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Letter to the Editor - No Cost Travel Authorizations for Job-Related Training - Why Not?

"I recently have discovered a problem with EPA's travel policy that is ripe for the Union to take on. Here's the factual scenario in which the situation occurs:

An employee needs some additional job-related education or training, probably in the context of some licensing or certification. It is in the agency's interest to have this employee obtain this education, but the agency does not want to pay for that person's education OR travel related expenses. The agency may, however, allow the employee to attend the training, but the employee would be required to pay tuition and travel costs. In this situation, some other agencies in the federal government will place the employee on travel orders, but state in the travel orders that the travel is "at no cost to the government." EPA, however, appears not to do this.

These "no cost" travel orders are essential to the employee, however. Without them, the employee must pay the going rate for travel, hotel, plane tickets, and the like which can be substantial. With these no cost travel orders, the employee, at her own expense, is able to obtain the government rate for hotels, plane tickets and the like potentially saving her enormous sums of money. Additionally, the plane tickets obtained on travel orders are unrestricted tickets, allowing travel flexibility in case the employee needs to return early for work related issues. Getting these government tickets benefits the employee AND the agency as it allows maximum flexibility at an extremely competitive price.

Honestly, this seems like a "no-brainer" for the agency. It allows the agency to get the benefits of more educated employees without any cost to the agency. All the agency must do it take five minutes and cut a one-page, no cost to the government, travel order each time an employee wants to do this. It's easy, it's fast, and it's a great benefit other agencies offer but our doesn't.

Please let me know if this something the Union can handle."

[Name withheld upon request]

Editor's Response: Yes, NTEU will look into this issue. For informational purposes, if anyone has been granted or denied a No Cost Travel Authorization for the purpose of employee training, please send an e-mail to Seth Low.

Peoples Conference on Fluoride

The first Peoples Conference on Fluoride was held at St. Lawrence University over the week end of July 31-August 1 in Canton New York and the Akwesasne reservation of the Haudenosaunee Nation. The Haudenosaunee people are also known to those of European descent as the Iroquois. Bill Hirzy was the Chapter 280 delegate and he gave a paper on the union's activities involving fluoride over the years. Following is an edited description of the conference written by chemistry professor Dr. Paul Connett of St. Lawrence, the conference chairperson and organizer of the

Fluoride Action Network (FAN).

People came from 16 states in the US (California, Colorado, Florida, Kansas, Georgia, Indiana, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Utah, and Vermont), DC, two provinces in Canada (Alberta and Ontario) and the Haudenosaunee Nation

The presentations of Dr. Russell Blaylock (on brain physiology and function), Dr. Phyllis Mullenix (on neurotoxicity of fluoride) and Dr Roger Masters (on the correlation between silicofluoride use in fluoridation and elevated blood-lead levels in children) were superb. After these presentations, there were few left in the room who had doubts that fluoride could impact the brain -in a multitude of different ways. Mike Connett did much the same for the bone.

Even though these, and other scientific presentations, were top notch, it was not a one way street. Scientists also heard from activists fighting fluoridation across North America and others who had first hand tales to tell about fluoride's devastating impacts on farmers and residents living near Aluminum smelters and other sources of fluoride air pollution. These were graphically supported by videotapes. Dr. Ella Haley's video supported reports from Canada were particularly impressive.

Both scientists and citizens were equally moved (some to tears) on Monday, when 34 attendees traveled to the Akwesasne reservation, near Massena, where Henry Lickers put the history of Reynolds' devastating fluoride pollution of the Haudenosaunee Nation into the larger framework of the cultural history of his people. To hear fluoride pollution through Henry's words thrust a new dimension onto the discussion. So much of our focus had been on fluoride's impact on cells and tissues and people. Henry showed how pollution can damage a whole culture when it poisons traditional food supplies.

The winners of the educational materials competition went to Washington state's Emily Kalweit (best advertisement - "When is toxic waste good enough to drink? When they call it fluoridation?") and Ireland's Robert Pocock (best pamphlet).

The conference was a terrific experience. It was very moving to witness the positive and reinforcing interactions between scientists and citizens who came from so many places and from so many different backgrounds, but all focused on one goal: the ending of the multi-faceted scourge of fluoride toxicity on our society.

You can find a beautiful photograph of most of those who attended the conference as well as two newspaper accounts on our homepage at <http://www.fluoridealert.org>

FROM THE PRESIDENT

Reader Feedback

In response to our question about being denied flexiplace:

HQ Employees:

"I have been denied flexiplace twice in recent years. Previously, when I was a favored employee, I was allowed to work at home as needed w/o formal flexiplace approval."

[Name withheld by request.]

"I applied for flexiplace soon after the agreement between NTEU and EPA was signed. My management postponed a decision until I forced the issue and requested a meeting with my Branch chief about it. I was told that the Office "did not have a flexiplace coordinator" and that my work was not portable. I had talked to the Union and responded that the agreement obviated the need for individual office coordinators, as for the issue of portability, I was prepared. For the previous 2 months I had kept a detailed log of every single activity, so at the meeting I pulled out the log and asked her to find something in the log that was not portable. She kept the log and never again brought up the subject. After about another month I requested a meeting with my Division Director, and after his secretary asked me the subject of the meeting and I gave it, my Branch chief called me up and told me that my flexiplace had been approved. There is a lot more to this tale, but the moral is clear, push the envelope. If you want flexiplace, and you fight for it, you will probably get it, but your boss may not like it."

[Name withheld for obvious reasons.]

Region 5 President:

"Regarding the issue of flexiplace, it has been one of the more difficult issues we face in Local 704. One of our members stopped me today in the hall and, on the verge of tears, reminded me that it has been 3 months since she turned in her request and she still has received no real response except hostility. We have been pounding on her managers for a couple of months and every time we think we have the problem licked some new wrinkle arises. The bargaining unit member is a support staff member and management is extremely reluctant to let lower graded support staff work regular flexiplace.

"Medical flexiplace has also been a real problem. One of our managers in Region 5 acknowledged that an employee had provided medical documentation to support medical flexiplace but she only approved it with a limitation of about 1 day per pay period ! Of course, the employee has no way of limiting his illness to one day per pay period but management did not care. We recently resolved that issue through a mediation.

"One of our members is still awaiting approval of her flexiplace application after many weeks of waiting. It has probably been more than one month since she applied. Her supervisor tried to claim that employees who do enforcement work cannot work at home because they cannot bring confidential documents home. We are still fighting to get that employee on flexiplace.

"A year or two ago management rejected an employee's request for flexiplace. Management said the employee had performance issues and had to be monitored closely. When we confronted management with the fact that the people monitoring the employee included employees working at home, management still would not budge.

"Only a week or so ago one of our members came to me concerning her plans to submit her third application for flexiplace. The other two disappeared within the management system and she never heard anything back on those applications. She is now making a third try and she asked me if I could send a message to her supervisor pleading with them to at least process her application this time.

"Not too long ago Local 704 negotiated an agreement with management that allowed liberal use of episodic flexiplace during a carpet replacement project. However, some individual managers have done their best to thwart that agreement. One manager kept scheduling meetings during the carpet replacement project to force employees to come down to the office. In another office, employees were told not to even apply to work at home during the carpet replacement project unless absolutely no office space could be found for the employee. We had to fight each situation as it arose and we were not even aware of every situation.

"All of the above situations are real and I have personal knowledge and experience with each of the situations. There are other similar and worse flexiplace stories out there. None of this surprises me. When I have repeatedly suggested to management that they encourage episodic flexiplace during ozone alerts they have repeatedly rejected that idea. Their reason they give is that few employees drive cars all the way to work so little pollution would be eliminated. The fact we would set an example for the private sector is of no interest to management.

"We do have some managers who work flexiplace very quietly and with little or no oversight. Unlike our members who often face barriers when requesting flexiplace, some of our managers, including at least one Division Director, seem to secretly work episodic flexiplace. Too bad they aren't willing to trust all their employees and let all of them work flexiplace."

-Jeffrey Bratko, President AFGE Region 5

Rafael DeLeon as a Manager Plus

I got a lot of oral feedback on our selection of Rafael DeLeon as a Manager Plus. Some joked about whether the "+" was a typo. A number of Rafael haters seemed to be a little less friendly to me this past month. But still others noted a change for the positive in Mr. DeLeon. I personally feel that positive reinforcement is more successful than negative reinforcement.

The Proposed 2004 Buy-Out Plan

"Replacing experienced scientists with raw Environmental Protection Specialists is going to correct "skill imbalances"? C'mon! All you really need to qualify as an EPS is a pulse. Of course, you don't even need that to be "human capital".

[Name Withheld by Request.]

Who Was that Mysterious Stranger? - AA Designate Breaks the Mold

For a couple of weeks last month, I got a number of reports of someone looking for me, but no one could tell me who he was. Dr. Bill Hirzy saw the stranger leaving an empty office and was concerned that perhaps this well dressed man was from the OIG or FBI. Turns out the mystery man was none other than OARM AA-Designate Luis Alberto Luna.

In the past the President of NTEU 280/NFFE 2050 has always had some sort of special relationship with the AA of OARM. My first OARM AA was Charlie Grizzle. I heard he was a nice guy. I don't know, I never met him. Grizzle was out to get the Union and out to get me specifically. He lost. Mr. Grizzle's replacement was one of our heroes. In the waning days of the Bush 41 Administration Christian Holmes, rather than trying to bust the Union, started working with it. Chris had a respect for good science. Mr. Holmes turned the Union's relationship with EPA's last great Administrator from a confrontational one to a cooperative one. When Mr. Clinton won, I even wrote Ms. Browner asking her to keep Chris Holmes on. Our relations with Jon Cannon were cordial. Our relations with both Romy Diaz and Morris Winn were friendly. Though both Diaz and Winn were helpful at first, both turned out to be lots of good talk, but not a lot of action. This is the first time an AA has ever sought out the Union on their own initiative.

We had a good chat. I gave him a brief history of the Union indicating that we have progressed from a traditional confrontational style to a more interest-based, pre-decisional involvement, partnership style. As usual, I boasted about the fine group of employees (the Executive Board) I am privileged to work with. He seemed impressed with that indicating, more or less, that he was interest based, pro-active, interactive, etc. In turn he discussed his background. He originally came here from Cuba as a 6 year old without his parents who later rejoined with him. Interestingly, but only if you are an entomologist, his father was involved with the classic Southwestern screwworm eradication program for USDA, perhaps the most successful biological control effort ever undertaken and certainly an entomology classic. Mr. Luna previously worked for USDA, but was tapped for this job on the basis of his accomplishments more than political connections. He indicated that his intention was to give back to our country which has been so good to him.

Mr. Luna has asked us to present him with several of our most pressing issues. I did mention the flexi-time vs Night Pay problem and the Crystal City Consolidation. I also discussed the fact that this and previous Administrators since Bill Reilly, tended to ignore the Union. At his suggestion, I also invited him to attend one of our Executive Board meetings to meet the officers and become acquainted with the issues. Nothing formal, just honest discussion. I also invited him to write a guest article for the newsletter and am sending him some back issues.

On Tuesday August 24th, Mr. Luna met with our Executive Board. The officers were most impressed by Luis, and he with them. Rather than to try and impress people with their agenda as many appointees do, Mr. Luna tends to listen and then ask thoughtful questions. He has also drifted around talking to employees in a low key manner and plans to meet with AFG 3331. Since his current status is not AA, but technically "Advisor to the Administrator," Mr. Luna is

spending his time figuring out what makes EPA tick so that he can best do his job, when and if the Senate confirms him or he is appointed by recess appointment.

NTEU 280 President Requests Bargaining/Clarification on "Buy-Outs"

Memorandum

Subject: Request to Bargain

From: Dwight A. Welch, President

For the Executive Board, NTEU 280

To: David O'Connor, Acting Assistant Administrator OARM

Employees agency-wide have received the above captioned "Buy-Out/Early-Out" memo captioned above. This has raised a lot of ire on the part of employees, in that GS-13s and perhaps other grades have not been included, making it no different than the previous year's buy-out. Your memorandum states: "The Agency has been collaborating with EPA's union officials on this possible 2004 buy-out/early-out program, and will comply with all appropriate labor-management requirements." This causes us some confusion, in that the Unions have all suggested including GS-13s and perhaps other grades in the 2004 buy-out. It would seem that the Agency definition of "collaboration" is to listen to Union input and then turn around and ignore it, rather than the definition which is "to work together, especially in a joint intellectual effort." Whether rightly or wrongly so, the above statement is being interpreted as the Unions' accepting a buyout/early-out not including other grades, when, universally, the Unions supported buy-outs for GS-13, and many others supported buy-outs for even lower grades. This memo attempts to clarify this miscommunication as well as to put in writing a proposal advanced by me orally at the last National Partnership Council (NPC) Meeting.

To make the memo more accurate, a sentence or two needs to be added such as: "It should be noted that the Unions unanimously proposed that GS-13s be included in the 2004 buy-out/early out, and that some Unions supported buy-outs/early outs for all grades. Based on (give management rationale), the Agency elected to go with this plan."

As for a Union proposal for bargaining, we ask that a new buy-out/early out request, including GS-13s, be submitted to OPM. As we discussed during the NPC meeting, management's interest in not including GS-13s is in preventing a loss of specific critical skills which may result if the buy-outs were offered to GS-13s. At the time, my oral suggestion to counter a "brain-drain," would be for the Agency to determine its future workforce needs, that is, to assess which series/positions were in short supply and which in excess, and then offer the buy-outs/early outs to GS-13s and perhaps lower grades, only in the excess series/positions. Managers at the NPC meeting seemed universally to think that this was a good way to approach EPA's future workforce needs.

We would like to meet with you or whoever you appoint to discuss this written proposal and thus allow the Agency to "comply with all appropriate labor-management requirements."

Thank you for your consideration in this matter.

Mike Ryan - Pushing the Envelope on Pre-Decisional Involvement - OCFO Streamlining, "In-Sourcing," and People +/-

I've said it before and will probably say it again, Mike Ryan, the Deputy Chief Financial Officer is one of the best of EPA HQ's managers. Previously, Mike has always advised the Unions pre-decisionally on moves, reorganizations, etc. This time Mike invited me to talk about future long term plans for OCFO. Below is a report on this meeting.

Streamlining OCFO, "In-Sourcing"

OMB is pressuring agencies, including this one, to account for their financial activities. Mike predicts a future budget crunch, no matter which administration is elected in November, so he is taking proactive measures to stay ahead of the curve. Future plans include consolidating OCFO's 14 finance centers into 4 payment centers. Such plans would normally alarm employees in the affected organizations, however, Mike assured me, there would be no adverse effect on EPA HQ employees. Now contractors....., that may be a different story, but then we don't represent them. Indeed, the good news is that some contracted out jobs may now be done by feds. The bottom line is that it is cheaper to do it that way. It is too early, however, for Mike to predict how many new jobs this might involve, but it sounds like a win-win situation-more EPA jobs, yet more savings for the taxpayer.

People +/-

Mike acknowledged the many complaints about People Minus, indeed, some of the biggest complaints are coming from managers. First the choice is NOT between People Plus and keeping the old system, the choice is having an "off the shelf" system imposed upon us by others or to have a system which the Agency can control itself on the front end. For you see, eventually our payroll will be performed by the Defense Finance and Accounting Service. Being that we will be paid from outside the Agency, it is preferable that we have some control about the information being input into the system. Meanwhile OCFO staff are continuing to work to resolve employee complaints.

This was also an opportunity to meet the new CFO, Mr. Charlie Johnson. He is good buddies with Mr. Leavitt and seemed to be a very nice fellow. He asked me for an overview of the Union which I shared with him. He indicated that he depended on Mike to get the day to day stuff done. Mr. Johnson is very lucky to have such a competent and skillful deputy.

NO FEAR Whistle Award

Union leaders in various government agencies have been requested by the NO FEAR Institute to submit nominations of whistle-blowers for the NO FEAR Whistle Award. Not having adequate

time to solicit nominations in *Inside the Fishbowl*, as President I made the nomination for EPA to be Carin Memmer. You may recall in a previous article entitled "Blind Injustice," Ms. Memmer was allegedly fired simply for being legally blind. Ms. Memmer has an EEO suit going to be reinstated at EPA, meanwhile, she needs all the moral support she can get. Ms. Memmer, although without salary, continues to advocate for disabled EPA employees.

Management +/-

Manager Plus

Luis A. Luna, AA Designate for OARM

While he is technically not a manager yet, we've decided to recognize Mr. Luis A. Luna. Mr. Luna is not only the first AA to actually seek out the Union, he is the first to actually attend an Executive Board meeting as an invited guest. Although recognizing his legal status as not yet being Assistant Administrator and thus he is not throwing his weight around, we believe that if Mr. Luna were to tender some "suggestions" to other management officials, they might actually act on his suggestions.

Managers Minus

Rich McKeown, Chief of Staff for the Administrator

When Mr. McKeown was a "special advisor" to the Administrator, he promised a meeting with the Union. He never kept his word on that, despite several invitations. When he was recess appointed to be Chief of Staff, I again sent him an invite. I did not receive the courtesy of even an acknowledgment.

Ann Klee, General Counsel for EPA

Similarly, I sent a "welcome" e-mail to the new General Counsel along with an invitation that we meet to discuss workplace issues. Again, not even the courtesy of an acknowledgment.