously.

(Name Withheld to avoid retaliation.)

I also got a call from a geologist from Region 9, with the Engineers and Scientists of California union, who indicated his willingness to peer review Jim's work for scientific accuracy. I indicated to the caller that this had been done, but technical skill was not the issue. The issue being Ms. Harrigan-Farrelly is out to fire Jim, and will not be deterred by the facts.

Surprisingly, the feedback I did NOT get was from Jim's Assistant Administrator to whom I sent a special copy with a cover note. While AA Tracy Mehan has a reputation for being one of the most compassionate of the political appointees, for some reason, he chose not to respond to my article nor cover letter.

(UN)FAIR Act - Is Uncle Dub Targeting YOUR Job?

In one of his early speeches, President Bush indicated that he would look into privatizing federal jobs such as "sweeping the floor or cutting lawns." Hello? Such tasks have been contracted out for many decades. This statement was disingenuous at best. Indeed, many inherently governmental tasks as well as non-governmental support tasks have already been contracted out. This is not a partisan issue. Every President since Jimmy Carter has used the government worker as a scape-goat when the real problem lies with the three branches of government not doing such a good job. Ronald Reagan was particularly vicious towards government workers, however, in reality, there were actually net gains in Federal employment, particularly if civilian military (in DoD) is counted into the equation. But even without military increases, a slight gain in civilian federal employment was noted. Under reported was the fact that contracting out ballooned into a fiscal nightmare.

Bill Clinton's Administration was probably the worst regarding federal employment numbers. Over 350,000 federal jobs were cut. This task was accomplished, by distracting unions with phantasies of partnership, a concept which never quite found a basis in reality. Federal jobs were cut back to Kennedy Administration levels.

With a mere 1.6 million federal jobs remaining, the President and OMB are targeting over half of them for review to convert to contracting out. According to "www.AFGE.org", this number may get as high as one million. No way are there that many inherently non-governmental jobs to cut. The only ones I can think of would be substituting rent-a-cops for EPA Criminal Enforcement officers for the "Driving Miz Christie" jobs.

Contracting out requires voo-doo economics as well as no accountability to pull off. It only stands to reason that you must add corporate profit to the cost of paying the workers when jobs are contracted out. In contrast, there is no profit made on government work. In order to do it cheaper, you need to hire inferior labor and/or deny benefits such a health coverage. No studies have been made to actually verify what contracted out labor costs. The real impetus, many believe, is having lucrative contracts to pass out to supporters in payment for supporting

candidates who win elections. In short, this concept violates the ideal of Civil Service Reform, returning us to the corrupt Spoils System.

What effect will this have on EPA employees? If it were just employees expressing their concerns, I would only be somewhat nervous. However, I am also hearing concerns from managers who prefer to remain unquoted. For some reason, OFCO wants not only detailed job descriptions, but has requested Dates of Federal Service as well. As we have been complaining about for months, older workers at EPA are in the cross-hairs for elimination. Replace these experienced workers with uncritical new "yes-people" is the idea.

You can fight back. Join your Union. Write your Congressman and Senators. And work to vote out politicians who use the federal worker as a scapegoat. This may be the severest crisis facing federal workers in decades.

Goodbye Mr. Sharfstein

Steve Sharfstein, the EPA Director of Labor Relations, is leaving EPA for another job at another agency. Rats, now I have to change my campaign statement.

Mr. Sharfstein was hired under the Clinton Administration after the removal of the "born again benevolent" James Jackson was removed by Kathy Aterno for signing an Equal Rights Amendment to our Collective Bargaining Agreement. Mr. Sharfstein was a multi-faceted person; which facet one got to see depends upon who one is, what day it was, or even what time of day it was. Steve was often criticized for his inconsistencies by Union officers across EPA.

While most of his staff, with a few exceptions were sad to see him go, as rumor spread among the Unions, big smiles were what was seen. Still many, including both his staff and in the Unions fear what his replacement might be like. Considering the recent appointments/promotions by Morris Winn, there is much to be nervous about.

But kicking a man in the pants while on his way out the door is not my style; that was my job while he was here. In retrospect, Steve Sharfstein did a lot to raise consciousness about the necessity of involving the Unions predecisionally as well as in collective bargaining on the implementation of management decisions. Steve gave many classes in Labor Relations to Unions, staff, and management. In his own way, he put the Unions on the map. In the old days, management used to ignore grievances altogether, post-Sharfstein, grievances get responses. These responses may, at times, be disingenuous, but I suppose a disingenuous response is better than none at all. But on the positive side, more than just a handful of managers, actually try to honestly deal with the issues brought up in grievances. This increase in honest dispute resolution can largely be attributed to Mr. Sharfstein.

I ran into Steve while he was processing out. (Labor Relations did not invite the Unions to his going away party. Do you think they were trying to tell us something?) He made me promise to send him a copy, if I ever write an article about the "Good Old Days Under Steve Sharfstein." If I ever write such an article, though I hope I won't have to, I will send him a copy. As incoming

President, I intend to make overtures to his replacement as soon as he or she arrives and intend to set them straight that they are dealing with a professional union here.

Next to being a Union President, the Director of Labor Relations is one of the toughest jobs in this Agency. With both positions, you get a lot of abuse from both management and employees. I wish Steve Sharfstein well on his new assignment, it has to be easier than working for EPA.

The rumor mill is awash as to who Mr. Sharfstein's replacement may be. Three names cited are Andrew (Drew) Moran, Roz Sims, and Bridget Shea. I have asked, point blank, both Drew and Roz if they were applying and they both answered "No." If Ms. Shea is appointed, this might result in all out war between the Unions and management. Hopefully someone from the outside will be brought in.

Drivin' Miz. Christie

Under the previous Administration, much humor evolved from the story of "Driving Ms. Browner." But in the case of Carol Browner, the chauffeur involved was actually a WG government chauffeur. In this more recent scandal, high graded Criminal Investigation Division individuals (GS-14, -15) are claiming their services are being used for the personal business of Administrator Whitman and her husband such as picking up dry cleaning, holding tables at restaurants, as well as chauffeur work. Once again, Ms. Whitman seems to be escaping criticism leveled as Ms. Browner. While many media sources carried the "Drivin' Ms. Christie" story, the totally superficial aspects of the misuse of government workers, there are a lot more serious issues than were covered in the media. To get the whole report go to the following url:

The Numeric Results are here:

http://www.peer.org/EPA/EPA-OCEFT_Survey_Results.pdf

And the Essay results:

http://www.peer.org/EPA/EPA-OCEFT_Survey_Sample_Essay_Responses.pdf

For those too busy to read the many pages of PDF, here are some pieces not covered in the media:

"EPA homeland security is a joke. [It is] nothing more than a retirement oasis for GS 14-15 secret service agents who have zero interest in environmental enforcement."

"Agents are constantly being told that Headquarters doesn't have the funding to support criminal investigations, trials, etc. However, we do have the money to send agents to the Olympics for security and outfit them with special gear. We have the money to send agents (and managers) to Europe with the Administrator. And we have the money for our Deputy Director to commute between Los Angeles and Washington every couple of weeks."

"CID is an absolute hotbed of nepotism, favoritism, and mutual back scratching. It's shocking and almost unbelievable what goes on. Experience, ability, and talent have nothing to do with promotions...Such promotions are all insider deals and are 100% pre-selected...."

"Headquarters agents have used their power to hire friends and family. Earl Devaney, our former director hired his son's soccer coach, his son's lacrosse coach, the EPA IG's son, in addition to the sons and daughters of personal friends and influential people. Mike Catlett, former head of the EPA CID recruitment efforts, also hired his niece, cousin, personal friends (including one of his softball teammates who was hired as a GS 12), in addition to the sons and daughters of his personal friends. Leo D'Amico and Nick Swanstrom have carried on the tradition, making EPA CID a haven for retired Secret Service Agents who collect salary and retirement checks worth over \$180,000 per year each."

"The ongoing personnel practices preclude young, motivated agents from securing a true career."

(A contrary view) "The 90% of CID agents that are doing 100% of the work should be commended. The other 10% including CID field and lazy, disgruntled CID field agents that feel the need to spend their work hours complaining...and that "draft and edit" questionnaires from environmental activist groups should voluntarily resign and find someplace else to work."

"I once respected this division and my participation as an agent asset. I am presently ashamed to be associated with such a dysfunctional group. I enjoy investigating criminal types, not serving under them."

"A change of top management; everyone must go."

This was just a smattering of the comments submitted to the PEER survey, for a more complete reading and the results of a numerical survey, consult the URLs listed above.

The "Governor" Resigns - Christie Whitman's Legacy

Christine Todd Whitman did indeed have some contributions that were positive. Those that get my vote were the non-road diesel engine actions, her opposition of the White House on the effects of global warming, and her reversal of her position on arsenic levels in drinking water once the science came to light.

But there were other "achievements" not quite so glorious. Dead last, in my opinion, was the handling of the environmental catastrophe following the destruction of the World Trade Center. On 9/12 I heard on the radio, that the EPA had indicated that the smoke and dust evolving from the still burning WTC was not that toxic. I wrote to Ms. Whitman that very morning, urging her to correct this misinformation, for if nothing else, copious amounts of fine asbestos dust were released. I cited my experience in the NYC construction trade in the 1970s when the WTC was constructed. As with all my memos to Ms. Whitman, this one was ignored and the coverup continued for 6 to 8 months. It took valiant efforts by such distinguished whistle-blowers as Dr. Cate Jenkins, Ombudsman Bob Martin, and Hugh Kaufman, not to mention Congressional inquiries before the real truth came out. True American heroes gave their lives that day, saving

other people's lives; it is tragic that the first responders who did survive will suffer from chronic lung disease due in part to this coverup. The cleanup of the toxic dust was long delayed to the detriment of the health of Southern Manhattanites. This response was a disgrace.

Another scam is the Clear Skies Initiative. Allowing old pre-pollution control power plants to increase capacity without adding the currently required controls for new plants is the environmental version of voo-doo economics.

The Zero Tolerance (for Discrimination) policy was also a scam. The policy lacked any enforcement teeth, all Zero Tolerance complaints filed by this Union were returned without action, and discrimination and retaliation continue unabated.

While not being an especially big fan of Carol Browner, in comparison to Christine Todd Whitman, Browner got a bum rap and Whitman skated. Ms. Browner was not an especially warm person, one on one, but I personally believe her heart was in the right place. The elitist attitudes of Ms. Whitman when contrasted to those of Carol Browner, made the alleged second coming of the Ice Queen (Browner), seem positively toasty by comparison.

But people should try to contain their broad smiles upon hearing the news of Whitman's coming departure. We will no doubt get stuck with someone far worse and I will then be remembering the "good old days" under the "Governor," a comparative moderate. Oh what the heck, I can't stop smiling.

Work in the Office of Business and Community Innovation? You may Now Apply for Flexiplace

A grievance has been filed in the Office of Business and Community Innovation. The grievant as well as other employees in the Office believe that Flexiplace is not allowed for them. Citing a violation of the Flexiplace Agreement, the management response was that there was no ban on Flexiplace. So if you were thinking of applying, submit your paperwork.