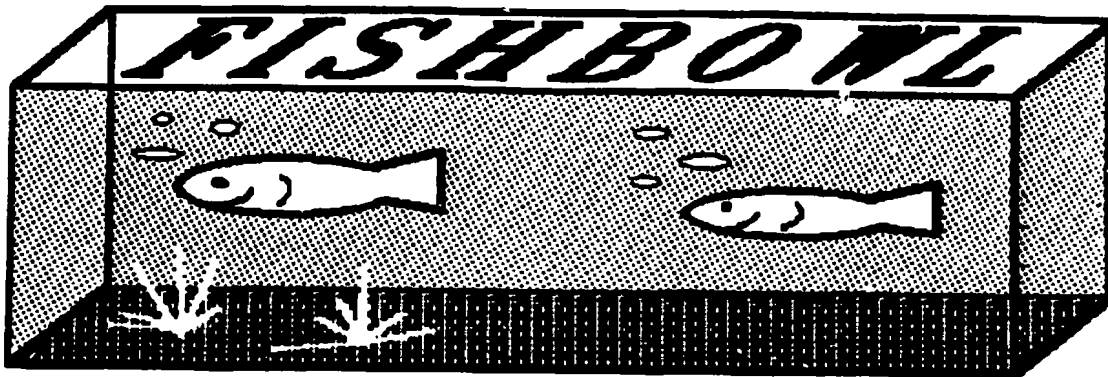


INSIDE THE



NATIONAL FEDERATION OF FEDERAL EMPLOYEES
P. O. BOX 76082
WASHINGTON, DC 20013
OFFICE: ROOM 302 NE MALL
NFFE
EPA HEADQUARTERS' PROFESSIONALS
LOCAL 2050
(202) 382-2383

*"We must conduct our affairs at EPA as if we worked inside a fishbowl—"
William Ruckelshaus, Former Administrator, U. S. EPA*

JANUARY/FEBRUARY 1991

VOL 18--NO 1

PAGE

7

- 1 FROM THE EDITOR: Subscription Program--Special Civil Rights Issue
- 3 EPA'S DISCRIMINATORY MACHINE - Dr. James T. Walker
- 4 EPA'S CULTURAL DIVERSITY EFFORT - Dr. James T. Walker
- 5 NEW BUZZ WORDS: BUSINESS AS USUAL - Tyrone Aiken
- 6 LIBERATION VERSUS THE NEW BIGOTRY Part 1 A Bigot is a Bigot -D. Welch
- 7 NEWSBITES
- 12 EPA MANAGEMENT NEWSPEAK TRANSLATED INTO ENGLISH (Humor)
- 13 "WIN-WIN" BARGAINING - Bob Carton
- 13 STATUS OF PROGRAM ATTORNEY ISSUES
- 14 MANAGER OF THE MONTH
- 15 CONTRARIAN'S CORNER--ASBESTOS EXPOSURE DISTORTIONS - Gross vs Welch
THE PIX AGAINST TQM AT EPA - Dwight Welch
ON THE WAR - Bill Hirzy
- 22 INDOOR AIR NEWS - Myra Cypser
- 25 ROACHEZ


LOCAL 2050

JOIN TODAY -

NFFE LOCAL 2050 EXECUTIVE BOARD

Bill Hirzy - President - 382-2383
 Dwight Welch - President Elect - 382-2383
 Rufus Morison - Chief Steward - 382-2383
 Bill Marcus - Treasurer -
 Laura Sallman-Smith - Secretary - 308-8146
 Bob Carton - Senior Vice-President - 382-2325

Vice Presidents

Myra Cypser - 382-2872 Jim Murphy - 382-4294
 Hale Vandermer - 557-7336 Sherry Milan - 382-2767
 Jim Walker - 475-9640

EDITORIAL BOARD

Dwight Welch (Editor), Bill Hirzy, Jim Murphy, and Rufus Morison

EDITORIAL POLICY

All items for publication must be submitted to INSIDE THE FISHBOWL by the first of the month of publication. Items selected for publication are voted upon by the Editorial Board in a democratic process. Articles indicating authorship reflect the views and opinions of the author and not necessarily NFFE Local 2050.

FROM THE EDITOR**SUBSCRIPTION PROGRAM**

Thanks to all you readers who have taken the effort to renew your subscription to INSIDE THE FISHBOWL; I was pleased at the excellent response. We decided to go through this exercise for several reasons. We did not want to waste resources sending copies to those who do not read the "Fishbowl". It saves trees as well as time and effort. It also enabled us to update our records. If you know anyone else interested in subscribing, tell them to send a note to Subscriptions, NFFE, Local 2050, UN-200 (Interoffice Mall). There is no obligation to join, unless of course, you want to do something concrete to improve the environment at EPA.

MEMBERS FIRST

Last month we offered about \$5.00 in coupons good for discounts on food and beverage at Hector's. This month we are offering similar values. In the future we hope to increase the value of these offerings. AVAILABLE TO MEMBERS ONLY.

SPECIAL CIVIL RIGHTS ISSUE

For this issue I had conceived of a SPECIAL CIVIL RIGHTS ISSUE in honor of Dr. Martin Luther King, Jr. since his birthday falls on January 15. With the holidays and all, things have gotten a bit behind so this is a January/February issue. And since February is National Black Awareness Month, this is still a SPECIAL CIVIL RIGHTS ISSUE.

The lead articles for this issue will therefore focus on the issue of Civil Rights. The first two articles are by Dr. James P.

Walker. Dr. Walker, has a PhD in physics and is with Air, Noise, and Radiation, he is also a Vice-President on the Local 2050 Executive Board. His two articles "EPA'S DISCRIMINATORY MACHINE" and "EPA'S CULTURAL DIVERSITY EFFORT" are the first of what will be regular monthly series. Dr. Walker is not just interested in issues affecting African-American EPAers, but in the Civil Rights of all of us.

Next we have "NEW BUZZ WORDS--BUSINESS AS USUAL" from Tyrone Aiken. Mr. Aiken has been a past contributor to INSIDE THE FISHBOWL and works in the Office of Pesticide Programs. I've tried to get him to become a regular contributor, but unfortunately for us he is very busy with other projects.

The third article we have is by yours truly and is the first of a three part series, "LIBERATION VERSUS THE NEW BIGOTRY". The first article is "A Bigot is a Bigot" and it explores the idea that white males are not the only bigots. The second article will be "Racism As a Management Tactic to Divide Employees". Even though the chain of command above you may be of the same gender and color that you are, as employees we have a lot more in common with each other, despite the differences in race, gender, cultural background, etc., than we do with management. This article discusses the ways in which management uses racism (and probably sexism) as a tactic of control. By keeping us squabbling with each other in terms of Black vs White, we are kept too busy to fight the real enemy: the repression of our rights as employees and human beings. In the third article of this series "Fighting Back", I will discuss tactics for fighting back, whether you are the victim of racial discrimination, sexual discrimination, the abuse of your health and well being by a polluted work environment, or that they just don't like you.

In addition to this series, in some future issue, I will be reporting on the progress (if any) of the charges of Asian/Pacific American discrimination in the Office of Pesticide Programs. As I reported in a past issue, APAC presented a petition to OPP Director Douglas Campt. What has Mr. Campt done to address APAC's concerns? As previously reported, despite the fact that 45% of the professional APAs in OPP had PhDs and that most of the rest had Masters Degrees, not a single Asian/Pacific American was in a senior science or management position. How has this situation in OPP changed or has it?

I often wonder, if Martin Luther King were alive today, what issues he would be pursuing. Certainly he would be fighting the double-think of the 'racism with a smile' brand of racism, which has come into play since the Reagan era. No doubt he would also be on front lines fighting apartheid. I also think he would be in opposition to the war in the gulf, not just because he was a man of peace, but also because, as with Viet Nam, Blacks will once again be bearing a disproportionate burden on the front lines when the ground war starts in Kuwait. The man is gone, but the struggle lives on. NFFE, Local 2050 salutes Dr. Martin Luther King, and all the many others who sacrifice, have sacrificed, and will sacrifice so that people will treat each other more decently. We learn to live together in peace.

EPA'S DISCRIMINATORY MACHINE

by Dr. James T. Walker

Why is discrimination so blatant in EPA? Have you ever thought about this question before? Is it because the Administrator and his Deputy are misled to believe that discrimination is not a problem here? Can we assume that discrimination is condoned because the civil right laws are not properly enforced throughout the Agency?

Discrimination exists, and it has a powerful influence on many individuals here at EPA. The question I am asking employees is: "WHAT ARE WE GOING TO DO TO ENSURE THAT THE RIGHTS OF ALL EMPLOYEES ARE GUARANTEED"?

Dr. Martin Luther King once said that "AN INDIVIDUAL HAS NOT STARTED LIVING UNTIL HE CAN RISE ABOVE THE NARROW CONFINES OF HIS INDIVIDUALISTIC CONCERNS TO THE BROADER CONCERNS OF ALL HUMANITY." What does this statement mean to you? I interpret the statement as meaning that we should accept a role in improving the working conditions for ALL employees here at EPA. This improvement would hopefully lead to a better environment for us to live in.

Please think about the following questions: Do you know what discrimination is? Have you ever experienced it before? Do you know what the four main categories of discrimination are? What exactly is reverse discrimination? How are sub-groups within the Environmental Protection Agency being discriminated against? Do you know how to file a discrimination complaint? What should you do if you believe that you are being discriminated against because of your race, color, sex, national origin, age, handicap, or religious background? What civil rights laws protect you as a government worker? Is there an unwritten or unspoken EPA policy which allows discrimination to exist here? Is the Office of Civil Rights effectively carrying out its responsibilities to guarantee equal employment opportunities for all employees? Does the Office of Civil Rights operate according to EEOC or EPA policies? Which EPA offices have the worst civil rights records in the Agency? Are there people in the Agency who consider the civil rights laws a big joke? Should we work within EPA in solving discrimination problems, or should we go outside the Agency? What are we going to do about those second and third generation individuals recruited from minority groups to work in these deplorable conditions? Should we send statements to colleges, universities and professional groups describing EPA's working environment? Is it necessary for Mr. Reilly and his Assistant to be called to Capitol Hill to address the discriminatory policies at the Agency? How would you respond to these questions?

If you have never thought about them before, now is the time. Now is the time because we should no longer accept discrimination in this Agency as STATUS QUO. WE should WAKE UP and GET BUSY and evaluate EPA'S "DISCRIMINATORY MACHINE" AND DETERMINE WHAT SHOULD BE DONE TO SHUT IT DOWN.

I would like to conclude this article with a thought:

Although we come from different cultural backgrounds, we still

breathe the same air, drink the same water, and eat the same food. If any of these elements are contaminated with environmental toxicants, because we are all human, the same health effects are expected. Therefore, we as a multicultural Agency should work together in improving our multicultural environment.

If you would like to respond to this article, or have any suggestions on how we as a group can rid this Agency of discrimination, write me.

NEXT MONTH: CHARACTERIZING DISCRIMINATION

EPA'S CULTURAL DIVERSITY EFFORT

by Dr. James T. Walker

Last year the Deputy Administrator authorized a study of cultural diversity in EPA's workforce. A Cultural Diversity Committee chaired by Clarence Hardy was initiated to conduct the study. The committee was directed to conduct an "assessment of the current state of cultural diversity issues and concerns of EPA and to develop recommendations and strategies" to improve the working environment of all employees at EPA.

I am currently a member of that committee and will hopefully have an impact on its direction. My initial impression is that many of its members are committed to doing a thorough job in assessing cultural diversity issues within EPA. I have some serious doubts about the seriousness of other members, however. I will elaborate on that issue in another article.

The primary purpose of this article is to solicit input from NFFE employees about where this cultural diversity effort should go. Think about the following questions: What does cultural diversity mean to you? The expression "managing cultural diversity", what does it mean to you? Should EPA "manage" cultural diversity or should EPA's efforts focus on "valuing" cultural diversity? I would opt for the latter, because until we can appreciate the differences between people, their cultures, and how they will benefit this Agency as a whole, a "managerial" approach will not work. It will not work because the effort will not include the essential element of "accountability"; it also suggests a "master" to "slave" mentality. What do you think? LET'S GET BUSY and tell Clarence Hardy and the Deputy Administrator how to put together an effective cultural diversity program.

I would like to share this with NFFE members:

In the graduate program at Penn State, I was lucky to have the opportunity in meeting and communicating with students from a variety of cultures. There were students from Africa, Iran, Japan, Thailand, India, Brazil, Egypt, Jordan, China, Korea, the Philippines, Vietnam and the United States, just to name a few. It was a valuable experience for me. I can't say that I learned much about their different cultures, but I can say that I made friends, and we worked together and appreciated each other as individuals. That same type of environment should be here at EPA.

Please write me if you have thoughts on the direction EPA should take in its culture diversity effort.

NEXT ISSUE: WHAT DOES THE EXPRESSION "CULTURAL DIVERSITY" MEAN?

NEW BUZZ WORDS--BUSINESS AS USUAL

by Tyrone Aiken

The catch words of today are cultural diversity, total quality management and facilitator. The terms do not identify any new or unique culture, type of management beyond quality and last the term is just a title for a subjective-communicator. The latin term In-Pari-Delicto easily translates to mean that a person who is aware of any injustice and fails to respond is guilty of facilitating the act. We have gotten used to collecting data and doing studies for the sake of activity only. This approach has been abused in order to suppress changes to current management practices. We know that the common approach of management is to study a problem, go on a retreat and write a report of findings. The retreats waste money and the reports usually identify the obvious. The reports identify solutions that never materialize. When the complainants question the sincerity of management, the response is, "We are still studying the results/reports of the retreat."

Many years ago medical schools had to revise teaching of medicine in order to prevent doctors from spending too much time studying the disease at the expense of the patient. We at EPA know how many studies are packed away in the crevices of walls and in the electronic void of unknown databases, never to be used until the next study of the same problem surfaces. The redundant iterations of data collection to assuage the public and employees is a waste of resources. Our Federal Regulations are froth with poorly planned studies and requirements. The Office of Management and Budget, The Paper Reduction Work Act and the policy making procedures are all designed to limit dilatory studies and redundant expenditures that are not efficient or effective. The same system used to solve emergency problems (e.g. fire fighting) cannot effectively prevent emergency conditions (fires). The problems that occupy management are not solved by uttering the magic phrase "TQM, TQM, TQM"; the plan that is not acted on is not a plan designed to solve the problem. The planners that do not use their plans to solve a complaintnever planned to act period. The facilitator or pseudo-translator cannot solve the simplest of problems if the upper echelon fail to correct obvious obstacles to communication. The fact that a facilitator is a contractor does not make the facilitator an objective listener to the aggrieved parties.

Any plan that does not included enforcement of the solution is not designed to work. Simple questions, how; what, where, when and why have worked in the past. How will the Agency handle a work force with a majority of the Minorities? What will be used to address the problem? Where will the problem be addressed, the Civil Rights Office, Human Resources Management Office? When will the Agency address the majority of minorities? Why is Cultural Diversity a problem?

The answers are simple. Cultural Diversity is what America is all About and the Constitution of The United States addresses all Americans regardless of their cultural heritage. Total Quality Management is a conflict in terms. Any activity or worker of quality does not need management. The problem is Total anything is not going to work because it does not allow for the differences in abilities of workers. The day we get total of anything we are all in trouble. Why shop for something you cannot afford or a product that is not available? TQM will never be available. In a country where all or most suits are bought off the rack, TQM is not reasonable. We need more "Quality Work" and less "Total Management". We need less "Diversity" and more "Culture". To "facilitate", just talk to each other; it's less expensive.

LIBERATION VERSUS THE NEW BIGOTRY

Part I - A Bigot is a Bigot

by Dwight Welch

I remember when I was first hired by EPA. My prospective Branch Chief, Herb Harrison, called me up and asked me when I could come down. "For an interview?" I asked. "No, to start work." He then explained that he had hired me on the basis of my qualifications. EPA must be a great place to work I thought; not seeing me he didn't know what I looked like, what color I was, whether my hair was too long or not. He hired me on the basis of my qualifications. And that's the way it should be.

Since being an officer with Local 2050, I've heard all kinds of discrimination complaints. I hear Blacks complaining about discrimination, I hear Women complaining about discrimination, I hear Asian/Pacific-Americans complaining about discrimination, I hear Hispanic, complaining about discrimination, I hear Arab-Americans complaining about discrimination, and I hear the young claiming discrimination by the seniors and the seniors claiming discrimination by younger employees. I even hear White-males complaining about discrimination against them because they are either White or male. Since everyone is complaining about discrimination, we must have reached approximate equality, right? I think not.

Liberation. Black Liberation, Women's Liberation, Gay Liberation, etc. The important part of these terms is "Liberation". So when a minority individual reaches a position of power, it is OK for him or her to act like the good ole white boy he or she replaced, right? Equal opportunity to play ruler, so now the system is fair, right? NO.

Liberation. The point is not equal opportunity to play king or queen, the point is DOWN WITH THE KING. When you're on the bottom, it makes not one whit of difference to you the color or gender of the person abusing you, it's still abuse.

Since I was quite young I've been a fan of Civil Rights and Feminism. Racism and sexism just don't make any sense; it's not fair. And with the introduction of these and similar movements on the American scene, I had hoped for a more tolerant and compassionate society. The point, for instance, of feminism is not that a woman now has a right to replace a male chauvinist pig

by becoming a female chavinist pig. This is where I've been coming from when I repeatedly criticized a certain manager and then was accused of being racist. A bigot is a bigot no matter what the color or gender and I fight abusive managers no matter what the color or gender.

In a recent report by the Merit Systems Protection Board, complaints of discrimination because of cronyism now far exceed complaints of discrimination because of racism and sexism. My point is not that racism against Blacks and sexism against Women is no longer a problem; these two forms of discrimination far outweigh reverse discrimination and the very top positions are still the bastions of White-males. And my point is not that minorities should not have their fair share of the top positions because they are just as bad as those they've replaced, it's not. Indeed, my point is quite the opposite: the mainstreaming of minorities has enriched the American culture with more diversity and with more tolerance toward one another.

My point concerns those minority managers who have forgotten their roots. Those managers who have somehow become good ole white boys, but of a different color and/or gender. Not to excuse the good ole white boy of the past, but having been brought up in ignorance, there is a certain resistance to change. Having fought against discrimination, I would expect minority managers to set the example for a new world of tolerance and fair treatment, rather than to adopt the good ole boy mentality.

Each of us is a genius in our own way. Why then do so many managers act as if they have been specially gifted by God. A good manager should know that he or she has something to learn from every employee; those with know-it-all attitudes usually act this way because they doubt themselves. My advice to all managers: you don't own your employees. They don't even work for you, they work for the American public. Put yourself in their place. Remember, they are your brothers and sisters.

NEWS BITES



LEAVE BANK COMMENTS RECEIVED We missed getting this story in the December issue, but a number of comments have been received regarding the Leave Bank. Commenters wanted to know why sick leave could not be donated. The reasoning put forth is that since the leave would usually be used by recipients for sick leave (in the event of an operation, etc.), why then would annual leave be donated. Commenters also thought leave donors could donate to specific individuals rather than in a general bank.

LNHSF SENDS ADVISORY TO VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY
December 19. John Moran, Director of Occupational Safety and

Health, Laborer's National Health and Safety Fund submitted his findings of possible problems with Portable Isolation Enclosure (for removing asbestos) to Virginia as an advisory.

LYNN BRADLEY GRIEVANCE DROPPED You may remember that former Manager of the Month Lynn Bradley, former head of the Product Chemistry section in the Office of Pesticide Programs, had filed a grievance against OPP Registration Division Anne Lindsay, claiming retaliation by Lindsay. Ms. Bradley's conflict with Lindsay involved Lynn's ethical stand supporting a chemistry review which revealed colossal bungling of a multimillion dollar enforcement case by Lindsay and Lynn's stand on a Lindsay reorganization proposal, which would have dissolved Lynn's section and removed the scientific independence these reviewers needed in the pesticide registration process.

A January 7th letter to Ms. Bradley from Linda Fisher, AA OPTS formally ended the grievance process for Lynn due to the fact that Lynn has left the Agency.

Lynn's comment, "What a waste of time, effort, energy and \$1,000 (in lawyer fees)." Lynn had hoped to clear her name.

UNION FILES GRIEVANCES AGAINST JULIUS JIMENO OF SHEMD AND DOUGLAS CAMPT OF OPP FOR "BACK DOOR" ASBESTOS DEAL January 14. As first reported in December 1990 INSIDE THE FISHBOWL Julius Jimeno of SHEMD and Douglas Campt, Director of the Office of Pesticide Programs signed a back door deal with the other Union's president without the knowledge of NFFE, Local 2050, nor even with the knowledge of the other Union's Health and Safety Officer. The grievance charges not only acting in bad faith by circumventing Local 2050/EPA bargaining policies, conventions and agreements, but further charges that "The signatories endorsed an environmental policy without the authority to issue, which is contrary to EPA statutes, regulations, policies, congressional testimony and legal positions taken by EPA and the Department of Justice in criminal and civil enforcement cases, and which could undermine the Agency's position in such cases. The grievance against Campt bears the further charge of conflict of interest, since Campt, a director in the Office of Pesticides and Toxics Substances, which regulates asbestos as a toxic substance. The Campt grievance also charges that "Mr. Campt being neither a Health and Safety Officer, nor a Labor-Management Relations Officer, had no legal right to bargain concerning employee health and safety."

The grievances have a response from management date of January 28, 1991. On January 29th, management requested and was granted an extension to February 5, 1991. Copies of the grievance were sent to the Ethics Officer, Office of Inspector General, Henry Habicht, the chief Administrative Law Judge, and some congresspeople.

ANOTHER CALL TO JIMENO TO STOP CM-2 VACUUMING January 17. After several friendly reminders from both Dwight Welch and Myra Cypser regarding the reentrainment of asbestos fibers from routine vacuuming, Welch sent a memo to Jimeno formally reminding him that he had promised action on this item at a December 18, 1990 meeting

with SHEMD and Steve Hays.

TQM MEETING WITH RON BRAND January 22. Bob Carton and Dwight Welch met with TQM guru Ron Brand. Ron Brand is the Director of LUST (Leaking Underground Storage Tanks) and a principle force in initiating TQM in the Agency. Ron's program, LUST, has been utilizing TQM for some time now and this pilot has resulted in large savings due to the elimination of non-productive work. Some of the most noteworthy accomplishments of the LUST pilot are the elimination of useless reports and the reduction of the number of managers from 8 to 5.

Ron laid out the primary strategy for implementing TQM at EPA as first to expose the uppermost levels of management to the idea and next to train the most enthusiastic managers first. Mr. Brand felt that once some of the programs started using TQM and after their output of quality product improved, that other managers would get with the program so as not to be outdone by the managers already using TQM.

Carton and Welch pointed out a number of problems which they felt may be encountered implementing TQM. The Union officials were skeptical about superior performance stimulating other managers to work for TQM; they pointed out how the worst management performers were often the ones rewarded. (e.g. Charles Grizzle in light of sick building and asbestos problems getting a management award see **THE FIX AGAINST TOM** in this issue.) They were also skeptical about a major tenet of TQM: amnesty. With TQM brainstorming sessions, employees are allowed to express their ideas without fear of retaliation. The Union officials pointed out that regular and relentless retaliation by managers against employees was a fact of life at EPA. Carton and Welch also called for "Management Accountability": the rating of managers by employees as a necessary ingredient for improving performance at EPA.

All three agreed that there were many tough questions regarding the implementation of TQM which could not be readily nor easily answered.

SHUTTLE-BUS MEMO BRINGS RESULTS Based upon employee complaints, Dwight Welch sent a memo through labor relations channels requesting that EPA ID cards be checked to prevent non-EPA employees from using the buses. The complaints were based upon EPA employees not being able to get seats on the bus during rush hours due to the use of the buses by non-EPAers. Welch also noted the murder which took place in Crystal Mall 2 a couple of years back was committed by a youth from Southwest who may have very well taken the shuttle bus. (A memo from Welch to John C. Chamberlin requesting the checking of IDs after the CM-2 slaying received no results, nor even an acknowledgement.) We are happy to report that IDs are now being checked.

OPEN INTERAGENCY ASBESTOS EMPLOYEES MEETING January 24. In a conference room in the Crystal City Marriott, asbestos expert John Moran of the Laborer's National Health and Safety Fund updated Crystal Mall area workers on the asbestos situation at Crystal Mall. Asbestos litigation attorney Michael Papintonio advised

employees on the legal aspects of the situation. Attendance in the conference room was overflow and included attendees from EPA, Patent Office, GSA, and the Navy. Mr. Papintonio indicated that no suit could be filed without actual documentation of physical damage and since asbestos related diseases do not manifest any symptoms for years, employees, under Virginia law, do not yet have a case. The attorney suggested X-rays and base-line health data to establish the current state of employee health; this could be compared to data obtained years into the future. Employees in another building claimed that the asbestos removal workers had left stacks of removed ceiling tiles in offices long after the removal. (An EPA employee's removing and stacking of ceiling tiles on his own initiative caused a shutdown in CM-2, as previously reported in INSIDE THE FISHBOWL.)

Unfortunately, the employees efforts to gain information from these two highly qualified individuals was severely impeded by David Smith, Acting Deputy Director of SHEMD. (See below story ANOTHER CALL FOR DAVID SMITH FIRING.)

LOCAL 2050 CITES OSHA REGULATIONS FOR NEW ASBESTOS TESTING January 24. Memo to Dennis Bushta cites 29 CFR Section 1910.1001 that a Union representative must accompany the testing team retesting for the presence of asbestos in CM-2. About 156 samples were taken, however, Local 2050 did not participate in site selection or testing.

ANOTHER CALL FOR DAVID SMITH FIRING January 25. David Smith, former Branch Chief, but now acting Deputy Director of SHEMD was one of the "gang of four" (the others being Grizzle, Jimeno, and Chamberlin) called responsible for the mismanagement of the asbestor removal in Cystal Mall 2 and for whom Union officers called for their firing. In a memo to EPA Administrator William K. Reilly, Local 2050 President-Elect Dwight Welch once again has requested Smith's dismissal. Welch indicates that although this was an employee meeting, and although Smith was not invited, Smith undermined and disrupted the meeting by shouting out false and intentionally misleading statements from the back of the conference room. Welch charges violation of employee rights, unprofessional conduct, and general rudeness. Welch further asserted that it was the behavior of Smith and others like him which has caused the polarization between management and employees, and asked the Administrator "Is Bill Reilly's EPA an EPA which condones the bullying of employees at employee meetings by managers?"

UNION OFFICIALS MEET WITH DENNIS BUSHTA January 30. Dwight Welch and Myra Cypser of Local 2050 and Kirby Biggs of AFGE, Local 3331 met with Dennis Bushta of SHEMD. Dennis Bushta is a new chief in SHEMD and is responsible for the health and safety problems of Headquarters employees. Mr. Bushta asked that the past history of the conflicts be put aside and that we start with a clean slate. So far Mr. Bushta has been very cooperative and has taken a very positive approach.

In stark contrast to the Labor Management Health and Safety Committee meetings at which Julius Jimeno seemed to dominate and

set the agenda, Mr. Bushta asked the Union Reps to set the agenda. Testing and cleanup of Crystal Mall 2 was discussed and Mr. Bushta indicated that he would set up a meeting between management, the Unions, and Mr. Steve Hays, the asbestos cleanup expert currently on contract with the Agency. Mr. Bushta is also going to try to set up employee meetings with Mr. Hays to answer employee questions about asbestos exposure and the asbestos cleanup. Quite a number of other health and safety issues were also discussed at this meeting.

OPEN MEETING January 30. This open meeting to discuss the Flexplace agreement, TQM, carpet dialogue was sparsely attended. The meeting opened with a vote to confirm Vice President Dr. James T. Walker; the vote was unanimously in favor. Bill Hirzy outlined the tentative Flexiplac agreement and after brief discussion the agreement was ratified unanimously. Bob Caron outlined the status TQM negotiations, specifically his contact with the Federal Mediation and Reconciliation Service regarding the using of "Win-Win" techniques in negotiations. Bill Hirzy outlined the status of the Carpet Dialogue. Also discussed was whether Local 2050 should become involved in issues surrounding Operation Desert Storm (for instance the environmental consequences of the crude oil release by Iraq). The vote was in favor of Local 2050 not becoming involved in war issues.

UNION OFFICIALS MEET WITH MIKULSKI AIDE JANUARY 30. Bill Hirzy, Dwight Welch, Rufus Morison and Myra Cypser met with Carol Parker, an aide to Sen. Barbara Mikulski. The Union officials met to update Sen. Mikulski on EPA Indoor Air Problems. The Executive Board members advised Ms. Parker, that although improvements had been made to the Watercide ventillation systems, the Union still had no adequate information on just how much fresh air employees were receiving on a year around basis. They also updated Ms. Parker on some new indoor air hazards facing employees, namely the asbestos crisis in Crystalcide Mall and the problems from reroofing fumes at Watercide. See Myra Cypser's INDOOR AIR NEWS for further details.

LOCAL 2050 MEMBERSHIP TAKES ANOTHER LARGE LEAP January 31 (Update until publish date) Since the last INSIDE THE FISHBOWL, the Union has picked up another 13 members. Six of these are full members and 7 are honoraries. It is of interest to note that 3 of the honorary members were environmentalists from outside the Agency. INSIDE THE FISHBOWL also picked up a paid subscription from an environmentalist from outside the Agency. All four of these individuals expressed their appreciation of the work that Local 2050 was doing.

NEW BUILDING 2000? Rumors of a new building for EPA abound. Some say we are all moving to Crystal City, still others Judiciary Square or 13th and Pennsylvania NW. Word from the Labor-Management Conference is that most EPA employees will eventually be housed in the Portals Building (near the 14th St. Bridge) with over: . . . at another building which may involve acquiring land from Portals.

Crystal City moves, according to the LMC, will just be a temporary accommodation. In any case we are told to not expect a new building before 1995. Many of us doubt a new building before 2000!

TEST CLEANUP IN CM-2 February 2. At 7:00 AM a test cleanup on the 10th floor was conducted in rooms identified to be asbestos contaminated. Carpets and other fabric in the offices were steam cleaned followed by HEPA vacuuming. Aggressive monitoring was then used to assess the efficacy of the cleanup. TEM results indicated a very satisfactory cleanup.

MEETING WITH STEVE HAYS February 4. As promised by Dennis Bushta, a meeting with Steve Hays on the asbestos cleanup of CM-2. In attendance, were Loree Murray, President, AFGE Local 3331 and Myra Cypser and Dwight Welch for Local 2050. Although the hard copy of the 156 samples taken from CM-2 and other Cystal City buildings was not available yet, Mr. Hays indicated that the preliminary information indicated the need for a cleanup. Mr. Hays indicated that the steam/HEPA method would probably be satisfactory. The Unions and SHEMD were getting close to a satisfactory agreement on the CM-2 cleanup.

CLEANUP OF CM-2 BEGUN February 7. CM-2 employees receive a notice from Julius Jimeno of a asbestos cleanup in their building. A memo from Dwight Welch explained the Union's role in this issue, indicating the triumph of Local 2050.

JIMENO ANSWERS OWN AND CAMPT GRIEVANCE February 7. Local 2050 received a response to the Jimeno/Campt grievances. (see above story) Although the grievances were addressed to Grizzle and Fisher respectively, Jimeno indicated in his response that he is "the lowest management official capable of granting the relief sought." It is quite interesting, since part of the relief sought is disciplinary action against Jimeno and Campt. Jimeno has no authority to discipline Campt and is unlikely to discipline himself. Who are you trying to kid Julius? We go to press now, but there will be much more on these grievances and Jimeno's reply in the next issue.

EPA MANAGEMENT NEWSPEAK TRANSLATED INTO ENGLISH
(Humor)

"The regulated community" - polluters

"Shows management potential" - sucks up to the boss

"Risk/benefit analysis" - This is a ratio between the amount of money spent lobbying on the behalf of a pollutant and the risk to human health and the environment.

"I have continued faith in Charles Grizzle" - Gee, I hope Charlie doesn't screw up again.

"Moral is high at EPA" - My highly paid sycophants seem happy.

"Risk Management Communications Strategy" - The art of using a highly refined PR snow job to deal with a pollutant. This approach is more economical than implementing effective regulatory action.

"Workplace 2000/Cultural Diversity" - A scheme contrived by the white males in power to retain this power while appearing to be sensitive to civil rights.

"The employee is not a team player" - The employee is an independent thinker and/or is incapable of groupthink.

"Labor-Management Relations" - This is a "G" rated publication so all we can say is that management gets to smoke a cigarette afterward.

UNION PROPOSES INNOVATIVE "WIN-WIN" BARGAINING FOR TOTAL QUALITY MANAGEMENT NEGOTIATIONS

by Bob Carton

On February 4, NFFE temporarily tabled their proposals for implementing Total Quality Management. In place of a detailed proposal, NFFE is now asking management to use a new approach to bargaining - "Win-Win Bargaining" - recommended by the Bureau of Labor-Management Relations and Cooperative Programs in the Department of Labor. In a letter to EPA, NFFE's chief negotiator, Bob Carton, noted that the cooperative nature of this type of bargaining is ideally suited to the basic principles of Total Quality Management. Win-win bargaining attempts to avoid confrontation, focuses on problems, and brainstorms solutions. Instead of starting from written proposals which tend to become fixed positions, bargaining begins with discussions of issues, and uses a problem solving approach. The letter from NFFE recommended that the Agency enlist the expertise of the Federal Mediation and Conciliation Service in helping to bring this kind of bargaining to EPA. NFFE has also contacted Deputy Administrator Habicht's office to enlist his support for this proposal.

NFFE is hopeful that there will be a continued commitment in the future to TQM, although we are not sure that top management will have the support of middle management as the program unfolds. Many professionals want to know if this is for real or just another passing fad. We will keep you posted. PLEASE CALL (382-2383) OR WRITE TO THE UNION OFFICE (UN-200) WITH YOUR CONCERNS.

Post script: We note with some sadness, that one of the main and effective proponents of TQM, Ron Brand, is retiring in March. Ron has a unique view of TQM which may be lost when he retires. We wish Ron well and hope that he will find time in his new endeavors to be available for consultation. Don't abandon your baby Ron!

STATUS OF PROGRAM ATTORNEY ISSUES: THE JANUARY 30 HABICHT MEMO

On January 30, 1991, the Deputy Administrator signed the long awaited memorandum resolving the issue of whether or not attorney-

advisors would continue to play an integral role in the program offices. Mr. Habicht determined that the program attorneys would continue in their roles, but he limited the number to 10 attorneys in each of 4 specified program offices, for a total of 40 attorneys in the program offices. Those offices not enumerated as "program offices" will continue with whatever arrangement is currently in place. The program offices included are the Office of Air and Radiation, Office of Water, Office of Solid Waste and Emergency Response, and the Office of Pesticides and Toxic Substances. An Assistant Administrator may appeal for an exception to this cap in "compelling cases". The appeal will be made directly to the Deputy Administrator. The ten FTE cap does not apply to the OAR attorney advisors who have enforcement litigation responsibilities in the Mobile Sources Program.

The Habicht memo raises several issues that are of great concern to NFFE and the Program Attorney Steering Committee. Both NFFE and the Steering Committee are requesting involvement in the "negotiations" proposed in the memo. The memo designates February 28, 1991 as the deadline when the following negotiations should be completed:

- negotiations between the Assistant Administrators, OARM, OGC, and OE (where applicable) regarding program attorney grade structure and standardized position descriptions;
- negotiation of a "dotted line" relationship between program attorneys, OGC and OE that includes OGC/OE input into program attorney performance agreements.
- negotiation of a joint Program, OARM, OGC, and OE guideline for the hiring, promotion, and transfer of program attorneys as well as standardized position description language. Once this agreement is in place, OGC will cease their involvement in the personnel decisions affecting the program attorneys. This function will be transferred to the relevant Program Offices.

Call Diane Lynne at 382-3967 for more info

MANAGER OF THE MONTH

Our Manager of the Month is Ron Brand. Ron Brand, Program Director for Leaking Underground Storage Tanks, was chosen as Manager of the Month for his outstanding contributions to excellence and professionalism here at EPA. Mr. Brand, a leading proponent of TQM at EPA, has done much to spread the idea of this valuable management tool.

Mr. Brand's focus has been similar to NFFE Local 2050's call for democracy in the workplace. Both acknowledge that the people doing the actual work are the "experts"; both acknowledge a need not for more management but for better management. Mr. Brand also agrees with us that most of EPA's problems stem from mismanagement rather than problems with the employees. As indicated in the NEWSBITES story above, the number of managers in his program was

reduced from 8 to 5: an indication of better management and more reliance on the workers. (Contrast this, for instance, to the recent Office of Pesticide Programs reorganization package which called for a 28% increase in the number of managers.) Ron Brand, unlike many EPA managers, has also been quite receptive to inputs from the Unions.

As indicated in Bob Carton's article above Ron Brand is soon to retire. We at Local 2050 think this will be a big loss to the Agency. If you are lucky, perhaps you can catch one of his TQM orientation sessions before he retires; a Ron Brand TQM orientation is one of the most interesting classes you will ever attend at EPA.



ASBESTOS EXPOSURE DISTORTIONS

Dr. Stanley B. Gross/Dwight Welch

The following is the uncensored reproduction of the text from a letter submitted by Dr. Stanley B. Gross of the Office of Pesticide Programs. In keeping with INSIDE THE FISHBOWL's editorial policy of stimulating debate and our willingness to give equal time to any debate affecting EPA employees, we print Dr. Gross' letter along with my reply.

Dear Mr. Welch:

I am concerned over your "Fishbowl" editorials relating to dangerous asbestos exposures during the renovation of EPA working areas.

I am not an asbestos "expert" as such but I am a senior level certified toxicologist (DABT) and a certified industrial hygienist (CIH). I have a general background in asbestos hazards. I also have 4 years of medical training and had experience working with asbestos pipe insulation powders working for the Bureau of Mines over 35 years ago.

Occupational Cancer. During my 8 years as faculty and researcher at the University of Cincinnati's Department of Environmental Health (1967-1975), numerous national and international epidemiologists indicated to us that occupational cancer (including mesotheliomas from asbestos) was produced in workers only after many years of high-level long-term exposures. Exposures to asbestos which caused cancer was considerably higher than any exposures we could experience at EPA. Further, many studies showed that heavy smoking was an important cause of cancer in workers.

EPA Exposures. I object to the Union's repeated assertions that we at EPA have been dangerously exposed to asbestos during the renovation processes. There has been essentially no exposure to asbestos fibers per se (although there have been exposures to small amounts of other dusts which could cause allergy); our exposures to any ceiling dust was so short and so low as to preclude any cancer causation; and citing samples of old dust containing asbestos taken from areas remote from breathing space which does not constitute inhalation hazards to employees.

Scientific Misrepresentation. The NFFE Local 2050 is a union representing scientific professionals at EPA. To misrepresent the hazards of dust exposures to EPA employees is to suggest to readers inside and outside of the Agency that we Agency scientists are not adequately informed on matters of cancer risk assessment.

We have an obligation in risk communication to provide scientifically balanced statements of risk and not to alarm many lay individuals who are already overly concerned about the many chemicals in our environment. In my view many of the risk assessment approaches using non-threshold models overstate substantially the risks from specific exposures.

Although these are my views, they are shared by professionals world-wide over years (as well as many of my colleagues within the Agency). I hope that other scientists will come forward to request that you to stop misrepresenting the dangers of asbestos exposures at EPA.

Dear Dr. Gross:

Thank you for your most concise summary of the EPA management position on the asbestos situation at CM-2. Fortunately for CM-2 employees, but unfortunately for your letter, even EPA management has abandoned some of the positions you have taken.

To begin with Local 2050 has not made a novel assessment of the cancer risk of asbestos, we have relied on EPA documents and scientific expertise within our bargaining unit and the Laborer's Health and Safety Fund. If you wish to debate aspects of asbestos toxicology, I suggest you take these issues up with the appropriate program in the Office of Toxic Substances.

Regarding the "Occupational Cancer" paragraph of your letter, I note that your experience occurred some 15 years ago. I would suggest that before taking to your word processor, you do a more current literature search. More recent information suggests that asbestos diseases have not been limited solely to asbestos workers. A case that immediately comes to my mind is one in which a nonsmoking office worker was exposed to asbestos from intact asbestos containing ceiling. Autopsy showed the cancer to be asbestos caused. Your argument concerning smoking only serves to

confuse the issue. While smoking probably causes lung cancer and compounds the effects of asbestos inhalation, asbestos fiber inhalation alone can cause cancer.

Regarding the next paragraph, I suggest you reread past issues of INSIDE THE FISHBOWL. I have never said that employees have been dangerously exposed to asbestos, I have always qualified these statements with the idea of probability, I am too good a scientist to make such assertions in the absence of conclusive data. Neither you nor I nor any of the experts know with certainty how much the employees have been exposed to asbestos, we can make only educated guesses. Yet you go on to make the unsubstantiated assertion that there has been no exposure per se and that our exposures were so short and so low "as to preclude any cancer causation...." How do you know this? Have you performed detailed analysis of the lung tissues of the recently deceased from Crystal Mall? Have you hung personal monitors around the necks of workers? (Note: John Moran suggested that personal monitoring be done with workers installing sprinkler and ducting systems and although Environmental Health and Safety management agreed with this idea it was never implemented.) To make the above assertions is bad science; where are your data?

Although, EPA management has cited air monitoring data, John Moran has pointed out numerous instances in which the OSHA standard was exceeded. And the OSHA standard is not "safe", the OSHA standard assumes a certain cancer rate among those so exposed. Mr. Moran further cites numerous instances in which the Portable Isolation Enclosure (PIE) had difficulty maintaining negative pressure and where the room had become so dusty that the IH temporarily shut down removal operations.

The "EPA Exposures" paragraphs ends by asserting the falsehood that the asbestos containing dust samples were taken "from areas remote from breathing spaces which does not constitute inhalation hazards to employees." Again, I suggest you read more carefully. I do not consider dust off the table in my office (2% asbestos) or the file cabinet used in my branch's office (4% asbestos), nor carpet samples, HVAC samples and door tops to be remote from breathing space. True, a few samples were taken from above window casements and from inside a light fixture, but these were a minority. Our sampling sought as diverse a sampling as possible. Citing a minority of the sampling as being representative of the whole study, is fraudulent and unethical.

In the next paragraph, you attempt to pit the Union against its the bargaining unit. We have never conveyed that EPA scientists are not adequately informed (although there are some who are merely poor scientists willing to sell their souls for management favor), indeed my comments and articles have been drafted from the considerable input of many talented scientists here in the Agency. To the contrary, the Union's position has been, that despite widespread scientific disagreement expressed by EPA professionals with the asbestos removal project, a scientifically illiterate group of managers has nonetheless managed to impose their will proceed with a project that does not follow EPA's own guidelines.

I agree with your penultimate paragraph that we should provide a balanced statment of risk and we have done just that.

EPA management has made statements to the effect that there is negligible risk to employees and NFFE Local 2050 has provided ample reasons to doubt this position; 2050 has given employees some other opinions. It is not only our right, it is our duty.

Finally, you state your alignment with the "threshold model" school of toxicology. For those readers who are uninformed, some toxicologists believe there is a threshold for triggering cancer and others believe there is no safe dosage. With oncogens which are chemically active such as free radicals and which the body chemically removes, perhaps there is merit to the threshold school of thought. But asbestos is relatively inert and stays with the body throughout the lifetime. Indeed its inertness causes the triggering of asbestos diseases when macrophages, incompletely surrounding the asbestos fibers, release digestive fluids into the lungs!

In conclusion, if CM-2 is "safe" as you and some EPA management would suggest, why then did Environmental Health and Safety chose to go the route of vacuum samples rather than aggressive monitoring? (Howard Wilson of EHSD indicated that aggressive monitoring might have created an airborne asbestos hazard.) If it is safe, why then did management agree to a cleanup? Come on Dr. Gross, who's doing the distorting here?

THE FIX AGAINST TOM AT EPA by Dwight Welch

On Sunday, January 27, 1991, I watched "60 Minutes". One of the stories featured an interview with General Norman Schwarzkopf. It turned out to be a very interesting story. Seems General Schwarzkopf spends a lot of time talking to the troops. He would ask them questions such as "Getting enough water, how's the chow, getting your mail?" He explained to the interviewer that if he asked these questions of the commanders below him that they would answer, "Yes of course." The only way, he indicated, to get the truth was to ask the troops themselves. He had heard of complaints about the water, food and mail and undertook to solve these problems personally. "Wow," I thought, "this is TQM."

General Schwarzkopf is in charge of all the American troops in the Gulf, he is the top commander, yet he purposefully seeks out input from the bottom. That is TQM, getting the information to solve problems from those who actually do the work, not from the supervisors of those who do the work. To paraphrase Dr. Demming, the quality of an organization can be no better than the person in charge. Although TQM relies on input from the bottom, to be effectively implemented, the implementation must start from the top. Then I thought about Bill Reilly and the EPA.

Now Mr. Reilly has had complaints about carpeting, bad indoor air, roofing fumes, possible exposure to asbestos fibers, retaliations against employees simply because they have tried to act in an ethical manner, and other issues. Mr. Reilly has not had to go talk to the troops, they've come to him. They've come to him with petitions, memos, and open letters. Mr. Reilly's response has been to ask his lower commanders who have of course said, "It's OK

or it's under control or we are taking the necessary courses of action."

Apparently Mr. Reilly is too busy to talk to the troops, he's too busy to talk to this Union, the representative of the professionals. Now Stormin' Norman is running an entire war; the General claims to work 17 hours a day, every day, is Mr. Reilly busier than that?

What we have here is an Agency, an Agency created to protect the environment, and it is a national, indeed international, disgrace. The Agency which is supposed to stop pollution is unable to prevent hundreds of its own employees from getting sick and dozens more from becoming severely injured due to pollution of the EPA work environment. The Agency which sets guidelines for others to follow for asbestos removal, fails to employ these guidelines in an asbestos removal in one of its own buildings.

Yet Mr. Reilly is not only not asking his own employees, he's ignoring them and asking those responsible for these failures to remedy these failures. And to add salt to the wounds, those responsible for poisoning us are richly rewarded: John C. Chamberlin who has presided over employee poisoning the longest of the gang of four, a \$10,000 award in 1989; Charles Grizzle, a special management award in the 1990 ceremonies; and David Smith recently promoted to deputy division director.

Meanwhile, those engaged in trying to do something to remedy the indoor air problems, like Myra Cypser, are retaliated against. When a delegation of employees from the "STOP THE ASBESTOS REMOVAL RALLY", went to present their petition to Mr. Reilly, they were greeted by a troop of armed guards and police, some in riot gear. (Mr. Reilly was not there so the employees had to meet with Mr. Habicht.) General Scharzkopf walks freely and unafraid among his troops and they all have weapons; Mr. Reilly has all manner of police to protect him and all his employees are armed with are memos and petitions.

TQM? Bullhockey! We have just the opposite message coming from the top. Ignore the employees and reward the villains. How can TQM succeed in such a repressive environment?

ADVERTISEMENT

HECTOR'S (AT WATERSIDE MALL)

BREAKFAST MENU AVAILABLE ALL DAY

HOMEMADE SOUP

SUBS-PIZZA-SEAFOOD

FRESH DONUTS AND COFFEE

FRESHLY COOKED FOOD AT REASONABLE PRICES

202-488-1662

OPEN 6 AM TO 7 PM - 7 DAYS A WEEK

CONTRARIAN'S CORNER--ON THE WAR by Bill Hirzy On January 30 Local 2050 held a general membership meeting. The meeting was advertised in advance through a mailing to members, and we had Facilities post notices too. Important topics were on the agenda: ratification of an agreement on the new Flexiplace program, status of our proposal on TQM, endorsement vote on the Union's activities in the carpet dialogue, and a discussion of the Gulf War. Nine people attended the meeting, including five executive board members. Nine people. Are the hearts and minds of EPA as dead as that??

One of the outcomes of the meeting was a 5 to 4 vote not to take a stance on the Gulf War. So Local 2050, at least for now, will do nothing. However, I as an individual take this Contrarian's Corner opportunity to pass on to you the following piece, reflecting my point of view, written by Benedictine Sister Joan Chittister and published in the National Catholic Reporter of February 1. If there is life left in the hearts and minds of EPA maybe this will stimulate a twitch. Maybe not.

The Saturday morning cartoons are back on TV, uninterrupted and innocent sounding. The new polls are out: Support for the president and the war are up almost 40 points since the war began, to a high of 85 percent.

Things are normal, apparently. So what's the matter with me? Why can't I concentrate on the normal and join the acceptable? Why do I persist in being troubled?

My problem is that I can't get to the state of grace of a knee-jerk liberal. I have to work my way through everything. I'm against war for lots of reasons — moral, ideological, pragmatic — and I'm definitely a nuclear pacifist, but I try to stay real. Evil is a part of life, after all. Is there nothing we would be willing to fight for, to die for, to harm for?

If you accept the notion of war at all, isn't this surely a good one? It is being waged against a known aggressor. It is being fought under terms of military ethics — an assault of military weapons against military installations. And the world is already a safer place because of it: Chemical-weapons plants and nuclear-processing facilities, they tell us, were eliminated before the war had barely begun, and with the loss of little or no allied life to do it. The world community, by and large, seems to favor it.

Then why can't I cheer?

Someone wrote once: Better a bad peace than good war. This one has certainly taught the truth of that.

There are three problems with this war.

First is the problem of the negative effect of force.

Iraq is a country of 13 million people. Its economy is weak. Its people are poor. Its technology is limited. The United States is 20 times its size and wealth and development. Surely, the United States will "win."

But what will the win say in a world of runaway technology and unequal distribution of resources? Won't the win really say that the great and powerful have the right not to negotiate because they can solve problems the easy way? They can blast everybody else's questions into oblivion, obliterate their opposition, demolish their resistance. Won't the win really say that might does make right, that force is the answer to everything and that the powerful never have to sit down at a table to talk with the powerless?

Or, just as problematic, does being right give anyone the license to destroy the property or destroy the economy or destroy the culture or destroy the institutions of a people that in the end destroys their lives whether they die or not?

The second problem with this war is its capacity for desensitization.

They are calling this the first full-scale technological war in history. What they mean is that it is inhuman, antiseptic, unreal, remote, "untouched by human hands." Baghdad never sees its enemy and the enemy never sees its victims. The enemy is an unmanned missile launched from carriers hundreds of miles away or a supersonic jet too high or too fast to be spotted.

Benedictine Sister Joan Chittister is writer in residence at Notre Dame University.

Neither the crew on the ship nor the crew in the plane ever hears the crash of the bomb or sees the fires they started, or watches the fine, imposing buildings being dynamited out of the heart of the city, or beholds the human faces of the little people who have been caught scurrying in the maelstrom.

Television reporters asked an Air Force colonel who had just returned from one of the 3,000 bombing runs in 14 hours, "What will you do now, Colonel?" and he said, "Well, first I promised to buy my crew coffee. So we'll have breakfast and then we'll get right back to work." Back to killing. Back to work.

And the rest of us watched the war in our living rooms for hours, eating and drinking like we do during the Super Bowl. This war, in other words, is making all of us a little less human. It is really killing everyone.

The third problem with this war is the implications of it.

We have, apparently, given a great deal of thought to this war. The president, newscasters told us, worked on the 15-minute speech announcing the war two weeks before the deadline for starting it.

And the rest of us watched the war in our living rooms for hours, eating and drinking like we do during the Super Bowl.

There has not been a word, however, about what we intend to do when it is over.

What shall we do with a devastated country in social, economic and political turmoil? Will we do what we did with Panama and leave its innocent homeless in tents indefinitely?

Will we now provide a standing police force in the Middle East to wage the next war there? And who will pay for a war once estimated at \$40 billion and now, just one week later, quickly rebudgeted to \$100 billion in a country already too deeply in debt for day care or grants for education?

And how will we deal, in a totally interconnected world, with a frustrated Arab

population whose leaders may have given assent to Western forces on Muslim soil but whose people hate the infidel with a passion simple and profound?

The problems are overwhelming. Our win is no win at all, not even if you believe in the ethical conduct of war that, in a world of urban military sites and "collateral damage" and droves of refugees, I do not.

And now, there are more questions than ever.

How is it that, even with advanced technology, more than 7,000 bombing runs were able to destroy no more than 15 percent of the Iraqi Air Force and few of the dreaded Scud missiles?

How is it that we could keep 200,000 troops in Europe for 40 years to contain the Soviet Union, but we didn't have the patience to keep 200,000 troops in Saudi Arabia for five more months to give what was hailed as the most effective international boycott in history even more time to work?

How is it that we never rushed to the rescue of the Cambodians or the Tibetans or the Palestinians on the West Bank, those Arabs without oil, if it is aggression and aggression alone that offends us?

Why is it that, if this is truly the war of the international community, the United States has more than 400,000 troops there and the next-largest contingent is the British with only 35,000?

What has happened to the soul of a nation that can applaud a war that is less in the character of a contest and more in the style of beating a child or kicking a dog?

So I'm struggling, torn between the apparent and the real. Is this truly a "just" war? The one we should kill and die and harm the innocent for in the name of justice? For me, the conclusion is getting clearer and clearer: only on the surface. ■

Reprinted by permission from the
National Catholic Reporter.
 P.O. Box 419281
 Kansas City MO 64141

National Federation of Federal Employees

INDOOR AIR NEWS

Editor: Myra Cypser

A Monthly Newsletter on EPA's Indoor Air

January 31, 1991

Asbestos Update: The special clean-up to remove asbestos laden dust in the EPA Headquarters Crystal Mall #2 (CM#2) building is scheduled to begin in a few days. This clean-up was promised to employees in CM#2 several weeks ago in a December 14, 1990 memorandum. The health and safety division says that the reason for the delay was that they had to conduct asbestos sampling to design a clean-up protocol before they began the actual clean-up and there were delays getting samples analyzed.

On January 24, in a standing room only meeting, CM#2 employees gathered to listen to legal and environmental experts discuss the asbestos situation in their building. Employees were advised that they should get baseline chest x-rays if they were concerned about asbestos exposure. Representatives from EPA's health and safety division attended the meeting. The Union wrote a sharply worded complaint to the Administrator noting that these health and safety representatives had not been invited and one of them, David Smith, had disrupted the meeting.

Re-Roofing Continues: The building owner continues to re-surface the roof of the EPA Headquarters Waterside Mall (WSM) building. This work began in September 1990 and is scheduled to continue for several more weeks. There have been employee complaints about fumes from the roofing operation and numerous evacuations of employees when fumes became too intense. The Union is aware of cases where employees had to be

taken away by ambulance, apparently overcome by roofing fumes. In a December 19, 1990 information request to the Agency, the Union asked about emergency treatments. There has been no reply from the Agency so far.

The Union sent a similar request for information to the D.C. Fire Department. The D.C. reply did not indicate an unusual number of emergency episodes at WSM during the re-roofing period. However, their data did show increases in the number of ambulances sent to WSM during periods when "toxic carpet" and "chicken house ceiling tile" were being installed. Just a coincidence?

How Many Sick Employees? The February 1989 EPA indoor air health survey revealed that more than 40 percent of the Headquarters employees had sick building symptoms. However, there is no ongoing monitoring that could indicate the seriousness of epidemics from indoor air contaminants, such as emissions from carpet, tile, roofing fumes, etc. There is no solicitation of employee complaints during Agency activities that could result in illnesses. Employees are supposed to report indoor air illnesses to the EPA Health Unit but there have been no instructions to employees to tell them this is the correct procedure. How many employees have complained to their supervisors about the roofing fumes, been sickened by the fumes, been evacuated, and for how long? The Union doesn't know. The Agency doesn't know.

There is still no word on whether the Agency will conduct a second indoor air health survey. Another survey is indicated by their indoor air quality management plan. They have still not finalized a report for the first survey. It has been nearly two years since the survey was taken! The Union strongly objected to the draft of this report. It trivialized the significance of employee illnesses, theorizing that employees were discomforted by "temperature."

Blood Testing To Be Offered: At the January 29 monthly Facilities meeting, health and safety representatives said that the Agency would be offering voluntary blood testing as a service to employees. Tests would measure immune system functions. The Union is concerned about confidentiality issues and has asked to bargain on this testing program.

The Agency currently provides baseline hearing tests and lung capacity tests as a service to employees when these are recommended by a physician. It is important to have baseline tests for hearing and lung capacity because loss of hearing and loss of lung capacity are common complaints among those employees most severely affected by contaminated indoor environments.

Ventilation Study Needed: The Agency's January 22 master space plan says that although the Agency has "substantially upgraded" the air handling systems in the mall area of WSM, there is still a need for an engineering analysis to determine heating, cooling and ventilation capacity. The Union has been waiting for five years for the Agency to conduct a meaningful study of the capacity of the ventilation systems and determine if the ASHRAE standard for make-up air is being met continuously. At a January 15 meeting of Union and Agency representatives on ventilation, it was clear that the Agency has not yet demonstrated continuous compliance with the ASHRAE standard in even one air handling system. However, the Agency seems willing to provide more information on what improvements they have made, how many employees are affected by the improvements and what specific evaluations still need to be made. The ventilation systems in the other three Headquarters buildings have received less attention than those in WSM.

Evaluation Of Materials: At the January 29, monthly Facilities meeting, health and safety representatives seemed interested in discussing evaluations that had been made of some of the materials used in Headquarters buildings; for example, paints, carpet, furniture, vinyl floor covering, adhesives. The Union would like to know more about these evaluations. Apparently, not much has been done to evaluate the cleansers used in the EPA Headquarters buildings.

The Union has asked to negotiate on the selection of materials to be used in the "build-outs" of the two new Headquarters buildings coming on line, materials such as paints, glues, floor coverings, furnishings, wall board, ceiling tiles, etc.

Managers Who Help: Under the guidance of Mary Gade, OSWER has had the lead among the AA-ships in providing for employees who are severely affected by EPA's indoor environment. Mass meetings have been held regularly for all OSWER employees so they can discuss facilities issues. Other meetings have been held specifically for affected employees to address issues of concern to them; for example, the design of the alternative workspace in the Crystal Station building. Most recently, on January 25, OSWER management held a meeting for affected employees and addressed career issues. More than 40 employees have been given alternative workspace (including work at home arrangements) because of indoor air related health complaints and many of these are OSWER employees.

Responsibility for the Headquarters health and safety program has been reassigned to Dennis Bushta. Mr. Bushta seems genuinely interested in helping employees and working with the Unions. Hopefully, we can get the health and safety division working for the employees now, and we can have the same cooperation that we have come to expect from the facilities division. Under the direction of Rich Lemley, facilities has had an active program for addressing indoor air concerns, such as venting copy centers, making ventilation improvements, and relocating employees out of WSM.

Also, we are fortunate to have Leigh Diggs as the labor management coordinator in personnel. We all benefit from her common sense approach to conflict resolution and

her ability to do the work of ten people.

New Bulletin Boards! Perhaps you have noticed the new open cork bulletin boards scattered throughout the WSM complex. The Union has been asking for these boards for a long time, ever since the Agency installed locked glass boards everywhere, replacing open cork boards. This was ostensibly to promote "neatness." Of course, the locked boards limited employees' ability to communicate on issues like indoor air. The new boards are an important milestone.

Carpet Dialogue: After the uproar over the installation of new carpet in 1987 and 1988, the Union filed a Section 21 petition under the Toxic Substances Control Act, asking the Agency to regulate carpet emissions nationally. The Agency responded to the petition by setting up a taskforce with representatives from the Union, the Agency and industry to assess the health risks from carpet and the need for regulation. Bill Hirzy, the Union president, has been participating in this "dialogue" and has been trying to keep the taskforce on track.

New Smoking Policy: On December 27, 1990, the Agency announced a revision of its in-house smoking policy applicable to EPA facilities nationwide (approximately 120 facilities). The new policy allows managers to totally ban smoking. Local unions must be given the opportunity to bargain on this new policy before it is implemented. The Union's position on this issue is very close to the Agency's and it should not take long to reach an agreement. The Union has asked for smoking lounges for smoking employees and this is permitted under the new policy.

My Own Story: I am working at home now but the harassment continues. My branch chief, Mamie Miller, has told me she intends to open my mail, even though she does not open the mail of the other employees and I have offered to pick up my mail every day so delivery won't be delayed. She is refusing to send me the boxes at Crystal Station that contain much of my "office." (I didn't get a chance to unpack after my division was moved there last November because I became ill from the building right away.)

I have been given a "busy work" assignment.

My assignment is to write a summary of the 1990 Clean Air Act amendments. Of course, this work has already been done. Numerous summaries have already been published by EPA. I assume this assignment is "punishment" for my Union activities and for filing a Grievance to get my work at home arrangement.

In a December 24, 1990 letter, the Occupational Safety and Health Administration told me they were asking EPA to conduct an investigation as to whether I had been discriminated against by my management because of my work on indoor air as a Union official.

The support and sympathy I've received from readers has been wonderful and has kept me from getting depressed. Thanks!

A Message From Johns Hopkins: Researchers at the Johns Hopkins University School of Hygiene and Public Health are investigating the characteristics associated with building related illness, multiple chemical sensitivities, and related problems. They are in great need of individuals who feel ill in the workplace (now or in the past) but do not experience health problems generally in other places. If you fit this criterion, please consider volunteering for their telephone interview study. It will be scheduled at their cost, at your convenience, and take about 45 minutes. Your anonymity will be protected. For further information, call or write Dr. Linda Davidoff, Johns Hopkins University, SHPH Division of Occupational Health, room 7041, 615 N. Wolfe Street, Baltimore, MD 21205, (301) 955-4130. Leave a message if she is unavailable and she will return your call.

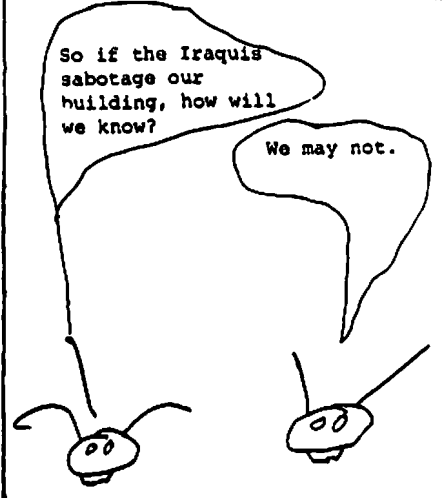
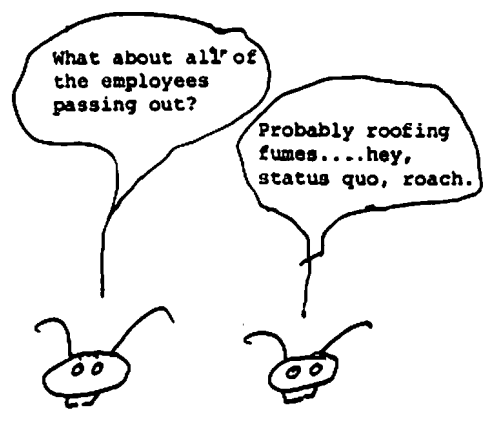
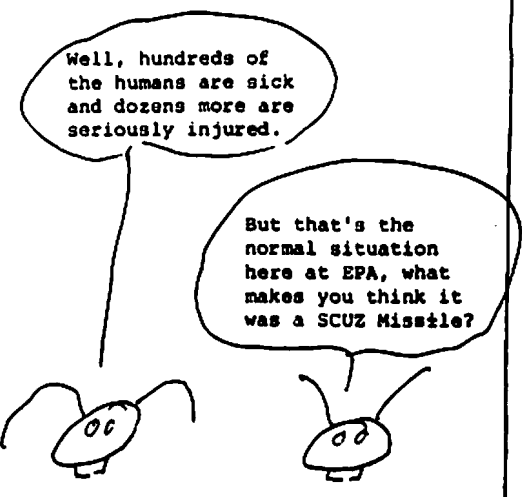
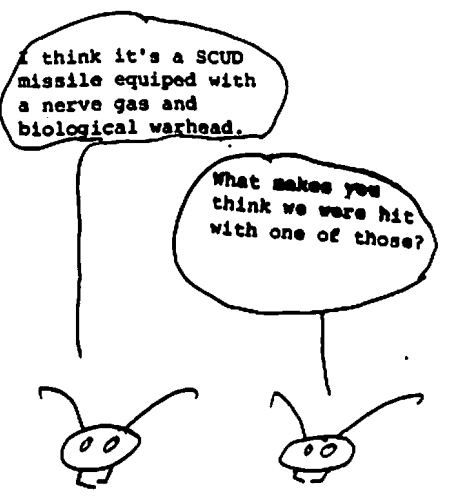
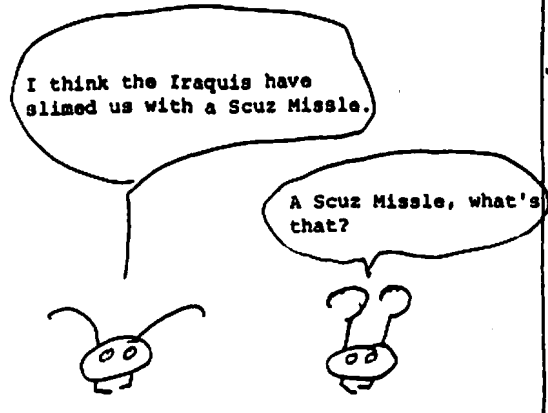
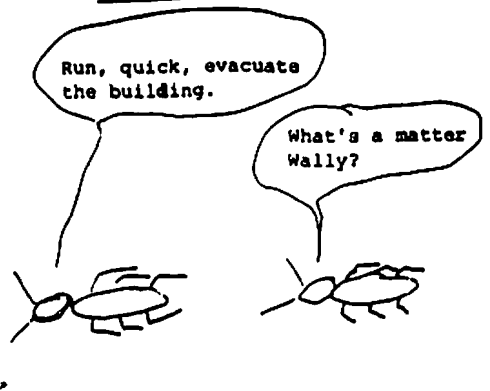
Press Tally: There have been a total of 144 stories in the news media on EPA's indoor air, including 11 national and/or international TV shows.

Distribution: The Indoor Air News is now distributed to more than 550 people and is often republished in the Union newsletter, Inside The Fishbowl, which goes out to Union members and subscribers. Please share this newsletter with friends.

Call me if you have news at (703) 578-1816. Send mail to me at the Union office, mail code (UN-200), or my home. The Union office phone number is (202) 382-2383.

ROACHEZ

CLEARED BY THE CENSORS



SUBSCRIBE TO INSIDE THE FISHBOWL -- Just Fill Out the Form Below

NAME _____

MAIL CODE _____

TELEPHONE NUMBER _____

FREE TO EPA EMPLOYEES WHO WISH TO READ IT. Just fill out your name, Mail Code, and Work Telephone Number and send to FISHBOWL SUBSCRIPTIONS,

UN-700 (T.)

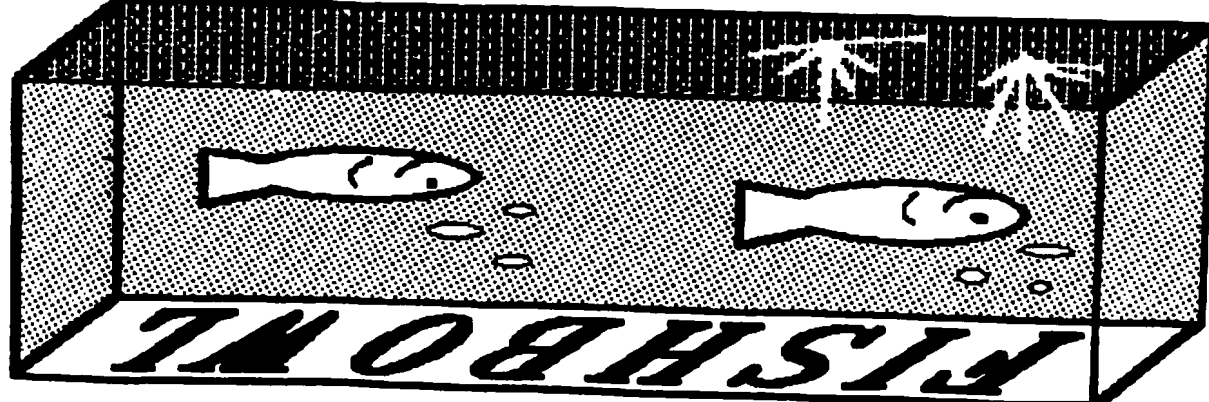
LOCAL 2050 NFFE JOIN TODAY -

- 1 FROM THE EDITOR - Farewell to Hale Vandermar, opening on 2050 Executive Board, congratulations to CM-2 Employees, Open Meeting schedule
- 2 EPA'S DISCRIMINATORY MACHINE--CHARACTERIZING DISCRIMINATION - Dr. James T. Walker
- 4 WHAT DOES THE EXPRESSION "CULTURAL DIVERSITY" MEAN? - Dr. James T. Walker
- 6 NEW BUILDING NEWS AND COMMENT
- 7 LIBERATION VS THE NEW BICOTRY - Part II Bicoctry as a Management Tool for Dividing Employees - Dwight Welch
- 9 GRIEVANCES AND UNFAIR LABOR PRACTICE CHARGES AGAINST JULIUS JIMENO AND DOUGLAS CAMPB
- 11 GRIEVANCE FILED AGAINST AUDITOR - Dwight Welch
- 12 OIG EXTENDS OFF AUDIT, NCAMP COMPLAINS ABOUT MISCLASSIFICATION OF ACTIVE INGREDIENT AS INERT TO ADMINISTRATOR REITLY
- 13 AEROSOL FLAMMABILITY RE NOTICE FINALLY PUBLISHED - Dwight Welch ASBESTOS EXPERT CORRESPONDS WITH VIRGINIA RE: PIR
- 14 CONTRARIAN'S CORNER
This Did Not Have to Happen - Charles D. Reese
Los Angeles Police Brutality - Tyronne Alken
- 16 MANAGERS OF THE MONTH--Rich Lanley & Stan Fredericks
- 18 INDOOR AIR NEWS - Myra Cypser
- 20 KOACHEZ, MEMBERSHIP APPLICATION

PAGE MARCH 1991 INSIDE THIS ISSUE VOL 7--NO 2

"We must conduct our affairs at EPA as if we worked inside a fishbowl."
William Ruckelshaus, Former Administrator, U S EPA

NATIONAL FEDERATION OF FEDERAL EMPLOYEES
NFFE
 EPA HEADQUARTERS' PROFESSIONALS
 OFFICE: ROOM 302 NE MALL
 WASHINGTON, DC 20013
 P. O. BOX 76082
 LOCAL 2050 (202) 382-2383



INSIDE THE

NFFE LOCAL 2050 EXECUTIVE BOARD

Bill Hirzy - President - 382-2383
 Dwight Welch - President Elect - 382-2383
 Rufus Morison - Chief Steward - 382-2383
 Bill Marcus - Treasurer -
 Laura Sallman-Smith - Secretary - 308-8146
 Bob Carton - Senior Vice-President - 382-2325

Vice Presidents

Myra Cypser - 703-578-1816 Jim Murphy - 382-4294
 Jim Walker - 475-9640 Sherry Milan - 382-2767
 (Vacancy)

EDITORIAL BOARD

Dwight Welch (Editor), Bill Hirzy, Jim Murphy, and Rufus Morison

EDITORIAL POLICY

All items for publication must be submitted to INSIDE THE FISHBOWL by the first of the month of publication. Items selected for publication are voted upon by the Editorial Board in a democratic process. Articles indicating authorship reflect the views and opinions of the author and not necessarily NFFE Local 2050.

FROM THE EDITOR**FAREWELL TO HALE VANDERMER**

On February 22, 1991 Dr. A. Hale Vandermer left the Agency. Dr. Vandermer was a highly respected and well liked Epidemiologist with the Office of Pesticide Programs. Hale was a Vice President on the NFFE, Local 2050 Executive Board; previously Hale served as Chief Steward. Dr. Vandermer was often involved in negotiations for the Union and his expertise and negotiating skills will be sorely missed. Based upon Hale Vandermer's research into the site where the South East "new building" was to be built, this site was scratched as the probable new home of EPA. Administrator Reilly had not known about the polluted history of the site until informed of the details by Hale Vandermer (See FB 3/90 "NFFE 2050 Executive Board meets with EPA Administrator Bill Reilly" and FB 4/90 "Master Plan for the Southeast Federal Center: Superfund Site or EPA Headquarters".) Although he is retired Hale is still active in Local 2050 issues; recently he was the featured luncheon speaker at the 10th Annual Pesticides Forum of the National Coalition Against the Misuse of Pesticides. The title of Hale's speech: "Hypocrisy at EPA: The Decline of Science."

OPENING ON THE LOCAL 2050 EXECUTIVE BOARD

With the departure of Hale Vandermer, the Executive Board has an opening for a Vice President. Requirements are to be a member in good standing with NFFE, Local 2050, nomination by the present Executive Board, and be ratification by the membership at an open

meeting. We are looking for someone who is willing to work hard on Union issues and is ready, willing, and able to attend the weekly Tuesday-at-Noon Board meetings. Time spent engaged in representational duties can be done during working hours with no loss in pay.

CONGRATULATIONS TO CM-2 EMPLOYEES' TRIUMPH OVER ASBESTOS CRISIS:
THE SYSTEM CAN WORK!

One of the major maladies in America today is the attitude of so many people who say something like, "I know things are a mess, but what can I, one individual, do about it. The system just doesn't work." EPA, being part of America, is no exception. "I know the quality of science and professionalism is on the decline at EPA, but I'm just one person, the system doesn't work." "I know this building is bad for my health, but what can I do against an AA as powerful as Charlie Grizzle." "I know a lot of people around here get ahead by playing up to the boss, whereas highly qualified people are often passed over; what can I do? Preselection is a fact of life." And on.

But some of the EPA employees at Crystal Mall 2, confronting the asbestos crisis in their building, proved all of these negative attitudes to be wrong. It took two petitions to Administrator Reilly, a Protest Rally, letters to Congress, and quite a few memoranda from the Union. It took the bringing in of an outside expert, John Moran; it took coordination between both EPA Unions and Unions and employee groups outside of EPA, but these EPA employees prevailed. These employees are modern American heroes: they engaged an opponent and a situation which seemed to be stacked overwhelmingly against them. Yet they won a victory, they got a cleanup of their work environment.

The system does work; problem is, it is very rusty from lack of use. This is still the USA, home of the free; individuals still have rights, however, if you don't exercise these rights you forfeit them.

Each individual has power, but a group of individuals has much more; much more power than the sum of the individuals might lead one to expect. If an individual files a grievance, chances are, no matter how good the grievant's argument, that management can sweep the grievance under the rug. They point to that individual and say "He's (She's) not a team player; that's his (or her) problem."

Now if several people file grievances, it gets some attention from the top. Still EPA management is quite good at sweeping things under the rug. If the grievants are all from the same section, a popular management tactic is to dissolve the section with a reorganization and dilute the dissent.

But how about a hundred people? If a hundred employees filed grievances, not only would it get attention, it would get action. Maybe even from Congress. This is what a Union is all about: the workers expressing their collective power. With the Crystal City Asbestos Crisis, only a small percentage was involved. Had everyone with a complaint about the removal, become involved (signed the petitions, joined the rally, wrote their

Congressperson, etc.) the employees could have accomplished much more than a cleanup.

Now I hear a lot of complaints about how bad things are here at EPA from indoor air to the decline in professionalism. A lot of these complainers are not members of the Union. When I ask them about joining they say something like, "The Union is ineffective" or "There is nothing the Union can do." And that is a self-fulfilling, self-defeating prophesy.

YOU ARE THE UNION. Not the President, not the Executive Board, YOU. You make or break it. When we have good participation, such as with CM-2 asbestos, we win. When we have poor participation, we lose; we all lose. We need to get more members, we need to have more participation, and the executive board needs your input if we are to be effective.

What can you do? Write an article for the FISHBOWL, participate on a committee, come to open meetings, send us letters expressing your concerns. If you see something going on that's wrong grieve it, file charges with the IG, or take other appropriate action; come to the Union before you do so that we can give you advice and assistance.

Now a typical response might be, so I file a grievance, so I file with the IG, it will be ignored; indeed you have read in these very pages that this is the typical experience. But as I said above, one or two grievances and they can ignore you and brand you as a troublemaker, a hundred grievances will bring action. I'm not suggesting, by the way, frivolous grievances; however, I am confident that, with as much ill as is going on in this Agency, hundreds of serious grievances and other charges could easily be developed.

Now I've heard Administrator Reilly say (and I've reported them) such statements as morale being high and his continuing faith in Charles Grizzle. Most employees I talk to have quite a different opinion. It's time to make your thoughts known to the 12th floor; Mr. Reilly will never know what's going on if you keep your grumblings to yourself.

OPEN MEETING SCHEDULE

March 27, 1991 - 12 Noon - WIC Conference Room 9

April 24, 1991 - 12 Noon - WIC Conference Room 1

Bring your lunch and bring your ideas

EPA'S DISCRIMINATORY MACHINE-----"CHARACTERIZING DISCRIMINATION" by Dr. James T. Walker

As I stated in my previous article, we need to work together in trying to shut down this Agency's Discriminatory Machine. To do this it is important first to be able characterize discrimination; explaining what it is and how it operates. In the next series of articles I will attempt to do just that. Because of the limited time I can spend on union duties, these articles will be short. I advise each member, however, to save the articles

for future reference.

Discrimination is a process where individuals favor one group over another. In the employment context, this term is used to describe the treatment or favoring of individuals because of race, sex, national origin, age, religious background or their handicap. There are four general categories of discrimination: (1) disparate treatment, (2) policies or practices having adverse impact not justified by business necessity, (3) policies or practices which perpetuate in the present the effects of past discrimination, and (4) failure to make reasonable accommodation to an employee's religious observance or practices. In general, all cases of employment discrimination may be analyzed under one or more of these categories. This article will begin focusing on category 1: Disparate treatment.

"Disparate treatment" means in essence "different treatment." For example, women are treated differently than men, young men are treated differently than middle aged men, blacks are treated differently than whites. It does not mean that the treatment is better or worse, only that the treatment is different. Furthermore it does not matter whether the employee is a good or bad, or whether the employer is fair or unfair. In summary, whenever there is a situation when one group of employees are treated differently than other groups, this is called disparate treatment and is discriminatory.

What are some examples of "disparate treatment"? Sorry, I will have to continue this topic in the next issue. Based on the above definition, do you feel that you were treated differently at EPA, because of your race, color, national origin, sex, age, or handicap?

NEXT MONTH: EXAMPLES OF "DISPARATE TREATMENT"

WHAT DOES THE EXPRESSION "CULTURE DIVERSITY" MEAN?

by Dr. James T. Walker

In order to develop an effective culture diversity program it is essential to understand the meaning of this expression. According to Dr. Judith Palmer, in her article entitled "Diversity: Three Paradigms", one's interpretation of this expression depends on how he or she views the world, which is related to one's experiences and perceptions. There appear to be three different ways of defining "culture diversity."

Some people believe that the word "diversity" means an atmosphere where everyone is appreciated regardless of their differences. These individuals are uncomfortable thinking about people based on what group they belong to and feel it is artificial to focus on any one group. To these individuals, diversity means everyone is an individual; each is special and different, and they believe in the Golden Rule-"Do unto others as you would have them do unto you."

There are others, however, who believe in the establishment of equality and justice for specific target groups who have been handicapped by systemic prejudice and differential treatment. Correcting this situation is essential according to these

individuals; once this has been accomplished the same principles would be applied to other groups. To these individuals "diversity" means " Right the Wrongs."

The third group believes that there should be an appreciation of groups and individuals for their differences and the total group effectiveness is greater than the sum of its parts. To this group, "diversity" means consciously and sensitively deploying the talents of all the types without emphasizing or putting priority on any specific difference or group. In essence "diversity" means "Value all Differences."

Dr. Palmer emphasized in her article that all three of the above paradigms have the same objective; to create a high performance, smoothly running function where members are neither personalized nor advantaged by the type of persons they are perceived to be.

The question that I am posing to the members of local 2050 is - which paradigm is most suitable for the EPA? I have my own personal views, but since I am representing the union, it is important give a union view to the Culture Diversity Committee. Please answer the following questionnaire and return it to me ASAP. (Send to NFFE, Local 2050, UN-200)

NEXT ISSUE: ELEMENTS OF AN EFFECTIVE CULTURE DIVERSITY PROGRAM

(Cut along dotted line or submit entire page or copy of page; send to Dr. James T. Walker, NFFE, Local 2050, UN-200)

CULTURAL DIVERSITY DEFINITION QUESTIONNAIRE

I would like EPA's Culture Diversity Committee to design the Culture Diversity Program according to:

---- PARADIGM I

---- PARADIGM II

---- PARADIGM III

I would like the following definition considered:

NEW BUILDING NEWS AND COMMENT

For those of you who did not get to attend the briefing sessions we offer the following summary. Also, since the sessions varied somewhat with regard to the question and answer portion we offer more complete information than you may have received at individual sessions.

Introductory remarks were made by either Charles Grizzle or his assistant Kelly Sinclair. A presentation and slide show were given by Nelson Hallman. The presentation included a history of the Pennsylvania Avenue area. The building contract was awarded on the basis of quality rather than on the basis of lowest bid. The building will be quite an artwork and will contain restaurants, shops, art exhibits and other attractions. The building also has ample space allotted for daycare and exercise. One of the many nice features of the building is the extensive areas of open space surrounding the building. It's most attractive feature seems to be an atrium in the center which will contain an indoor garden. We may begin moving into the new place as early as 1994.

Now for some not so nice news: no cafeteria, no auditorium, and much tighter parking than we are enjoying at present and the parking probably will not be subsidized. The building is also quite dense, so natural lighting will be premium (much worse than Waterside). Space plans call for GSA-mandated 135 sq ft. per person and for 70% open office space (bays with cubicles) and 30% offices. After you subtract for hallways, conference rooms and other common space, we are looking at a net of an 8x10 for the average person or 80 sq ft. If other federal space is an example clerks will get tiny spaces with waist high partitions, professionals larger spaces with head high partitions, and low level managers even larger spaces with partitions approximately 7 feet high. Senior managers get private offices.

Some mitigating circumstances include the presence of a nearby Commerce Dept. cafeteria and a large assortment of international restaurants within the building (maybe nice, but probably pricey). Similarly, there will be nearby auditorium space. Mitigating the parking crunch is the building's location at a choice Metro stop. To one commenter's remarks about the lack of parking, Mr. Hallman indicated that taking public transportation instead of private autos was a part of what EPA is all about and for which Mr. Hallman received a hearty round of applause. Not mentioned is the fact that the parking crunch will probably be worse than anticipated since much of the parking around Waterside and in Crystal City is accommodated by private parking and parking through the EPA Rec. Assn. These alternatives probably won't be available at the new site. No mention was made of bicycle facilities.

One of the most interesting audience comments was a suggestion that the building be named THE RACHAEL CARSON MEMORIAL BUILDING.

Mr. Hallman indicated that the building name was probably out of our control.

There is a great deal of excitement and optimism concerning the new building. Back in the beginning of EPA, the Agency was temporarily housed in a building uptown. Waterside Mall was the "new building" in those days. There was great excitement and optimism regarding the move to Waterside, after all, it was the complete complex. Containing apartments, offices, shops, restaurants and even a movie theatre, why would anyone ever want to leave? Obviously somewhere things went awry.

So before we go dancing down the Yellow Brick Road to the new castle on "America's Main Street", we must remember it is our right, indeed our duty, to ensure maximum employee input into the building out of the new building. Such items as offices vs cubicles, office/cubicle size by grade, and ventilation requirements are all negotiable issues. Of particular importance is the issue of what type of materials should be used in the building. We must guard against the evolution of another toxic indoor environment and instead insist upon the use of products which tend to be environmentally benign. We at NFFE 2050 urge employee participation and we will keep you posted on further developments. We also encourage you to use the pages of INSIDE THE FISHBOWL to air your views on the subject. Submit articles to INSIDE THE FISHBOWL, NFFE Local 2050, UN-200.

LIBERATION VERSUS THE NEW BIGOTRY

Part II Bigotry as a Management Tool for Dividing Employees by Dwight Welch

Back in the early 1960s, there was a money making Real Estate scheme known as "Block Busting". It went like this. Taking advantage of racial prejudice, real estate companies would buy a house in an all White neighborhood and sell it to a Black family. Often this transaction was made at a financial loss to the company. But it was a short term loss for a long term financial gain. The next step of the scheme is that the White families would panic and sell their houses at a cut rate prices to the real estate company. Next the real estate companies would sell these houses to Black families, who were trying to move up to the middle class, at inflated prices. The real estate companies were the double winners: they bought low and sold high. Ordinary people would be the losers: Whites selling cheap and Blacks paying too much. The lesson learned: it is in the best interest of those in power to promulgate and exploit racism and other forms of bigotry.

Lesson 2. Back in my old section in the Office of Pesticide Programs, Product Chemistry, we were as diverse a group of people as one could ask for. All three major races, male and female, young and senior. We were also as divided a group as you could ask for. The source of these divisions were not a result of our cultural diversity, but rather due to the competition of vying for an upcoming, management offered plum: a promotion to section head. With the competition induced, increasing tension, racism and sexism reared their ugly heads. Accusations, that one or the other was

being favored due to his or her gender and/or color, lurked just beneath the surface.

The real enemy, mismanagement, was not focused on, people were too busy attacking one another. For you see mismanagement already had a preselection in mind, and the preselection was not based on color or gender, but the New Bigotry. The preselectee's major qualification was blind and unquestioning loyalty to the Branch Chief.

Well quite a number of other irregularities were taking place and this is where the Union got involved and this is when I got involved in the Union. A recent reorganization of the program had resulted in an oversized Product Chemistry Section. The preselectee was appointed "Group Leader" and a de facto reorganization had taken place dividing the section into two--one under the Section Head, one under the Group Leader. The Union filed an Unfair Labor Practice Charge against the Branch Chief and the resolution was that all of the other senior chemists would have "equal time" at being "group leader". This equal opportunity arrangement busted up management's Machiavellian scheme and for this and other reasons, OPP management decided to break up the section.

This break would have been disadvantageous to the individuals in the group professionally so, suddenly this diverse group had a common cause. And a common enemy. I remember the day well; Rufus Morison and I represented the chemists before one of the most powerful people in OPP, Anne Lindsay. In her typical patrician style, Lindsay talked down to this group of individuals, all of whom who had an education vastly superior to Lindsay's BA in English. No longer was this group divided but now brother and sister. No longer were just a few members of the Union, after that meeting, most joined. Together they continued on their roll and even Program Director Douglas Campit was unable to shake their solidarity.

The lesson, as hinted at in my last article of this series, is we have more in common with one another, despite our cultural diversity, than we do with management. Together, we can overcome mismanagement. To fight one another, especially in the context of superficial differences such as race and gender, is like a couple of medieval peasants fighting over some worthless bauble, while the nobles ride about dressed in ermine and jewels.

Now once again racism is being used, this time quite consciously, as a tool to divide us. Management has spread a perception that NFFE, Local 2050 is the "White Union", with the unspoken corollary that AFGE, Local 3331 is the "Black Union". Now the demographics of the two Unions may reflect a higher percentage of Whites in 2050 and a higher percentage of Blacks in 3331, but Local 2050 is not the "White Union" and I would hope Local 3331 is not the "Black Union". Both Unions should, indeed must, represent everyone--equally.

For quite some time now management has been playing off AFGE against NFFE, and quite nefariously, Black against White. My NFFE sisters and brothers tell me with Compressed Work Week and with the Labor-Management Health and Safety Committee, it has been management and the leaders of Local 3331 against Local 2050. But

I focus here on what I have personally experienced: the Crystal City asbestos issue.

Kirby Biggs and I had been working together to resolve the Asbestos issue. We were on top of things, close to a decisive victory, when suddenly we were undercut by a secret deal and resultant memorandum signed by Julius Jimeno, Douglas Campt and Loree Murray, President of Local 3331. In the last two issues, I have been highly critical of this secret and underhanded deal. I have filed grievances against Campt and Jimeno, but not against Ms. Murray. For Ms. Murray, similar to the opening example in this article, is also a victim of management racism. The odds are overwhelmingly against us; if we are to stand any chance at all, we must work together to fight the common enemy--mismanagement.

It is time to forget about our superficial differences. Black or White, male or female, clerk or scientist, our role is the same: we are third class citizens in a late 20th century feudal system. Our struggle is the same: bring an end to mismanagement by putting the power where it belongs. The power belongs in the hands of the people: the people who do the work know how to do the work the best. Good workers need little management, rather than the top heavy situation here at EPA. It is time to stop fighting each other over the scraps while management grows belt-busting fat.

In my next article "Fighting Back", I will forward some suggestions for winning. This article will also be of benefit to managers. Some people think that just because they are Branch Chiefs or Division Directors, that they are of the aristocracy. But they are even more the tools and even more the victims of the New Bigotry. Our major weapons: ethics, honesty, and exposing the villains and their deeds. And democracy. "Democracy," you say, "here in the authoritarian hierarchy of EPA?" There is more democracy here than you may realize. To find out, though, read the April issue of INSIDE THE FISHBOWL.

JIMENO/CAMPT GRIEVANCE ESCALATED TO THE ADMINISTRATOR'S OFFICE

February 28. As reported in the last issue, Local 2050 filed grievances against Division Director Julius Jimeno of Environmental Health and Safety and against Director Douglas D. Campt, Office of Pesticide Programs. The specifics charge these two with purposefully circumventing Union/management bargaining policies, conventions, and agreements by entering into a underhanded back door deal with the President of the other Union. The document also charges that "The signatories endorsed an environmental policy without the authority to issue, which is contrary to EPA statutes, regulations, policies, congressional testimony and legal positions taken by EPA and Department of Justice in criminal and civil enforcement cases, and which could undermine the Agency's position in such cases." The document further charges Campt with a conflict of interest due to his position in OPTS and that OPTS regulates asbestos and that Mr. Campt being neither a Labor Relations Officer nor a Health and Safety Officer had no legal right to bargain concerning employee health and safety.

The relief sought seeks formal dissolution of the December 14 agreement, refraining from exclusive bargaining with AFGE 3331, and written reprimands. It also calls for recusal of Campt from any

meeting involving EPA asbestos policy. The grievances were sent to AA Grizzle for Jimeno and AA Fisher for Campt.

As also indicated in the last issue that Julius Jimeno answered his own and Mr. Campt's grievance. Since this is a matter of ethics (or lack thereof), and since CFR 5 specifically indicates it, the investigation of this matter must be performed outside the influence of the person or persons charged.

Can you imagine if the criminal justice system worked this way? "Mr. X, you have been charged with poisoning 600 people; how do you plead, find yourself, and sentence yourself." "Your honor, I plead not guilty, find myself not guilty, and sentence myself to a cash award for having done such a good job of protecting the health of those 600 people."

Does the above described system seem to you a total outrage? In a nutshell this is the EPA grievance system and why things only continue to get worse at EPA. Jimeno justifies the answering of his own grievance with his being "...the lowest level management official capable of granting the relief sought." While we might agree with the first part of this statement, we seriously doubt Jimeno's ability to investigate himself and to discipline himself.

Jimeno goes on to indicate that "Mr. Campt graciously agreed (to sign the memo)." It is interesting to note that Mr. Campt graciously refused to sign the first employees petition to Mr. Reilly insisting that the job be done properly, but graciously agreed to sign a memo designed to cover up the sloppy job which took place. To whom does Campt owe allegiance, Charles E. Smith Companies or to OPP employees?

Jimeno also indicates that disciplinary action against the two is a management right. No kidding, Julius, why do you think we sent it to your boss and not to you? If we had the right to discipline you, don't you think we would have?

Jimeno also glosses over the de facto environmental policy setting precedent of the agreement. With Mr. Jimeno's credentials we would hardly expect him to understand the concept of environmental policy, which is why we sent this grievance to Ms. Fisher.

Finally, Jimeno indicates that he fails to see the discrimination involved in dealing with one Union and not the other. Nor does he see any irregularity in cutting out the other Union's own health and safety officer Kirby Biggs.

Jimeno also failed to give us the requested face to face meeting; a contract violation.

Based upon the unsatisfactory response we received, we escalated the grievance to Step 2, Administrator Reilly. Mr. Reilly's office in turn bumped it back to Leigh Diggs (Labor-Management Relations) who instructed us to forward Step 2 to John C. Chamberlin (who is under Charles Grizzle who received Step 1).

There's an age old saying to solve problems while they are still small, not to wait until they become large problems. Such wisdom seems to be lost on certain EPA management. Now Linda Fisher and Charles Grizzle could have met with us and we probably could have worked something out. The cleanup was already committed to. Base-line physicals probably wouldn't have cost that much more money, I would suspect that only a small percentage would opt for

X-Rays. Dissolution of the agreement? If it was only an informational memo as Jimeno claims, what's the big deal? Fair and equal treatment of the Unions? That already is mandated by law. Written reprimands? We would have probably have waived them if Campt and Jimeno truly indicated that they were sorry. Instead of dealing with the problem, Grizzle, Fisher, and Reilly all would seem prefer that these issues be escalated.

UNFAIR LABOR PRACTICE FILED AGAINST JIMENO AND CAMPT

Under an almost never used (according to the FLRA) section of the Unfair Labor Practices section of 5 USC, NFFE, Local 2050 has charged Julius Jimeno and Douglas Campt with unequal treatment of EPA's Unions. This charge was filed specifically in connection with the December 14, 1990 agreement signed by Jimeno, Campt, and AFGE, Local 3331 President Loree Murray. This charge was also specifically left out of the grievance filed in connection with the December 14 agreement.

UNFAIR LABOR PRACTICE FILED AGAINST JIMENO

Another ULP has been filed against Julius Jimeno. This new ULP charges a contract violation. Julius Jimeno, without being designated by appropriate authorities is charged with responding to his and Campt's grievance referred to above.

GRIEVANCE FILED AGAINST AUDITOR

by Dwight Welch

In the past we've told you true stories about how persons filing charges with the IG have been the ones investigated rather than the culprits. We told you similar true stories about grievants. Well here's a new one for the books.

As you may recall I have filed two grievances: one charging retaliation and the second charging illegal job assignment. Both grievances were filed in connection with retaliation against me by Ferial Bishop and Anne Lindsay in connection with my diligent efforts to get a regulation change to account for the extreme flammability of propane, butane, etc in aerosols. These grievances have been dragging on for two years without resolution.

At the suggestion of Leigh Diggs (Labor-Management Relations), I thought maybe I had a solution to the dilemma. Have the position audited (although the section does toxicology reviews, the positions are termed "biologist"), and when the job is correctly classified as "toxicologist", then I won't qualify and they will have to give me another job. It would also help those who have been doing the job for quite some time; they could be upgraded from biologists to toxicologists. Right? Wrong!

Now a common sense approach, if you were considering upgrading a position from biologist to toxicologist would be to begin auditing those with the most experience at doing the job. It would make little sense to audit the person with little or no experience at the job. Such a logical thought progression, however, was not in the mind of auditor Julia Smith of Personnel.

Smith began the audit by first talking to my supervisor and learning of his various prejudices against both the Union and me, and then she began the audit with me. I explained to her that I was unqualified to do the job. I even showed her a review I tried to do but had about 100 questions concerning a scientific discipline foreign to me. Ms. Smith would not even look at this. Nor did she audit the others. Soon after the meeting started she broke it up and set up another appointment.

On the second meeting, Ms. Smith refused to meet with me in the presence of my Union representative, Dr. Rufus Morison. She gave me the ultimatum, "Either you can meet with me, or you can meet with him, you cannot meet with both of us." I in turn explained that due to the fact that this was connected with a grievance it met Weingarten criteria and countered with the following, "Either you can meet with both of us or I can file a grievance against you." Ms. Smith opted for the grievance.

OIG EXTENDS AUDIT OF OPP TO 1995

In previous articles we have indicated an audit of the Office of Pesticide Programs based upon charges by then Local 2050 Vice President Dwight Welch and others. Upon sifting through OPP's records, apparently the IG has found enough to keep them busy for the next five years.

NCAMP COMPLAINS ABOUT MISCLASSIFICATION OF ACTIVE INGREDIENT TO ADMINISTRATOR REILLY

February 4, 1991. Susan Cooper staff ecologist at the National Coalition Against the Misuse of Pesticides wrote to Administrator Reilly concerning the misclassification of the highly toxic biocide Methyl Bromide (a registered pesticidally active ingredient) as an inert ingredient. Ms. Cooper pointed out to the Administrator that MeBr is a "complete biocide active against virtually every form of living organism, including insect, mites, mammals, fungal organisms, nematodes, plants, even seeds." Ms. Cooper also pointed out, citing OTS' own EPA CHEMICAL PROFILE that:

"Methyl bromide is a dangerous cumulative poison with delayed symptoms of central nervous system intoxication that may appear as long as several months after exposure. High concentrations can produce fatal pulmonary edema. Chronic exposure can cause central nervous system depression and kidney injury. It may cause severe and permanent brain damage. Severe neurological signs may appear when there is a sudden exposure to high concentrations following continuous slight exposure. Methyl bromide has practically no odor or irritating effects and therefore no warning, even at hazardous concentrations."

What really irked Ms. Cooper was that not only was MeBr misclassified as an inert, but it was misclassified as a List 2 inert. For those of you who don't know the classification scheme, List 1 is inerts which are of known high toxicity, List 2 is inerts of suspected high toxicity, and List 3 is inerts of unknown toxicity, and List 4 is inerts of known low toxicity. As a pesticidally active ingredient, it was bad enough that MeBr was

classified as an inert, but even though what is known about its high toxicity, that it wasn't classified as List 1!

An alert President-Elect Welch, being aware that the IG was investigating OPP and that the first subject of this audit was the sorry state of the records on the inert ingredients, forwarded Ms. Cooper's letter to OIG investigator Dwayne Crawford. In his cover memo Welch noted that since every chemist in OPP knows that Methyl Bromide is a highly toxic active ingredient, that this was further evidence of OPP's mismanagement. He also pointed out how chemist Tyrone Aiken had, years ago, tried to straighten out the inert mess. Mr. Aiken had begun to input the inert data into a data base of his own design, when management took away his computer, thus he was never able to straighten out the mess which the inert data base is still in. Indeed, to this day thousands of inerts in pesticide products remain unknown quantities, much less are they properly classified.

AEROSOL FLAMMABILITY FR NOTICE FINALLY PUBLISHED
by Dwight Welch

February 20. Division Director Anne Lindsay signed the FR Notice inviting comment on EPA's proposed precautionary language on products containing extremely flammable propellents. The Notice also invites comment on a proposed revision of the flammability testing procedure and requests information on spontaneous ignition by static electricity of discharging aerosols.

It's only taken 13 years (7 years at the Division level), 4 grievances, several Unfair Labor Practices, over 200 cases of property destruction, injury, and death, complaints from Congress, Fire Marshalls, and citizens and the destruction of my scientific career at the hands of the Bishop/Lindsay axis to implement this change. Now even persons of below average intelligence know that propane, butane and the like are extremely flammable gases; so why did it take the OPP management hierarchy so long to put an "EXTREMELY FLAMMABLE" warning on pesticide labels of products containing these ingredients?

To add insult to injury, between the draft and the final, they have removed my name as the contact person and inserted "Donald R. Stubbs". First they took me out of Product Chemistry, a position in which I had been performing in an above satisfactory manner for six years. Then they put me into a job that I am unqualified to do. Now they've taken away the credit for the job that I've done despite their opposition and bureaucratic inertia. Do you think they might have done this to me because I blew the whistle on their incompetence in responding to a simple label change? Naaaw.

JOHN MORAN CORRESPONDS WITH THE COMMONWEALTH OF VIRGINIA REGARDING THE EFFICACY OF THE PORTABLE ISOLATION ENCLOSURE IN LARGE SCALE ASBESTOS REMOVAL PROJECTS John Moran, Director of the National Laborers' Health and Safety Fund, has been corresponding with Virginia regarding the PIE. He has submitted his findings in connection with the EPA Crystalcide Mall asbestos abatement project. Richard W. Anderson, Asbestos Supervisor, has responded with a list of 12 procedures which must be strictly adhered to for

the PIE and like devices to be used in asbestos abatement. Of these 12 both Mr. Moran and I (and others) have indicated at least 4 or 5 of which were not complied with in the Crystalcide Mall 2 job. We will keep you posted.

AMY BROOKS-JONES TAKES ON HIGH PARKING FEES AT CRYSTAL STATION Amy Brooks-Jones, on the Executive Board of AFGE, Local 3331, is leading the charge against high parking fees at Crystal Station. Amy indicated to me that the cost of parking at that building was beyond the means of clerks working at the building and also that the building is at a considerable distance from the Metro. Considering that Charles Grizzle has made public statements to the effect that the Agency would be moving away from subsidized parking fees; Good-Luck Amy.

CONTRARIAN'S CORNER

THIS DID NOT HAVE TO HAPPEN!

by Charles D. Reese

(Editor's Note: Charles D. Reese is a former EPA employee who worked in Crystal Mall 2 at the time of the asbestos "abatement".)

In 1930 at Saranac Lake, scientists established exposure to asbestos as a cause of lung cancer. In the years following this discovery, those associated with using asbestos in manufacturing kept a steady stream of experts on parade saying don't worry, be happy. Is it surprising that at the same time, acceptable exposure levels were set to match existing conditions. The establishment of a so-called "no effect level" protected no one except those profiting from the sale of asbestos-containing materials. There are currently no recognized "no-effect" levels and numbers considered to be "acceptable" decline according to NIOSH.

Recently, the EPA offices in CM2 and Waterside Mall were found to be uninhabitable due to the presence of asbestos in building dust associated with ceiling tiles. The acceptable practice in the U.S. is to evacuate such buildings, perform proper removal, then proper clean-up and only then reoccupy the facility. EPA management decided their employees could be an exception. Management refused to hold meetings with employee representatives concerning what was to be done. In fact, the FOI Act had to be used to obtain the protocols concerning asbestos removal. The reports of the industrial hygienists hired by management showed by their reports that the protocols were not met and, in fact, employees are at risk. The contracted clean-up employees worked long hours to try and make the work sites look like the system was working. How much exposure did they have?

What have we learned? EPA management response was like the industry in the 40's and 50's and on. EPA employees were

unnecessarily exposed. The State of Virginia did not react to three OSHA reports of violations at CM2. Large numbers of EPA employees were made sick in addition to exposure to lethal levels of asbestos. EPA could have prevented all this by writing a letter to GSA and the landlord; Charles E. Smith Company would have been made responsible to evacuate the employees to safe quarters and correct the problems and presumably absorb the costs.

EPA lost a substantial sum due to reduced productivity. EPA does not enforce its own regulations to protect you the employees. In fact, at a recent gathering of Crystal City employees, EPA management disrupted the meeting with statements designed to confuse employees about the risk of asbestos exposure. It is interesting that these same persons would not speak earlier.

In fact, after listening to experts on the subject of asbestos exposure and risk, the inappropriateness of the remarks made by David Smith, the Deputy Director of the Environmental Safety and Health Division, which were a source of embarrassment to professionals in attendance, but perhaps explain EPA management's prior behavior.

What are the responsibilities now of (1) EPA and (2) the landlord? EPA should carry out a public awareness program reviewed by asbestos experts and the Unions so that the concerned parties know what the indoor air problems are and what EPA's responsibilities are. When this is done EPA might demonstrate the cost effectiveness of solving these problems rather than covering them up. Cost effective in terms of remedial costs and prevention of very high costs due to reduced productivity from illness and absence, and from exposure to lethal levels of asbestos.

EPA should provide basic physical examinations (including chest X-ray) to verify that the employee is now free from asbestos related disease all persons exposed and each following year. This may be a wise use of the money saved by the landlords and EPA this past year. Perhaps, it was a saving at the expense of your health.

THIS DID NOT HAVE TO HAPPEN!

If you are concerned about any of the environmental health conditions and potential hazards in the Crystal Buildings call me for a discussion and discovery meeting at (703) 998-5145.

References:

to asbestos limits in dust are:

OSHA: 29CFR 1910.1001 Asbestos; 29CFR 1926.58 Asbestos; 29CFR 1910.1200 Hazard Communications; 29CFR.59 Hazard Communication.

abatement:

The Purple Book: EPA 560-5-85-024; Green Book: EPA 20T-2003
The White Book: NIOSH/EPA, EPA-560-OPTS-86-001.

LOS ANGELES POLICE BRUTALITY

by Tyrone Aiken

The recent video tape showing Los Angeles police brutality is cause for alarm among all black and minority citizens. The scene could easily fit into the mosaic of the early cases of civil rights violations in the 50s and 60s. It is most disturbing because some black and white citizens still view black males as criminals or potential criminals and less patriotic than others. What does this say about the way black people deal with prejudice and bigotry in the United States? Whatever the method it is not working. Since the days of slavery black americans have fought in wars, gained Ph.Ds, made millions, gained public office and survived the onslaught of poor leadership of postured black opprobriums.

White american synthesizers abandoned their total commitment to removing bigotry for several reasons. Many expected blacks to be gratified for the gratis civil rights bills, financial aid and the few second rate academic institutions. The liberals that have become sybarites say that we cannot change the history of the United States as it relates to slavery. This may be a truism but blacks have never expected the sympathetic white society to change history, we ask only that it not be replayed daily. The repeat performance of hostility showed on the video tape of the Los Angeles police is a repeat. The violence is a result of the misunderstanding of the plight of blacks in the U.S. The striking of any human being with a night stick 56 times and kicking his face in is a message to the black community. Media white washing will not cover the facts. The police officers should never have made it on the force. The substitution of General Colin Powell for the motorist would not have stopped the merciless punishment.

Bigotry will not be litigated away. The passing of a civil rights bill will not solve the slavery mentality of some blacks. The institution of slavery has genetically changed the habits of blacks. Black americans do not belong completely to America or Africa. The identity problem and the denial of the problem will perpetuate bigotry for years to come.

If americans refuse to stop the killing of young blacks in New York City, Washington, D.C., Los Angeles and Atlanta brutality will continue. The excuse that we don't want to interfere in the rights of minorities to run their governments and communities is an equivocation. If all americans are equal and deserve equal protection there would be no hesitation to attack the problems in black communities. Infant Mortality, Homicides and Aids should be attacked just like Operation Desert Storm. If Americans do not value the lives of black men in the United States just like other men why should police with gestapo attitudes respect the rights of black suspects.

Use the high tech. Weapons and machines of the military to stop drug dealers. Use the high tech computers to solve the problems of poverty. The earth is a closed system and bigotry is like the flu it spreads none-the-less.

MANAGERS OF THE MONTH

Our MANAGER OF THE MONTH award for this month goes to not one but two managers: Rich Lemley and Stan Fredericks of Facilities Management and Services Division. We have chosen Mr. Lemley and

Mr. Fredericks as Managers of the Month for their work with us on the Crystal Station Alternative Work Space (AWS). Rich and Stan put in a lot of work to make the AWS acceptable to all parties involved. In order for the AWS to be a success, the types of materials permitted in the area need to be strictly controlled. These two managers were most cooperative and patient in assuring that no unacceptable materials were introduced into this area.

It is important for management and labor to work together on issues of concern affecting EPA employees. Whereas some managers tend to promote confrontational situations with the Union, these two managers have realized the efficacy of cooperation and mutual respect. The Executive Board not only salutes Rich Lemley and Stan Fredericks for their accomplishment of a successful AWS, but for their means employed to this end.

COMING IN FUTURE ISSUES

"ANOTHER OPEN LETTER TO ADMINISTRATOR REILLY" - Asbestos abatement contractor has insulted EPA scientists and accused them of illegal activities - Read about it.

"STATUS OF ASIAN-AMERICAN DISCRIMINATION IN THE OFFICE OF PESTICIDE PROGRAMS" - On March 6, 1990 the Asian Pacific American Community (APAC) sent a letter to OPP Director Douglas Campt claiming discrimination against Asian and Pacific Americans in the Pesticide Program. In June 1990, Mr. Campt met with APAC and promised action. It has been over a year since Mr. Campt received this letter; what action, if any, has Campt taken?

ADVERTISEMENT

HECTOR'S (AT WATERSIDE MALL)

BREAKFAST MENU AVAILABLE ALL DAY

HOMEMADE SOUP

SUBS-PIZZA-SEAFOOD

FRESH DONUTS AND COFFEE

FRESHLY COOKED FOOD AT REASONABLE PRICES

202-488-1662

OPEN 6 AM TO 7 PM - 7 DAYS A WEEK

National Federation of Federal Employees Local 2050

INDOOR AIR NEWS

Editor: Myra Cypser

A Monthly Newsletter on EPA's Indoor Air

February 28, 1991

More New Ceiling Tiles

The Agency is beginning once again to clean the ventilation ductwork and install new ceiling tiles at the waterside Mall (WSM) Headquarters building.

This work was suspended in October 1990 after dozens of employees became ill, presumably from the new ceiling tiles. Some employees were seriously disabled. Portions of the 3600 corridor in WSM were evacuated.

The tiles had a distinctive "barnyard" odor which persisted for weeks. The health and safety division now believes the odor was from the fire retardant in the tiles. The new tiles will not have this chemical. Of course, no one knows if the chemical causing the smell was what made people sick.

The Union has asked for precautionary measures to protect employee health: (1) the renovated offices should be thoroughly aired out, with the air handlers running and the outside air intake dampers open, before employees are allowed to work there; (2) facilities should make certain that the airing out continues after the offices are reoccupied; and (3) the health and safety division should solicit employee health complaints. The Agency representatives we met with on February 20 seemed to agree that these precautions were necessary.

Medical Information To Be Released

In a February 6 agreement with the Union, the Agency promised to release summarized medical information for those employees who had applied for alternative workspace because of indoor air related health complaints. The information will be in a form that masks employee identity and will show the types of supporting statements made by physicians that EPA found sufficient to justify assigning employees to alternative workspace.

This information is important and will enable the Union to determine if some employees are being/were unjustly denied alternative workspace. The Agency initially refused to release this information. This agreement was a settlement of an Unfair Labor Practice (ULP) charge filed by the Union on this matter with the Federal Labor Relations Authority last year.

New Buildings Coming

On February 21, the Agency announced plans to construct a new building at a site near the Federal Triangle Metro stop, if Congress approves. The building is scheduled for completion in the autumn of 1995.

On February 26, the Union asked to bargain on the working conditions for employees in the new building. This includes bargaining on the selection of materials used in the building, carpet, ceiling tile, paints, furnishings, etc. to minimize impacts on air quality. The Union has also asked to bargain on working conditions in other new buildings now coming on line which will be used as temporary quarters pending completion of the Federal Triangle building.

Hopefully, the Agency will properly manage indoor air quality in the new buildings, select new materials carefully and design the air handling systems to provide enough air flow; otherwise, we will be taking our indoor air problems with us.

Asbestos Clean-Up Completed

Thanks to the persistence of Dwight Welch (NFFE) and Kirby Biggs (AFGE) and the leadership of Dennis Bushta, head of the Headquarters health and safety program, the Agency did a special clean-up of the EPA Headquarters Crystal Mall #2 (CM#2) building in February to remove asbestos contaminated dust. Last year, asbestos was found in dust samples collected after a renovation project involving removal of ceiling tile containing asbestos. Samples taken after the clean-up revealed no asbestos.

How Many Re-Roofing Illnesses?

The Union has been told that the re-roofing operation at WSM is nearly finished. There were many complaints about fumes from this operation and employee illnesses. A few employees were so ill, apparently from the fumes, that they required emergency treatment. In a December 19, 1990 letter to the Agency, the Union asked for information on the number of employee health complaints related to the re-roofing fumes and the number of ambulances sent to WSM. Now months later, the Agency still has not replied.

Health Monitoring Coming

In a February 26 meeting with the Union, Dennis Bushta said a form was being drafted to solicit employee health complaints during and after facilities activities that could impact indoor air quality. This is a giant step forward.

Currently, employees can report indoor air related health complaints to the EPA Health Unit. However, employees have not been advised that this is the correct procedure and is likely that many health complaints are not reported.

The only assessment of the overall level of employee illnesses from indoor air quality to date is the 1989 EPA indoor air health survey which showed that more than 40% of the headquarters employees had sick building symptoms.

Meetings On Ventilation

Union and Agency representatives have met a few times to discuss ventilation issues. Progress has been made in compiling summaries of investigations of the ventilation systems and the system improvements that have been made. A computer program is being developed to map the systems and track information on investigations and improvements. The facilities division, under the direction of Rich Lemley, has had the lead on making these improvements. Discussions at these meetings have focused on methods for determining whether the ASHRAE standard for make-up air is being met continuously, or at least most of the time, in the Headquarters buildings.

Keeping Congress Informed

The Union sent letters to Senator Barbara Mikulski and Congressman Jim Moran in February telling them about the CM42 asbestos situation, illnesses associated with the re-roofing operation at WSM, the renovations in Region I offices (Boston), lack of adequate record keeping on employee illnesses, etc.

Electromagnetic Radiation

In a February 4 memorandum to the Agency, the Union asked for monitoring for electromagnetic radiation in the Union office. Computer problems developed when machines were placed too near a pillar that could be a conduit for masses of electrical wiring. The Agency has agreed to conduct this monitoring and hopefully, there will be more testing to determine where there are "hot spots" throughout the Headquarters buildings.

Negotiations On Alternative Workspace

Union and Agency representatives met in a series of meetings to bargain on a 104 point Union proposal for the alternative workspace the Agency is setting up in the EPA Headquarters Crystal Station building for employees who cannot tolerate the indoor environments in regular office space. The proposal calls for control of specific pollution sources and for adequate ventilation. There are now more than 40 employees who have been assigned to alternative workspace. Many of these may choose to move to the Crystal Station alternative workspace. The last negotiating meeting was on February 5 and the Union is now waiting for the Agency's counter proposal.

My Own Story

I am still being harassed for my Union work on indoor air. This has been going on for more than a year now. Most of this harassment is just within the law. Some of it is petty: Mame Miller, my supervisor, refused to give me "official time" in

accordance with the Contract so I could prepare a Grievance to contest some of her reprisals against me (for example, refusing to give me my boxed files) until after the Grievance was filed. I had to work on the Grievance on a weekend and holiday.

Press Tally

There have been a total of 147 stories in the news media on EPA's indoor air, including 11 national and/or international TV shows.

Distribution

The Indoor Air News is now distributed to more than 600 people and is often republished in the Union newsletter, Inside The Fishbowl, which goes out to Union members and subscribers. More than one hundred issues are sent to members of the press, contacts in Congress, environmental groups, unions, former EPA employees who were injured by poor indoor air quality, etc.

AS THE DISTRIBUTION LIST GROWS, COSTS FOR POSTAGE AND ENVELOPES INCREASE. PLEASE CONTRIBUTE IF YOU CAN TO HELP SUPPORT THIS DISTRIBUTION AND OTHER UNION ACTIVITIES. THE SUGGESTED DONATION IS \$5.00 PER YEAR. PLEASE MAKE CHECKS PAYABLE TO NFFE LOCAL 2050.

- Please share this newsletter with friends.

Call me if you have news at (703) 578-1816. Send mail to me at the Union office, mail code (UH-200), or my home. The Union office phone number is (202) 233-2383.

ROACHEZ

Hey Roachez, time for the news.

Click

Meanwhile on the Domestic front, the fear of terrorism spreads through the EPA.

In Iraq today Allied Forces completely surrounded the elite Republican Guard.

Hey look at that guy carrying an AK-47.

No sweat, there's no law against assault rifles.

Hey look at those people carrying a petition to the Administrator.

Quick, call Security Headquarters for reinforcements, call 911, call out the SWAT team.

I am not a crook.

I am not a drunk.

Read my lips, no new taxes.

We will do more with less

Morale is high... I have continued confidence in Charles Grizzle.

Whoops, wrong elite Republican Guard!

Boy humans sure are weird!



If you'd like to join an existing NFFE Local, please fill out this form.

COMPLETE SECTIONS MARKED "X"
REQUEST FOR PAYROLL DEDUCTIONS
FOR LABOR ORGANIZATION DUES

Standard Form No. 1187
Revised January 1979
Office of Personnel Management
FPM Chapter 550

Privacy Act Statement

Section 5525 of Title 5 United States Code (Allotments and Assignments of Pay) permits Federal agencies to collect this information. This completed form is used to request that labor organization dues be deducted from your pay and to notify your labor organization of the deduction. Completing this form is voluntary, but it may not be processed if all requested information is not provided.

This record may be disclosed outside your agency to: 1) the Department of Treasury to make proper financial adjustments; 2) a Congressional office if you make an inquiry to that office related to this record; 3) a court or an appropriate Government agency if the Government is party to a legal suit; 4) an appropriate law enforcement agency if we become aware of a legal violation; 5) an organization which is a designated collection agent of a particular labor organization; and 6) other Federal agencies for management, statistical and other official functions (without your personal identification).

Executive Order 9397 allows Federal agencies to use the social security number (SSN) as an individual identifier to avoid confusion caused by employees with the same or similar names. Supplying your SSN is voluntary, but failure to provide it, when it is used as the employee identification number, may mean that payroll deductions cannot be processed.

Your agency shall provide an additional statement if it uses the information furnished on this form for purposes other than those mentioned above.

1. Name of Employee (Print—Last, First, Middle) X	2. Employee I.D. Number (SSN or Other) X	3. Address Mail Code X
4. Home Address (Street Number, City, State and ZIP Code) X	5. Name of Agency (Include Bureau, Division, Branch or Other Designation) X	

Section A—For Use By Labor Organization

Name of Labor Organization (Indicate Local, Branch, Lodge or Other Appropriate Identification)

NATIONAL FEDERATION OF FEDERAL EMPLOYEES LOCAL 2050

I hereby certify that the regular dues of this organization for the above named member are currently established at \$ 7.17 per (biweekly pay period) (calendar month). (Strike out whichever period is not appropriate, based on arrangement with the employee's agency.)

Signature and Title of Authorized Official	Date (Month, Day, Year)
--	-------------------------

Section B—Authorization By Employee

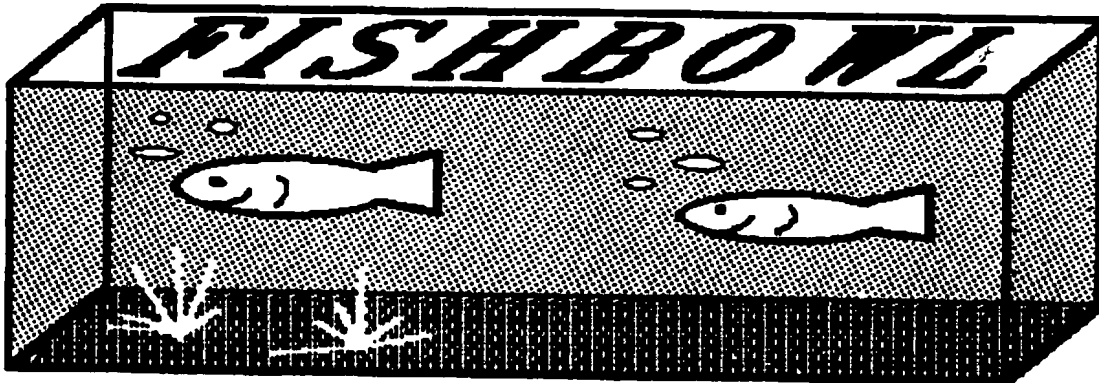
I hereby authorize the above named agency to deduct from my pay each pay period, or the first full pay period of each month, the amount certified above as the regular dues of the (Name of Labor Organization) NFFE, Local 2050 and to remit such amount to that labor organization in accordance with its arrangements with my employing agency. I further authorize any change in the amount to be deducted which is certified by the above named labor organization as a uniform change in its dues structure.

I understand that this authorization, if for a biweekly deduction, will become effective the pay period following its receipt in the payroll office of my employing agency; and that, if for a monthly deduction, it will become effective the first full pay period of the calendar month following its receipt in the payroll office of my employing agency. I further understand that Standard Form 1188, Cancellation of Payroll Deductions for Labor Organization Dues, is available from my employing agency, and that I may cancel this authorization by filing Standard Form 1188 or other written cancellation request with the payroll office of my employing agency. Such cancellation will not be effective, however, until the first full pay period which begins on or after the next established cancellation date of the calendar year after the cancellation is received in the payroll office.

Signature of Employee X	Date (Month, Day, Year) X
----------------------------	------------------------------

FOR COMPLETION BY AGENCY ONLY—The above named employee and labor organization meet the requirements for dues withholding. (Mark the appropriate box. If "Yes", send this form to payroll. If "No", return this form to the labor organization.)	YES	NO
---	-----	----

INSIDE THE



NATIONAL FEDERATION OF FEDERAL EMPLOYEES
P. O. BOX 76082
WASHINGTON, DC 20013
OFFICE: ROOM 302 NE MALL
NFFE
EPA HEADQUARTERS' PROFESSIONALS
LOCAL 2050
(202) 382-2383

"We must conduct our affairs at EPA as if we worked inside a fishbowl—"
William Ruckelshaus, Former Administrator, U. S. EPA

APRIL 1991 NEW RESOURCE CONSERVING ISSUE VOL 7--NO 3

PAGE

- 1 FROM THE PRESIDENT - ON THE NEED FOR MORE PARTICIPATION
- 2 FROM THE EDITOR - 2050 AND GRIZZLE TO SMOKE PEACE PIPE?/HARD TIMES A COMIN'
EPA's ATTEMPT TO BREAK LOCAL 2050 - Bill Hirsy
- 3 MULTIPLE CHEMICAL SENSITIVITY CONFERENCE - Bill Hirsy
- 4 CARPET DIALOGUE NEWS - Bill Hirsy
(NEW SERIES) THE IG WATCHDOG - ASSISTANT INSPECTOR GENERAL DISAPPEARS/IG CALLED TO TASK BY SENATOR GLENN/A SECRET PLAN BY THE INSPECTOR GENERAL?/RICK WAGNER RETURNS HOME
- 5 EPA's DISCRIMINATORY MACHINE/EPA's CULTURAL DIVERSITY EFFORT - Dr. James T. Walker (Will Return Next Issue)
LIBERATION VS THE NEW BIGOTRY Part III "Fighting Back" - Dwight Welch
- 6 STATUS OF ASIAN-AMERICAN DISCRIMINATION IN THE OFFICE OF PESTICIDE PROGRAMS - Dwight Welch
NEWS BITES
- 9 FERAL BISHOP TO LEAVE OFFICE OF PESTICIDE PROGRAMS - D Welch
- 10 MANAGERS COMPLAIN OF UNION BASHING COURSE/TQM NEGOTIATIONS
BELOW REGULATORY CONCERN - Jeff Balch, Evanston, IL
- 11 MANAGER OF THE MONTH - JANETTE HANSEN of Groundwater Protection
- 12 COMING IN FUTURE ISSUES/ROACHES
- 13 MY OWN STORY - Myra Cypser
- 15 ANOTHER OPEN MEMO TO ADMINISTRATOR REILLY

NFFE LOCAL 2050 EXECUTIVE BOARD

Bill Hirzy - President - 382-2383
 Dwight Welch - President Elect - 382-2383
 Rufus Morison - Chief Steward - 382-2383
 Bill Marcus - Treasurer -
 Laura Sallman-Smith - Secretary - 308-8146
 Bob Carton - Senior Vice-President - 382-2325

Vice Presidents

Myra Cypser - 703-578-1816 Jim Murphy - 382-4294
 Jim Walker - 475-9640 Sherry Milan - 382-2767

EDITORIAL BOARD

Dwight Welch (Editor), Bill Hirzy, Jim Murphy, and Rufus Morison

EDITORIAL POLICY

All items for publication must be submitted to INSIDE THE FISHBOWL by the first of the month of publication. Items selected for publication are voted upon by the Editorial Board in a democratic process. Articles indicating authorship reflect the views and opinions of the author and not necessarily NFFE Local 2050.

FROM THE PRESIDENT

ON THE NEED FOR MORE PARTICIPATION

by Bill Hirzy

Last Summer, as I began this term as Local President I set out a list of the activities the Local was pursuing, and I promised updates on them. Perhaps you have noticed that its been quite a few months since the promised updates--I certainly have noticed. The reason for the delay is the crush of work the Local has been doing and the inability of some members of the Executive Board to participate in the Local's work to the extent that they anticipated when taking on those jobs. Those of us remaining fully involved in the Local's work are drowning, and we need help. Not necessarily full- or even half- or quarter-time help, but an hour or two per week from a dozen or so members would be a huge boost. Here is a list of some of the things that we need done: the Reading File has not been updated since September; the same is true for our Log Out/In File (a very large volume of correspondence moves through the office weekly); we need people to copy the Fishbowl during non-duty hours (10 or 20 people doing 25-50 copies per person, one time per month would get all copying done); then a few people to help put labels on the newsletters would take care of that piece of Fishbowl production; writers for the Fishbowl on your office's activities that are of interest to the Local are needed; Division stewards are a dream that we realize usually only when some pressing need in a particular Division arises, such as a proposed move or reorganization--having stewards in place before hand is preferable, but when moves or reorganizations occur, they are essential; we need ongoing help with our computers and with computer acquisition.

Bargaining on our new building will begin soon, and we will need people willing to really delve deeply into this subject. The issue of open cubicles (favored by this Administration) versus enclosed offices is a major point of contention, as is the kind of equipment and furnishings to be installed. Working through the Union on getting what you want in the new building is the only way you can be assured that management will listen to what you have to say. Management must bargain in good faith with us.

Total Quality Management will be upon us soon, and the role you will play, as organized professionals, and the scope of problems to be "TQMed", hang upon the negotiated agreement that Local 2050 strikes with EPA. We need your help to make sure the program is more than an OMB-mandated exercise in further tightening of the efficiency noose (silken though it may at first seem) around workers' necks.

Time for most of these activities can be taken during duty hours under our contract, and lunch hours or other non-duty time can also be used. For more information on the use of official time for this kind of work call the Union office at 382-2383.

Those of us who 10 years ago saw the need for an organization to protect the rights of us

environmental protection professionals have seen the organization grow from an idea to a powerful advocate for us and the public. The growth has been at a substantial cost in time, energy and postponed careers. Those of us still working in this shop owe a lot to Bill Coniglio, Norm Whalen, Dave Ritter, Ellie Zimmerman Carney and Hale Vandermer--all hard workers for the Union and all retired from EPA. We also owe a lot to Bill Haywood, Samuel Gompers, Mother Jones, the Reuther brothers and thousands of others who set examples of dedication to workers' rights. If Local 2050 is to continue on a path of growth and stronger advocacy for us and the public, all of us are going to have to sacrifice a little of our time and money to make it happen.

I invite those who have been holding back, waiting for "more free time" or a "higher pay grade" to step forward, acknowledge our common debt to those who have already sacrificed and take a more active role in the Union's affairs. You can start by joining the Local if you haven't already, and then by volunteering to shoulder some of the burden waiting for you in NE-302. Solidarity Forever.

FROM THE EDITOR

LOCAL 2050 AND CHARLES GRIZZLE TO SMOKE THE PEACE PIPE?

Rich Lemley, last month's Manager of the Month seems to be trying to be the first manager to win this distinction twice. If he succeeds at what he is trying to do, he probably will get it a second time. Rich Lemley is trying to negotiate peace between 2050 and AA Charles Grizzle.

They try to pretend like they don't read INSIDE THE FISHBOWL on the upper floors of the West Tower, but apparently they do. Mr. Grizzle inquired of Mr. Lemley, how come 2050 liked Mr. Lemley but not him. Rich replied to the effect that he tries to work with Local 2050 on the issues affecting employees (in his case facilities issues) and on this he has hit the nail on the head.

Mr. Grizzle also indicated that he was willing to work with 2050, but had been "burned" too many times in the past; he needed time to think about it. We hope his thinking runs to making peace.

HARD TIMES A COMIN'

The Gulf War. It sapped a lot of Federal dollars; dollars they will attempt to take, as usual, from the pocket of the Federal employee. In order for it to be easy for management to get rid of people who they do not like, in order for management to easily intimidate employees, management must first reduce the effectiveness of this Union. Without a strong advocate of your rights, you are defenseless. In the next article, 2050 President Bill Hirzy discusses management's assault on Local 2050 via Myra Cypser, however, most of us on the Executive Board have felt intense harrassment and intimidation at one time or another. First they are coming after us. NEXT THEY ARE COMING AFTER YOU. We need strong employee support more than ever. If we are reduced to a token Union, then you will only have token rights.

EPA's ATTEMPT TO BREAK LOCAL 2050

by Bill Hirzy

The recent "Dear Colleagues" letter you received gave a glimpse of the Agency's attempt to put an end to Local 2050's effectiveness as your advocate and as an independent voice from EPA. This article provides background to that story.

The situation stems from the Union's seeking relief from the harassment that has been visited upon one the Agency's most vocal leader in the fight for clean indoor air here at Headquarters, Myra Cypser, and from a crushing work load on the rest of the Union's executive board.

Last Summer, it appears, the axis of Julius Jimeno/ Charles Grizzle/Thorne Chambers decided it was time to put a muzzle on Myra to prevent her from publicizing, especially to Congress, the on-going failure of the Office of Administration and Resources Management to provide proof of adequate clean air supply to Headquarters workers. This was a particularly unpleasant situation for management in light of the ever growing number of EPA staff needing alternate work space (AWS) because of building-related health problems. So, in conjunction with Myra's line managers, Mamie Miller and John Rasnic, EPA scurried about looking for a make-work assignment for Myra that could be used as cover to "require" her services and deny her access to "official time" for Union work. ("Official Time" is the term of art for time allotted union officials for representational work under the Civil Service Reform Act. Our contract with EPA states that Local 2050 representatives will be granted a reasonable amount of official time, except when "critical program needs" require a union official to do work for EPA. The key here is the definition of "critical", which

management has told us is anything they want it to be.)

During this same time period Myra was experiencing health problems requiring her to have alternate work space, and much the same axis of managers was making sure that she did not get it. The resulting disputes, of course, took ever more time from other Union representatives to help Myra win AWS.

EPA proposed a memorandum of understanding (MOU) with the Union in September reinforcing the Agency's position regarding pre-approval of official time use. This would have given management a blank check for denial under the "critical program needs" phrase. In developing a counter proposal to the MOU the Union researched what other Federal labor unions were getting in the way of official time, did an assessment of Local 2050's needs, and wrote a detailed proposal for an official time allotment of 6 FTEs, but justifying 10.7 FTEs--4.8 FTEs for stewards (precedent: NFFE contract with BIA) 0.9 FTE for executives (precedent: NFFE/BIA), 1.0 FTE each for TQM, carpet dialogue and communications, 0.5 FTE each for training and ULP processing, 0.3 FTE for Work Force 2000 project, 0.25 FTE each for dual career track and professional ethics proposals, 0.2 FTE for carpet removal elections. We proposed that six specific positions within the Union be assigned those 6 FTEs, and we proposed that a bank of hours be established for use by part-time stewards.

The Agency countered, after 5 months of "research", with an offer (scribbled onto a notebook page then ripped out and handed to the Union negotiators) of a bank of 3000 hours, about 1.6 FTE, much less than the amount the Agency knows we have been using for the past several years. EPA made no response whatsoever to the detailed justification that the Union wrote for its various uses of time except to deny that there would be any substance bargaining on what TQM will look like at Headquarters. "You won't need an FTE for that; you'll take what we give you as a TQM program and like it," was the response of EPA's progressive management on that topic.

At the next negotiation, the Union modified its proposal to 5 FTEs, cut its time bank request in half and, borrowing from the Patent Office Professionals Association contract, added some proposals to protect employees returning from full-time Union duty to their regular jobs, through re-training and gradual reintroduction into the performance management system. The Agency's response was to lay out the prohibitions on use of official time given in the "Dear Colleagues" letter--no official time for writing to you about moves, reorganizations, or other bargainable matters, no official time for the carpet dialogue (even though I have been reporting my time on that project--a full-time job in itself--as official time since last August to my line management, who also happen to be the EPA representatives to the dialogue), no talking to the public or the press about what it is like working at Waterside Mall, no re-training and no substance bargaining on TQM). They offered 4 FTEs, but restricted the use to which that time could be put to exclude the items listed, and no one else, no one, could do anything at all on official time. No stewards in your work unit, no communicating by employees with the Union on any bargainable matter except in meetings called, attended and controlled by management, etc., etc.

Clearly, an important part of any union's work is the routine handling of employee grievances and bargaining on the impact and implementation of Agency-proposed changes in working conditions. But this Union's work has gone, and will continue to go, far beyond that. For example, "routine" handling of the grievance on removal of carpet and on accommodations for injured employees got us nowhere with Messrs. Grizzle, Chamberlin and Thomas; they were completely insensitive to EPA employee needs as compared to the needs of their other constituencies. Local 2050 had to mount a public campaign involving Congress that showed how the upper level of EPA management was ignoring employee injuries, suppressing their right to information, and making it difficult for employees to continue to work here healthfully. (Most EPA line managers, by contrast, were in complete sympathy with their injured subordinates and made decent and humane efforts to keep them productively employed.) The quackery and unethical management behavior surrounding the drinking water standard for fluoride is another fight Local 2050 has taken on, as are the seemingly endless scandals in OPP, management's 1984 surrender on asbestos to OMB, Crystal City asbestos abatement, etc. etc.

The point is that upper EPA management does not want any more such adverse publicity, and those people are trying to make sure Local 2050 is in no position to embarrass them again.

MULTIPLE CHEMICAL SENSITIVITY CONFERENCE

by Bill Hirzy

EPA and the National Academy of Sciences held a conference on multiple chemical sensitivity (MCS) at Irvine, California March 20-22. MCS is a subject which featured prominently in Local 2050's TSCA section 21 petition to regulate certain aspects of carpeting. I found out about the conference (from a non-EPA source) five days before the conference, too late to get an air fare I could afford to pay myself. 'Tis interesting that

Bob Axelrad, EPA's indoor air chief and EPA's official representative to the conference, with whom I share an interest in the subject and membership on the carpet dialogue, felt no need to mention the meeting to me.

Even more interesting was the outcome of the technical work groups of the conference. These work groups included the most knowledgeable and active researchers in the field, e.g. Nick Ashford, Claudia Miller, and Bill Meggs. The epidemiology work group recommended epi studies comparing MCS cases with a control population, and the research needs group recommended animal studies of immune and neural systems. What is so interesting about these conference recommendations is that they coincide with (but go further than) recommendations made by Local 2050 in its TSCA section 21 petition, recommendations that EPA found without merit when Local 2050 made them. It would be funny if it weren't so sad.

Another positive outcome of the conference is that it eliminated the stigma, hopefully forever, that some have tried to attach to those suffering with MCS, viz. that their problem is purely psychogenic. Since staff of EPA's Environmental Health and Safety Division has been among those promoting this stigmatization, perhaps we may look forward to a more reasonable and progressive attitude from them henceforth.

CARPET DIALOGUE NEWS

by Bill Hirzy

Over the past several months the carpet dialogue has been putting the finishing touches on a program to test some carpet samples for total volatile organics emissions, and consensus on the program was reached in February. Because of short-comings in the program, chiefly failure to go after the identities (speciation) of the VOCs emitted, three dialogue participants, Hal Levin (representing the research architectural community), Katherine Cox (representing the American Federation of State, County and Municipal Employees), and myself submitted a minority report. We three did not want to block the limited program's beginning, but felt it necessary to point out that failure to identify what was coming off carpet would be a real handicap in trying to determine where in the carpet manufacturing/installation process to focus efforts at reducing emissions. That is, are the VOCs coming from the latex used to build the carpet? from the base resin or the tackifier resin or anti-freeze or solvents of installation glues? from dye carriers? from stain resist compounds? from soil release agents? from fiber spinning oils? from fire-resistance formulations? Industrial interests argued that this is a voluntary program and this is what they volunteer to do (EPA agreed, but still is interested in getting speciation data), and that if individual compounds were identified it would lead inevitably to doing health risk assessment work. The adhesives industry segment has presented, and the dialogue plenary (decision-making body) has accepted a program for adhesives testing. Adhesive manufacturers have yet to agree to pay for the testing. The carpet padding group is also well along toward a test program. The process engineering subgroup has been putting together reports from various industry segments on potential areas for reduction of VOCs and on work done to date on the problem. The public information subgroup is beginning to develop a program to inform citizens of the results of carpet emissions tests.

We EPAers who have suffered through our own bout of injuries can take some pride in the fact that the flooring industry is now extremely sensitive to air quality issues. New adhesives are now entering the market, and will soon completely dominate it, that are virtual zero-emitters. Likewise styrene-butadiene latex used in carpet building has undergone a 50 percent cut in 4-phenylcyclohexene levels (on average) over the past three years (more progress on that front is still needed, based on continuing reports of odoriferous carpets linked to illness induction). And the carpet industry is putting together an on going program of emissions testing that hopefully will pressure manufacturers to demand low volatility raw materials and to thus produce low volatility carpet systems.

We have come a long way since April 1988, when the "carpet storm" broke here, and EPA employees are largely responsible for the progress--too bad that so many of them (and other citizens) had to be permanently injured before progress was made. Remember them.

(NEW SERIES)

THE IG WATCHDOG

According to a Washington Post editorial entitled "Watching the Watchdogs", the Inspectors General are "A system that is now out of anyone's control" that is in need of watching. The Fishbowl's new feature, The IG Watchdog, will fill that need at EPA.

ASSISTANT INSPECTOR GENERAL DISAPPEARS

Assistant Inspector General for Investigations John E. (Jack) Barden's office was noticed empty on Monday, March 11, 1991, having been cleaned out over the weekend. Apparently Barden has temporarily left the Agency under the Intergovernmental Personnel Act to work for an affiliate of the American Consulting Engineers Council, known as a lobbying group for Superfund contractors. The IG Watchdog was incredulous to hear that the Agency is paying Barden's \$100,800 yearly salary while he spends two years arguably working against the Agency's interest! The Watchdog is particularly proud of being the first to report this news to both the Dingell Committee and Jack Anderson.

IG CALLED TO TASK BY SENATOR GLENN

The Watchdog has learned that John Martin was recently ordered to appear in person and answer questions from the staff of the Senate Government Affairs Committee, chaired by John Glenn. The Watchdog hears that Martin's explanation for his overseas travel was as successful as Saddam Hussein's recent military campaign, but, confused like Saddam, Martin thinks his story was bought! The Watchdog continues to give aid and comfort to all of the Congressional committees investigating allegations of misconduct, incompetence, and, of course, corruption in EPA's IG Office.

A SECRET PLAN BY THE INSPECTOR GENERAL?

The Watchdog has heard rumors that Barden's IPA assignment is part of a secret plan by Inspector General Martin to disrupt the operation of the Council through ineptitude, a specialty of Barden's. To quote from Chairman Dingell's December 10, 1990 memorandum to the members of his subcommittee, "The investigation has disclosed serious leadership deficiencies in the Inspector General's Office of Investigations" as well as "a number of disturbing problems". At that point Barden had led the Office of Investigations since August 5, 1984. Hard to blame it on the last guy. The Fishbowl will report details of this plan as they unfold.

RICK WAGNER RETURNS HOME

IG Whistleblower J. Richard (Rick) Wagner has returned home to California on a long term detail to the California Air Resources Board in Sacramento. Wagner has assured the IG Watchdog that he has not settled any of his Merit Systems Protection Board cases against the IG and expects the next hearing to be held no later than next June. Best of luck, Rick.

Note: The IG Watchdog can be reached C/O NFFE Local 2050 (Tel: 382-2383 or at Mail Stop UN-200) and will be happy to forward material received anonymously to the appropriate Congressional Committee and/or news organization.

EPA'S DISCRIMINATORY MACHINE and EPA'S CULTURAL DIVERSITY EFFORT by Dr. James T. Walker will return next month, Jim has been excessively busy with program activities. Meanwhile Dr. Walker has asked us to remind you to fill out and return the "CULTURAL DIVERSITY DEFINITION QUESTIONNAIRE" appearing in the March 1991 INSIDE THE FISHBOWL.

LIBERATION VS THE NEW BIGOTRY

Part III "Fighting Back"

by Dwight Welch

In Part II, "Bigotry as a Management Tool for Dividing Employees", I suggested that worker democracy is a good tool for fighting back. My first suggestion is that you join and participate in an organization which represents your group. Some examples are Blacks in Government, Asian-Pacific American Community, and Women in Science and Engineering. Your participation is very important. You must choose leaders who really represent the interests of employees in the group and not leaders who are using the group to advance their own careers. My personal feelings are that you should elect fellow employees over managers to lead your group. Managers tend to have more allegiance to management; indeed, that is the thrust of this series-- employees' struggle against mismanagement.

You can also make the most use of worker democracy by joining and being active in your Union. The Union is the only vehicle with legal clout here at EPA. It is the Union which has 5 USC to give it authority; other groups merely act in advisory/advocacy capacity. Furthermore, management often uses these groups

to put members of the group against the Union. These attempts take the form of initiating racist gossip against the Union (such as, "NFFE is the white Union") or by dealing with employee problems or working conditions through the group as a means of bypassing meaningful negotiations with the Union. This Union is color/gender blind--we represent all bargaining unit members and we represent them against abuse and mismanagement.

If you feel you are the victim of discrimination, I recommend that you file an EEO complaint rather than a grievance. Previously, you could file both, but due to changes in the law, you can only file either/or. I recommend an EEO complaint, because with an EEO complaint, you have a chance to expose abuse against you in the courts. With a grievance, management is usually able to ignore, postpone, or otherwise sweep the problem under the rug. (See next article) However, if you do file an EEO complaint, see your Union representative first to obtain valuable tips on not having your case undermined. I would strongly suggest that you see Dr. James Walker and Dr. Rufus Morison prior to initiating your complaint. Jim is our Civil Rights/Cultural Diversity expert and Rufus is our Chief Steward. The most important thing to remember is our brother/sisterhood with one another. As I hope I have impressed upon you with this series, the differences we have with one another are trivial when compared with those we have with mismanagement.

STATUS OF ASIAN-AMERICAN DISCRIMINATION IN THE OFFICE OF PESTICIDE PROGRAMS

by Dwight Welch

In the last issue I promised an update on the status of Asian-American discrimination in the Office of Pesticide Programs. Prior to writing this article, I sent a memo to Douglas Campt, Program Director, indicating the subjects to be covered and requesting his input. I sent this memo in the interest of fair and balanced reporting. It has been three weeks and I have not had either a response, nor even a request for an extension of time. Should I receive a response in the future, I will be happy to publish it. On March 6, 1990, APAC sent Campt a letter complaining of Asian-American discrimination in his program. In June of 1990, Campt met with APAC and promised action. The March 6 memo complained that, although 45% of the Asian-Pacific American professionals in his program possessed PhDs, not one was in a senior science or management position.

Since we have had so much difficulty with having requests for information filled, I have asked for the help of my Asian-American friends in OPP. They report, that to the best of their knowledge, only two Chinese-Americans have been promoted to senior science/management positions; no Asian-Indian-Americans.

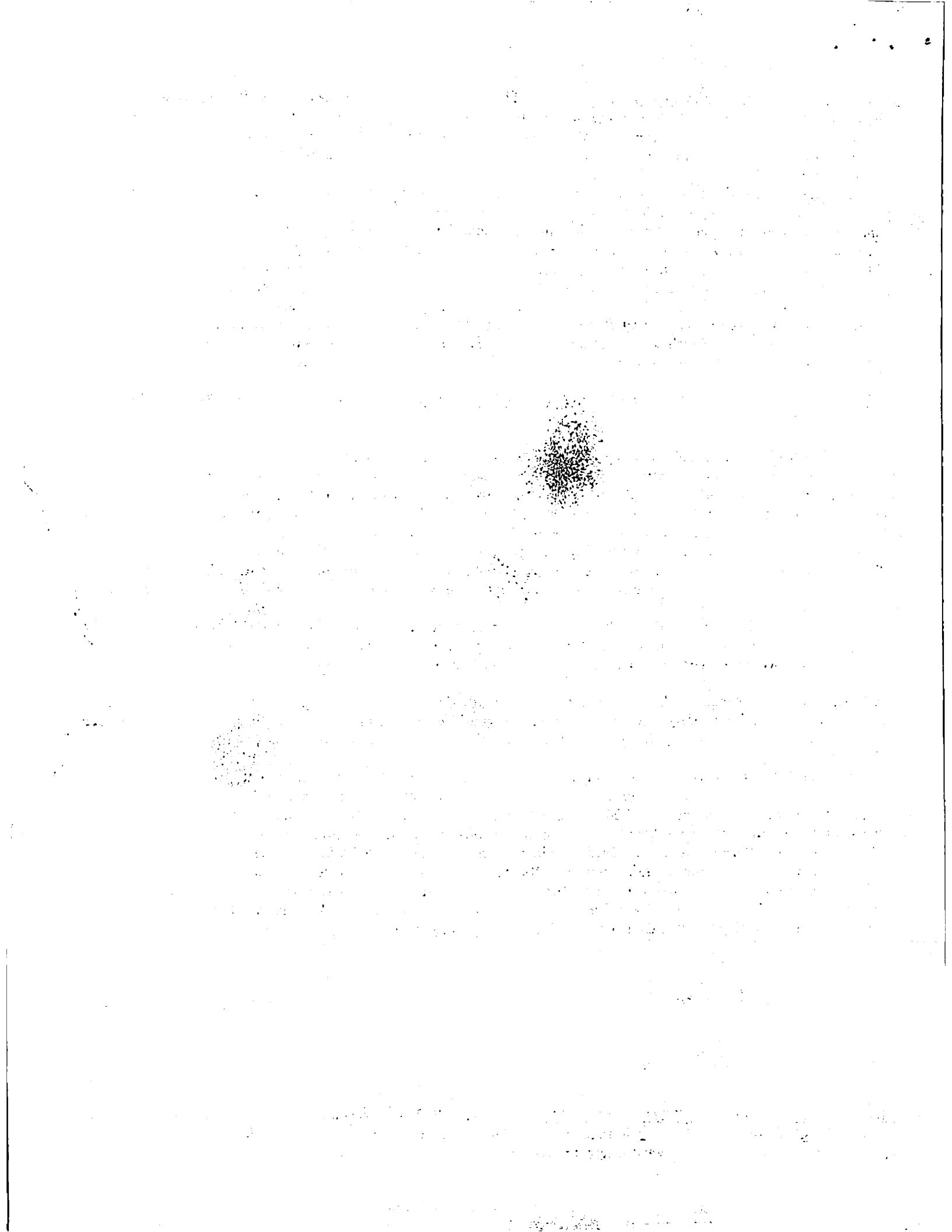
Of particular relevance is the fact that since April of 1990, a grievance against Ferial Bishop, charging Asian American discrimination and threat of physical violence against an Asian-American employee, has been sitting at the Director's level waiting for a Step 3 hearing. Do you think one year's wait is reasonable? I don't.

Management has been using various ploys to delay a hearing on the grievance against Bishop. Everytime I ask Sharon Ellis about it she has another excuse for not convening a 3 person board. The Union has even gone so far as to drop a ULP against Bishop (threatening a Union Official) in exchange for a quick convening of the hearing board, but management has ignored and now conveniently forgotten about this Memorandum of Understanding. Perhaps another Unfair Labor Practice Charge would be in order.

I have been strongly pursuing this grievance for over a year now and I will continue to do so. I also pledge that I will continue to seek equal treatment for Asian-Americans in the Office of Pesticide Programs. With the arrival of Jim Walker on the Executive Board, I expect this pursuit to pick up momentum. Dr. Walker has pledged that he will fight cultural discrimination in any form at EPA.

NEWS BITES

DIGGS SAYS "NO" TO ASBESTOS PAY DIFFERENTIAL We have overlooked reporting this in past issues, however, Leigh Diggs, of the Labor-Management Relations Office has indicated that Crystalcide employees, exposed to asbestos dust in the work environment, are not entitled to a pay differential for being exposed to



a toxic substance. The rationale? Only if you voluntarily accept a job where you are exposed, such as asbestos abatement worker, can you collect. Involuntary exposure does not qualify. Questions? Comments? Expression of your outrage? Call 382-3266, ask for Leigh Diggs. It makes no sense to us, maybe she can explain it to you.

SHEMD DIRECTOR JULIUS JIMENO PRESENTS CONGRATULATIONS PRESENT TO PRESIDENT MURRAY As you may remember, Local 2050 supported candidate Biggs due to the Asbestos issue in Crystalcide Mall, when President Murray signed a December 14, 1991 joint memo with Environmental Health and Safety Director Julius Jimeno and Pesticide Program Director Douglas Campt. On March 29 Julius Jimeno was spotted in the North East Mall delivering a large, beautiful basket of flowers to Ms. Murray. Jimeno has good reason to be grateful: for the time being, the December 14 memo has saved Jimeno's butt.

FLRA INVESTIGATES JIMENO-CAMPT ULP April 8. Last month we reported that Local 2050 filed an Unfair Labor Practice against Julius Jimeno and Douglas Campt. Under a seldom used subsection of the Unfair Labor Practices section, Local 2050 has charged unequal treatment of EPA's unions by these two managers for the back door deal struck December 14, 1990. The FLRA has reviewed the charges and decided to investigate.

CHAMBERLIN TO HEAR JIMENO-CAMPT GRIEVANCE April 9. John C. Chamberlin, Director, Office of Administrator has advised President-Elect Dwight Welch that he will schedule a meeting to hear the grievance against Julius Jimeno, Director of Environmental Health and Safety and Douglas D. Campt, Director of the Office of Pesticide Programs. As previously noted in INSIDE THE FISHBOWL, Campt is not within Chamberlin's chain of command and Julius Jimeno answered both grievances for himself and Campt, a violation of 5 USC.

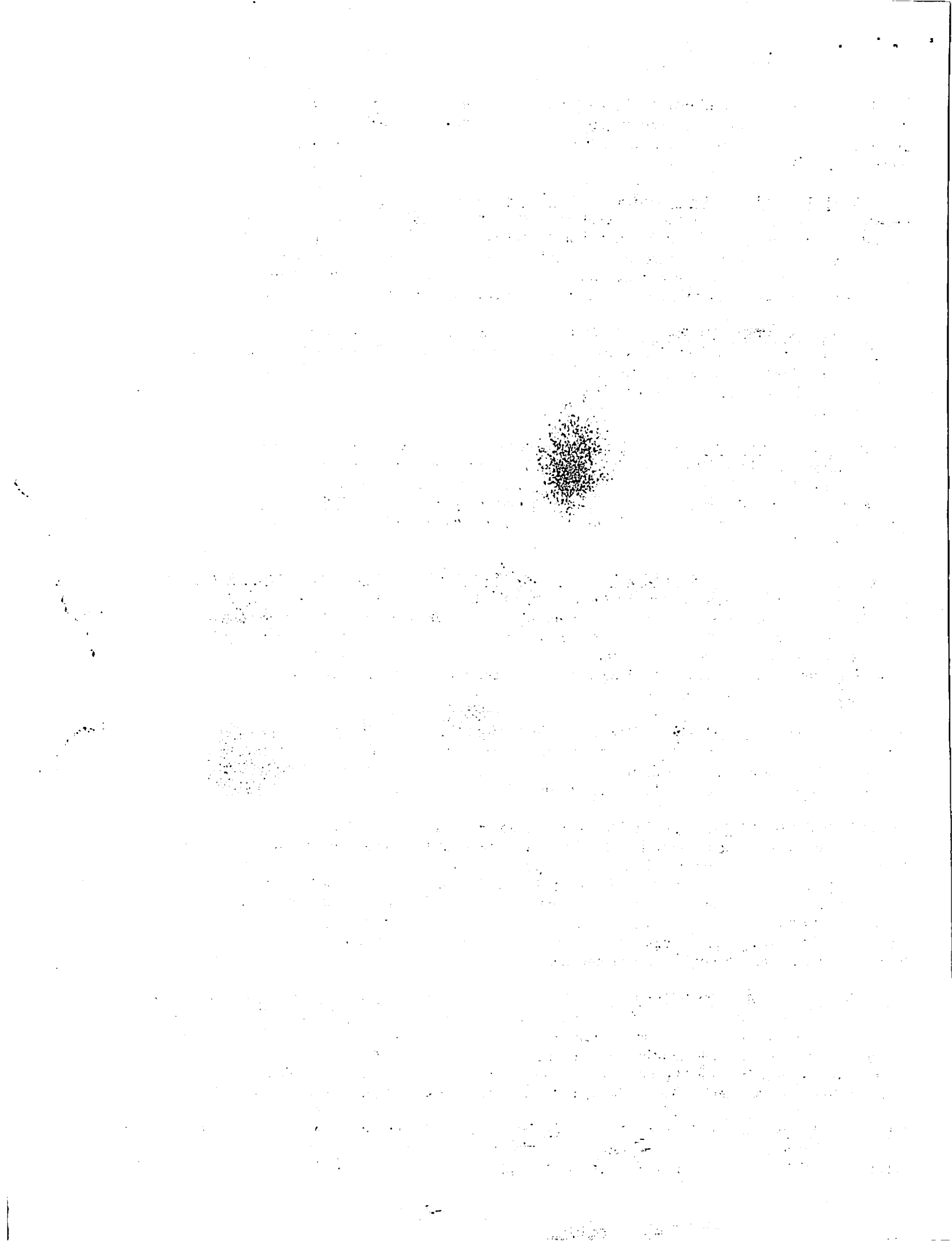
IS THE ADMINISTRATOR'S DRIVER REQUIRED TO OBSERVE LOCAL TRAFFIC LAWS? March 28. The large gray methanol burning Crown Victoria used to shuttle the Administrator and other West Tower officials was spotted running the stop sign on the corner of K and Makemie. Approaching the intersection at about 40 mph down Makemie St., the car did not even break speed for the stop sign. With a DC Dept of Public Works Truck parked near the corner, potentially obscuring the view of crossing pedestrians, this could have been disastrous. A complaint was lodged with the Administrator's Office. There was no passenger in the back seat of the car at the time of the incident.

AN IMPATIENT DOUG CAMPT? March 29. The Office of Pesticide Programs director was spotted waiting for an Agency limo that morning. After waiting a few minutes, Mr. Campt took a taxi despite the fact that the shuttle bus was also there waiting to take people to Watercide. Moments after Campt departed the EPA car showed. Perhaps the driver had been obeying the traffic laws.

DB MEASURING DBS Dennis Bushta, the can-do Headquarters building environment man, has been measuring decibels in copy centers and other noisy areas, at the suggestion of 2050 Health and Safety VP Myra Cypser. Myra was concerned about the copy center operators suffering hearing impairment as a result of working in a noisy environment all day long. Dennis has also agreed to test the Union office which is quite noisy due to an air handler just above the ceiling. If you work in an excessively noisy area we suggest you contact Mr. Bushta at 382-3640. The instrument Mr. Bushta is using records the high noise level, the low noise level, and the average. Although the instrument utilizes a microphone, don't worry Big Brother is not listening (at least not through this instrument).

DENNIS BUSHTA AND JIM ENGLEKA RESPONDING TO COMPLAINTS A bargaining unit member at Crystalcide Mall called the Union office complaining of his office being painted while he was working in the office. This complaint was immediately relayed to Jim Engleka. Working quickly, Msrs. Bushta and Engleka put an immediate stop to the painting. Mr. Bushta indicated that the Agency is paying a 15% pay differential to the painters to paint after hours. Another complaint concerned a bag of crablegs absentmindedly left in an office over the weekend. Again, Mr. Bushta responded; the reeking carpet was replaced.

HEALTH COMPLAINT FORMS BEING DEVELOPED At the Wednesday afternoon Bushta Health and Safety meetings a form is being developed so that employees may relay their health concerns to Environmental Health and Safety. With Myra Cypser watchdogging issues of confidentiality and self incriminating



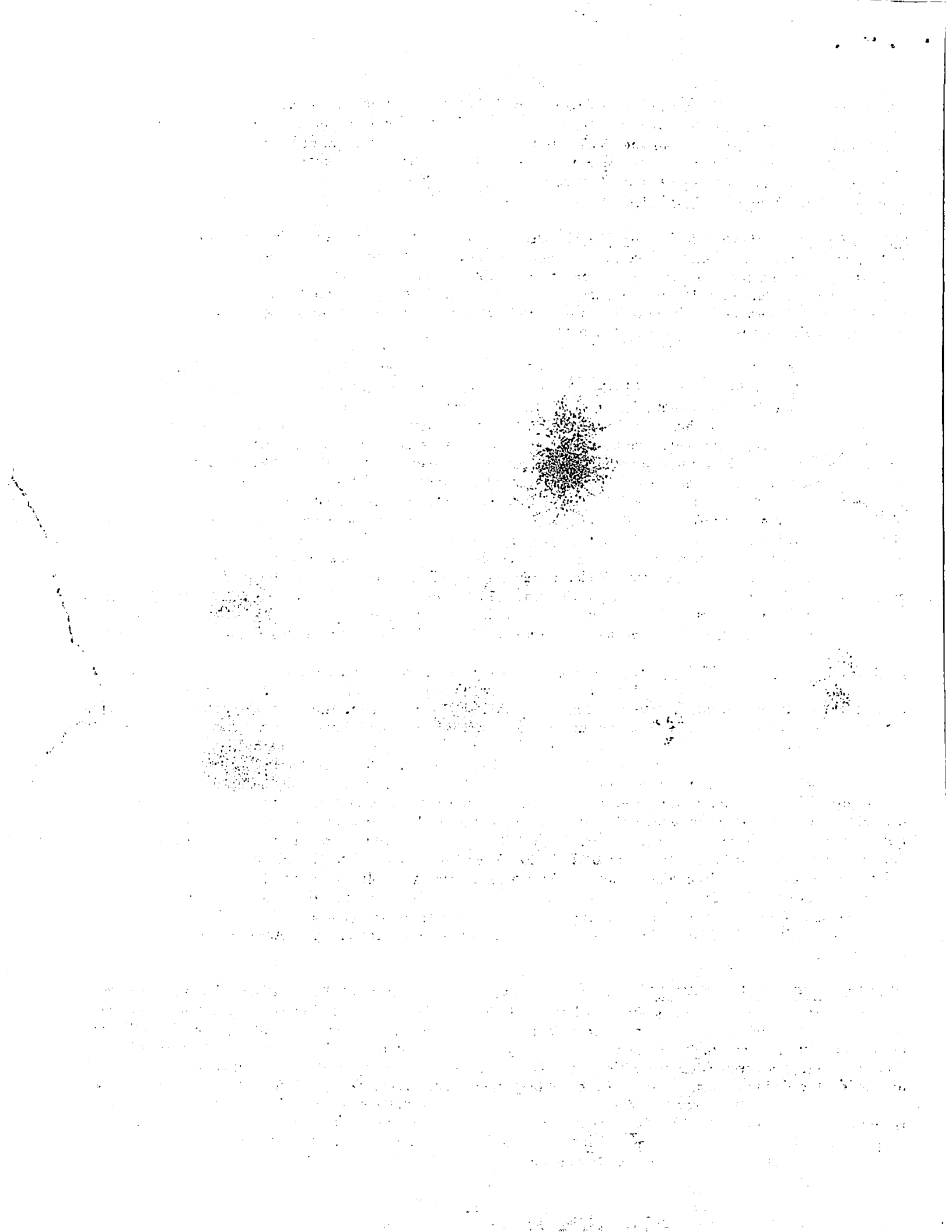
information, the form will register the complaint with as little compromise of the complainant's privacy as possible. The purpose of the form will be to help identify trouble spots in the buildings (eg inadequate ventilation, contaminations from chemicals, etc.) Myra Cypser has also requested bargaining over this form, however, due to the high degree of cooperation by Mr. Bushta, bargaining may be unnecessary. This story would have been normally reported in "INDOOR AIR NEWS", however, due to management repression there is no "INDOOR AIR NEWS" this month.

MEMBERSHIP CONTINUES TO INCREASE Despite some loses of members in the past two months, a gain of 10 new members was realized since the last report, yielding a net gain of several members. Two of the most interesting new members (permission given to use their names) are two honoraries. Local 2050 welcomes Sharon Malhotra and Judy Braiman-Lipson. Sharon is an environmental activist who was injured by lawn pesticides and is very active in pesticide issues. Judy Braiman-Lipson is a consumer advocate who has been fighting unsafe consumer products. (See next two stories)

LOCAL 2050 MEMBERS GET NATIONWIDE PUBLICITY Dwight Welch and Sharon Malhotra both got nationwide publicity in the April 2d FAMILY CIRCLE and the TV Program A CURRENT AFFAIR-EXTRA. Mrs. Malhotra was the star of both features. Both stories concerned people injured by Lawn Pesticides. Mrs. Malhotra, diagnosed by her husband Dr. Narinder Malhotra, suffers from frequent cholinesterase inhibition following exposure to miniscule amounts of carbamate and organophosphate pesticides. During the lawn application season (the warmer months), Mrs. Malhotra cannot go outside without wearing a gas mask. (Perhaps somewhat worse than those EPA employees who cannot enter EPA building without a gas mask, but who seem to do OK outside.) The FAMILY CIRCLE article was an excellent one which discussed Mrs. Malhotra's situation and referenced Mr. Welch's part in precipitating an Inspector General audit of the Office of Pesticide Programs. The CURRENT AFFAIR story gave more superficial coverage omitting Dr. Malhotra's diagnosis of his wife's illness and Mr. Welch's discussion of the problems within the Office of Pesticide Programs. Both stories misrepresented Welch as representing EPA, whereas Dwight specifically indicated to both reporters that he was representing NFFE, Local 2050. Judy Braiman-Lipson had a story in ZILLIONS, a consumer information magazine for younger people. Ms. Braiman-Lipson acted as the consultant for Consumers' Union which published the story in ZILLIONS, in a story on unsafe toys. (See next story)

AEROSOL FLAMMABILITY UPDATE In the past I have on reported children and handicapped people being injured by flammable aerosols. I have reported on two housewives being charged with arson for merely making the mistake of using insecticidal foggers in their kitchens, but this story has the potential for taking the cake. As reported by Judy Braiman-Lipson, a new product, Spray Foam Paint, contains the intensely flammable hydrocarbon propellents propane and isobutane. In graphic footage submitted by Ms. Braiman-Lipson, a fireman puts the product through EPA's flame extension test. If the can is discharged without shaking prior to use, the flame extension flashes back to the nozzle. This is probably due to the separation of the propellant from the water based product. Even when the can is shaken, if turned upside down, again it produces a flame extension which flashes back to the nozzle. When the can is shaken and discharged in the normal manner, no flame extension occurs. Under EPA and CPSC regulations, a flame extension back to the nozzle requires the signal words "EXTREMELY FLAMMABLE". The kicker in this story is that the product is labeled for use by children ages 3 and up. To expect a three year old to always shake the can and always hold it upright is a bit much. Let's hope moms don't let their kids play with this product near the gas kitchen range. Dwight Welch will soon be attempting to repeat the flame extension test on this product to be recorded on videotape. The tape of both of these tests will be submitted to the Interagency Aerosol Flammability Task Force for review.

PRESELECTION WATCH IN OPP For the past two years branch chief Ferial Bishop has been trying to promote a friend of hers to the position of Product Chemistry Section Head. For two years, Local 2050, with strong support from the section has been able to block this move. In the latest attempt, a Merit Systems Promotion list was sent to the branch and then mysteriously sent back. A request for information under Section 7114(b) has been filed requesting that list. Thus far Leigh Diggs and Marita Llaverias have refused to provide the listing. At an April 4, Labor-Management conference, Dwight Welch reminded the two that this request was overdue. Marita Llaverias indicated that she would not provide this information (which she is required to do under 5 USC) unless Welch gave her the specific reason for requesting this list. The reason given in the request was to "insure compliance with the law", but this was not good enough for Llaverias. Welch then indicated the suspicions of preselection.



The two have also failed to take any action against the alleged preselectee's flagrant abuse of time and attendance despite numerous complaints relayed from employees to the Labor-Management team. These complaints have also been repeatedly lodged with Ferial Bishop, Anne Lindsay, and to the Inspector General's Office. Complainants allege that this individual takes excessively long lunches on a regular basis and when at his desk spends his time working on the daily Washington Post crossword puzzle.

OPP MOVE Sisters and brothers in OPP, do not believe what management is telling you. The Union is not purposefully holding up the OPP move; it is management who is holding it up. Previously, OPP management refused to bargain over the reorganization, now they have been stalling on negotiations over the move. NFFE, Local 2050 has been requesting a minimum of 100 sq. ft. per person net. Leigh Diggs has indicated 70 to 80 maximum. According to Diggs, Sherri Sheppard gave a 125 sq. ft. quote over the phone, however, we have not had any such offer in writing. The present plan will provide temporary relief, however, when all the new hiring is complete, employees will be squeezed in even tighter than ever. The Union has lodged an Unfair Labor Practice charge against OPP management.

LATE BREAKING NEWS--April 18. The 125 sq ft promised by Sherri Sheppard is 125 gross not net. This is 10 sq ft below what GSA gives to EPA. As of this date 100 sq ft net has not been guaranteed in writing while the illegal OPP move continues at an accelerated pace.

HATCH ACT VIOLATION ON FERIAL BISHOP REPORTED TO INSPECTOR GENERAL

As reported in the Washington Post and Jet magazine, Ferial Bishop, a branch chief in the Office of Pesticide Programs, is a member of the Sharon Pratt-Dixon Transition Team. This fact was reported to EPA's Inspector General Hotline with the question as to whether this could be considered a violation of the Hatch Act. The Hotline called back and said, indeed, that it was. Still later the IG called again and indicated that they had forwarded the case to the Office of Special Counsel. An interesting phenomenon in this case was the number of employees in her branch, both past and present, who reported this story to the Union. (See next story)

FERIAL BISHOP TO LEAVE OFFICE OF PESTICIDE PROGRAMS

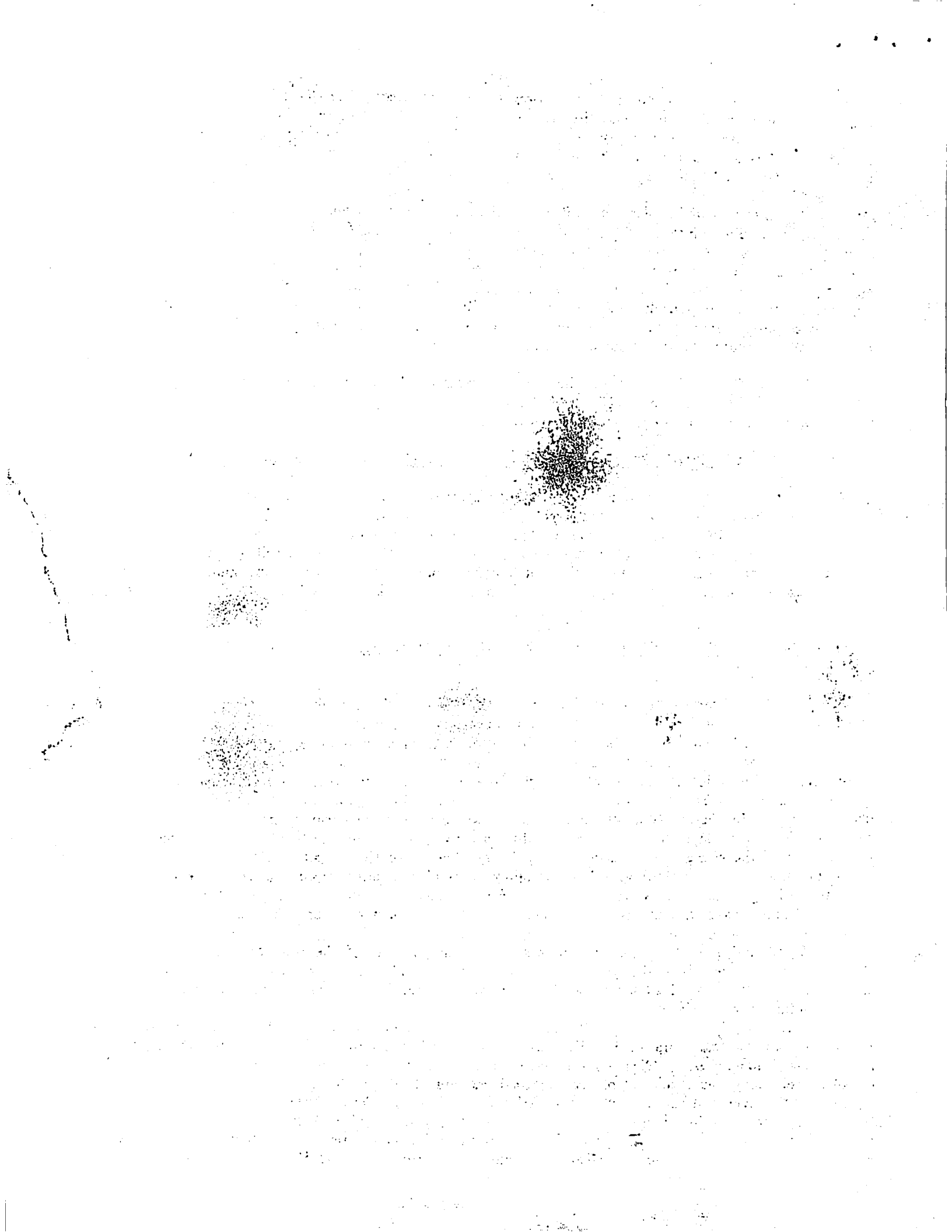
by Dwight Welch

April 10. In a bitter-sweet victory for Local 2050, Ferial Bishop, dubbed by officers in both unions as the most complained about manager in EPA, announced today her departure to work for the District of Columbia government on a 2 year IPA. It is at once the sweet taste of success along with the bitter taste of another underhanded maneuver by EPA management. Presently at least three grievances (retaliation against an employee, discrimination/threat of physical violence against an employee, and discrimination against another employee), and one EEO complaint that we know of are pending against this branch chief. Also pending, are charges to the Inspector General that Bishop violated laws concerning preselection, FIFRA '88, and falsification of time and attendance records for an employee. It will also be interesting to see how this plays out in view of the charge of violation of the Hatch Act. Also filed against Bishop were numerous Unfair Labor Practice charges including, refusal to allow an employee union representation, threats against a union official, and a de facto reorganization (which actually earned Bishop a subpoena). A number of calls today from her branch gave indications of extreme jubilation on the part of branch personnel.

A previous near escape from justice last year was nearly engineered by management but foiled by the Union. Word had it that Bishop was to take over the position of the soon to retire Clarice Gaylord in Personnel. However, since the position had not yet been advertised, a memo from the Union to the IG suggested that either Local 2050 was capable of predicting the future, or there was, in fact, an active attempt at preselection taking place.

One of the highlights of Bishop's 10 year career of abuse and mismanagement in the Registration Support Branch was that a delegation of 3 of her own Section Heads went to then Division Director Rick Tinsworth and requested her removal. This request was denied. Presently the branch is laboring along with a large loss of personnel including three out of five unfilled Section Head positions.

Many have been critical of me: that I hold a grudge against Ferial Bishop merely because she destroyed my scientific career. This is not true, indeed, I feel deeply indebted to Bishop. Were it not for her, I would still be doing chemistry reviews, occasionally firing off a memo on aerosol flammability or some other chemistry issue, but not helping to lead the charge for reform here at EPA. I think that managers from



Douglas Campt to Julius Jimeno to Bill Reilly can thank Ferial Bishop for introducing me into their lives. When I ran for President-Elect, I ran on a platform of management accountability. So to those managers who abuse their employees: **YOU'RE NEXT.**

MANAGERS COMPLAIN OF UNION BASHING COURSE A recent course given to managers "Managing Unionized Employees Effectively", was presented by a Mr. Gilman of the Federal Personnel Management Institute. Mr. Gilman was reportedly hired by Leigh Diggs of Personnel. We have received numerous complaints from managers, and at least one manager voiced objection to Personnel Director Michael A. Hamlin in the form of an angry memo. Mr. Gilman, it was reported, jokingly called persons answering questions in favor of unions as "Commies". Gilman also indicated that unions are anti-mission of the Agency and anti-TQM. When asked at the end of the course, "Does everything have to be so adversarial," Gilman indicated that it was his choice of style to present it as such because he has found that government supervisors are usually afraid to act against the unions, and he wanted to get the message across that "Managers are in control." Gilman gave a message of all out war between labor and management and that unions have no intrinsic value except to keep union officers from working at their regular government jobs.

Mr. Gilman should have researched the history of Union-Management Relations here at EPA before running off at the mouth. It is generally the Union which has to continually prod management to carry out the mission of environmental protection. It is the Union which is supporting real TQM--the theories of Dr. Demming, worker democracy and the like--whereas management is pushing the same old feudal mentality in new packaging. Putting in 10 and 12 hour days, most of the really active Union officers would prefer to work a regular job, unfortunately, the atmosphere of repression is so strong here at EPA, that we have no choice but to fight for what is right and ethical.

This course sends a clear message to management and employees alike: the Labor-Management Relations Office is not interested in meaningful negotiations, they are interested in heavy handed control of the Union. NFFE, Local 2050 is not interested in token unionism: we will fight this repression.

TOM NEGOTIATIONS AND THE MEMO MANAGEMENT REFUSED TO SEND The Union and management are on the verge of negotiating the implementation of TQM here at EPA. Unfortunately, many program managers are taking it upon themselves to implement their own style of TQM. The Union is concerned about this uneven approach to TQM. We are also concerned about the lack of employee input into its implementation. Employee input is what TQM is supposed to be all about! In setting the ground rules for TQM negotiations, the Union asked management to reproduce and circulate the memo printed below. Management refused so we reprint it here:

TO: ALL EPA HEADQUARTERS PROFESSIONALS AND MANAGERS

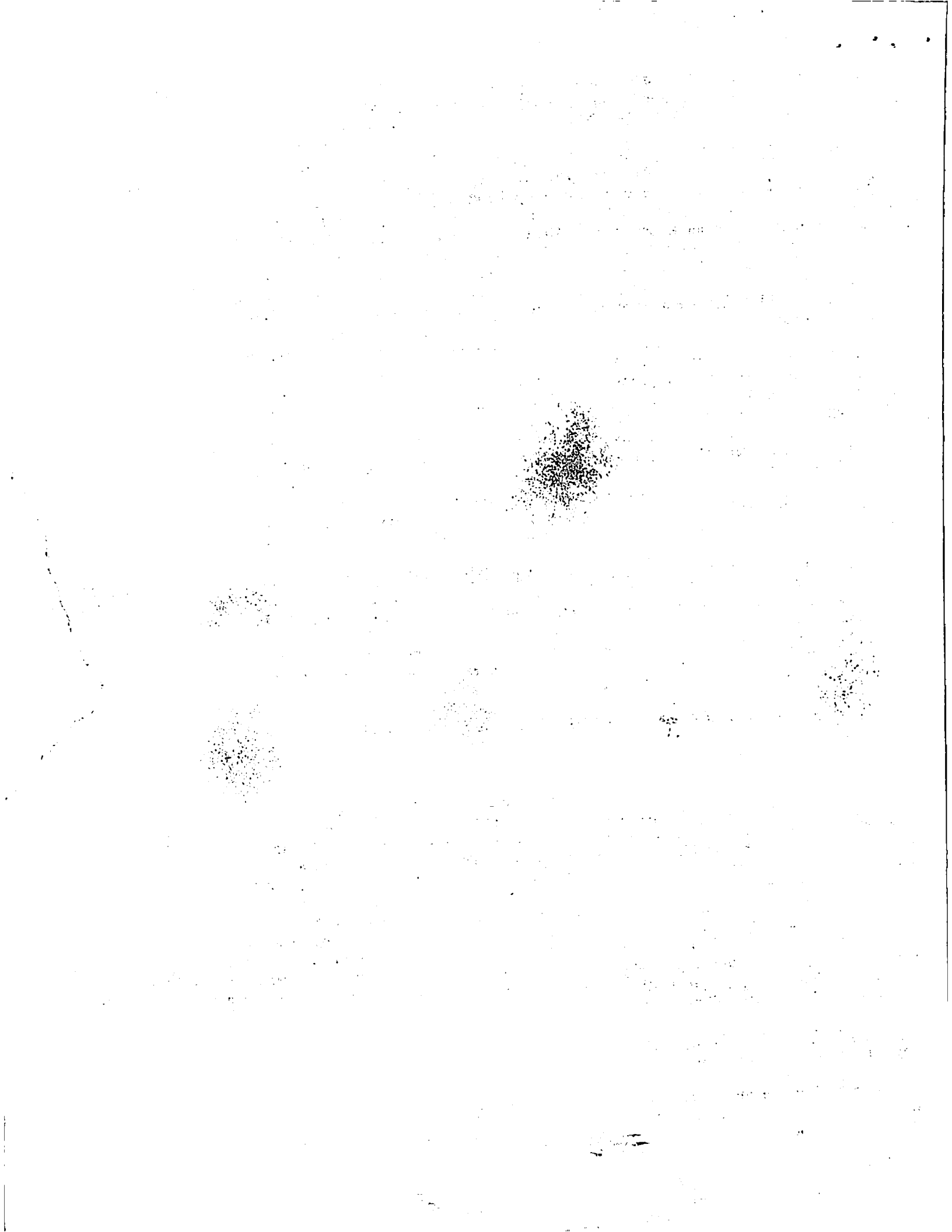
FROM:

As you are already aware, EPA is making a serious commitment to bringing the philosophy of Total Quality Management (TQM) to EPA Headquarters. TQM programs are spreading throughout the government with the support of the President. We are excited about the possibilities for constant improvement and employee empowerment, and are working hard to insure that the best ideas of TQM are brought to EPA and implemented with your support. To this end, we are now negotiating an agreement with the National Federation of Federal Employees, Local 2050, to define this program for EPA professionals and how it will be implemented for them here at Headquarters. We (I) encourage you to learn as much as possible about TQM principles and techniques, and attend the information seminars as they become available. Please be aware, however, that no implementation of any particular TQM programs can occur until a negotiated agreement is reached. If your particular organization would like to volunteer for a pilot program, this can be arranged with negotiations with the union. If you desire to conduct a pilot program, call Mrs. Leigh Diggs (382-3266) in Personnel for the procedures you should follow.

BELOW REGULATORY CONCERN

by Jeff Balch, Evanston, Ill.

I was walkin' to the soda shop to get me a malt when I got mugged and robbed, got my head stepped on. There was a cop on the corner, he witnessed the assault, he



walked on over when the thieves were gone

He had a big ol' gun, his shades were black, he was tall and taciturn

He said, "I would have jumped in, but it looked like this attack was Below Regulatory Concern."

I asked him what he meant, he said "ya hurt real bad?" I said "Some bruises, and my head feels strange."

He said "And how much stuff didja lose?" I answered, "My credit cards, five bucks and change."

He said, "We've got a new Mugging Policy now, it may strike you as a litte bit stern,

But if the injuries are minor and the theft is small, it's Below Regulatory Concern."

So I picked myself up and stumbled on over to my neighborhood Savings and Loan,

'Cause I needed some cash so I could go to the soda shop and get myself an ice cream cone

But the banker said "Sonny, we ain't got your money, we lost it speculatin'

We feel real bad but hey, shit happens when you start deregulatin."

Well I walked along and passed a kid who whacked me in the knee with a baseball bat

His dad was standing just a couple feet away. I said "you just gonna let him get away with that?"

The dad said "Hey, the kid's still young, give him some time, he'll learn.

But for now since he has not-killed anybody, he's Below Regulatory Concern.

So I limped back home and from the end of the lane I saw flames shootin' out of my house.

There was a fireman there, he asked "Who's inside?" I cried, "My two kids and my spouse!"

Well the fireman says "I'm sorry pal, but we're gonna have to let the thing burn

Cause with less than 1 spouse, 4 kids and 2 pets, it's Below Regulatory Concern.

Now we're glathered today to discuss deregulation of some kinds of nuclear trash

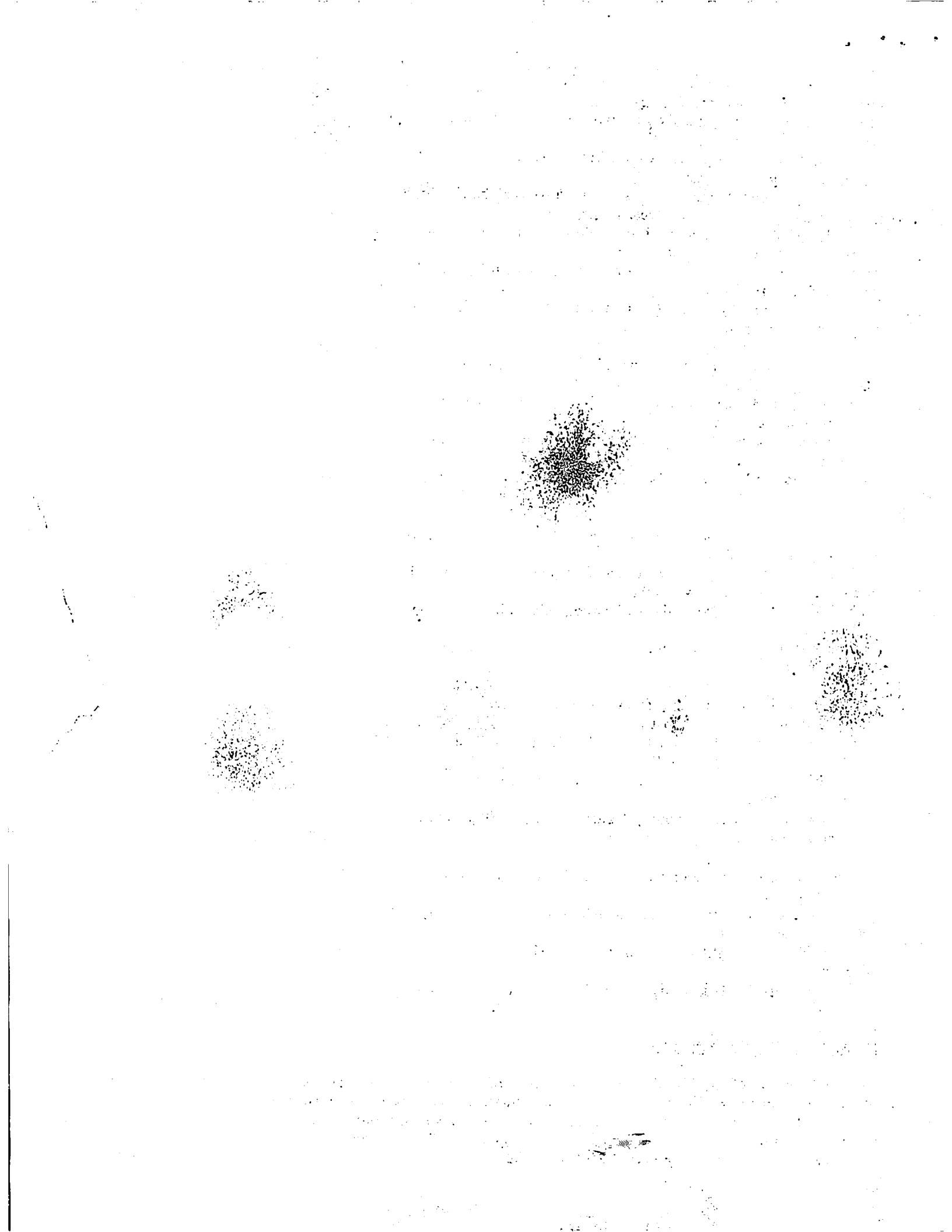
And the NRC says that deaths will be few, and the B.R.C. will save some cash

Well I think we ought to answer very clearly, before we all adjourn

That nothing that causes people to die is Below Regulatory Concern.

MANAGER OF THE MONTH

Our Manager of the Month is Janette Hansen of Groundwater Protection. Janette surprised us with a call to our office one day. She was inquiring as to whether we knew of the existence of a management evaluation form. At first we thought her to be another angry employee seeking redress with a repressive boss, however, upon questioning we found out Janette was the boss. Ms. Hansen was interested in such a form in order that the employees she supervised could evaluate her performance as a supervisor. She said she felt that, with



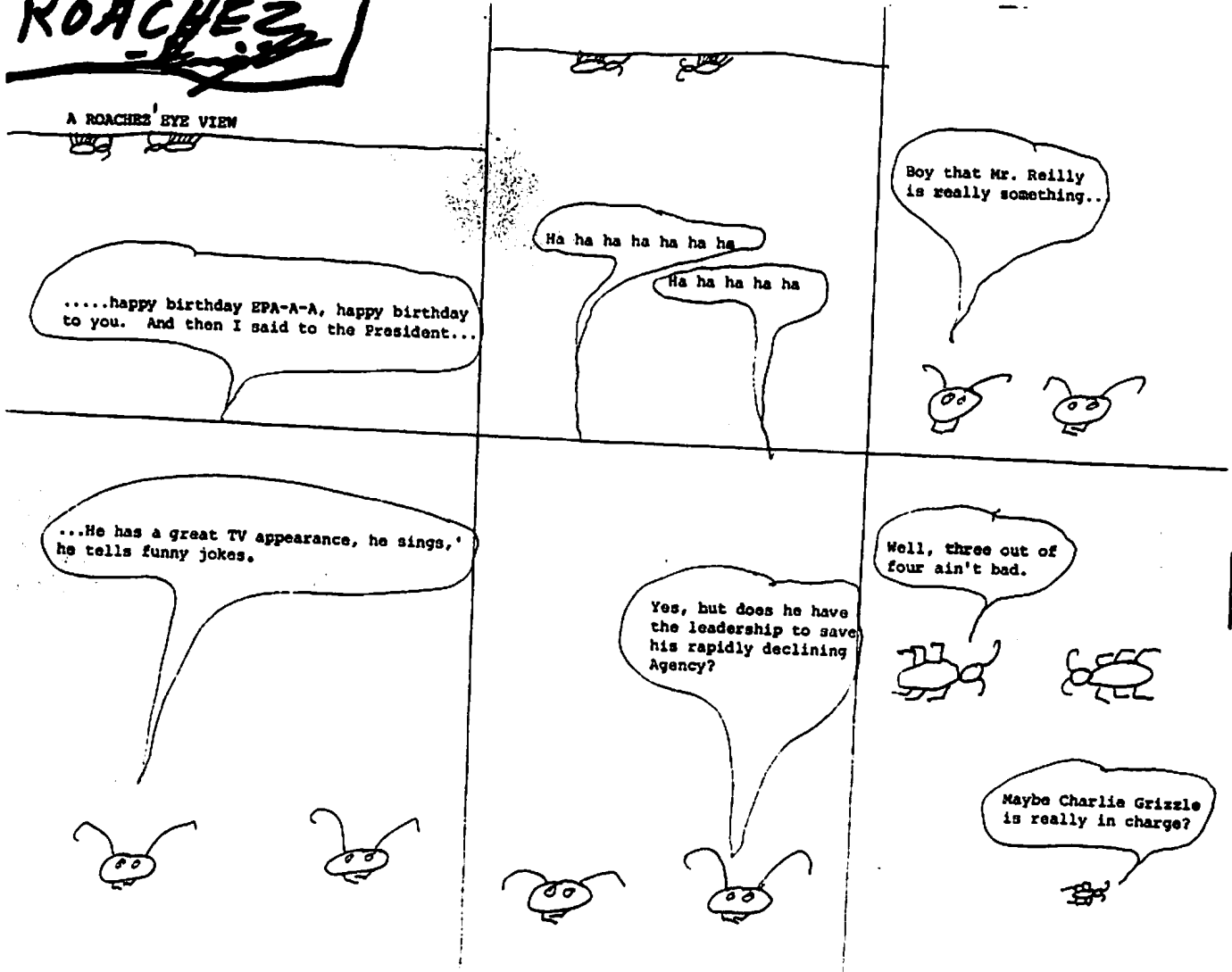
constructive criticism from the employees, she could do a better job as a manager. How totally refreshing! Now that's real TQM. If most managers were like Ms. Hansen, just think what a great place to work EPA could be. For setting an example of management at its best, Janette Hansen is our Manager of the Month.

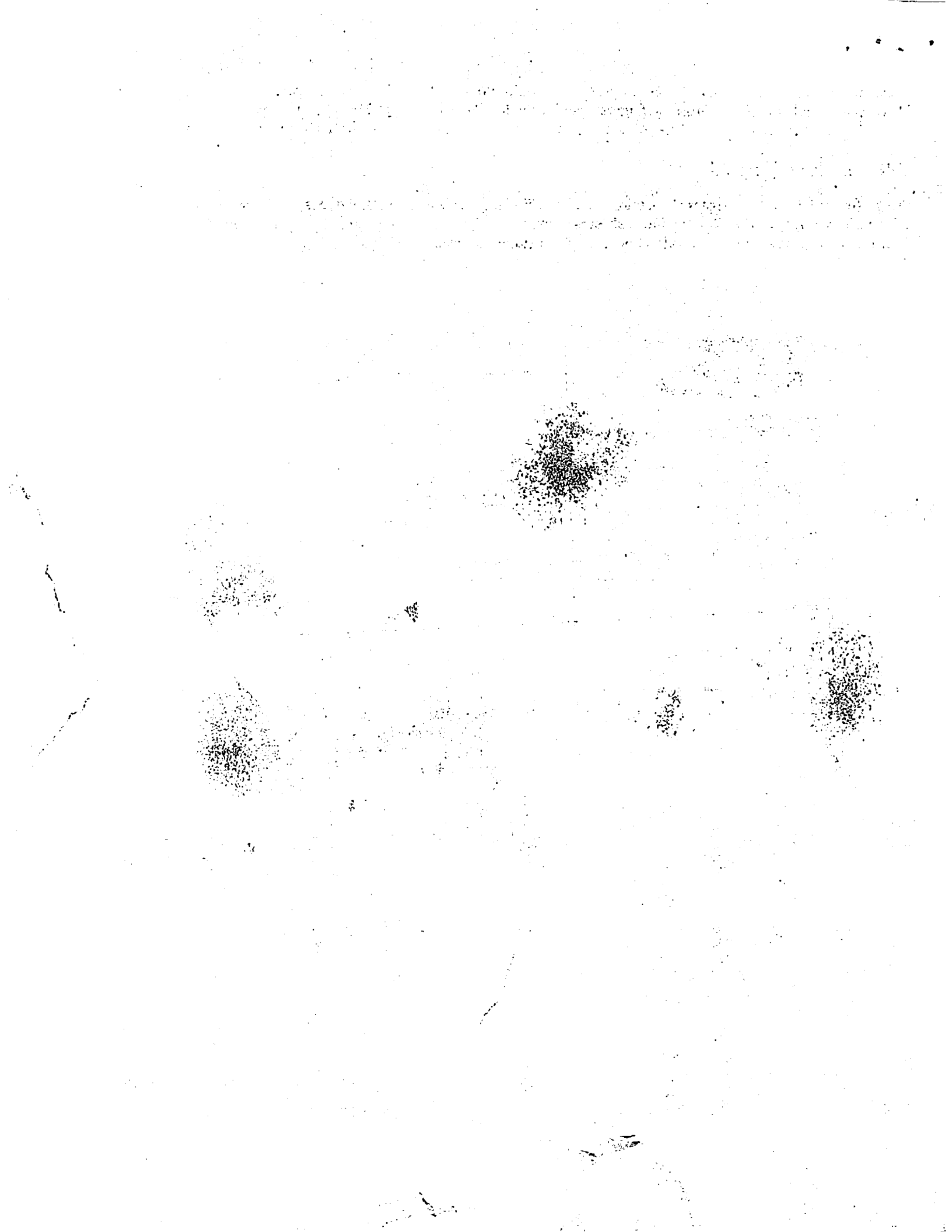
COMING IN FUTURE ISSUES

"Asbestos, Lies and Videotape" - Our friends Charlie Grizzle and David Smith have been shoveling out nonsense regarding the Crystalcide asbestos problems. This time they are trying to snow Congressman Jim Moran. In the next issue we will expose their arguments with the facts.

ROACHES

A ROACHES' EYE VIEW





MY OWN STORY

BY MYRA CYPSEK

April 7, 1991

I am the Vice President for Health and Safety in the professional's union at the U.S. Environmental Protection Agency (EPA), the National Federation of Federal Employees Local 2050. I have been investigating EPA's indoor air pollution problems for the past five years and I am the editor of the *INDOOR AIR NEWS*, a monthly union newsletter on EPA's indoor air. I have been publishing monthly newsletters on this issue since 1986. Like some 40 other employees at EPA, I am unable to work in the EPA Headquarters buildings because I am allergic and chemically sensitive and have adverse health effects from the contaminated environments in those buildings.

I have been subjected to intense harassment by the Agency for my Union activities:

The Agency routinely provides alternative workspace, including work-at-home arrangements, for employees who cannot work in their offices because of indoor air problems. However, Mamie Miller, my branch chief, refused to give me alternative workspace when I became ill from indoor contaminants (dust and/or vapors) from renovations in my office area last summer. I had trouble with my lungs for the first time in my life. I had to keep coming into the office. I was injured over and over again. My doctor phoned John Rasnic, the acting division director, to talk to him about my need for alternative workspace. He refused to talk to my doctor and referred the call to Ms. Miller who never talked to the doctor.

Ms. Miller refused to allow me to work at home when I became ill from the new building our division moved to in November. The only alternative workspace she would give me was in the same building. When I tried to work there I had severely disabling symptoms, including hearing loss. Although my hearing has improved, I still have trouble with my ears. I never had trouble with my lungs or ears like this before these building related illnesses. I have since found out that five of my friends have had episodes of hearing loss they associate with working at EPA. Loss of lung capacity and loss of hearing occur when tissues in the lungs and inner ears swell because of allergic/sensitivity reactions. Mr. Rasnic refused to allow me to work at home and told me that he did not believe the building was a problem because it did not bother him.

I understand from talking to various sources in the Agency, that my management took the position that my job could not be done at home and actually did the paperwork to separate me from Federal Service rather than allow me to work at home. They would not have been able to sustain a legal challenge to this action, firing a handicapped person, when so many other handicapped employees had been accommodated with work at home arrangements. This is probably why they backed off.

In December 1990, they finally agreed to allow me to work at home (in response to my filing a Grievance). It had taken the Agency 21 weeks to provide me with the alternative workspace I needed. I had accumulated medical bills totaling more than \$1,000 getting medical information for them. However, in keeping with their assertion that my job could not be done at home, my management took away my job and ordered me to work directly for Mamie Miller, the branch chief who had refused to give me alternative workspace. I assume that being assigned to work directly for her was a reprisal for filing a Grievance to get alternative workspace and for my Union activities related to indoor air. They still have not provided a plausible explanation as to how my job differed from those of other environmental scientists who worked at home.

Apparently, Ms. Miller intends to fire me. She has written letters making wild accusations about my performance. A year ago, she came into my office and told me to

quit my job! She dropped me 100 points on my performance rating in October 1990 (a 25 percent decrease) and gave me a rating that was much lower than any other I ever received. She indicated during the performance rating interview that she thought my work was unsatisfactory. I believe that Senator Charles Robb's intervention during the performance rating period was instrumental in preventing her from actually giving me an unsatisfactory rating.

I don't have a performance agreement. It wasn't until March 1991 that I was finally given instructions to draft an agreement and this was only after I filed a Grievance on this matter. The performance agreement should have been completed months ago. Ms. Miller still has not given me a copy of my October 1990 performance rating. I have been waiting five months for a copy of my performance rating.

In August 1990, Ms. Miller issued an Official Reprimand for my personnel file based on a complaint from the health and safety division (the division which has been the target of my indoor air investigations) without even discussing this complaint with me. She collaborated openly with the health and safety division and the director of that division wrote to her advising her to check out my use of leave and Union time.

In October 1990, Ms. Miller confiscated my word processor. I went for months unable to use a word processor. She still has not given me computer equipment comparable to the equipment of the other employees in the division. The computer she gave me is an ancient model that does not even have a hard disk.

Also in October 1990, the Union Executive Board was told by a source in the Agency that one of our supervisors had asked the EPA Inspector General (IG) to investigate the Board's use of Union time. It was not too hard to guess which supervisor had asked for the IG investigation because most of the Board members' supervisors are not willing to attack the Union. Nothing ever came of this request for an investigation.

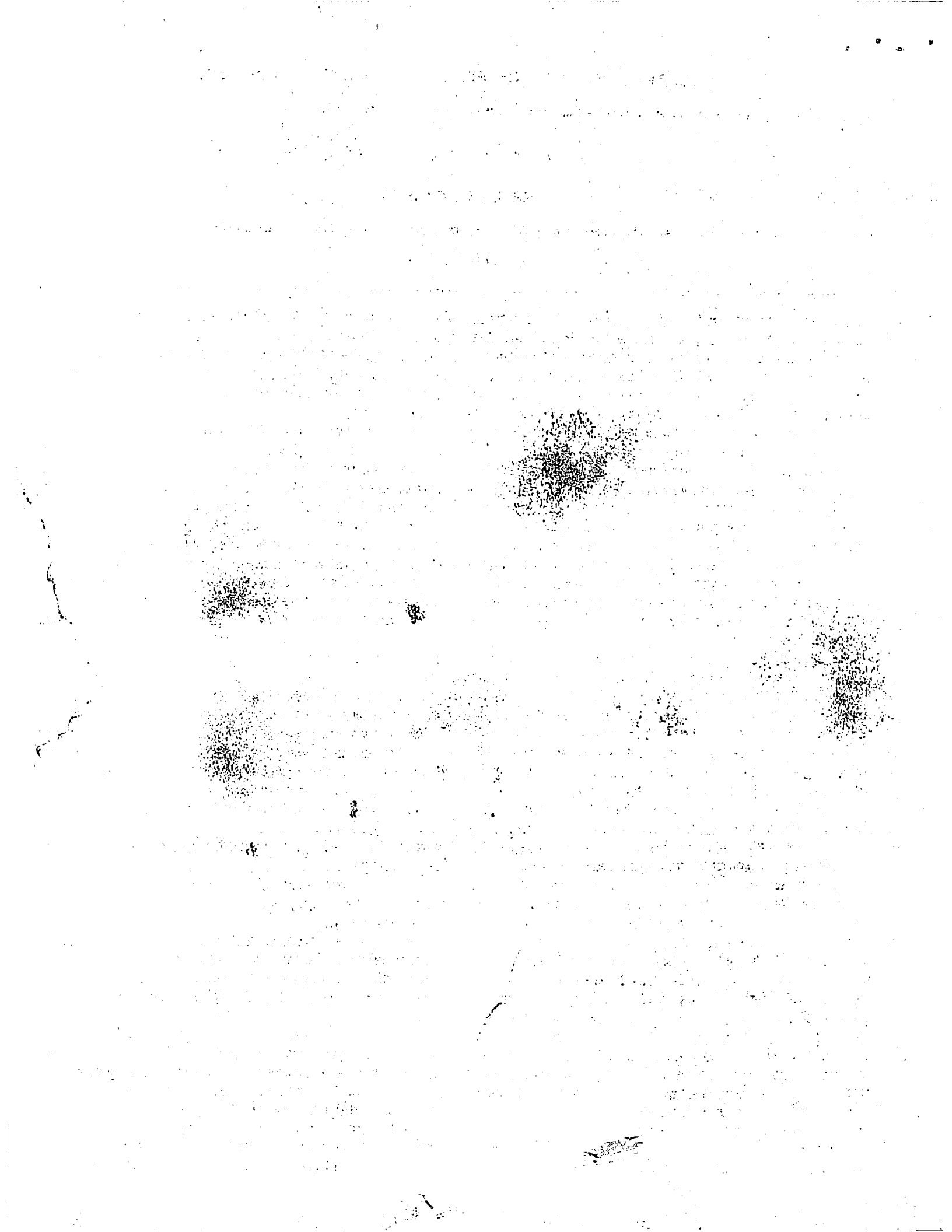
Ms. Miller refused to sign the receipts for my workman's compensation claims for illnesses caused by indoor air pollution in the EPA Headquarters buildings in November 1990. She said that she never received one of my claims. Fortunately, I had taken the precaution of hand delivering a copy of the claim to the director of personnel the same day I sent her the claim.

Ms. Miller has told me she intends to open my mail, even though she does not open the mail of the other employees and I have offered to pick up my mail every day so delivery won't be delayed.

Ms. Miller is refusing to send me the boxes that contain my "office," my files, my photos, my work supplies, etc. She is holding my boxed possessions in an office near her own. (I didn't get a chance to unpack after my division was moved there last November because I became ill from the building right away.) I have been waiting five months to unpack my boxes.

At one point, when I was working in the main Headquarters building, I was notified that management was going to build a corridor through my office within the next 24 hours. No one had told me they were going to demolish my office. I had to pack up and vacate in only a few hours. Ms. Miller did not give me another office to work in. Fortunately, an employee in another division found me a place to work.

Ms. Miller is often verbally abusive to me, speaking abruptly and harshly. When I ask for specific instructions on my assignment, she answers in monosyllables or refuses to answer. One time in August 1990, she came into my office and began verbally abusing



me. I was on the phone, speaking to an official at the Union National and she did not realize she was being overheard. The Union official was astonished at the abuse.

After my indoor air illnesses in November 1990, I went for a long time with no assignments. Between November 5, 1990 and January 15, 1991, there were 15 workdays, a total of three weeks, when I could not work because my management did not give me a suitable place to work (where I could work without adverse health effects) or did not give me assignments. After I was assigned to work directly for Ms. Miller, I waited for more than a month for her to give me written instructions on my work assignment.

My current assignment from Ms. Miller is a "busy work" assignment. My assignment is to write a summary of the 1990 Clean Air Act amendments. Of course, this work has already been done. Numerous summaries have already been published by EPA. This assignment is essentially meaningless. It has no apparent utility and no recognizable relationship to any of the current management planning and tracking systems in place/being developed for implementing the new Clean Air Act.

Ms. Miller is forcing me to work in total isolation, without meetings, contacts, background information, or correspondence:

I have had this assignment since early January 1991. During all this time I have had only one meeting with Ms. Miller on the assignment, and that was after I made several written requests for a meeting. I waited for more than two months for her to meet with me. She has set up meetings and canceled them. Recently, she told me to meet her in the main Headquarters building. I drove over there but she did not show up. There was no explanation from her. I assume she does these things to harass me. Ms. Miller and Mr. Rasnic often do not return my phone calls. In recent weeks, approximately half my calls were not returned. Sometimes Ms. Miller calls me after hours in the evenings. I have asked her not to call me except during working hours. Again, I assume this is harassment.

To date, I have not been invited to one meeting on the Clean Air Act amendments. Normally, for an assignment like mine, I would be attending meetings held to discuss issues related to the Clean Air Act amendments, particularly compliance/enforcement related workgroup meetings, so that I could be aware of the latest thinking on issues and incorporate this in my summary. For most scientists at EPA, it would be hard to imagine going for months without even one work related meeting.

Ms. Miller ordered me not to phone Clean Air Act contacts for the specific information I needed to complete my assignment. When I asked her if she was forbidding me to talk to people she relented somewhat and said I could ask contacts for their views and ideas on the amendments but not for specific information. For several weeks, I had asked for the names of people I should be contacting regarding my assignment with no response from Ms. Miller. Finally, she gave me the names of a few people, but this was not even a complete list for our division.

Ms. Miller has not given me any materials to assist me in completing my assignment except copies of the Clean Air Act and amendments. Of course I need access to the hundreds of documents written on the amendments: issue papers, schedules, guidance, policy statements, Start Action Requests for rulemaking, handouts for meetings on the amendments, summaries of the amendments, etc. My management has not given me access to these documents and they are forcing me to work in a vacuum.

My written requests for instructions and guidance on my assignment generally go unanswered. Also, I get conflicting instructions on the scope of the project. Ms. Miller told me that all sections of the amendments had to be summarized. Mr. Rasnic told me only compliance/enforcement related sections had to be summarized. I asked in writing for them to resolve their different interpretations of the scope of the project. I have been waiting for weeks for clarification. Lack of direction on the project makes it impossible for me to work productively.

John Rasnic, the acting director, verbally agreed to send out a memo under his signature asking for the cooperation and assistance of key management officials and asking them to appoint Clean Air Act contacts and to provide the information I need to complete my assignment. I drafted such a memo and gave it to Ms. Miller. It has been several weeks and she has still not given me her comments on the memo. I have been waiting for several weeks for her comments on the format I proposed for the summary. I wrote to

Mr. Rasnic about these delays. It is clear now that they do not intend to send out any correspondence that would advertise this bogus assignment.

I discovered that employees in our division were given training on the Clean Air Act amendments. Even though my assignment deals with these amendments, I was not informed that training was available. After I found out, I asked both Ms. Miller and Mr. Rasnic in writing for this training on the Clean Air Act amendments or comparable training. I asked for an extension to the due date for my assignment to compensate for the time I would be in training. There was no response from them.

Also, this is an impossible assignment. I am being asked to do the work of dozens of employees (literally dozens of employees have been involved in interpreting and summarizing Clean Air Act requirements), and I am being required to do this while working in complete isolation. Clearly, I am being set up for an unsatisfactory rating.

I filed a Grievance contesting this assignment. Ms. Miller refused to give me the time to work on the Grievance that she is required to give me in accordance with the Union Contract.

Ms. Miller has repeatedly refused to let me have time to perform Union duties I am legally required to do as a Union official. Under The Federal Service Labor-Management Relations Statute, I am entitled to a reasonable amount of official time for these duties. At the moment, she is giving me only a tiny fraction of the time I need. The Agency has succeeded in shutting down my indoor air work. In fact, there was no March 1991 issue of the *INDOOR AIR NEWS*. I simply did not have time to research it because of the demands of this phony assignment. This is the first time the Agency has succeeded in silencing me.

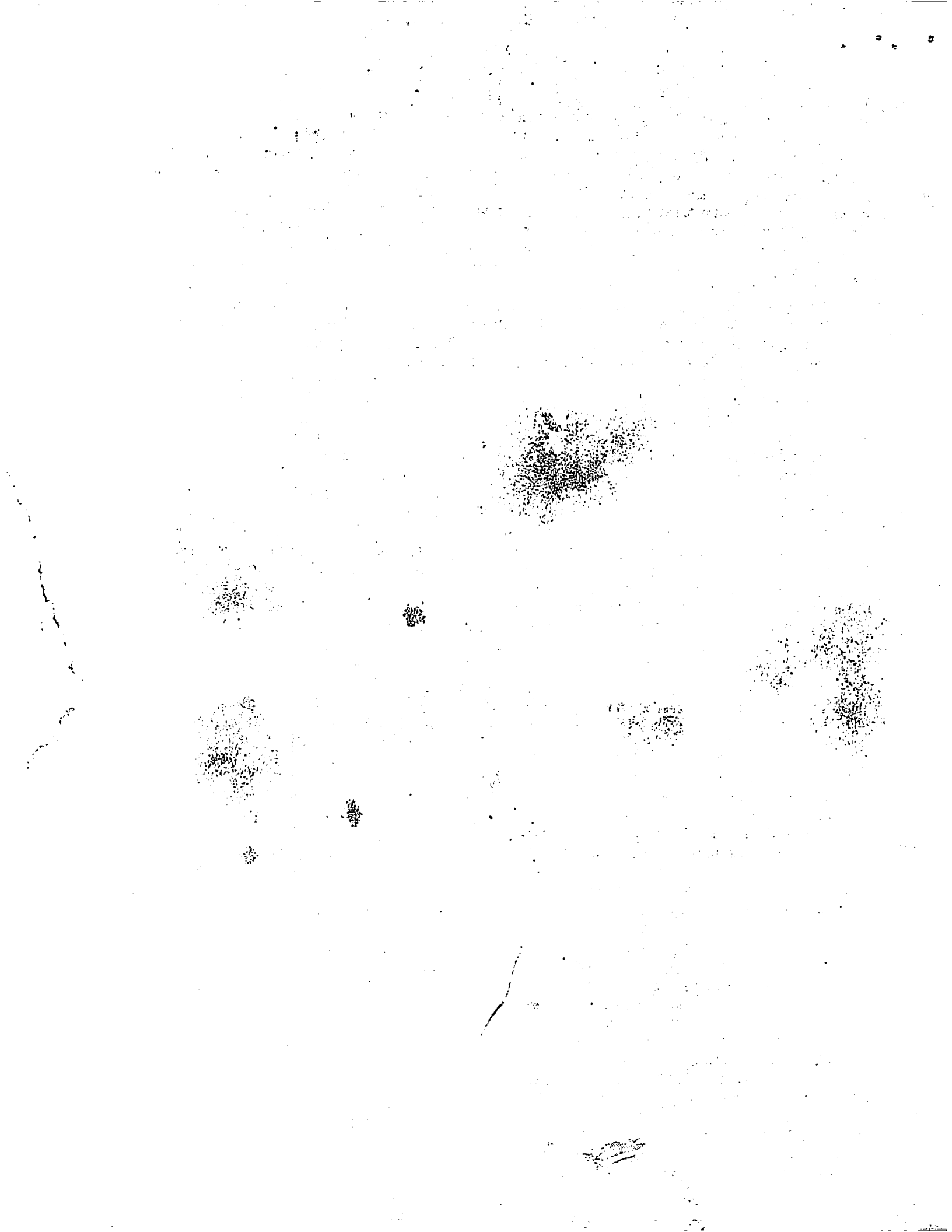
Who is involved in this unrelenting harassment? I have signed a total of 119 memos, letters, notes, etc., to management concerning my situation. Nearly all of this material was copied or blind copied to John Rasnic, the acting division director, John Seitz, the office director, and to officials in the Deputy Administrator's office and my Assistant Administrator's office (Office of Air and Radiation). They were sent copies of other materials also; for example, letters from Senator Robb and articles from the Union newsletter *INSIDE THE FISHBOWL* on my situation. I have to assume that all these offices are fully aware of my situation and are completely satisfied with the way things are.

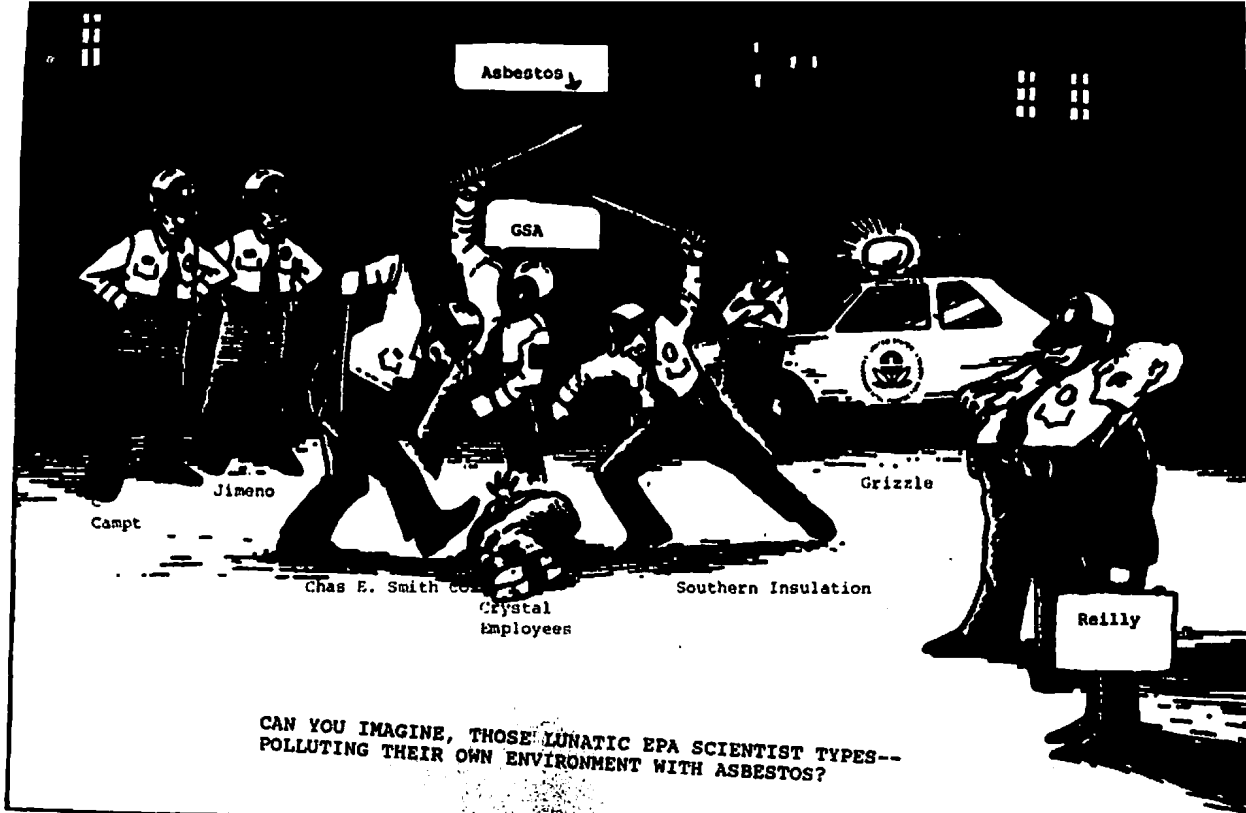
I have made direct appeals to Mr. Rasnic and Mr. Seitz, asking to be assigned to a different supervisor. Of course, personnel is involved; they provide the legal support to the program which allows this bashing to go on and on. I made a direct appeal to the Deputy Administrator's office and was told that Hank Habicht, the Deputy Administrator did not want to get involved. I made a direct appeal to my Assistant Administrator's office and was told that Bill Rosenberg, the Assistant Administrator, did not want to deal with personnel matters. Mike Shapiro, the Deputy Assistant Administrator, met with me and I recited the litany of abuses outlined above but nothing came of this meeting.

I don't expect any help from the political appointees (or their flunkies), after all, my position on indoor air is very different from theirs and it is certainly in their best interest to condone this harassment, to encourage Ms. Miller, and to have me silenced or fired. It is not clear how much of this harassment is being done at their direction. Certainly, the media attention on EPA's indoor air problem has been embarrassing for them, more than 149 stories in the news media, including national and international TV coverage.

It is very important to me to continue to work on indoor air because I am personally affected by poor indoor air quality. With Union support, I intend to keep on trying to work on my indoor air project.

IF YOU HAVE NEWS FOR THE *INDOOR AIR NEWS*, PLEASE CALL ME AT (703) 578-1816.





MEMORANDUM

March 21, 1991

SUBJECT: Defending the Honor of EPA Scientists

FROM: Dwight A. Welch, President-Elect
NFFE, Local 2050

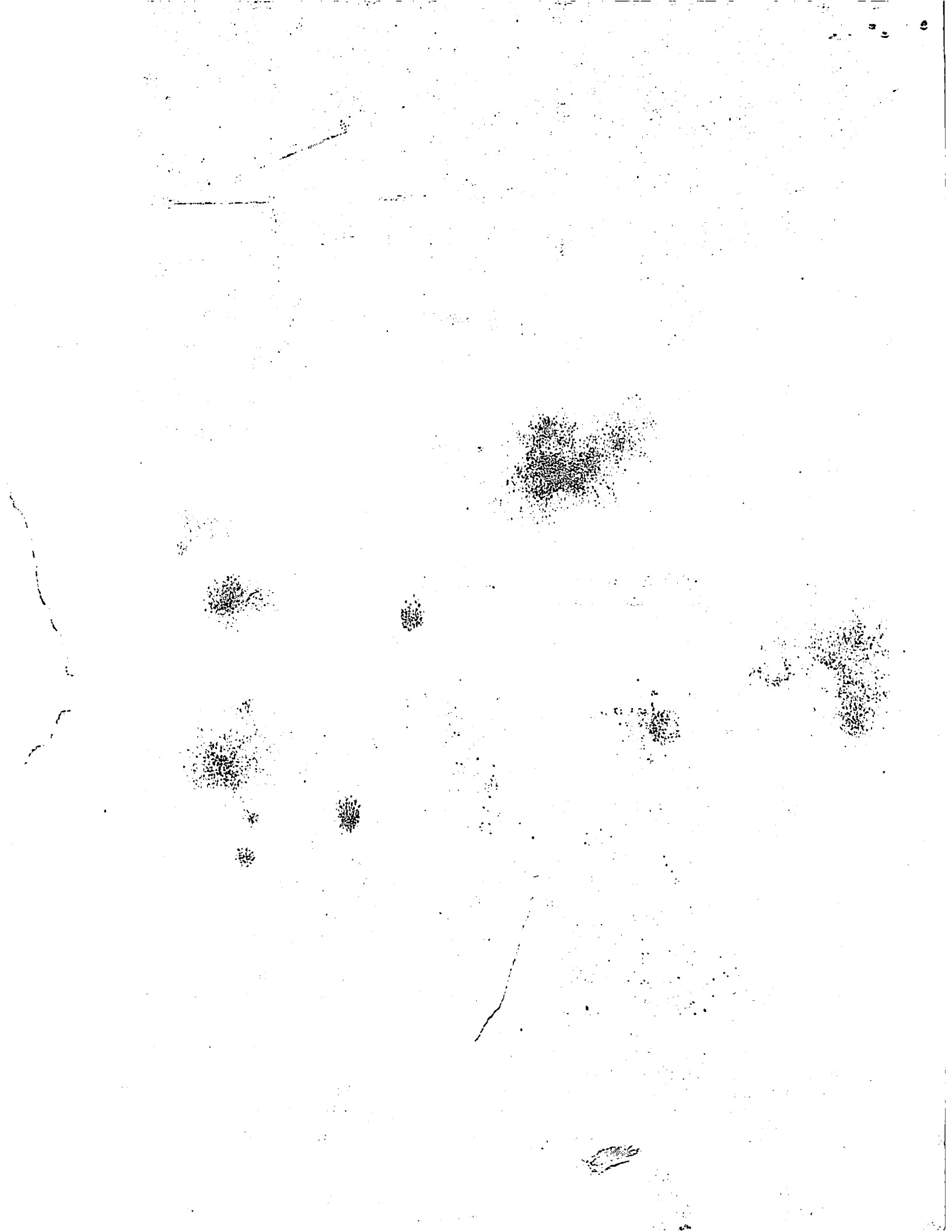
TO: William K. Reilly, Administrator
U.S.E.P.A.

In the March 14, 1991 issue of the CITY PAPER, in an article entitled "A Handful of Dust: EPA Fails Its Own White-Glove Asbestos Test", asbestos removal contractor Jerome Streeter made the following statements. "...the removal contractor (Streeter) has gone so far as to suggest that lunatic EPA scientist-types carried in the (asbestos) dust and scattered it around the workplace in an act of wicked sabotage. 'That,' he declares. 'is how crazy some of these people are.'"

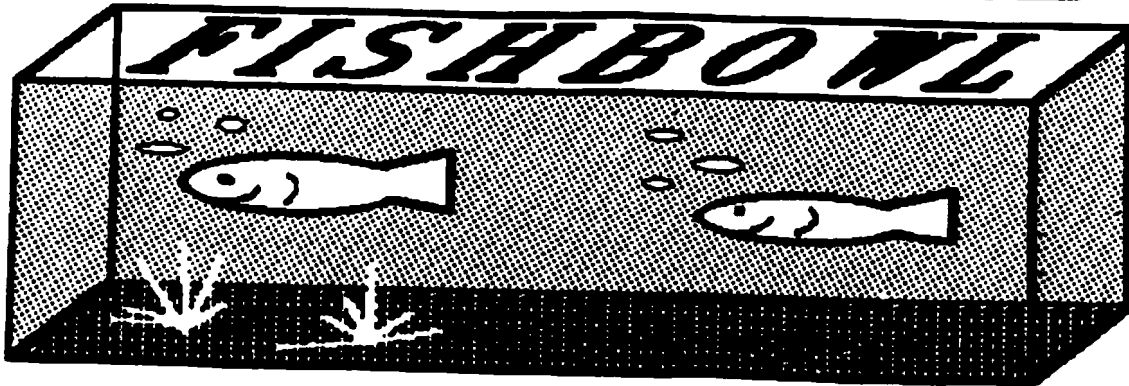
I call upon you to defend the honor of this Agency and the honor of EPA's scientists. I do not believe that Streeter and those of his ilk should insult EPA scientists, who are protecting the public, with terms like "lunatic" and "crazy". More importantly, Mr. Streeter must be held accountable for his potentially slanderous accusation that EPA scientists committed an illegal act by spreading a known carcinogen throughout the workplace. It is bad enough that EPA has gained considerable notoriety regarding its polluted workplace, but this is too much.

If you would be so kind, please send me a courtesy copy of whatever reply you make so that I may inform our bargaining unit as to what our Administrator has done on behalf of good science at EPA. I thank you in advance for your attention to this matter.

To date no reply has been received from the Administrator's Office. (Editor)



INSIDE THE



NATIONAL FEDERATION OF FEDERAL EMPLOYEES
P. O. BOX 76082
WASHINGTON, DC 20013
OFFICE: ROOM 302 NE MALL
EPA HEADQUARTERS' PROFESSIONALS

LOCAL 2050
(202) 382-2383

NFFE

*"We must conduct our affairs at EPA as if we worked inside a fishbowl—"
William Ruckelshaus, Former Administrator, U. S. EPA*

MAY 1991

THE LOST ISSUE

VOL 7--NO 4

PAGE

- 1 FROM THE PRESIDENT - "Tribute to Daljit Sawhney"
- 1 FROM THE EDITOR - "Asbestos, Lies and Videotape"
"Asbestos Update"
"Meanwhile in the United States Senate"
- 2 NEWSBITES
- 8 COMING IN NEXT ISSUE
- 9 IG WATCHDOG
- 10 IG WARNING
- 11 Dennis Bushta is MANAGER OF THE MONTH
- 12 INDOOR AIR NEWS - Myra Cypser
- 14 ROACHEZ (with Depiction of Administrator by Jay Thomas)


LOCAL 2050

JOIN TODAY -

NFFE LOCAL 2050 EXECUTIVE BOARD

Bill Hirzy - President - 382-2383
Dwight Welch - President Elect - 382-2383
Rufus Morison - Chief Steward - 703 998-5145
Bill Marcus - Treasurer - 301 428-0314
Laura Sallman-Smith - Secretary - 308-8146
Bob Carton - Senior Vice-President - 382-2325

Vice Presidents

Myra Cypser - 703-578-1816 Jim Murphy - 382-4294
Jim Walker - 475-9640 Sherry Milan - 382-2767

EDITORIAL BOARD

Dwight Welch (Editor), Bill Hirzy, Jim Murphy, and Rufus Morison

EDITORIAL POLICY

All items for publication must be submitted to INSIDE THE FISHBOWL by the first of the month of publication. Items selected for publication are voted upon by the Editorial Board in a democratic process. Articles indicating authorship reflect the views and opinions of the author and not necessarily NFFE Local 2050.

FROM THE FORMER PRESIDENT

TRIBUTE TO DALJIT SAWHNEY by Bill Hirzy The Union owes a great debt of gratitude to Dr. Daljit Sawhney, veterinary toxicologist/pathologist and Rhodes Scholar, who served as Local 2050's Treasurer for three terms. Daljit did yeoman work in maintaining our financial records and making required reports to the Labor Department on our finances during that time. He also was responsible for membership records and communications with the National Office on membership and finances. The office of Treasurer may not be the "sexiest", but it is one that is absolutely critical to the life of the Union, and Daljit did an excellent job during his tenure. Daljit also served three terms as Vice-President, contributing his insights into the Union's problems and programs. His critiques of toxicological issues during the carpet crisis were extremely useful in focussing our efforts and in developing our programs aimed at getting decent treatment of our injured colleagues and preventing further injuries to the public. On behalf of the many, many people who have benefitted directly and indirectly from Daljit's professional excellence and diligent work, we in the Union say, "Thanks for your outstanding service, Daljit!"

FROM THE EDITOR

ASBESTOS, LIES AND VIDEOTAPE

A recent reply to a letter written by Myra Cypser and later supplemented by Dwight Welch to Congressman James P. Moran of Northern Virginia, was received from the Congressman last month. This letter contained as attachments a cover letter by Charles Grizzle with a question and answer sheet written by David Smith. Dwight Welch has written Congressman Moran an extensive reply to the misleading statements in these EPA documents and the following article features some highlights from this letter.

One of the principle features of Smith's question and answer sheet is that it directly contradicts claims made by his boss Julius Jimeno. Smith writes: "During that meeting a union official requested that EPA space at CM 2 be cleaned as a matter of prudence and in response to growing employee concerns; senior-level Agency official agreed to a special cleaning...The parties agreed that there was no basis for EPA employees to be evacuated from the building." Neither Kirby Biggs, Myra Cypser, nor I have ever agreed that the building did not need to be evacuated, so this agreement had to be the one derived by Julius Jimeno, Douglas Campt, and Loree Murray (the now infamous December 14, 1990 agreement upon which I have filed a grievance). Now in answer to my grievance alleging that Jimeno, Campt, and Murray struck a back door deal, conducted bargaining excluding NFFE, Local 2050, Julius Jimeno writes: "If you read this memorandum carefully, you will find that there is nothing in it that indicates bargaining took place."

Now which is it, was it bargaining or not? Was it an agreement or not? Mr. Smith is telling the Congressman that it was bargaining and that an agreement was reached; Mr. Jimeno is telling me in answer to the grievance against him that there was not bargaining, no agreement.

The letter also contains the usual weaselings we usually expect from SHEMD such as that the dust was concrete dust from drilling for the sprinkler system and electrical work (ignoring the fact that the concrete drilling was taking place on different floors from where employees were finding dust and that the analysis of the dust was cellulose fibers, glass wool fibers, and asbestos fibers--unless the building is made of fiberboard this sounds to me to be more an analysis of a ceiling tile than concrete). That Virginia officials approved the PIE (failing to mention that the PIE was failing to meet at least 4 of the 12 criteria for portable units and that Virginia is now considering revoking their approval). It ignores that EPA guidelines for schools call for evacuation in the event a single 1% (of asbestos) or above dust sample (and more than 15 were found from 24 samples in CM-2). It ignores no aggressive monitoring was done prior to employees occupying the building. It claims (quite erroneously) that the infractions which Virginia cited Southern Insulation for (the major one being failure to properly decontaminate the protective suit) presented no danger to the employees. (How about asbestos dust tracked by the contaminated suit?) It claims the Unions had full opportunity to bargain when in fact management did not meet with Local 2050 until after the work was completed.

The story of the sliming of EPA employees with asbestos dust was originally exposed (outside INSIDE THE FISHBOWL) by Roberta Baskin of WJLA TV in Washington. The story of the exposure of CM-2 employees will also comprise the final chapter of a new book The Asbestos Racket by Michael J. Bennett. This book is based on a series of Articles in the Detroit News which was nominated for a Pulitzer Prize. We suspect that others will soon be exposing the true story of what really happened in CM-2 and that those responsible will not escape justice.

ASBESTOS UPDATE The Patent and Trademark Office has just recently allocated funds for cleaning up the PTO spaces in CM-2. Seems now only the Navy employees won't get a cleanup; what they need is a strong Union to defend them. Also, asbestos abatement work at another PTO building, Crystal Plaza 6, which was scheduled to start in January 1991 has not yet started. The rumor is that the building will be evacuated for the removal, that the PIE is out, and a more responsible traditional method of removal will be used.

We may have another discovery in the continuing saga of the great EPA Asbestos Sliming Coverup in the next issue.

MEANWHILE IN THE UNITED STATES SENATE Senators Kennedy and Metzenbaum have authored the OSHA Criminal Penalty Reform Bill. This bill if passed would not only penalize an employer for knowingly causing or allowing to cause an employee to be injured, it would make the employer's agent be held personally responsible to the tune of up to 20 years in prison and/or \$250,000 fine. Please write to the Senators and give your support and be sure to mention, no exemption for government managers.

JOIN Your UNION Demand EQUITABLE Treatment for ALL Employees

NFFE Local 2050 * 202 382-2383

NEWSBITES

LEAD STORY: ANGRY LETTERS FROM CITIZENS, ENVIRONMENTAL GROUPS, AND OTHER UNIONS BEGIN TO FILTER INTO ADMINISTRATOR'S OFFICE The people of the United States, the taxpayers, (you know, the people who pay our salaries--our stockholders, our board of directors) are very angry with EPA management's attempts to prevent free speech and to prevent NFFE Local 2050 from answering questions regarding human health and environmental issues from the public. More than one letter has cited EPA's inaction on environmental issues and EPA's stonewalling of requests for information by the public versus NFFE Local 2050's cooperative and helpful action to citizens and other parties concerned with the environment and also health and safety issues brought out by NFFE, Local 2050. Some letters have indicated outrage at the suppression one of the few parts of EPA which is actually doing something to forward the mission of the EPA which is to protect the environment.

VICTOR KIMM AND FAMILY CIRCLE CORRESPOND In last month's issue we reported on the article in FAMILY CIRCLE about lawn pesticides. We also reported that although Dwight Welch was indicated

as representing EPA, Mr. Welch has specifically stated that he did not represent EPA, but rather NFFE, Local 2050. According to the author of "Poison in Your Backyard--The Pesticide Scandal", Kathryn V. Sagan, Victor Kimm, Deputy AA of the Office of Pesticides and Toxic Substances, wrote the magazine indicating that Mr. Welch did not represent EPA. FAMILY CIRCLE wrote back and indicated that of the dozen EPAers the magazine called, several times each, most did not return the calls, and only Mr. Welch offered any information helpful to the article's author. Mr. Welch also complained to FAMILY CIRCLE about the article: citing the severe erosion in the confidence the public now places in the Agency, he indicated that he did not want his reputation as an ethical scientist besmirched by being referred to as a spokesman for EPA.

Once again this highlights the Freedom of Speech issue. EPA management is stonewalling legitimate requests for information by the public and then in turn, bashing members of Local 2050 when they try to fill the gap left by EPA management.

MEMBERSHIP CONTINUES TO INCREASE Local 2050 welcomes 8 more full members into its ranks.

PRESELECTION WATCH/ASIAN-AMERICAN DISCRIMINATION GRIEVANCE SUCCESSFUL:
ANOTHER VICTORY FOR LOCAL 2050 May 7.

The results of the NFFE PRESELECTION WATCH in the Office of Pesticide Programs has paid off: the best person was selected for the job. Promoted to Section Head, but wishing to continue to remain anonymous, the most qualified person in the section was promoted to supervisor. The candidate, a PhD in chemistry, was promoted to head a section of chemists. If you wish to conduct a PRESELECTION WATCH in your program, contact NFFE, Local 2050. Remember: PRESELECTION IS AGAINST THE LAW.

Another important issue at hand was the fact that the new Section Head had filed a grievance charging Asian-American discrimination and threat of physical violence against the employee by Branch Chief Ferial S. Bishop. The grievant alleged that others were being given preferential opportunities denied the grievant, so as to give others advantage to be promoted over the grievant. The grievant felt that the denied opportunities were made on the basis of race. (See next story)

We hope that other managers in the Agency reading this will learn a valuable lesson: discrimination and preselection is against the law and Local 2050, champion of the employee, is here to make sure that the laws are followed.

ADMINISTRATOR'S OFFICE ORDERS REPLY TO ASIAN-AMERICAN DISCRIMINATION LETTER
May 7. In last month's INSIDE THE FISHBOWL we ran a story updating the status of Asian/Pacific

American discrimination in the Office of Pesticide Programs. Backing up the action President-Elect Dwight Welch sent a memo to Administrator Reilly regarding the status of this issue. On the very same day as the Asian American in the above article was promoted, Elsie Diggs of Personnel responded to Welch's memo. This is most interesting since Welch has complained to Diggs at nearly every labor-management meeting for an entire year regarding the above mentioned Step 3 Asian-American Discrimination/Threat of Physical Violence Against an Employee. For a year only lame excuses were given (and indeed the grievance hasn't been heard yet), but now that Mr. Reilly's Office is interested in it, suddenly a continuously retaliated against employee is awarded his remedy.

Diggs' letter claims that the issue of underrepresentation of Asian/Pacific Americans is one which is currently being addressed by OPP. It further claims that "OPP has recently selected another Asian American/Pacific Islander to fill one of its senior management positions." (Since when is an immediate supervisor a "senior management position"?) Diggs' memo also indicates that the Administrator "is very much aware of the underrepresentation of Asian American/Pacific Islanders, women and other minority groups...especially at the senior management level." (What about African-Americans, are they now designated "other"?)

FOXX NIGHTLY NEWS EXPOSES CLOROX PR SCHEME May 13. The environmental action group Greenpeace gave Channel 5 news a story on a Clorox, Inc. public relations scheme to protect their company and profit margins should adverse publicity such as an adverse finding on chlorine based bleach be released or in the event of an environmental disaster. Part of the general strategy is: "In the event of a crisis, representatives of key federal and/or state government groups--such as the U.S. Environmental Protection Agency--may be called into play to reassure other public policy officials and the general public that liquid chlorine bleach-based products are environmentally safe." A copy of the "Crisis Management Plan for the Clorox Company" is available for inspection at the Union office.

GREENPEACE STAGES NATIONWIDE RALLY AGAINST THE USE OF CFCs May 14. Greenpeace USA staged rallies across the country demanding EPA action on a ban of ozone depleting CFCs. The group indicated that the ban would save millions of people from contracting skin cancer. "Bill Reilly and the EPA are still going along with the chemical industry's schedule for phasing out CFCs slowly over the next 10 years--and buying the industry's line about so-called safe alternatives," said Melanie Duchin, coordinator of Greenpeace's Ozone Protection Campaign. "We're here today to demand that Reilly tell us what the EPA plans to do to meet its responsibility to protect the environment and the lives of Americans." (Good luck Melanie, Mr. Reilly won't even meet with his own scientists to discuss the effects of toxic carpet, bad indoor air, and asbestos dust on the health of his own employees.)

Greenpeace has done more than just complain, they have **A SURVEY OF ALTERNATIVES TO OZONE DESTROYING-TECHNOLOGIES** by Erik Johnson and Jack Noble suggesting alternatives. Anyone interested in reading this document may obtain a copy from the Local 2050 office. This survey is quite interesting in that many of the alternatives are superior in other ways to the CFCs besides the CFCs effect on the ozone layer. For instance one car air conditioner developed is 45% more efficient than CFC A/Cs, weighs about 1/12 the weight and takes up about 1/5 the size. The cost of the unit from Charles Graham & Associates is about \$450 and expected to drop. (Hmm, I spent \$800 for the CFC A/C in my car.) Another example is CVI insulation which now provides an R value of R-100 (expected to go to R-150) per inch. R-150 is over 21 times more resistance per inch than available polymer insulations and the insulation also has a much higher temperature range than polymer and fiberglass insulation.

STUDENTS MEET WITH OFFICE OF INTERNATIONAL AFFAIRS, LOCAL 2050 INVITED TO PARTICIPATE May 14. A group of students, traveling the world and talking to the environmental protection agencies in other nations, stopped at the U.S. EPA as part of their tour. Encountering Fishbowl editor, Dwight Welch in the aftermath of the Greenpeace anti-CFC demonstration, the students invited Mr. Welch to their meeting with Victor Gray. The students were highly critical of the Agency and its inaction on a number of issues including the greenhouse effect, ozone depletion by CFCs, the use of pesticides banned by the U.S. but used in foreign countries on food for import into the U.S., the EPA's connection with the World Bank and the Bank's reputation as environment rapers, and the lowering of U.S. standards for pesticide tolerances on foods to comply with international standards. The students echoed concerns from officials and ordinary people all over the globe, that the U.S. EPA was dragging its feet on issues like global warming and ozone depletion.

The meeting room was hot and stuffy, the result of an August-like spring day combined with Watercide's notoriously poor ventilation system. After remarking earlier about how hot it was Mr. Gray responded to student questions about the Greenhouse Effect with "It needs more study." When asked about what he thought of the Greenpeace demonstration earlier, Mr. Gray criticized the tactics of Greenpeace. He indicated that, for instance, embarrassing the President was not a good way for the organization to advance its goals.

After the meeting, after the elevator doors closed, the students began expressing their reactions to the meeting. Their primary reaction cannot be reprinted here, but let's just say it contained oblique references to bovine fecal material. (This seems to be the standard reaction that many regular people have after coming into contact with EPA spokespeople.) President-Elect Welch gave to one of the leaders past issues of **INSIDE THE FISHBOWL** and encouraged the students, upon graduation, to consider a career with the EPA where they could make a difference by reforming the Agency from within.

AFGE COUNCIL OF HUD LOCALS 222 PASSES RESOLUTION TO SUPPORT NFFE, LOCAL 2050 AGAINST EPA MANAGEMENT REPRESSION May 20-21. In response to the repression of Local 2050 by Charles Grizzle and his lackeys in the Labor Management section, the AFGE HUD council passed the following as the very first resolution of the convention:

"AFGE Council of HUD Locals 222 convening in New Orleans, LA on April 20-21, 1991 resolves that management shall not contravene the Free Speech Rights of employees. We stand in solidarity with our Brothers and Sisters at EPA in their fight against the illegal activities of management."

This resolution has been backed up by letters from Council President Clifton Barnhill to William K. Reilly, various AFGE Locals, Mr. John Sturdivant, President of AFGE, Ms. Sheila Velazco, President of NFFE, Mr. David Schlein, NVP AFGE, Loree Murray, President AFGE, Local 3331, and Dr. J. William Hirzy, President of NFFE, Local 2050. In his letter to Mr. Reilly, Mr. Barnhill indicates: "We do not agree with the contention by EPA management that 'participation in the Carpet Dialogue' and union representative answering requests by the public does not meet the requirements for the legal use of

official time. Certainly these matters concern the working conditions of all employees at EPA."

HAMLIN AND DIGGS SAY NAY TO GRIEVANCE AGAINST AUDITOR WITHOUT GRANTING GRIEVANT A HEARING April 22. Personnel Director Michael A. Hamlin gave a thumbs down to a grievance, Step 2, filed by Dwight Welch concerning discriminatory treatment given to Mr. Welch by auditor Julia Smith. Elsie Diggs, to whom Step 1 was sent, also turned down the grievance. Both refused to address the issue, both refused to grant a face-to-face meeting despite the fact that such a meeting was requested and is required by the contract. Additionally, Hamlin's reply contains a copious amount of false and misleading information given to him by Ms. Smith, despite the fact that there was a witness to what really happened. The Union expects Personnel to play by the rules, instead what we receive is underhanded treatment: disregarding the charges filed, failure to investigate both sides of the story, and the covering up of unethical behavior. The grievance is being escalated to Step 3, Unfair Labor Practice Charges and grievances are being filed against Diggs and Hamlin.

PENNY FENNER-CRISP SAYS CAMPT SAYS "NO" TO GS-14 SCIENTISTS April 24. Penny Fenner-Crisp told Dr. Rufus Morison, Chief Steward, that Douglas Campt is unalterably opposed to scientists being promoted to the GS-14 level or above. When Dr. Morison asked Dr. Fenner-Crisp if the Union could help our members get the grades they earned as national and international experts, Penny replied, "You could start with the retirement of the Office Director."

GRIEVANCE AND UNFAIR LABOR PRACTICE CHARGE FILED AGAINST MARITA LLAVERIAS April 24. As reported in last issue the Campt-Jimeno grievance was escalated to Step 2 to be heard by J.C. Chamberlin. On the way to Chamberlin's office, Union representative Dwight Welch was intercepted by Labor Relations representative M. Laverias and told that he could not bring his attorney advisor/witness to the proceeding. Dwight Welch demanded to know where in the contract or the law only one Union person could be present at a grievance hearing. Laverias refused to answer the question but replied that Welch could either attend alone or no meeting would take place. Laverias also informed Welch that if he did not like that he could file a ULP or grievance.

Upon entering the meeting with Mr. Chamberlin, Dwight attempted to ask certain questions of Mr. Chamberlin to assess his understanding of the situation. Laverias in her typical arrogant, ignorant, personally abusive and authoritarian manner kept interrupting Welch loudly saying, "This is not a hearing, you are not allowed to ask questions, only to present additional information."

Throughout the proceedings, Mr. Chamberlin did not utter a single word, and an outside observer would have thought Llaverias rather than Chamberlin, to be in charge of the meeting. Finally, having had enough of Laverias' rude, abusive and uncalled for aggressive behavior, Dwight declared the proceedings to be a travesty. He lectured the two about the importance of a two way exchange of information in grievance negotiations and that this wasn't happening here.

He also indicated the gravity of the situation in that 500 to 600 EPA Crystal City employees had been exposed to asbestos dust and that some deaths due to lung cancer and mesothelioma might result. He further indicated that EPA Guidelines for the removal of asbestos in schools called for the evacuation of a building if a single dust sample of 1% or more was discovered and that more than 15 such samples were taken in CM-2. He finished with the fact that the EPA Handbook for handling asbestos in the home indicated that asbestos dust should not be vacuumed with normal vacuum cleaners and despite continued Union protest, daily vacuuming continued prior to the cleanup.

The ULP is being filed against Laverias for not allowing the Union's advisor into the meeting and a grievance filed for Llaverias' not allowing a two way exchange at the hearing. Mr. Welch followed up with a written advisory to Mr. Chamberlin concerning the issues of EPA managers acting outside of their areas of authority and of setting policies contrary to official EPA policy. Welch also warned Chamberlin, that despite his poor representation by Laverias, that he, not Llaverias, would be responsible for making a responsible decision on this grievance. *Welch became concerned during the meeting that Chamberlin is a flatliner [medical jargon for no brain electrical activity] and then he blinked which confirmed the diagnosis.* THE FISHBOWL learned from an impeachable source that Llaverias is a clever "ambidextrous" ventriloquist and this was just another routine assignment for her, that is, defending another "upper" management flatliner.

The grievance against Laverias, along with the grievances against Diggs and Hamlin were forwarded to K. Dawsey under a cover letter of complaint of malfeasance by the Labor-Management Relations staff.

GRIEVANCE FILED AGAINST CHAMBERLIN In connection with the above story, a grievance has been filed against J. C. Chamberlin for his handling of the Campt-Jimeno Asbestos Grievance. Chamberlin in issuing his "decision" did not deal with the issues on an issue by issue basis, but just gave a blanket rejection. Also as indicated in the story above, Chamberlin allowed Laverias to prevent a presentation by Dwight Welch to give the facts and issues related to the grievance. The grievance has been filed with our favorite AA Charles Grizzle. The Campt-Jimeno grievance has also been elevated to Step 3 with Grizzle's Office. Being that the grievance against Jimeno was originally filed with Grizzle (and Campt's with L. Fisher), and that Grizzle first allowed Jimeno to answer his own (and Campt's) grievance rather than taking responsibility for the issue himself, we do not hold high hopes for a reasonable reply.

ANOTHER GRIEVANCE FILED AGAINST ELSIE DIGGS May 1. Upon hearing a statement from Office of Pesticide Program management that Elsie Diggs had indicated to OPP, that OPP could proceed with the planned move, President-Elect has filed a grievance against Diggs for misrepresenting the facts to OPP. (The Union had not signed off on the move.) In the grievance sent to K. Dawsey, Mr. Welch has asked that Diggs produce a signed agreement between EPA management and the Union over the move.

GRIEVANCE AGAINST LLAVERIAS ANSWERED AGAIN WITHOUT A REQUESTED HEARING May 9. Although the Llaverias grievance (see above story) was filed with K. Dawsey, Dawsey bumped the grievance down to Laverias' co-worker Elsie Diggs. Once again, Diggs has found against the grievant (Dwight Welch) without granting a hearing and considering only the arguments of the other side. Diggs offered as an attachment Laverias notes from the meeting, but not Welch's. The memo, rather than dealing with the issues presented (lack of two way communication and rude behavior by Laverias), Diggs went on at length to extol the so called accomplishments of Laverias. Apparently, Llaverias' accomplishments do not include meaningful dialogue with Union officials at EPA.

NUMEROUS UNFAIR LABOR PRACTICE CHARGES FILED AGAINST LABOR MANAGEMENT RELATIONS STAFF Numerous ULPs have been filed against the Labor Relations Staff. Repeatedly, the staff has refused to fill legitimate requests for information filed by the Union. ULPs have also been filed against the staff for routinely breaking previously agreed upon rules for negotiations.

BRANCH CHIEF MAMIE MILLER SINGLE HANDEDLY DISRUPTS WEEKLY HEALTH AND SAFETY MEETING May 22. By ignoring Myra Cypser's request for official time for the weekly meeting with Dennis Bushta and Stan Fredericks, the weekly health and safety meeting had to be canceled. Without Myra, the Agency expert on indoor air, the meeting could not proceed. This unilateral action by Miller resulted in wasting the valuable time of Dennis Bushta, Stan Fredericks, the new Health Unit doctor, Dr. Daniel Jimenez, as well as the time of several Union officials including President-Elect Dwight Welch.

MILLER ONCE AGAIN UNILATERALLY DISRUPTS IMPORTANT MANAGEMENT-LABOR MEETING May 24. Once again by ignoring Myra Cypser's request for official time, Mamie Miller prevented an important Labor-Management meeting from taking place--this time on the negotiations for the Judiciary Square building. Once again, without Ms. Cypser's expertise, the meeting could not be held. Once again the valuable time of Union and management officials was wasted. (Stan Fredericks, Marita Llaverias, and Dwight Welch) Attempting to have a meeting, Ms. Cypser asked Llaverias if there was any word of official time for her being granted and Llaverias indicated, "No". This is the third time the same meeting was canceled due to the lack of cooperation by Mamie Miller. The Union feels that if Mr. Grizzle were truly interested in getting input from the employees on the new building, then negotiations would take place.

MANAGEMENT ATTEMPTS TO BREAK PRECEDENT--A CASE OF GENDER DISCRIMINATION? May 24. At the attempted meeting on the Judiciary Square building, Marita Llaverias informed Dwight Welch and Myra Cypser of management's plan to limit Ms. Cypser's time as President-Elect to 50%. Past precedent has had it that, the President and President-Elect are virtually full time positions. Myra Cypser will be the first female President-Elect (see special Election Issue coming out soon) of NFFE, Local 2050. Previous Presidents-Elect, all male, have enjoyed virtually full time status; is this a case of Gender Discrimination against Myra Cypser?

GRIZZLE TELLS CONGRESSMAN DINGELL EMPLOYEE REPORTED HEALTH SYMPTOMS 'LOW' In a October 9, 1990 letter from AA Charles Grizzle to the Chairman of the Committee on Energy and

Commerce, Grizzle indicated to Mr. Dingell that "...the level of employee-reported health symptoms that they associated with indoor air quality in their building was low (approximately 12%)." (from the 1989 survey) According to indoor air expert Myra Cypser, it depends upon how you read the numbers, they could be interpreted as being as high as 60%. She claims Mr. Grizzle used a highly skewed low end figure. In any event 12% times 6,000 employees is about 720 sick people; we would hardly consider that to be insignificant. According to Mr. Grizzle's letter 20% or greater is considered significant. Is there anyone out there beside Mr. Reilly who has continued faith in Charles Grizzle?

GRIZZLE TELLS PUBLIC THERE IS NO ACTION BEING TAKEN TO DISCOURAGE LOCAL 2050 INTERACTION WITH THE PUBLIC Charles Grizzle has responded to angry letters from other Unions, environmental groups, and citizens in the form of a form letter. In response to letters protesting the infringement of the Freedom of Speech, answering questions from the taxpayer, and general repression of Local 2050, Grizzle writes, "Let me assure you that this Agency has taken no action to discourage NFFE's interaction with the public....We believe in working cooperatively with our unions." Why then Mr. Grizzle, have you refused to meet with us on the CM-2 asbestos issue? Why then did you allow Mr. Julius Jimeno, your Environmental Health and Safety Officer to respond to a grievance filed against him (and Douglas Camp) when it was sent to you? Why then did you allow a Union bashing course "How to Manage Unionized Employees Effectively", which was so outrageously anti-union and promoting of confrontation and aggression against unions, that even managers complained about it? Why do you continue to let the Labor Management section continue to answer grievances without even considering the evidence or hearing the side of the complainant, or even addressing the issues? Why then have you allowed Union officers such as Myra Cypser and Bill Marcus to be so viciously attacked by program managers? How is it that Elsie Diggs and her ilk are allowed to tell program managers that it is OK to complete a move when negotiations were never even commenced? Why then are Local 2050's requests for information almost never answered? You cooperate with this Union about as effectively as the South African government cooperates with the native Africans.

LOCAL 2050 RECEIVES COMPLAINTS OF WIDESPREAD DISCRIMINATION AGAINST AFRICAN-AMERICAN FEMALES In the past couple of months, Local 2050 has received 4 complaints from 3 separate offices about discrimination against black female employees. In all four cases the women had received similar computer generated letters indicating to them that they had to notify their supervisor whenever they leave their desks and specify where exactly they are going (even to go to the ladies room), and that they had to have a doctor's note to take sick leave. Interestingly enough, all four are members of the other bargaining unit, are of aware that Local 2050 does not represent them, but none the less came to Local 2050 for help. (Could it be that people recognize that we are the champions of the employee at EPA?) Local 2050 cannot legally represent these employees, but none the less has undertaken action to find more out about this problem. President Bill Hirzy has written to the FOI office asking for a breakdown, by race, of all the employees that this type of letter has been served on. It is our interest to see if this is part of a general trend of racial discrimination. FOI's initial response to our request was to ask if the requested information was in the public interest to which Dr. Hirzy gave a detailed explanation of why the elimination of racial discrimination was in the public interest. Dr. Hirzy's request was dated April 8, 1991 and still has yet to be filled. We regard notification of one's supervisor of the need to go to the bathroom to be extremely degrading and humiliating treatment of employees and in light of high sounding tomes by Administrator Reilly on Cultural Diversity and TQM to be the worst form of hypocrisy.

SCIENTIFIC McCARTHYISM AT THE EPA? This was the title of a recent editorial in the Washington Times by Warren Brooks. It seems William Rosenberg, a deputy administrator in Air, Noise and Radiation, attacked the credentials of Dr. Edward Krug. Mr. Rosenberg is quoted, "...Dr. Krug has limited scientific credibility even in the limited area of surface water acidification." The vicious attack included a sham ex post facto "peer review", simply because Dr. Krug disagreed with EPA. The attack essentially barred Dr. Krug from employment in any research that has government funding. It turns out that Dr. Krug graduated with highest honors in environmental science from Rutgers University where he also received his PhD. Dr. Krug has also received high praise from at least 5 real peer reviews including Erik Eriksson, considered by many to be the father of Acid Rain. And it also turns out that Mr. Rosenberg himself is not even a scientist. After the Washington Times brought these facts to EPA's attention, Rosenberg issued a formal written apology to Dr. Krug.

Attacking the qualifications of technical people seems to be a regular EPA management tactic. At

Union-management meetings concerning CM-2 asbestos, David Smith of SHEMD attacked the credentials of national asbestos expert John Moran who regularly advises the Undersecretary at OSHA on asbestos matters. Mr. Moran readily provided his extensive credentials, but when Smith's credentials were similarly questioned by Dwight Welch, Smith never responded. The Union has also requested Smith's qualifications (SF-171) under FOIA, but this request has never been filled. Also, Mr. Moran has never received an apology from Smith.

EPA FALLS FAR SHORT IN ENFORCING DRINKING WATER LAWS Read a front page headline on the front page of the May 20, 1991 Washington Post. The report criticized the Agency's ineptitude in regulating dozens of toxic chemicals in drinking water including dioxin and lead. The article pointed out that many of these poisons are going unregulated years after standards were mandated by Congress. We are glad the Washington Post is finally catching on to what is happening, or more aptly put, isn't happening here at EPA. Now how about some stories on Pesticides, Toxic Substances, Superfund, and some of the other programs at EPA.

BUSHES' WATER TO BE TESTED Reads another front page story in the Washington Post (5/29). Not only are both the President and the First Lady suffering from the rare Graves Disease, it seems Millie, the First Dog, has also suffered from an autoimmune disease. The First Family's doctor has ordered testing of White House and other sources of Presidential drinking water. Perhaps their investigation should also include 401 M St. S.W.

MAMIE MILLER DOES IT AGAIN May 29. Yet another employee health and safety meeting was prevented from happening by Branch Chief Mamie Miller by refusing to address Myra Cypser's requests for official time. This is the fifth meeting (2 health and safety and 3 negotiation meetings) in a period of less than two weeks that Miller has managed to disrupt. We calculate a total of lost person/hours to be 36. How long will Miller be permitted to waste the valuable time of Agency officials and Union Executive Board Members? More importantly, how long will Mamie Miller be allowed to deprive employees of an importantly safeguarding of their safety and health?

FOOD FOR THOUGHT

"TQM is to management what pollution prevention is to the environment." F. Henry Habicht

COMING IN NEXT ISSUE

WHO'S RIGHT, WHO'S WRONG As indicated in this issue, Charles Grizzle and David Smith have written to Rep. James Moran that on CM-2 Asbestos, bargaining did take place and a Union official agreed that CM-2 not be closed down. Julius Jimeno has insisted that no such bargaining took place and that the infamous December 14, 1990 memo he signed with Douglas Camp and Loree Murray was not an agreement. Dwight Welch has pointed out this information for the benefit of the Step 3 hearing on the grievance. How will they squiggle out of this one?

HAZARDOUS WASTES AS "INERT" INGREDIENTS IN PESTICIDES? According to a citizens newspaper in Asheville, NC, GREEN LINE, an EPA exemption allows this and not one of more than 20 EPA employees interviewed had even heard about it. INSIDE THE FISHBOWL investigates.

Will the EPA FOI Office continue in its stonewall of the Union on its information request on the Time and Attendance letters delineated by race, thus thwarting the Union's investigation of charges of racism against Black females? Will Charles Grizzle turn over a new leaf? Will Mamie Miller continue to be allowed to waste labor management time? For the answer to these and other question be sure to catch the July INSIDE THE FISHBOWL.

SPECIAL ISSUES

In the coming month or two INSIDE THE FISHBOWL will be publishing a number of special issues dealing with important topics. The first of these special issues will introduce you to the new executive board of NFFE, Local 2050.

The IG Watchdog No.2

Inspector General's Attempt at Witchcraft Assists NFFE Membership Drive

As a direct result of the IG's continuing harassment of Agency employees, NFFE has another new member. Our new member was subject to a one hour interrogation by IG Special Agents over an alleged "conflict of interest." (Note: Is "conflict of interest" defined at EPA as helping the environment? One wonders.) During this interrogation our new member was NOT read his rights, was NOT even told he was under investigation and at the end was requested to take a polygraph (lie detector) test at a later date. The polygraph test, described by the late Senator Sam Ervin as "modern day witchcraft", was declined. To quote former Local 2050 President Bill Hirzy, "John Martin is the best thing to happen to the Union since Anne Gorsuch."

IG Embarrasses EPA (Again)

A recent Jack Anderson column under the headline "EPA Official's Questionable Sabbatical" is just the latest in a long series of embarrassments to the Agency caused by Inspector General John C. Martin and his senior underlings. The column, appearing in the April 15, 1991 Washington Post, blasted the IG for sending his chief investigator on a two year detail "to work for the people he is supposed to investigate." This column is too short to even list, much less describe, all the other embarrassing newspaper and magazine articles about Martin's tenure as the EPA IG. The IG Watchdog has reason to believe that additional virgin material is in the possession of the Congress and will be made public in the future. Are you listening on the top floor, Hank and Bill? Or doesn't it make any difference what the IG does after his inept investigation (coverup?) of the North Carolina/Reilly/Waste Management matter.

IG Raises Salaries of Managers

As of January, 1991 most GM-14 and 15 managers in the IG's Office of Investigations were given a 10 percent salary increase in addition to the general cost of living increase. The increase was in the form of 10 percent premium pay. The IG Watchdog cannot comprehend how the Inspector General can justify additional pay to his managers when their overall track record is so poor.

\$100,000,000 for What?

Since John Martin became Inspector General in 1983 his office has cost the taxpayers over one hundred million dollars in salaries and expenses. Can anyone in EPA think of anything accomplished by the IG's office that can justify that expense? If you can, please notify Congressmen Dingell and Sikorski and Senators Sasser, Glenn and Mikulski; they will be pleasantly surprised. The IG Watchdog feels the environmental programs of the Agency would have made much better use of the funds.

Unequal Treatment - A Quiz (Answers in a future IG Watchdog)

1. Which Divisional Inspector General submitted a moving voucher to cover the expenses of selling his girlfriend's house?
2. Which IG Managers have been observed making personal use of Agency computers and photocopy equipment?

IG Watchdog Hotline

The IG Watchdog is in the process of establishing voice and fax hotlines for the reporting of employee harassment and other misconduct by the Inspector General's Office. Details will be announced in the next issue.

ATTENTION * WARNING * ATTENTION

**Contact from the Inspector General's
Office May be Dangerous even
Fatal to your CAREER**

**Call your Union Representative before
ANY contact or conversation.**

Legally You must cooperate.

**YOU have the right to
REPRESENTATION**

JOIN Your UNION

Demand EQUITABLE Treatment

for ALL Employees

NFFE Local 2050 * 202 382-2383

Local 2050 and Congressman John Dingell are interested in cases of abuse and First Amendment Rights violations by the Office of the Inspector General. Your inquiry will be treated in strict confidence and with anonymity.

The May Issue of *The Fishbowl* is late. We apologize. President Dwight Welch has been illegally and systematically denied Official Time for representational duties by the so called opp management in reprisal for his efforts to fight many inequities such as racial discrimination, asbestos exposure and the lies of Jimeno, Laverias and Smith on the potentially life threatening levels of exposure of CM II workers to asbestos, illegal position assignments and many others. President-Elect Cypser has been abused and threatened by the so-called management ably assisted by Diggs, Hamlin and Laverias and suffers from building illness.

MANAGER OF THE MONTH

-by Dwight Welch

Our Manager of the Month is Dennis Bushta. I remember when I first met Dennis; Kirby Biggs and I were working together on the asbestos problem at CM-2. Dennis was nervous about meeting with us; apparently the victim of management propoganda about what dragons the Union leaders were. Dennis immediately expounded on his policy of playing fair and square, of attacking problems and not personalities, and indicated what a great displeasure it would be if I were to write about him in INSIDE THE FISHBOWL. I assured him that I only wrote expose articles on villians and if he treated us fairly, he had nothing to worry about.

After a couple of meetings with Kirby and I, Dennis confessed that he thought we were a couple of reasonable people afterall. A large part of this is Dennis Bushta's management style--a style we'd like to see more of. Dennis is honest and straight forward, and he shares information with the Unions. Dennis looks at Labor-Management Relations as a problem solving process rather than as a struggle between adversaries. In stark contrast to the Labor-Management Relations Office, for instance, whose idea of negotiation is never giving an inch, and who treat Union officials in a master-slave fashion, Dennis practices the Win-Win approach. All parties in Dennis' meetings act in an equal capacity and brainstorm particular problems with ideas. From the brainstorm of ideas come solutions to problems. Such an atmosphere is conducive to problem solving whereas "negotiations", as typically practiced at EPA, only lead to confrontation and "power struggles". Another key to Dennis success in solving building problems is his relative independence from Julius Jimeno and David Smith.

In addition to everyday problem solving, Dennis Bushta was a crucial element in getting the Crystal Mall 2 asbestos cleanup accomplished, indeed, Dennis contracted for a better method than the experts called for (adding steam cleaning to the HEPA vacuuming) to assure EPA employes the best for a change. Dennis has also responded to Myra Cypser's request for a survey of noise levels in the Copy Rooms, with a comprehensive survey.

In the period of time which Julius Jimeno's now defunct Labor-Management Health and Safety Committee took to merely pick a name and set up some ground rules; Dennis Bushta's weekly meeting has solved a number of problems. In addition to the noise survey, Dennis' group (we still don't have a name, but who cares) has made significant progress on the technical problems facing alternative work space, on materials to be brought into new EPA buildings (so that we don't end up with another sick building like Watercide), and the committee has even generated a soon to be released building sickness report form.

Managers who wish to work well with the employees ought to contact Dennis Bushta for advice. Dennis realizes that we are all employees, labor and management alike, and that most of the problems we face at EPA, we face jointly. And that it is better to work together to solve these common problems than to act in the confrontational mode which so many EPA managers seem to adopt.

INDOOR AIR NEWS

Editor: Myra Cypser

A MONTHLY NEWSLETTER ON EPA'S INDOOR AIR

April 30, 1991

Employees Sue Building Owners: At least 20 EPA employees have filed lawsuits during the past several months against the owners of the Waterside Mall (WSM) building, for health problems allegedly related to the indoor air in EPA offices in that building.

Resistance On New Buildings: Dozens of requests for negotiation on the three new buildings coming on line have been ignored by the Agency, including requests to negotiate on the new Headquarters building at Federal Triangle. There is no indication that any precautions will be taken to avoid creating other sick buildings. We will simply be taking our indoor air problems with us when we move. The Agency has revealed no plan for evaluating materials to be used in the new buildings, paints, carpets, furnishings, etc.

Secrecy Fostered By Agency: The Agency is denying the Union access to critical information. Formal information requests are repeatedly denied or answered inadequately. For more than a year, the Agency has refused to give us copies of the indoor air reports they send to Senator Barbara Mikulski. Presumably, these are highly imaginative reports extolling the Administration's "progress" in addressing indoor air concerns. In a March 5, 1991 letter to Administrator Bill Reilly, the Senator asked him to give the Union copies of correspondence.

Health Monitoring Still Deficient: For the past two months, the health and safety division has been "working" on drafting a two page form to solicit employee indoor air health complaints during renovations. The Union is eagerly awaiting the completion and distribution of this form. Key issues: what procedures will the facilities division use to track all the renovations that are done and inform the health and safety division of these, and how will the complaints be reviewed, compiled, and analyzed? The Union understands that the health and safety division is working on a computer based tracking system. Health data are not currently tracked in any readily retrievable form. Adequate health monitoring is critical. The 1989 EPA indoor air health survey showed that more than 40 percent of the Headquarters employees had sick building symptoms.

Air Flow A Mystery: During the past five years, we have been asking the Agency to determine if any of the air handling systems in the Headquarters buildings meet the ASHRAE standard for outside makeup air on a continuous basis. The standard is 20 cfm per person. Long-term readers of the *INDOOR AIR NEWS* will not be surprised that the Agency still has not done this. Typically, the facilities division will measure overall air flow in offices when they get a request from a manager. This type of measuring does not address the question of how much of the air is outside air. There have been some measurements of outside air flow but these measurements were not correlated with damper settings so it cannot be determined if compliance is continuous.

Ironically, the indoor air bill before Congress (House version) directs EPA to write standards to require new buildings to meet ASHRAE. Is there any hope that this Administration will implement a national indoor air program when they have refused to give their own employees even a minimal program?

Blood Testing Suspect: A few months ago, the Agency announced a plan to conduct blood testing on employee volunteers who had indoor air health complaints. Testing would have been done ostensibly to search for immune system disorders. The Union has been cautioned about the doctors involved in the blood testing program. It appears that this program is the latest effort by the health and safety division to join with some doctors sharing their "psychogenesis" theories about sick building syndrome in order to "prove" that hypothesis. Employee participation in this program is not recommended until the Agency demonstrates that it is acting in the best interests of the employees.

Smoking Lounges Still Awaited: In mid-March, the Union and the Agency reached agreement on banning smoking in all the Headquarters buildings. The agreement indicates that ventilated smoking lounges will be provided for smokers. The Agency has not built one lounge yet. It is not likely that the Contract will be ratified by the Union membership until the Agency provides lounges.

Alternative Workspace Delays: In an April 23, 1991 memorandum, the Union protested the Agency's failure to negotiate meaningfully on setting up the alternative workspace at Crystal Station for employees affected by the contaminated indoor environments at EPA. Affected employees were sent copies of this letter. (More than 40 employees now work in alternative work locations, including working at home.) The Union had been waiting for four months for the Agency to issue a counterproposal. Then the Agency refused to give the Union "official time" to prepare for negotiations. This may seem illogical; however, this is part of an overall Agency attempt to shut down the Union by refusing to give us time to do Union activities. This Agency attack is being addressed legally.

Union Office A Health Hazard? The Union has been waiting for nearly three months for the Agency to respond to our request to have the Union office monitored for electromagnetic radiation. There are indications that there could be a problem because computers will not work near a pillar that could be a conduit for masses of electrical wiring. We have also asked for spot checks around the Headquarters buildings where electromagnetic radiation levels could be expected to be elevated.

Noise Monitoring Conducted: At the request of the Union, the health and safety division monitored noise levels in copy centers and found that levels were within applicable standards and that copy center operators were not endangered. We are hoping the Agency will monitor

noise levels in the Union office where there is a terrific din from a nearby air handler.

Business As Usual: Despite the numerous health epidemics and near disasters experienced at EPA in recent years because of carelessness in managing indoor air quality; for example, the "toxic carpet" epidemic, the daytime painting fiasco, the "chicken house" tile incident, the re-roofing agony, the asbestos furor, it is business as usual at EPA. Nothing has been learned. Recently, the Union was informed that the Agency had purchased partitions for hundreds of workstations. There was no evaluation done to determine if the partitions would offgas harmful chemicals. There was no airing out of partitions after installation.

Why EPA Has Failed To Act: For several years now, EPA has failed to act to protect the health of its own employees. Indoor air quality is not managed, it is ignored. Why? Charles Grizzle, a Reagan appointee, is the Assistant Administrator for OARM, the office responsible for facilities management and health and safety. His constituents seem to be the building owner associations and the manufacturers of the toxic products we use in our homes and offices, not the EPA employees. His political objective is to continue to oppose the indoor air bills in Congress. He cannot allow the EPA Headquarters buildings to be used as a precedent for requiring environmental improvements elsewhere.

Mr. Grizzle is also in charge of EPA's budget. Think about whether his failure to manage indoor air quality at EPA is in any way an indication of how he manages EPA through his control of the budget process.

At one point, we thought that maybe "kinder and gentler" times would come. There is no doubt EPA was passed by. Mr. Grizzle is now trying to destroy the Union by denying us "official time" for Union activities.

Press Folly: Over the years, there has been a total of 150 stories in the news media on EPA's indoor air, including 11 national and/or international TV shows. However, this is only a minor embarrassment to an Administration which normally has this much press coverage in a single week on its failure to protect the environment.

My Own Story: My office director, John Seitz, continues to supervise the harassment against me. I have written more than *one hundred thirty six* memos, letters, etc. concerning my situation and my entire chain of command has been sent copies of nearly all of this. I have made personal appeals to the offices of the Deputy Administrator and Assistant Administrator. I have to assume that they are entirely satisfied with the way things are.

My management tried to prevent me from getting alternative workspace, tried to fire me, dropped my performance rating, collaborated openly with the health and safety division and officially reprimanded me, confiscated my word processor, did not give me a performance agreement, refused to give me receipts for workman's compensation claims, refused to give me my boxed files, opened my mail, assigned me to directly work for the supervisor who had refused to give me alternative workspace (Mazie Miller), and had me work in total isolation on a "busy work" assignment.

A Union victory: as a result of a Grievance, my management was forced to send me my boxed files. They had been holding seven boxes since early November 1990. I didn't get a chance to unpack after my division was moved there last November because I became ill from the building right away. I waited more than five months to unpack and I have been enjoying going through the boxes

and putting away my things: photos, awards, files, supplies, etc.

Distribution: The *INDOOR AIR NEWS* is now distributed to more than 600 people. More than one hundred issues are sent to members of the press, contacts in Congress, environmental groups, unions, former EPA employees who were injured by poor indoor air quality, etc. It is often republished in the Union newsletter, *INSIDE THE FISHBOWL*, which goes out to Union members and subscribers.

AS THE DISTRIBUTION LIST GROWS, COSTS FOR POSTAGE AND ENVELOPES INCREASE. PLEASE CONTRIBUTE IF YOU CAN TO HELP SUPPORT THIS DISTRIBUTION AND OTHER UNION ACTIVITIES. THE SUGGESTED DONATION IS \$5.00 PER YEAR. PLEASE MAKE CHECKS PAYABLE TO NFFE LOCAL 2050.

Please share this newsletter with friends.

Call me if you have news at (703) 575-1816. Send mail to me at the Union office, mail code (UN-200), or my home. The Union office phone number is (202) 382-2383.

Wow, 98 degrees another August Dog Day.

But it's only May!

But there is no Greenhouse Effect.

Well, it needs further study.

Handwritten scribbles

The Ozone Layer thinning twice as fast as formerly thought....

Unsafe drinking water....

Enough pesticides and toxic substances to cover the world.....

And EPA Scientific Policy being determined largely by Non-scientists.

I wonder what Mr. Reilly is doing about that?

Hand-drawn stick figures

And those poor EPA employees

Slimed with toxic carpet...

Slimed with bad indoor air.

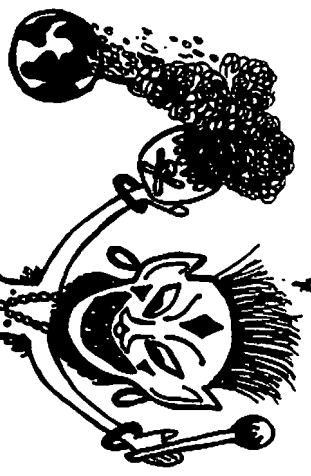
Slimed with asbestos dust.

Slimed with roofing fumes.

Charles Grizzle run amok.

Hand-drawn stick figures

TQM--Good Science--I trust Charlie Grizzle, TQM--Good Science--I trust Charlie Grizzle.



T. Thores

And those trying to do something about all of this, the leaders of NFFE, Local 2050.....

Not allowed to talk to the public.....

Not allowed to talk to the media.....

On official time..

Retaliations.....

More Charles Grizzle.

Unanswered grievances.....

Grievances answered by the

More Grizzle.

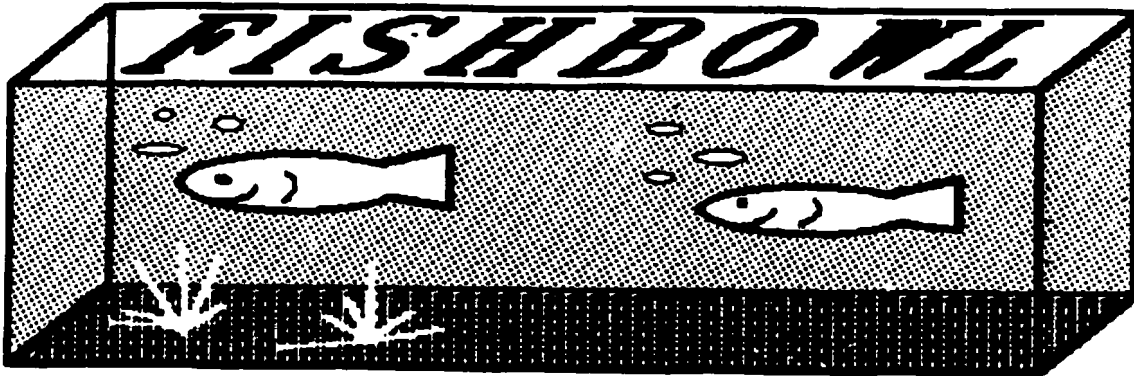
Let's go see what Mr. Reilly is doing to save his declining Agency.

Hand-drawn stick figures

Hirzy, J. William
TS778

FL

INSIDE THE



NATIONAL FEDERATION OF FEDERAL EMPLOYEES
P. O. BOX 76082 LOCAL 2050
WASHINGTON, DC 20013
OFFICE: ROOM 302 NE MALL **NFFE** (202) 382-2383
EPA HEADQUARTERS' PROFESSIONALS

"We must conduct our affairs at EPA as if we worked inside a fishbowl—"
William Ruckelshaus, Former Administrator, U. S. EPA

July 31, 1991

SPECIAL EDITION
ENVIRONMENTAL ACTION PACKAGE

VOL 7--NO5

INSTRUCTIONS

Colleagues and friends;

Local 2050 is under attack from the EPA management. Employees have rights as outlined in the Federal Labor Relations Act. NFFE Local 2050 is vigorously defending those rights, your rights. We can not do this without your active participation. Enclosed are letters that you can send to your Congressperson and Senators. Please complete the letters with your signature and address and of course your Representative's name. Please copy us on your letters.

Make copies for your friends and encourage them to participate.

If you have questions please call your union at 202 382-2383


LOCAL 2050

JOIN TODAY —

The Honorable _____
U.S. House of Representatives
Washington, DC 20515

August , 1991

Dear Representative :

I live in your district and I am disturbed by the issues which follow in this letter and as outlined in the articles published in the *Jack Anderson* column of July 26, 1991 and *Inside EPA* of July 19, 1991. These articles strongly indicate that the situation at EPA requires oversight and investigation by Congress.

I believe protection of the environment is a vitally important issue. Responsible professionals at the EPA are routinely retaliated against for doing an ethical job.

I hope that you will join your colleagues who have already made their voices heard in support of the rights of EPA employees to perform their jobs without retaliation.

The favor of a written reply to my concerns would be most appreciated. Thank you for your attention to this matter.

Sincerely yours,



Senator _____
U.S. Senate
Washington, DC 20510

August , 1991

Dear Senator :

I am a resident of your state and I am disturbed by the issues which follow in this letter and as outlined in the articles published in the *Jack Anderson* column of July 26, 1991 and *Inside EPA* of July 19, 1991. These articles strongly indicate that the situation at EPA requires oversight and investigation by Congress.

I believe protection of the environment is a vitally important issue. Responsible professionals at the EPA are routinely retaliated against for doing an ethical job.

I hope that you will join your colleagues who have already made their voices heard in support of the rights of EPA employees to perform their jobs without retaliation.

The favor of a written reply to my concerns would be most appreciated. Thank you for your attention to this matter.

Sincerely yours,

Union wants EPA to live up to name

REPRINTED WITH PERMISSION

Jack Anderson

WASHINGTON — For nearly 11 years, occupants of the White House have, in not so many words, told the Environmental Protection Agency not to do its job too well. That anti-environment bias has decimated the ranks of concerned scientists in the EPA. Those who are left find themselves pitted against their own bosses in a fight to force the agency to live up to its name and protect the environment.

Now the EPA management is leaning on one of the last strongholds of protest — the vocal union representing white-collar EPA workers. Management is trying to curtail the amount of work time that union members can spend on union business and has ordered the union leaders not to use agency time to talk to Congress, the public or the press.

The EPA union, Local 2050 of the National Federation of Federal Employees, made a name for itself in 1986 when it protested an environmental hazard close to home — the air quality in the EPA headquarters building in Washington. Perhaps as many as 20 percent of the 5,500 workers in the building suffered an adverse reaction to something in the air. Some even required medical

treatment. The EPA improved the ventilation, banned smoking and replaced carpeting, wall and floor boards that were thought to be emitting offensive chemicals.

EPA management now minimizes the problems with the building, but the union isn't convinced. There are still 47 people who do their EPA work at home because they can't tolerate the air in the building. Twenty people have filed a \$45 million lawsuit against the owner of the building who leases it to the government. "The building is Band-Aided all over the place," one EPA source told our reporter Nick Budnick.

The episode at EPA headquarters helped to make a national issue out of indoor air quality, and the union has continued to lobby for changes not only in their own building but all

across the country. The question now is, does that and other pro-environment activities by the union constitute union business? And should it be done on office time?

The Civil Service Reform Act allows federal employee union leaders to do union business during their work day. But EPA lawyers say the union there is representing the interests of private environmental groups and calling it union business. From where we stand, it sounds like everyone's business. The union has continued to deal with outside environmental groups seeking indoor air quality reforms, has pushed for tough peer review of EPA scientific research, has questioned the amount of fluoride allowed in drinking water and this week testified before Congress on the Indoor Air Bill. The EPA doesn't think the union always has the scientific data to prove its points.

The current union president, Dwight Welch, was moved to a backwater job in the agency when he became too adamant about the need to put "flammable" warnings on indoor pesticide foggers or "bug bombs."

Earlier this year, the EPA brought in an outside consultant, described by the union as a "union buster" to give management a course in how to deal with union members. One source familiar with the course said it was "delivered with a rabid anti-union message."

The union has reported its complaints to the Federal Labor Relations Authority, and last week union members met with congressional staffers from the House and Senate asking for help. One key Senate staffer told us that the union pre-

sented "a very disturbing case of what could be going on over at EPA."

Management and union members describe each other in very harsh terms, and there is no love lost between the two groups. That isn't unusual in employee-management relations. But in this case, it looks like the employees are trying to do the job that the public expects out of the EPA.

Inside E.P.A. Weekly report

An
Inside
Washington
Publication

An exclusive report on the U.S. Environmental Protection Agency -
providing weekly coverage of federal environmental programs and policies.

REPRINTED WITH PERMISSION

Vol. 12 No. 29 - July 19, 1991

In testimony before expert science panel

EPA UNION CALLS FOR POLICY ON SCIENTIFIC FRAUD, TO PROTECT WHISTLEBLOWERS

The union representing EPA employees is charging that the lack of an agency policy on scientific fraud allows for the politicization of a process that should be independent of such influences and fails to protect employees who report abuses. The union's comments were presented to an expert panel set up by EPA chief William Reilly to recommend ways to improve the agency's science effort.

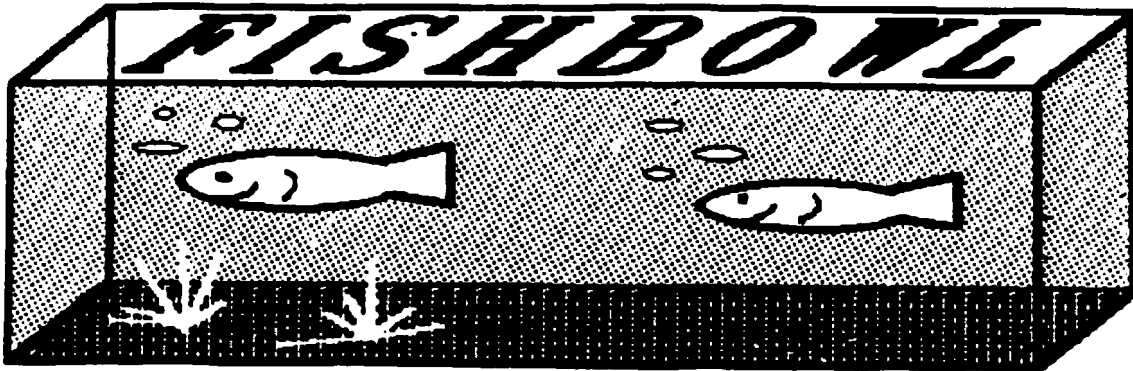
In June 24 testimony before EPA's newly created expert panel, Robert Carton, senior vice president of Local 2050 of the National Federation of Federal Employees at EPA, charged that "the integrity of EPA science is threatened because the agency has no policy on fraud," adding that EPA scientists who report "abuses of science" have no protection against being disciplined by upper level managers. This creates a scientific environment with great potential for political manipulation, Carton said.

Union sources add that a Freedom of Information Act request was sent to EPA in an attempt to determine if any guidelines for investigating scientific fraud exist in the agency, and indicate that they have not received a reply.

EPA science sources say that the agency has no formal policy on investigating fraud, and that a letter has been drafted to that effect in response to the union's FOIA request. The letter will be reviewed by the agency's Office of Inspector General prior to being sent to union officials. An Office of Research & Development source calls the union concerns "very legitimate," adding that the agency should be moving aggressively toward a policy that protects those willing to report fraud cases.

EPA sources add that an ORD committee is now reviewing the fraud policies of the National Institutes of Health and the National Science Foundation, in an attempt to develop an EPA policy in this area. A source close to the committee calls the group's work "preliminary," but adds that the agency is interested in a policy that resolves claims in an expedient manner.

INSIDE THE



NATIONAL FEDERATION OF FEDERAL EMPLOYEES
P. O. BOX 76082
WASHINGTON, DC 20013
OFFICE: ROOM 302 NE MALL
NFFE
EPA HEADQUARTERS' PROFESSIONALS
LOCAL 2050
(202) 382-2383

"We must conduct our affairs at EPA as if we worked inside a fishbowl—"
William Ruckelshaus, Former Administrator, U. S. EPA

Page	June 1991	LOCAL 2050 UNDER SIEGE	VOL 7--NO 6
1	FROM THE EDITOR - FROM THE BUNKERS		
3	HOME AGAIN - Dwight Welch		
4	STATE OF THE UNION, JUNE 20, 1991 - Bill Hirzy		
6	THE ADMINISTRATOR WHO LOOKED THE OTHER WAY - Inauguration Speech by Dwight Welch		
9	Cartoon Jay Thomas		
10	GOOD RIDDANCE CHARLES LESLIE GRIZZLE--ANOTHER VICTORY FOR 2050		
11	NEWS BITES		
12	THE SMOKING GUNS OF THE CRYSTALCIDE ASBESTOS REMOVAL (Eyewitness Accounts of CM-2 Asbestos Removal)		
14	ROACHEZ (With Cartoon Depiction of Asian-American Discrimination by Jay Thomas)		
15	INDOOR AIR NEWS - Myra Cypser		
18	WHY EPA IS LIKE IT IS - William Sanjour		

NFFE
LOCAL 2050

JOIN TODAY -

NFFE LOCAL 2050 EXECUTIVE BOARD

Dwight Welch - President - 703-557-4422
 Myra Cypser - President Elect - 703-578-1816
 Rufus Morison - Chief Steward - 703-998-5145
 Bill Marcus - Treasurer - 301-972-0707
 Jim Handley - Secretary - 202-260-3060
 Bill Hirzy - Senior Vice-President - 202-260-2383

Vice Presidents

Bob Carton - 202-260-2325 Jim Murphy - 202-260-4294
 Jim Walker - 475-9640 Elbert Dage - 703-308-

EDITORIAL BOARD

Dwight Welch (Editor), Bill Hirzy, Jim Murphy, and Rufus Morison

EDITORIAL POLICY

All items for publication must be submitted to INSIDE THE FISHBOWL by the first of the month of publication. Items selected for publication are voted upon by the Editorial Board in a democratic process. Articles indicating authorship reflect the views and opinions of the author and not necessarily NFFE Local 2050.

FROM THE EDITOR

FROM THE BUNKERS

As you read this issue of INSIDE THE FISHBOWL, you will perhaps notice it is a cut and paste number consisting of diverse type styles and sizes. Written on WP 5.0, 5.1, Lexitron, and Smith Corona Personal Word Processor. It is written from the bunkers; NFFE Local 2050 is under vicious attack from EPA management. Although it has always been written on personal time, more of our personal time is now being taken with self defense. It is ironic that we have more to write about but far less time to write it than ever before. But it is management's strategy to keep the Union busy in a self defense mode and keeping the FISHBOWL off your desk is one of management's fondest hopes. Keeping INSIDE THE FISHBOWL on your desk is one of our best defenses; for exposure of the wrong doers and their wrong doings keeps the wrong doers at least partially at bay. You may look forward to an increasing number of FISHBOWLS including a number of special issues.

The all out war now being waged against the Union was declared and implemented by management. Coming out of Personnel, the Union's primary contact with management, the Labor Relations Officers have hinted at Charlie Grizzle. Yet with the departure of Grizzle, the attack continues unabated. Is it originating from within Personnel and Grizzle being used as a scapegoat or is it coming right from the top?

Things certainly started to change with the arrival of Marita Llaverias back on the Labor Relations scene. Formerly, we only had to contend with bad-faith negotiations, stonewalling of information requests, and bogus grievance replies. Since Llaverias' arrival, a Union busting course (previously reported) was given and program managers have been given the go ahead to bash rather than talk with the Union. Where formerly the Union has been able to negotiate settlements agreeable to both sides, now polarization has occurred and grievances have

replaced settlements. (In a Special Managers issue, we will discuss how Llaverias and Diggs are advancing their ambitions at the cost of program manager careers.)

The official line of management is that the war is over the use of official time and whether official time can be used to discuss representational issues with Congress, the media, and the public. But the issues go much deeper than that, the bottom line being are we to have ethical environmental protection or environmental double-think? Will science and other disciplines determine environmental policy or will the science and other disciplines be bent to fit the politically prevailing mold?

Clearly the Labor Relations Office has no interest in good faith negotiations or playing by the rules. After a long and meticulous researching, justification, and documentation of the Union's official time needs, justifying 10 FTEs, Llaverias counterproposal was an outrageous 3,000 hours, one and a half FTEs scribbled on a piece of notebook paper. And whenever the carrot of some FTEs seems just within the grasp of the negotiation teams, management changes its demands jerking the carrot back. Clearly it is a distraction, a wasting of Union resources, to keep us from exposing scientific fraud, employee abuse, racism, health and safety, and other important issues ignored by upper management.

The members of the executive board have been systematically and in some cases quite illegally attacked via the manipulations of the Diggs/Llaverias axis. You have all read of Myra Cypser's travails in INDOOR AIR NEWS. Rufus Morison's supervisor has been told by Diggs that he could be facing charges for signing off on Rufus' time cards. Bill Hirzy after first being invited to participate in the Carpet Dialogue and being allowed official time to do it has now been told that using official time for this activity is illegal thus putting Bill in jeopardy of facing a prison term. And now they've taken to attacking me.

I am the first Local 2050 President in years not to be on 100% discretionary official time. In a June 3, 1991 memo from Donald Stubbs, my acting branch chief, I have been informed that I must return to my illegal job assignment, report in daily to my supervisor (no one else in the section has to), and have my official time doled out to me by my supervisor. They've taken away my word processor, put me in an unhealthy office (2 people in an 8 x 10 with very little airflow), and now have illegally charged me with 75 hours AWOL. They have completely ignored the contract in taking away the official time and have denied me due process in charging AWOL.

More important than the personal attacks on board members, attacks on employees have skyrocketed. Racism is running amok and retaliation against veteran employees and intimidation of new employees has become common practice. We will be shining the light on these wrong-doings below and in future issues.

The effects of all of this retaliation and repression, the effects of this rapidly escalating war of union-busting has been a net increase in membership as new members are made of ethical employees who suddenly find themselves under attack. As one new member told me, "I used to think that the stories in INSIDE THE FISHBOWL were a bunch of trumped up hyperbole. Now that it has been done to me, I see where you guys are coming from. I have always prided myself in being a particularly straight and narrow, highly ethical employee; why are they attacking me?"

Bear with us sisters and brothers, the calvary is on the way. This issue is THE EMPIRE STRIKES BACK; a future issue will be RETURN OF THE NEFFY.

HOME AGAIN

by Dwight Welch

(Written June 5, 1991 upon being informed of an illegal, unilateral change in my working conditions. OPP and OHRM management had conspired to try to take away most of my official time as President of the local by forcing me return to my illegal job assignment. This was not only a breach of contract, but a violation of 5 USC and 7 USC.)

President Harry Truman once said, and this is probably not an exact quote, "Before you can teach a dog a trick, you have to be smarter than the dog." The folksy wisdom of the former President seems to be lost upon the management of the Environmental Protection Agency, particularly upon the the management of the Office of Pesticide Programs (commonly acknowledged to be the worst program in EPA) and the Labor Relations Office (EPA's answer to apartheid South Africa's Special Police. Not to digress, but only to clarify, I charge not racism, but the repression of the New Bigotry. The repression of those seeking to do a good job, by those incapable of such.

Lacking the wisdom of even Pavlov's dog, the above named have yet to learn even a simple avoidance task. In the April issue of INSIDE THE FISHBOWL, I wrote that my election to President-Elect was all due to the repression of me by my ex-branch chief. Aided by the Labor Relations Office, Leigh Diggs, Marita Llaverias, and Sharon Ellis, I have been brought back by Lindsay and company into the bosom of the OPP monster that created the new Local 2050 President. OPP's oligarchy has elected to try to shut off the light by cutting off the representational time of the new Neffy President. They have tried to accomplish this by insisting that I perform the illegal job assignment for which I am unqualified.

A major phenomena of the late twentieth century has been the overthrow of brutal tyrants. In an increasingly egalitarian world, bullies and thugs are despised, while the underdog is cheered on. So as EPA management lowers its iron fist on the apparently defenseless Union, the people will seek justice on the bullies. And as with each wave of past repression, the membership of Local 2050 will correspondingly grow.

So while management cackles with glee at the master plan to crush the Union, the master plan will be their own undoing. I look upon my return to the Office of Pesticide Programs as evidence of Union success and as an opportunity rather than a punishment. I have been away from OPP for too long and my knowledge of the program grows rusty. No longer being actively in touch, I have been less able to aid those opposed to the misuse of pesticides. This will be a good chance to refresh my knowledge as well as to communicate with my major constituency, the employees of OPP. And so brothers and sisters of my home program, while I am once again located for the time being in CM-2, please feel free to come see me and tell me your new stories of abuse and mismanagement. Remember, you do not work for the petty tyrants on the 11th floor, you work for your stockholders: the citizens and tax payers of this nation.

STATE OF THE UNION, JUNE 20, 1991
 Bill Hirzy

As I pass on this office to my honorable successor, Dwight Welch, I must report to you that the state of the union is this: it is in mortal danger. How can this be?

In February 1990 an article I wrote for the ENVIRONMENTAL LAW REPORTER laid out the history, accomplishments and guiding principle for the future of NFFE Local 2050. That guiding principle is a simple one: professional excellence in public service--five words encompassing two key phrases.

The "professional excellence" we speak of means that NFFE Local 2050 stands for its bargaining unit being more than a group of technically literate clerks, blowing with and bowing to the political winds of the moment. It means unswerving adherence to the highest ethical principles in the practice of our professions and for uncompromising resistance to manipulation of our work to suit a partisan political agenda.

The "public service" we speak of means that we believe our Union's charter derives, as do the just powers of our government, from the informed consent of the American people. We believe that we are thus ultimately and solely responsible to them and that our work must be carried out in accord with their informed wishes and in their interest. We believe that when our work is bent to serve the interests of private parties, whether that be the American Dental Association, the National Agricultural Chemicals Association, or the Carpet and Rug Institute, the result is a profane distortion of our public duty. The "I was only following orders" defense met its well deserved fate at Nuremburg, and those among us who conduct their work for the benefit of such private parties, no matter what "orders" are received from managers, have no place in this Union, indeed, they have no place in the Civil Service. As our sisters and brothers in the military service are called upon to place their lives at risk in service to the American people, so the most honorable among us are called upon to place our professional lives at risk. Those who take the "safe" course and who serve only the masters of the quadrennial cannot claim the same honorable place among us as those who, like Dwight Welch, Myra Cypser, Bob Carton and Rufus Morison, live out their sense of service to our country with their professional lives at risk daily in this hell hole.

The ENVIRONMENTAL LAW REVIEW article also noted our belief that our constitutional role is to directly advise the executive branch, and indirectly the legislative and judicial branches of our government, and that those branches can take our advice or not as they chose. But the article also stated our belief that our turf is the integrity of our work. We hold that our work cannot legitimately be subjected to partisan political manipulation or distortion. And we further stated in the article that those who gave us our charter, who pay our salaries, and to whom we owe a kind of service that can require us to risk our professional lives--to those we have a duty, and thus a right, to report upon their demand. To report about our work and how it is being used or misused by the people who come and go here every four years.

And what has been this Administration's response to this declaration of purpose of NFFE Local 2050? The response, once the message was clearly perceived (and Terry Davies was removed from office as policy AA), has been to try to kill the Union. The watchdog sent here by Messrs. Reagan and Bush, Charlie Grizzle, has ordered his staff to see to it that no Union following the precepts of NFFE Local 2050 survives at EPA. If you think that an overly melodramatic assertion, consider this.

For the first time in the Union's history both the incoming President and

President-Elect are under direct and clearly stated threat of termination unless they bow to Charlie Grizzle's view of what trade unionism at EPA is supposed to be. And I, as out-going President, have been threatened with a felony prosecution that could get me a two year prison term for representing the Union and its bargaining unit members at the Carpet Dialogue.

Charlie Grizzle has instructed his staff to see to it that none of the program of professional excellence that is the heart and soul of NFFE Local 2050 can be carried out as a part of our representational role. Now, I believe that the majority of those we represent share the union founders' sense of dedication to professional excellence in public service at EPA. For Charlie Grizzle, therefore, to push a program of denial that this work is representational and therefore not an "authorized" use of official time is scurrilous and without merit. His actions are consistent with the philosophy that this government should operate for the private benefit of the few rich and powerful private interests that have brought us to the brink of social collapse. That philosophy has brought us the savings and loan crisis, a health care system that is unhealthy and uncaring, a moribund public education system, and the other ills with which you are all too familiar.

That corrupt philosophy runs on ignorance. It can only survive in a climate of ignorance. So when the electorate asks to be informed by its public servants about how its government is carrying out its prescribed duties, those public servants have a moral duty to respond and to dispel ignorance. With ignorance dispelled, properly informed choices about public policy can be made by the electorate at the polls. If our government had routinely operated under these precepts for the past decade, the advanced state of social decay in which we find ourselves would not be upon us.

So NFFE Local 2050's fight to retain the right to report to the American public is much more than a threat simply to pour the light of day on the shady doings of this so-called "Environmental President". This fight is about precedent and example setting and leadership in the trade union movement in public service. It is about showing our brothers and sisters elsewhere in government that they too owe their primary allegiance to their real bosses, the American public. And they have the right, indeed the duty, to inform the public upon demand about the meaning of their Civil Service work, and in this way they will make a contribution to effective, efficient government in the public's interest.

Let me bring you some good news. Our bosses, the American people, are springing to our defense. We asked them to write to Bill Reilly and their Congressional delegations on our behalf. They are doing it and the number of those letters is growing daily. Already we have copies of letters to members of Congress from over twenty states, and these include the Speaker of the House and the President Pro-Temp of the Senate as well as key committee chairs. We are following up on these letters with personal contacts. This is our principle hope for survival.

Charlie Grizzle, of course is responding too, following the example of his White House patrons--he's lying through his teeth. He is responding to citizens' letters saying that no action is being taken to interfere with the union's right to interact with the public, while simultaneously directing his hatchet men Hamlin, Chambers, Diggs and Llaverias to threaten me with prison and to restrict Dwight and Myra's exercise of office, including responses to the public. Grizzle is telling people that their views will be given "due consideration" by his staff, who in turn tell us that "you are really in trouble now that we have all these letters documenting your illegal activities". (Which allegation, by the way is pure bull). And Grizzle is telling the public that he believes in cooperating

with the Unions while carrying out a vicious program against us. Charles Grizzle is a liar and has no place among honorable Civil Servants.

So where do we go from here? Dwight will have some thoughts on that for you. Clearly the fight for survival as a Union dedicated to actively pursuing professional excellence in public service here must remain for now our number one priority, and your help is needed in that fight. It will be hard and it may be long, depending upon how the campaign on the Hill goes. But we can take heart and derive inspiration from this poem by Fernandez, a Central American fighter for democratic government, its titled:

"WE LOST OUR FEAR"

"We no longer have to imagine seeing them coming for us.
 We knew a long time ago, that sooner or later they would come for us, and while we waited
 we had time to inoculate our scars
 with all the accumulated poisons
 and to learn to love one another more.
 We used to watch how they came
 and how, when they came for others,
 the time when they would come for us drew nearer.
 They bled our comrades through the four cardinal points
 of our impotent love.
 So we are ready.
 Now they are coming for us.
 But we are also coming for them."

The above STATE OF THE UNION address was given by outgoing Local 2050 President Dr. J. William Hirzy. The text of the next speech was given by incoming Local 2050 President Dwight Welch. Both speeches were given at the installation of officers on June 20, 1991. The new Local 2050 officers are listed on page one of this issue of INSIDE THE FISHBOWL.

THE ADMINISTRATOR WHO LOOKED THE OTHER WAY

I've been with the EPA for 15 years now and I have a pretty good perspective on the changes that this Agency has been through. I see an Agency in severe decline. Now many look back at the Gorsuch era and say, "These were EPA's darkest hours." Those were not EPA's darkest hours; what we are experiencing now are EPA's darkest hours.

Under Gorsuch, we knew where we stood: we had a President openly hostile to the environmental movement, we had an Administrator openly hostile to EPA employees and the mission of this Agency. She called us a bunch of "tree huggers". Today we have a much worse situation. We have a President who calls himself the "Environmental President" and an Administrator who calls himself a "Professional Environmentalist". With Anne Gorsuch, at least we had an Administration where we know where things stood, with Mr. Reilly, we hear one thing and then experience another.

For instance Mr. Reilly claims we don't need an Indoor Air Law, that EPA can come up with solutions without a law, yet hundreds of EPA employees are sickened, indeed, more than 50 are seriously and permanently damaged by bad indoor air in EPA buildings. Hundreds more were sickened by roofing fumes. In our Crystal Mall 2 building, hundreds more were exposed to a known human carcinogen, asbestos, as a result of a cut-rate, shoddy removal job. Throughout it all the Administration supported the polluters, and defended them from the wrath of angry employees. To make matters worse, those responsible for poisoning employees, Charles Leslie Grizzle and John Charlton Chamberlin, were rewarded for their efforts: Grizzle with the James Barnes Award and Chamberlin with a ten thousand dollar Presidential Rank Award. Meanwhile, the person most responsible for indoor air improvements at EPA, President-Elect Myra Cypser, is on the verge of being fired as a result of vicious attacks upon her by her management. The Administration says we do not need an Indoor Air Law, yet to the poisoning of his own employees, Mr. Reilly looks the other way.

Mr. Reilly and Mr. Habicht have preached the gospel of good science, but when the scientists of this Agency have ventured their best efforts, and when they have exposed scientific fraud, these scientists have been brutally retaliated against. And in the midst of this Scientific McCarthyism, Mr. Reilly looks the other way.

Reilly and Habicht also expend considerable hot air on the subject of TQM--employees being involved in the decisions of the Agency. But when employees try to contribute, they are cut back by a gaggle of over-paid clerks which tries to pass itself off as a labor relations office. When these over-paid clerks, whose major decision in the course of a day is seldom more challenging than whether to halve a sentence with a coma or a semi-colon, say "management right" and brush off your great idea of improving the mission and efficiency of this Agency, Mr. Reilly looks the other way.

The Administration reverently invokes the term "Cultural Diversity". Just the other day Henry Habicht was across the street engaging in photo opportunities with minority workers, but Cultural Diversity is not photo opportunities, it's real opportunities for all workers regardless of gender, race, handicap, age, or culture. In the past two months I have received numerous complaints from African-Americans regarding discrimination. Indeed, five of these complaints were from Black females who were represented by that other Union, who knew Local 2050 did not represent them, but who none the less came to Local 2050 for help. They knew Local 2050 is the champion of the employee. They certainly had no confidence in the Office of Civil Rights. In our attempts to investigate this situation, the situation of Black Americans being discriminated against, our past President Bill Hirzy, submitted an information request. That was more than a month and a half ago. Not only has the request not yet been filled, they wanted to know why this request was in the public interest. Why is the elimination of discrimination in the public interest? Mr. Reilly looks the other way.

For the past two years I have been fighting Asian American discrimination in the Office of Pesticide Programs. At the start

of my efforts, although 45% of the professional Asian-Pacific Americans in the Office of Pesticide Programs had PhDs, American University PhDs, not foreign PhDs, not a single one was in a Senior Science or management position. Presently, an Asian-American has been promoted to a management position in OPP, but has a rather large section, 16 employees, while similar supervisors have only 5 or 6 to supervise. This person is being set up for failure. Yet Mr. Reilly looks the other way. My letter to him on Asian/Pacific-American discrimination in OPP was answered by Leigh Diggs. The same Leigh Diggs who would not answer any of our requests for information on Asian-American discrimination. The same Leigh Diggs who, for over a year at Labor Management Conferences, gave me one excuse after another as to why the Step 3 grievance board for a complaint of Asian-American discrimination and threat of physical violence against an employee was not convened. So now with a token promotion of an employee set up for failure and a couple of photo opportunities with Henry Habicht, now we have cultural diversity? But Mr. Reilly is still looking the other way. (Editor's note: Leigh Diggs has since indicated that the plight of overloaded Asian-American supervisors is none of the Union's business, since they are not part of our bargaining unit.)

I could go on and on, but one more issue will suffice for now. An issue that affects not only the Board members, but all of us. Without a Union, or with a Union which is a lackey to management, the employee has no rights. Over in Crystal City, some 600 EPA employees have benefited from a cleanup of the shoddy asbestos job I spoke of earlier. Patent Office and Navy employees, sharing the same building, but with less aggressive Unions than ours have yet to have their offices cleaned up. If they destroy our Union, you have no protection against being slimed with asbestos, bad indoor air, toxic carpet, lead in the drinking water, falling elevators, and such.

Our favorite Assistant Administrator Charles Leslie Grizzle has told the public and the Congress that he is working with the Union. Meanwhile, his minions have been instructed to adopt a Union busting campaign. It started with a Union busting course "How to Manage Unionized Employees Effectively". It was a course so outrageous that even managers complained about it. Their latest effort has been to reduce the official time of myself and Myra to near zero. Most of our official time is spent trying to keep ourselves from being fired, when it is you, the Union member who we need to be working for.

I have heard from a lot of Americans all over the country. Many of these people are victims of EPA's failure to properly carry out its mission: they are victims, poisoned by toxic chemicals. They claim EPA is useless, they claim that when they call EPA, they get the run around. When they call Local 2050 they get answers. Now Marita Llaverias and Leigh Diggs tell us that this is illegal. Dozens of citizens have written to Mr. Reilly to complain about the situation. They complain that EPA management is muzzling the truth by limiting the Union's freedom of speech. Mr. Reilly is still looking the other way.

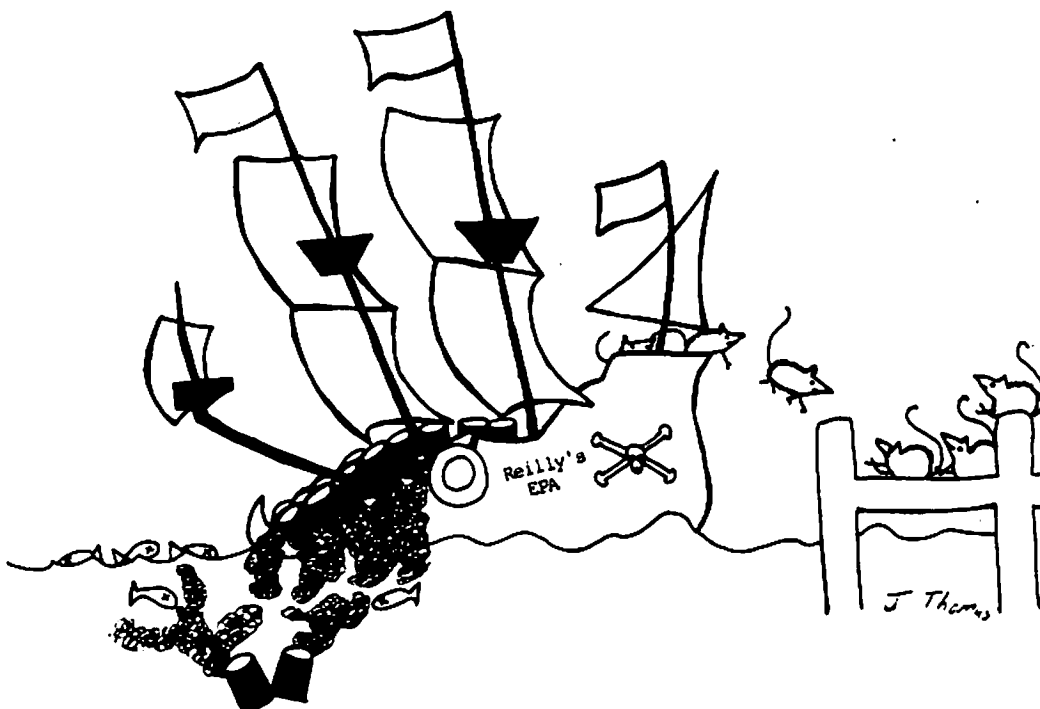
The health and safety function of the Union is being compromised. Four of the last five Health and Safety meetings were cancelled because Myra wasn't "granted" official time. I was "allowed" only one hour, just one hour, to review another asbestos

abatement project in Crystal City. What are Marita Llaverias' qualifications to determine that a 12 page asbestos abatement protocol takes only an hour to review. Still Mr. Reilly looks the other way.

What are we to do? Grievances? Recently I submitted a Step 2 grievance complaining of malfeasance by the head of Personnel, Michael Hamlin, to Charles Grizzle. Somewhat later I was in Leigh Diggs' office (complaining about the one hour to review the asbestos protocol), and I saw the grievance. Grizzle had written on it, "Mike, take care of this." "Mike" in turn gave it to Diggs, a person he supervises. Now how can an employee possibly find any wrongdoing against her boss? It shows Grizzle's contempt for the Union, his contempt for the grievance process.

It is time for Mr. Reilly to exercise some leadership in his Agency. Instead of riding around in his new limo, talking on the car phone, he needs to exercise some TQM and start talking with some of the employees, start talking with the Union, start dealing with the problems. It's time his Assistant Administrator run amok, Grizzle, be held to account for his actions and his inactions. And I intend to get Reilly's attention. He won't be able to look the other way. Soon he will realize what a major political liability EPA's chief malefactor, Grizzle, is. I intend to take our case to the American people. I intend to take our case to the Congress; EPA is long overdue for a Congressional investigation. I intend to take our case to the media. I've already involved a number of Environmental groups. I've already involved a number of other DC area Union locals. And I will persevere.

I regard this not as an end but a new and more glorious beginning. I regard the Union busting efforts of Grizzle as a challenge, a challenge which we will not only triumph over, but will come out of in a better position than we could have ever imagined. The more they repress us, the stronger we will get. We are at a cross road in history and we are ready to meet the challenge. And if Mr Reilly prefers to have his regime remembered as one of Repression, Retaliation, and Racism, that's his problem.



GOOD RIDDANCE CHARLES LESLIE GRIZZLE--ANOTHER VICTORY FOR 2050

by Dwight Welch

Being that Charles Grizzle is leaving, I feel it is important for me as President of NFFE, Local 2050 to make some positive statements about the man. Charles Grizzle's contribution to environmental protection is in a similar vein to Ronald Reagan's contribution to civil rights. Now many a civil libertarian will tell you that Reagan set civil rights gains back 50 years. On a more positive note, the former President had one very positive contribution to the Civil Rights movement, namely, more Black Americans registered to vote during the Reagan era than any similar time period since the days of Jim Crow.

In a similar vein, Grizzle has contributed greatly to environmental protection, especially in the area of indoor air quality. With the sliming of EPA employees by toxic carpet, bad indoor air quality, and asbestos dust, and Grizzle's inept handling of these situations, national attention has been focused on the EPA. Mr. and Ms. average American have begun to ask themselves the question, "If EPA cannot protect its own employees, how can we expect the Agency to protect the environment of the nation and the world?" We have gone from a situation of Mr. Reilly talking about cabinet status to Mr. Reilly sweating a possible Congressional investigation. Grizzle has caused political damage not only to Reilly but to the President as well; and that Reilly continues to sing Grizzle's praises only serves to sink the Administrator more deeply into the mire.

Charles Leslie Grizzle. In a way, we are really going to miss him. The most notorious appointee since Rita Lavell, Grizzle was a continuous source of INSIDE THE FISHBOWL articles, humor, and new members for NFFE, Local 2050. Grizzle was the AA almost everyone loved to hate, management and employees alike.

Charles Grizzle, a law school washout, went from being a thousand dollar a month bank clerk to a highly paid AA by virtue of endorsement by the Heritage Foundation, knowing H. Lee Atwater, and campaigning for Reagan and Bush. Before his death Lee Atwater went around apologizing to those whose lives and careers he destroyed. I think that Grizzle needs to follow the example of his mentor and before leaving apologize to the employees whose health was ruined by toxic carpeting, bad indoor air, and asbestos dust. I think he needs to apologize to those whose careers he has helped to ruin, simply because those employees stood up for what was right.

Exhibiting instincts normally attributed only to lower vertebrates, like a rat leaving a sinking ship, Grizzle is escaping the good ship Reilly. And none too soon, Local 2050 has exposed Grizzle's lies to Congress, the media, and the public; lies like the dust in CM-2 was concrete dust and that Local 2050 is representing special interest groups. We have been hot on his heels and Grizzle is escaping none too soon. He hopes to peddle his influence at EPA on behalf of the lobbying firm he is going to work for; that influence won't be worth much when the ship he helped to cripple sinks.

I keep a picture of Charlie Grizzle hanging above my desk at the Union Office. My brothers and sisters make fun of me for it, but it is my inspiration. Whenever I feel low, whenever I question whether the struggle is worth it; I look up at Grizzle's smug smile and it inspires me to press on.

NEWS BITES

PATENT OFFICE ANALYSIS REVEAL CHRYSOTILE IN CRYSTAL CITY CEILING TILES According to an analysis performed by a contractor working for the Patent Office Professionals Association (POPA), Crystal City asbestos ceiling tiles may contain more than amosite. A tile tested for POPA contains, according to the analysis 2% to 5% chrysotile. Hmm. Perhaps this is where at least some of the chrysotile, so prevalent in the Local 2050 samples, came from.

THINK YOUR PERSONNEL FILE IS SAFE? The FISHBOWL has just learned that Ms. Sharon Ellis lost (not merely misplaced) an employee's confidential personnel file during a preparation of some of her standard answers to a grievance. The subject file was taken out of the Agency and was stolen (along with her car). The Union is investigating the possible violation of 18 USC 2071.

When the Union has previously questioned some of the tactics used by Ellis and her ilk, she was described in glowing terms by Elsie Diggs and Michael Hamlin (head of Personnel). Can this be the same Ms. Ellis?

OFFICE OF HUMAN RESOURCES MANAGEMENT (PERSONNEL) STRIKES AGAIN, HIGHLY QUALIFIED EMPLOYEE (SCIENTIST) NOT CONSIDERED QUALIFIED FOR POSITION An EPA employee with outstanding credentials as a toxicologist that included industry experience, board certification, recognition by a national academic group, and a rating by OPM dating back several years, was declared by OHRM not to meet the EPA qualifications as a toxicologist. This declaration, even though protested by the person, caused a toxicologist opening for which he had applied to be filled by another candidate while this employee's credentials were being investigated by OHRM. After filling the position and completing their investigation, OHRM determined that this person was indeed qualified and would receive "priority consideration" on the next available job in that series. This means that application from other qualified candidates that applied for a position will not be forwarded to the selecting official unless this person's application is denied. Thus after mistakenly filling a position without proper consideration of one of the applicants (wrong number one by OHRM), OHRM, by use of their own MERIT PROMOTION MANUAL (pages 6 and 7) are denying fair and open competition to other applicant's on an advertised position and by so doing wrong a second employee to correct the blunder which wronged the first employee. What kind of policy is this?

AIKEN BLASTS SELF DEFENSE COURSE AS ENDANGERING EMPLOYEES In a memo to Thorne Chambers, Tyrone Aiken, a chemist in the Office of Pesticide Programs, blasted a self defense course (designed especially for women) as potentially quite dangerous to the safety of employees. According to Aiken, a fifth degree black belt, with over 20 years of study and teaching Martial Arts, such techniques as grabbing the blade of a knife to avoid severe damage to the body and the disarming of handgun wielding assailants were not the type of thing to teach to novices. Such techniques, claims Aiken, are learned only after years of intense study of martial arts and not in a 2 hour course for those with no experience. The instructors in the course were credentialed only in sport Karate, a far cry from Martial Arts (sport vs combat).

Chambers, who was less than enthusiastic about making an appointment with Tyrone, cancelled without notice. Perhaps Chambers, who was exposed by INSIDE THE FISHBOWL as having a sign above his desk which read "KILL THEM ALL AND LET GOD SORT 'EM OUT", was afraid to meet with the no-nonsense chemist.

THE SMOKING GUNS ON CRYSTALCIDE MALL ASBESTOS REMOVAL

by Dwight Welch

Security Guards. Most of us don't really think about them too much and if we do it is usually in the context of being hassled to produce our ID card. But security guards are most important people in the operation of EPA: they guard our lives and our property. Now four particularly brave security guards Tony Evanshaw, Judy Ayers, Lloyd Bryan, and a guard who choses to remain anonymous, have gone one step further. They have had the guts to testify as to what really happened in CM-2 while all the employees were away. They have testified knowing that their affidavits were going up to Capitol Hill.

Below I have condensed this testimony for readers of INSIDE THE FISHBOWL. Now it can be known, what most sensible people in CM-2 knew all along, that the CM-2 Asbestos Abatement was a sloppily done job which left the inside of CM-2 coated with asbestos laden dust. Not concrete dust, as Grizzle, Jimeno, Smith, and others would have us believe, but asbestos laden ceiling tile dust. These are eye-witness accounts which validate the so-called "Union" room dust samples, and pokes holes in the Voo Doo science of Jimeno and company.

These guards are worried about their future health and you should be too. I will continue to press for physical exams for everyone who was exposed to the dust and who wishes one.

Lloyd A. Bryan, . Between the approximate dates of September 15 until November 1990, I was performing my duties as Security Officer in the Crystal Mall buildings, which include Crystal Mall 2. During this time there was asbestos abatement work being done in the building including the floors occupied by the EPA. While the work was being done I noted that the workers were wearing masks for obvious reasons. I being somewhat concerned, asked if I should be wearing some sort of protection, because I could see there was quite a lot of dust escaping the vacuum of their portable enclosure units. I was told that it was "not the dust you can see that's dangerous, it's the small stuff that will get you". I was told that the vacuum was getting all the little particles and trapping them. There were also holes that were visible in the ducting being used that taped over and some that were not. At one point, I was actually posted at the end of the vacuum duct that was blowing, after experiencing some coughing from what I thought was dust, I again questioned whether I was safe sitting in the flow of the unit. I was continually ensured by the workers' supervisors that there was no danger to me. I was required to guard the area and did not receive any equipment to safeguard me against any potential exposure to asbestos.

A.V. (Tony) Evanshaw

Between the approximate dates of September 15 to November 1990 (until the job was finished), it was my duty as a Security Officer to guard property from theft during asbestos removal activities in the Crystal Mall Buildings, including Crystal Mall 2, and including the EPA Floors of Crystal Mall 2. During this period, I observed the following infractions with the asbestos removal process. I observed the Portable Isolation Enclosure (PIE) not being fitted snugly to the ceiling where the asbestos tiles were being removed. There was an approximate 2 inch gap between the PIE and the ceiling. Through this gap, fibers from the ceiling appeared to be escaping from the suction of the machine and could be seen floating about in the air highlighted by the florescent lighting. I also observed holes in the ducting larger in size than a quarter. When I asked if this dust presented a danger to me, I was informed that it was not hazardous. I was required to perform this duty as part of my job and was not given a respirator or other protective equipment to protect myself.

Judith Ayers

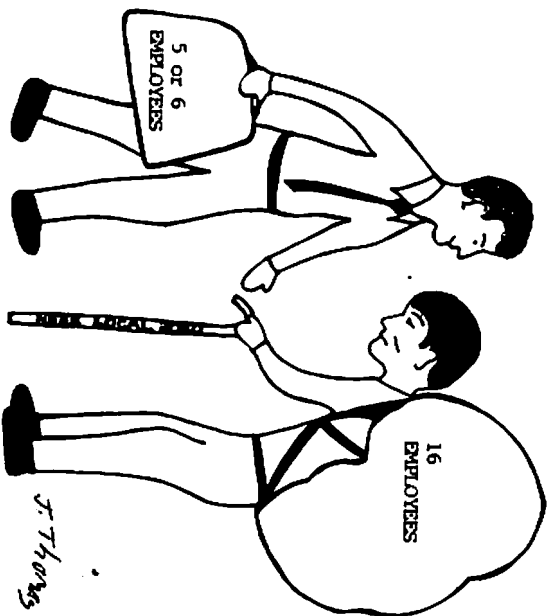
Between the approximate time period of September 1990 through November 1990 I was asked to stand watch over asbestos removal operations. There were numerous times when we were told not to let anyone enter onto the particular guarded floors unless those persons were properly protected, but we had no protection such as a respirator. I asked why and I was told it was not necessary. I had to make tours into rooms where asbestos removal machines were being operated and dust particles were flying around. Again I asked for a mask and they said it was not necessary but the men up in the machines had them on. The workers had equipment spread all around in the hallways and rooms. I observed ceilings being removed and replaced during this operation. Now, I'm wondering, is my health in the future in danger because I had to stand these asbestos watches in the Crystal Mall area?

NAME WITHHELD BY REQUEST

Between the approximate time period of September 1990 through November 1990 I was asked to stand watch over asbestos removal operations in Crystal Mall 2 and 3. I served as a replacement guard and worked on this detail only 5 or 6 times. I worked only as a relief guard, because I told my captain that I did not want to be exposed to asbestos. During these times I worked in the same rooms with the asbestos removal machine and observed that the air became very dusty. I asked if the dust was dangerous and they told me I didn't have to worry about it. I asked for a dust mask and they said I didn't need one. So I went to the Ladies Room and got some paper towels to cover my nose and mouth.

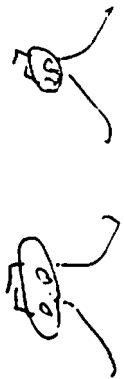
ROACHEZ

Boyz 7/14



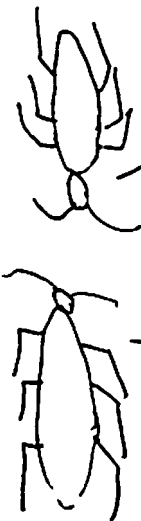
And what did Diggs say?

She said that because the people were supervisors, it was none of the Union's business. "Management Right!"



Dad, why does that Asian-American supervisor have to carry 16 employees while his peers carry 5 or 6?

That, my larva is called discrimination, he's being set up for failure.



But the elimination of discrimination is everyone's business, doesn't Diggs know that?

Apparently not, and that's a major part of the problem.



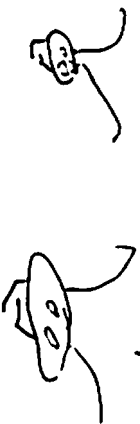
Discrimination! Why doesn't the Union do something about that?

They tried, the President of local 2050 wrote to Mr. Reilly, but was answered by Leigh Diggs.



So how does discrimination flourish at EPA?

Sorry, son, ran out of panels, you'll have to wait until the next issue.



INDOOR AIR NEWS

Editor: Myra Cypser

A MONTHLY NEWSLETTER ON EPA'S INDOOR AIR

May 31, 1991

Senator Levin Writes Administrator: In a May 16 letter to Administrator Bill Reilly, Senator Carl Levin expressed continued concern about the indoor air problems being experienced at EPA and noted that he had made numerous inquiries with EPA over the past three years. He asked to receive copies of the indoor air reports the Agency sends to Senator Barbara Mikulski. (The Agency is still refusing to give the Union copies of these reports.) He said he had been told of continual harassment of employees who seek alternative workspace, including work-at-home arrangements, to escape the harmful indoor environments at EPA.

No Negotiation On New OAR Building: In a May 13 memorandum to the Agency, the Union asked once again to negotiate on the move of OAR employees to the new Judiciary Square Headquarters building. The Union wants the Agency to evaluate the materials to be used in the new building: carpet, partitions, paints, glues, etc. that may contribute to indoor air pollution. We don't want to take our sick building problems with us when we move. The Agency set up three negotiating meetings for the OAR move but all three had to be canceled because the Agency did not give the Union "official time" to participate in the meetings. One can assume that the Agency is grossly inept at setting up meetings or one can assume that they really don't want to negotiate.

Stonewalling On Monitoring: For several months now, the Union has been asking the Agency to conduct air monitoring in the alternative workspace being set up at the Crystal Station Headquarters building. This space will be for some employees with severe health problems from the contaminated indoor environments at EPA. Basically, we want the same broad spectrum, sensitive monitoring that has been done in other Headquarters buildings, but with appropriate controls and with concurrent measurements of air exchange rates. We have been stonewalled on this. In April, the health and safety division monitored for formaldehyde in the alternative workspace with the windows *wide open*, using a very insensitive test method. Surprisingly, they still found formaldehyde! Adequate monitoring is critical because several employees have attributed illnesses to this space.

Indoor Air Expert Ditched: Last summer, the Agency hired Hal Levin, a nationally recognized indoor air expert, to visit the Crystal Station alternative workspace and evaluate whether it was suitable for chemically sensitive employees. (More than 40 employees have been approved for alternative workspace.) Of course, the Union and employees had to make numerous requests over a period of months before he was hired. Mr. Levin made many recommendations for improvements to the space and also recommended a sophisticated monitoring program. The Agency is now refusing to bring back Mr. Levin for a follow-up evaluation. Was he too effective?

Backfilling Toxic Space: Over the past year and a half,

the Agency has gotten a lot of public relations mileage by moving OSWER employees out of the second floor of the Mall area of the Waterside Mall (WSM) Headquarters building; spaces where there were a lot of employee complaints about air quality and where the employees were better organized than in other offices. Now that these employees have been moved out, the Agency is backfilling these toxic spaces with other employees. They may even be increasing the population density in these areas. Queries about whether there has been a net decrease in the number of employees go unanswered.

Too Much Noise: On May 31, the health and safety office tested the noise levels in the Union office at our request and found that the decibel level from a nearby air handler was high enough to interfere with conversation and talking on the phone. Executive Board members were assured that they were not in danger of suffering hearing loss from the noise. The Union has now asked for different quarters, because it is not possible to carry on a normal conversation or hold meetings in the office without difficulty. Conversation is particularly difficult for those who already have hearing loss.

California Leads The Way: The California Air Resources Board has proposed a regulation to reduce volatile organic compound emissions from consumer products such as air fresheners, auto windshield washer fluids, bathroom and tile cleansers, engine degreasers, floor polishes and waxes, cleansers, hairsprays, insect repellents, nail polish removers, and shaving creams. These emissions can contribute to indoor air pollution. (Consumer Federation of America's *Indoor Air News*, as reported in the *Environmental Health Network Calendar/Bulletin*). It'll be a while before this Administration catches up.

Agency Bans Consumer Booklet: According to the May/June issue of *Environmental Action*, EPA's Assistant Administrator for OSWER, Don Clay, banned distribution of "The Environmental Consumer's Handbook." This booklet gave basics on waste reduction, recycling, and finding less toxic house-hold products. The booklet advocated using home remedies made from baking soda, vinegar, and other natural products as replacements for harsh, chemical laden commercial cleansers. These commercial cleansers are a prime source of indoor air pollution. The official reason for censorship was that the booklet contained errors. This pronouncement was made after EPA received protest letters from industries who manufacture the products which would be replaced, demanding that EPA suspend further publication and distribution of the handbook. Long-term readers of the *INDOOR AIR NEWS* are aware that the Agency has not yet evaluated the cleansers used in the Headquarters buildings to determine the impact on air quality.

Agency Fumbles On Smoking: On May 29, Fox TV reported that the director of EPA's indoor air division did not support a staff report on the dangers of second hand

cigarette smoke. This smoke is a significant indoor air contaminant.

Materials Investigation: At a May 28 monthly facilities meeting, a representative from the health and safety division made references to an investigation he said his office was conducting to evaluate furnishings, fabrics, glues, and paints used in Headquarters buildings. We would like to know more about this investigation and the Union has asked to see a copy of the report. We often get vague statements that something or other is being investigated and then never hear of it again and never get a report. To date, there is no evidence the health and safety division has systematically evaluated materials used in the Headquarters buildings. They have not tried to use the vast body of knowledge accumulated *outside of EPA* on problem materials and offgassing chemicals.

Administration's True Position: While this Administration is a lot more subtle about its true intentions than the crew that came in with Anne Gorsuch in 1981, it is doubtful that many employees buy the "environmental President" hoopla generated by the 12th floor.

On May 14, the *Washington Post* reported that at recent Congressional hearings on the House indoor air bill, EPA's Deputy Administrator Hank Habicht stated that the Administration opposes indoor air legislation "even more strongly than it has in the past." The Administration has consistently opposed indoor air legislation before Congress. The National Center for Environmental Health Strategies reports that last year, the heads of three agencies, EPA, Labor, and Energy, all signed a letter to Congressman John Dingell stating that the "Administration believes that sufficient statutory authority exists to address risks associated with indoor air quality problems." Too bad they're not using that authority to protect EPA employees.

The Administration cannot allow establishment of an indoor air quality management program at EPA which could act as a national precedent and speed passage of indoor air quality legislation in Congress. The constituents of this Administration seem to be the manufacturers of the toxic products we use in our homes and offices rather than ordinary citizens and EPA employees. The plight of EPA employees has not moved them: EPA's 1989 indoor air health survey showed that 2800 Headquarters employees suffer from sick building symptoms. We need legislation in Congress to force this Administration to act.

Who's Responsible? The Union has been working on this indoor air issue for five years. During this time, the Agency has failed to tell us if our buildings meet national standards for air flow and ventilation on a continuous basis. They have failed to establish a program for evaluating and controlling the materials that are brought into the buildings that can contribute to indoor air pollution; for example, furnishings, office equipment, cleansers, paints. They have failed to solicit and monitor employee health on a routine basis. Charles Grizzle, the Assistant Administrator, Office of Administration and Resources Management (OARM), is a Reagan appointee with control over EPA's budget, personnel, labor relations, health and safety, and facilities management. He is the one responsible for these failures. Mr. Grizzle's office feeds the press and Congress self-serving distortions of fact about EPA's indoor air pollution problems.

Mr. Grizzle Attacks The Union: Charles Grizzle has attacked the Union by denying Union representatives the "official time" they need for Union activities. (Note: the Union runs on time and gets its time from the

Agency.) Mr. Grizzle is trying to shut down the Union by shutting off our time. During the past few months, I have been given almost no official time for Union duties. A week ago, when I was elected President-Elect, OARM took the position that the Union's President-Elect could no longer work full time for the Union. I will keep on working in my spare time to protect employee health and the Union will take legal action to address this savage attack.

Union President Threatened With Prison: In another move directed by Mr. Grizzle, the Union President has been threatened with imprisonment over his participation in the carpet policy "dialogue." Dr. Bill Hirzy, the Union President, has been participating in the Agency's carpet "dialogue" with Agency and industry representatives to discuss emissions from carpet systems (carpet, glue, pads) and ways of reducing these emissions. Dr. Hirzy has been involved in the dialogue process as a Union official on "official time" since August 1990 with the full knowledge and consent of the Agency, in fact, by Agency invitation. Now Mr. Grizzle's office is claiming that he should not have been participating as a Union official and should not have used "official time." If true, this could put him at risk of a two year prison term and/or a \$10,000 fine. Dr. Hirzy's work has had a tremendous national impact. People everywhere are beginning to understand the dangers of carpet. Dr. Hirzy has fielded more than 100 phone calls from the public about his work related to EPA's infamous "toxic carpet." He has also obtained information from the public which has been useful in establishing Alternative Workspace for EPA employees injured by carpet. New York State has now filed a petition with the Consumer Product Safety Commission, asking them to warn consumers about the toxic hazards of carpeting.

On A Positive Note: One bright spot in this dismal picture is the mid-level managers who continue to try to act in a cooperative, reasonable, and honorable manner in their dealings with the Union and employees despite the animosity prevailing at higher levels. Rich Lemley, Stan Fredericks, and Dennis Bushta have been featured as "managers of the month" in the Union newsletter, *INSIDE THE FISHBOWL*.

My Own Story: My office director, John Seitz, continues to supervise harassment against me. I have written more than *one hundred sixty-eight* memos, letters, etc. concerning my situation and my entire chain of command has been sent copies of nearly all of this. Senator Charles Robb has sent inquiries about my case to the Administrator. Congressman John Dingell has asked the U.S. General Accounting Office to find out more about my case.

Press Tally: Over the years, there has been a total of 155 stories in the news media on EPA's indoor air pollution problems, including 11 national and/or international TV shows. On May 20, channel 7 local TV news featured an EPA employee discussing EPA's indoor air problem.

Distribution: The *INDOOR AIR NEWS* is now distributed to more than 600 people. More than one hundred issues are sent to members of the press, contacts in Congress, environmental groups, unions, former EPA employees who were injured by poor indoor air quality, etc. It is often republished in the Union newsletter, *INSIDE THE FISHBOWL*, which goes out to Union members and subscribers.

AS THE DISTRIBUTION LIST GROWS, COSTS FOR POSTAGE AND ENVELOPES INCREASE. PLEASE CONTRIBUTE IF YOU CAN TO HELP SUPPORT THIS DISTRIBUTION AND OTHER UNION ACTIVITIES. THE SUGGESTED DONATION IS \$5.00 PER YEAR. PLEASE MAKE CHECKS PAYABLE TO NFFE LOCAL 2050.

Please share this newsletter with friends.

Call me if you have news at (703) 578-1816. Send mail to me at the Union office, mail code (UN-200), or my home. The Union office phone number is (202) 382-2383.

ARTICLE BY MARK ANTELL:

Operable windows. How and why they work for better indoor air.

The Underlying Problem with "Tight" Buildings:

Some technologies are intrinsically dangerous. They require continuous careful human intervention to prevent harmful failure. What is the contemporary history of such technology? Particularly when operated by governments?

Tight building technology is intrinsically dangerous, because it recycles contaminated air with no possibility of relief when contamination exceeds thresholds of comfort or health.

The Waterside Mall Tight Building Model

At Waterside Mall, windows are inoperable. There is a crazy quiltwork of air supply systems, many built or modified to "energy crisis" standards which guarantee inadequate fresh air. Private office occupants (read here managers) have the ear of the facilities organization and therefore tend to receive additional air. But it's a zero-sum game. So these corrections occur to the detriment of others. Resourceful occupants of semi-private offices may act independently to achieve similar ends (by rerouting air delivery hoses, removing overhead panels, opening delivery registers, etc.) Bays generally have poor, but rarely the worst, air situation.

For Waterside Mall, alas, tight building design is so intrinsic that, without major internal renovation, provision of operable windows might not help many occupants.

If without any other change, Waterside Mall windows were made operable, the following would occur: people in the peripheral offices would open their windows, but they would keep their doors closed (just as they do now). Those offices on the windward side would receive lots of fresh air and this would have a positive benefit for all in that it would increase the percentage of fresh air reaching the air-return plenum ... sort of a "trickle down" effect. Those offices on the leeward side would exhibit a partial vacuum relative to the building and they would receive lots of whatever air was in the building supply system. For internal spaces there might be some trade-off between reduced but fresher airflow. Not an altogether attractive change.

The Crystal Station Natural Ventilation Assisted Model

We do have an EPA example of a modern building designed to maximize fresh air delivery. This is the Crystal Station building. Operable windows are a central feature in the design. Additionally, the floor plan facilitates natural ventilation. Most of the window area opens on to a large bay (the few private offices are largely in the central core of the building). Because the operable windows are in the bay area, most employees, rather than just those in the peripheral offices, receive benefit. When conditions are just right, we actually experience a cross breeze. How good is air quality in the bays? Well, the managers in those internal offices tend to keep their doors open. No fools they ... That's how good the air is.

Another benefit of this floor plan is that most staff have much better lighting. Also, they can see the weather. These are not insignificant improvements over the situation for most workers in most EPA locations.

But the really huge improvement is the operable windows. They provide backup for delivery of fresh air when the mechanical systems function poorly. Also, they

provide local control over acceptable indoor air quality, and provide for increased productivity and health and well being for building occupants.

A superficial analysis might conclude that operable windows are environmentally costly because all that fresh air has to be heated or cooled. Not necessarily true. Operable windows frequently increase building energy efficiency. Except on very cold days, office buildings must continually work to shed heat input from the sun, from human metabolism and from use of electricity. They shed this heat through the ventilation system; so tight buildings require air conditioning even during the cool parts of the day. Operable windows allow energy-free cooling during hours when the outside temperature is lower than the building temperature. This is a normal occurrence in Spring and Fall; it occurs less frequently in the early morning Summer hours. During the Winter, building management must add heat to ventilation air. But even in Winter, windows can be opened without any energy cost so long as they are only opened during mild spells and then only in the mid-afternoon when outdoor temperatures are highest. During mid-afternoon warm spells, open windows can provide fresh air at no energy cost.

Conclusion

All new EPA buildings should have operable windows accessible to bay areas. All existing EPA buildings should be modified similarly.

[Editor: This article represents views of the author.]



WHY EPA IS LIKE IT IS

by William Sanjour



I am frequently asked why the United States Environmental Protection Agency does not seem to be particularly interested in protecting the environment. EPA is frequently cited as not only failing to protect the environment but even for working at cross purposes to environmental protection. I've concluded that to understand why EPA is the way that it is, you must start at the top, at the White House.

Any President of the United States and his immediate staff have an agenda of about a half dozen issues that they are most concerned with. These are usually national security, foreign affairs, the economy, the budget, and maybe one or two other issues. These I'll call the Class A priorities. Other presidential responsibilities such as housing, education, welfare, transportation, the environment, veteran's affairs, etc. I'll call Class B priorities.

Equally important, but less well known is the so-called "hidden agenda". This includes such considerations as getting re-elected, getting supporters re-elected, and "where do we go when our term in office is over?" The hidden agenda is not peculiar to the White House as similar considerations are shared by every government official from the Speaker of the House to the House janitor. We are, after all, talking about people who, although they may be lofty government dignitaries, nevertheless have mortgages to pay, children to send to college, and orthodontist bills. When one brings the hidden agenda out of hiding, the actions of the government become the actions of people and they become clearer.

For the Class A priorities the President appoints people he knows and trusts and he demands performance. He will expect the military to be able to deploy forces anywhere in the world when an emergency arises. If they are not ready when he needs them, he will "bang heads and kick asses". But can you picture any

President of the United States bringing the Secretary of Education into his office and slamming his fist on the table because of low SAT scores in Sheboygan? Or bringing the Administrator of the Environmental Protection Agency into the oval office to chew him out for the pollution in the Cayahoga River? I can't. And that, to my mind, is the difference. The President expects performance in Class A. He expects something else in Class B.

That something else is peace and quiet. The President will usually appoint people to head Class B agencies who are amenable to the special interests concerned with that agency, rather than his own cronies, but the message that goes out from the White House to the man-

The President needs big business to finance election campaigns....

agers in Class B is, "do anything you want so long as it doesn't impinge on the President's Class A priorities". But EPA can do almost nothing which doesn't adversely affect business, especially big and influential business, and that disturbs the President's peace and quiet. Furthermore, uncovering the hidden agenda reveals that the President needs big business to finance election campaigns and his staff is looking ahead to parlaying their White House experience to seven and eight figure jobs in private industry.

The Administrator of EPA is usually someone who is agreeable to the mainline environmentalists but one who is also a "team player". He can make all the speeches he wants about cutting down Brazilian forests and the environmental ethic, but he must not do anything to make waves. This message permeates the entire agency. The message isn't transmitted through written or even oral instructions. It's more a case

of survival of the "fittest". People who like to get things done, people who need to see concrete results for their efforts, don't last long at EPA. When it comes to drafting and implementing rules for environmental protection, getting results means making enemies of powerful and influential people. No, they don't usually get fired, but they don't get advanced either, and their responsibilities are transferred to other people and they usually leave the agency in disgust. The kind of people who get ahead are those clever wimps who can be terribly busy while they procrastinate, obfuscate, and come up with superficially plausible reasons for not accomplishing anything.

It is sad and funny to attend Congressional oversight hearings and listen to environmentalists enumerate EPA's inefficiency, incompetence, and intransigence while recommending that its budget be increased. One could point out that EPA has written many regulations, that they have in fact reduced pollution in many areas, they have cleaned up many Superfund sites, and millions of dollars in fines have been collected against polluters and some have even been sent to jail. How does this square with my description of the agency. Easy. In most cases of meaningful action taken by EPA, if you look carefully, you will find that EPA was forced or coerced into taking action and rarely ever initiated it. For example:

- EPA more often than not opposes Congress passing really tough environmental laws.
- A whole industry has been created by such organizations as the Environmental Defense Fund to sue EPA to make them do what the law already requires them to do and for which they are already being paid.
- Taxpayer's money is used to defend EPA against such suits to protect

their right not to do what the taxpayers are paying them to do.

- It has gotten so bad that a proposed regulation must be under a court ordered deadline (brought by an environmental group) before it will even be considered for the Administrator's signature.
- More time and money is spent figuring out how to remove companies from regulation than is spent to get companies regulated.
- Most enforcement cases against influential polluters are started by some combination of environmental organizations, the media, and local citizens. It often takes years of badgering through the media and through Congressmen and other politicians before EPA will act.
- Although there are occasional newspaper accounts of EPA fining major polluters millions of dollars, when looked at closely, these fines are usually much less than the amount of money the polluter made by breaking the law in the first place.

The point is that anyone who has to deal with EPA (anyone whose property, health and life may depend on EPA) has to know what the agency's real priorities are and act accordingly. It is foolish to assume that *"the government won't let them do anything bad to me."* After all, EPA is really an unintegrated collection of different offices, each with its own legislation, clientele, and priorities. The priorities are influenced by many outside forces. To illustrate this, lets look at my own office, the Office of Solid Waste (OSW) which has the responsibility for the regulation of hazardous waste facilities.

The groups which, today, have the most influence on OSW are, in order of importance, the waste management industry, state governments, powerful waste producing industries, important congressmen, and national environmental groups. The national media is also important and it can be number one or any other number, but only for a short period of time.

The waste management industry has the most to gain or lose by the activities of OSW. Therefore they expend the most to influence the agency. Unlike the press or grassroots groups, which interact with EPA only sporadically, the waste management industry is in contact with EPA at all levels, at all times. And it doesn't stop with EPA. They are in touch with the President, the White House staff, Senators, Congressmen, Governors, state legislators, state environmental protection agencies, county commissioners, the press, and national environmental organizations.

Waste management has been the growth industry of the eighties and is likely to continue into the nineties. The industry has grown very rich through its ability to control the governments who are supposed to be controlling them and it shares its wealth with its benefactors. Bureaucrats learn that crossing the industry can get one into a lot of trouble, whereas cooperating with them has many rewards including the hope of lucrative employment. Scores of federal and state employees have already done so including several former administrators of EPA.

....his staff look ahead to parlaying their White House experience to seven and eight figure jobs in private industry.

Does this mean that EPA has cynically abandoned the environment for the sake of this powerful hazardous waste lobby? No, just the opposite. Most people in EPA equate the waste management industry with the protection of the environment, and the industry's opponents as anti-environmental NIMBYs. EPA finds it very comfortable to be allied with a big powerful industry which presents itself as the protector and defender of the environment.

The trouble is that the commercial hazardous waste business is a business. As a business, its income is produced by

taking in wastes through the gate. Waste is money, the more the better. Expense is incurred by treating the waste so as to protect human health and the environment. This costs money. A successful business maximizes income and does everything it can to reduce expenses. These goals are just the opposite of what the goals of EPA should be, i.e. to reduce the production of hazardous wastes and maximize protection of human health and the environment. This business, by its very nature, must do everything it can to thwart serious attempts to reduce the amount of hazardous waste produced in America and at the same time take any shortcuts it can get away with in the treatment of that waste.

There is also a big difference in how the waste management industry and the environmentalists go about their business. The national environmental groups tend to deal with EPA as an institution. Industry lobbyists and technical staff seek out the person responsible for making a decision whose outcome they are interested in and work directly with him and his supervisor. Flattery and ego building are common, powerful tools. In addition to the real and hinted at job opportunities, people who cooperate with the lobbyists find that the lobbyist will lobby for their advancement with upper management. Those who don't cooperate will find the lobbyists lobbying for their heads. The operating principle at EPA is that "no good deed goes unpunished."

The bottom line is that if you want EPA to pay attention to you, you have to affect the careers of EPA employees. If you organize and have a large block of supporters, than you can influence local, state and federal elections. You can also use your influence on local banks, merchants, or anyone else who might be tempted to profit from a hazardous waste facility in your backyard. By pressuring these people, you in turn affect the pocket books and careers of EPA employees, and thus their actions. If you win locally, EPA will follow.

William Sanyour is a career EPA Employee. For a complete copy of Sanyour's paper, presented in Nov. 1990, at Knoxville, KY, send OCHW \$3.50.