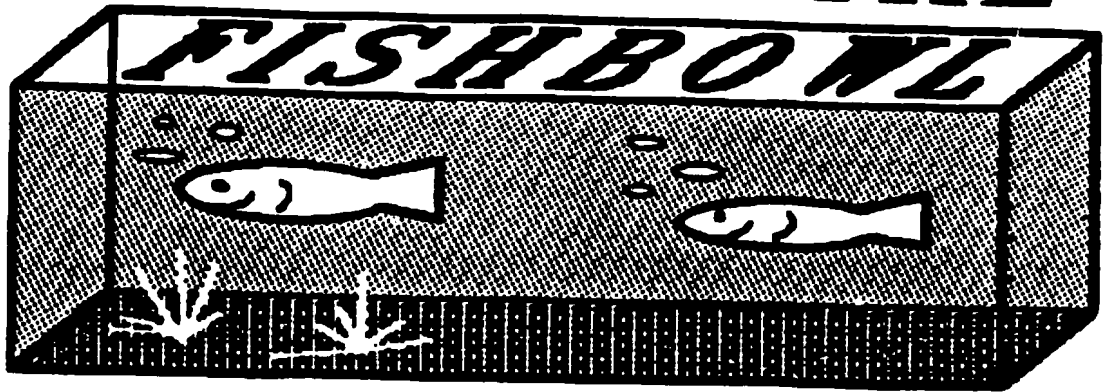


INSIDE THE



NATIONAL FEDERATION OF FEDERAL EMPLOYEES
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EPA HEADQUARTERS' PROFESSIONALS

LOCAL 2050
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NFFE

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

JANUARY/FEBRUARY, 1992

VOL. 8 NO. 1

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EDITORIAL POLICY Submit items for publication to **INSIDE THE FISHBOWL** by the first of the month of publication. Items are selected for publication by vote of the Editorial Board. Articles indicating authorship reflect the views and opinions of the author and not necessarily those of NFFE Local 2050.

EDITOR'S NOTES--Bill Hirzy Once again I have the pleasure of serving as editor of this newsletter. My two immediate predecessors, Dwight Welch and Ray Locke set high standards for content and production regularity that I hope to keep. Regularity of production, however, has become a problem. It has been some time since the Local has been able to produce the Fishbowl on its usual one-per-month schedule, because of management attempts to suppress us. We hope to be back on the regular schedule for keeps now. There has been much going on that we have not been able to report--details of the Carpet Dialogue, testimony by the Union on new worker protection legislation in Gerry Sikorski's Civil Service Subcommittee, work on Cultural Diversity, intervention on behalf of many individual employees with management, dealing with scientific integrity issues on the Hill, with the Loehr Committee, and the media, and so on. I won't take up more space now, but keep your eyes on the mail--the Fishbowl is back. In 1992 we're going to have a lot to say about the environment--inside EPA and elsewhere. We are finding that more and more people inside the Agency and outside it are interested in what EPA professionals have to say.

NFFE LOCAL 2050 OPEN MEETING FOR EPA PROFESSIONALS
FRIDAY FEBRUARY 21 AT 12:30
EPA EDUCATIONAL CENTER AUDITORIUM

NEWS BITES*****

DR. BILL MARCUS SLATED FOR FIRING FOR EXPRESSING SCIENTIFIC OPINION--UNION ASKS CONGRESS TO HELP On January 13, 1992, Bill Marcus (Ph.D., D.A.B.T.), a senior (GS-15) toxicologist in the Office of Water, was notified by his supervisor, Margaret Stasikowski, that the Agency intends to fire him. He was given 30 days to appeal the decision to Office Director Tudor Davies. Citing a report by the Agency's Inspector General, Stasikowski accused Dr. Marcus of lying in court about his duties at EPA and of lying on time cards. The Justice Department was asked to prosecute but declined to do so.

NFFE has traced this action to political pressure from a major chemical company, an electronics firm, and the American Dental Association. It also appears to be a continuation of the attempt by the Agency to silence dissident Union officials. (Dr. Marcus is the Treasurer of NFFE and a steward.) Dr. Marcus has incontrovertible proof that the charges against him are false. NFFE has asked Congressman Ted Weiss to intervene and plans to launch a nationwide campaign to bring attention to this latest attempt to force EPA scientists to produce only politically acceptable science.

In May of 1990, in a memo to Alan Hais, Stasikowski's acting predecessor, Dr. Marcus questioned the credibility of the National

Toxicology Program toxicity studies on fluoride, pointing out design flaws and suspicious downgrading of pathology findings showing fluoride to be a carcinogen. He repeated these concerns at an August 1990 American Chemical Society meeting, which received wide media coverage. In September and October 1990, Dr. Marcus was ordered by Stasikowski not to bring any more facts or opinions on fluoride to her attention. NFFE has found that these warnings followed complaints by the Executive Director of the American Dental Association, who was assured by Mike Cook, Director of the Office of Drinking Water, that Dr. Marcus had no right to voice scientific judgements as an Agency employee. In October 1990, Dr. Marcus experienced the first of a series of reprisals thorough poor performance appraisals and other forms of harassment by Stasikowski and her deputy, Hais.

In May 1991, Administrator Reilly received a complaint against Dr. Marcus by a judge who presided in a court case in which Dr. Marcus testified as a private consultant against Trans-Tech Co. (The firm was found responsible at trial for contaminating water supplies in Adamstown, MD.) This complaint (and another by a chemical company, also met by Dr. Marcus in court) apparently triggered an investigation by EPA's Inspector General which resulted in the firing notice. NFFE has proof that all the charges in the report are false. For example, a charge that Marcus lied when he claimed to have worked on a particular report for the Agency for Toxic Substances Disease Registry, are contradicted by a signed commendation - a bronze medal award - given to Dr. Marcus for working on this document! Every other charge can just as easily be refuted.

NFFE has appealed to Congressman Ted Weiss (D), of New York, who is investigating the charges surrounding the NTP study. Tudor Davies, OST director, is scheduled to review Dr. Marcus' appeal.

PRESIDENT ELECT MYRA CYPSEK RESIGNS

Myra Cypser resigned as President-Elect of NFFE, Local 2050 in September. For 6 years Myra has been the EPA employees' champion for Indoor Air Quality issues. The Editor of INDOOR AIR NEWS and Local 2050's first female President Elect, Myra was on the cutting edge of indoor air quality issues. Myra has contributed much to raising the consciousness of the Agency and the nation regarding indoor air quality. Highly regarded by her fellow employees, the public and Members of Congress, Myra has been forced out of office by unrelenting attacks engineered by the Labor Relations Office and her program management. Says Myra, "I've had enough; I've been doing this for six years and I've made my point."

NFFE Local 2050 is saddened and angered by our loss of Myra's services as President-Elect. Her resignation would not have happened in an atmosphere of equitable labor-management relations. But the Union may get the last laugh; Myra has been replaced by Tyrone Aiken.

TYRONE AIKEN UNANIMOUSLY CHOSEN PRESIDENT ELECT Shortly after Myra's resignation the executive board nominated Tyrone Aiken to replace her. At the October open meeting Local 2050 members

unanimously elected him as our new President-Elect. Tyrone, although relatively new to the Local 2050 executive board, has a long history of fighting mismanagement and for justice for EPA employees. He is our first Afro-American President-Elect. In 1986, Tyrone precipitated criticism by the Inspector General of Office of Pesticide Program mismanagement and in 1990 helped trigger a major audit of the program. Dwight Welch has long been after Tyrone to run for Union office, however, he is heavily involved in community activities (giving inner city kids alternatives to a life of crime and drugs) has been reluctant to take on Union responsibilities that would take time away from his kids. Hopefully, the kids won't be deprived too much of his time, and the work that Tyrone Aiken is doing now will ultimately benefit children all over the world. In his first few weeks, Tyrone has shown keen insight and helped guide the Local in its dealings with Congress and the media.

NFFE LOCAL 2050 AND THE GOVERNMENT ACCOUNTABILITY PROJECT JOIN FORCES

For several years now the Government Accountability Project (GAP) and Local 2050 have had a loose working association. Recently, however, because of the attempts by management to repress the Union, GAP and Local 2050 have been working more closely together. In the past few months, GAP attorneys have advised us on advantageous approaches to dealing with the Agency and have accompanied us in meetings with Agency officials. GAP has also opened doors for us with the wider environmental community and spread the word that a union exists at EPA which, among other things, is trying to hold the line for real environmental protection for the nation. Expect more good things to happen for EPA workers and the environment as a result of this association.

VOLS. III AND IV OF EPA IAO STUDY RELEASED Volumes III and IV of the "Indoor Air Quality and Work Environment Study: EPA Headquarters Buildings" has been released. Volume III has been complete for over a year, but its release was held up until Vol. IV was ready too. Volume I of the Study gave results of the health questionnaire administered in early 1989; the Supplement to Vol. I was put together by H.Q. unions and gave their perspective on the rash of health problems that followed installation of new carpet here in 1987-88. Volume II reported results of air monitoring conducted in early 1989, long after the offending carpet had emitted most of its noxious fumes; the Supplement to Vol. II, also produced at Union insistence, contains the results of air monitoring done while the offending carpet was "fresh" and still emitting fumes. (These data would not otherwise have been generally known or available to, e.g., an independent researcher in the field looking into the EPA case.) Volume III was to have sought explanations for the unacceptably high level of complaints among employees, reported in Vol. I, in the air monitoring data of Vol. II (but not the Supplement to Vol. II). As a result of Vol. II's air monitoring data being so far removed in time from installation of the offending carpet, Vol. III was unable to link any chemical(s) to adverse health effects. However, the scientific

integrity of Dr. Lance Wallace, of our own Office of Research and Development, would not let the matter lie there, with the only lesson learned from the carpet fiasco at EPA Headquarters being, in the words of Vol. III:

"Providing employees a way to have more control over their work areas may improve their perception of indoor comfort and air quality...employees should be encouraged to be sensitive to the concerns of their fellow employees regarding the use of scented cosmetics, etc." (Recommendations, pp. 7-3 & 7-4, Vol. III)

Dr. Wallace studied data showing rooms and hallways where new carpet was laid and where people complained about carpet odors at work, then correlated those data with health complaint locations. He found statistical linkage between several adverse effects (dizziness, fatigue, nausea, throat irritation, headache, chest problems and skin problems) and the presence of carpet or odors of carpet in the workplace. Lance and his team deserve at least a Gold Medal for this work.

It is noteworthy that EPA's summary statement about Vol. IV, contained in management's memo January 13, 1992 memo to employees does not even use the word "carpet". The summary statement was worked over by no less than six (count'em, 6) staffers in the Office of External Affairs, plus the Office of Congressional Liason--seem a little odd for an internal IAQ study? The cover-up continues; see related stories on the Carpet Policy Dialogue and the CBS Evening News appearance of EPA Union officials.

Management will give employees its impressions of the significance of Vols. III and IV on February 18 in meetings at Waterside (Auditorium, 10 am.) and CM-2 (Conf. Rm. A, 1:30 pm.).

DWIGHT WELCH--PRESIDENT IN EXILE Just before his term Local 2050 President began, Dwight was ordered back to his job assignment (doing reviews of toxicological studies of pesticides) by his branch chief Don Stubbs, making him the first Local President in recent history not to have 100% discretionary official time for his Union duties. But, because Dwight's academic background and subsequent training as an entomologist do not qualify him (under, inter alia, OPM regulations) for the job assigned to him by Stubbs and his section chief, Tom Ellwanger, the denial of official time by these managers pales in seriousness by comparison to the threat to public health that his job assignment poses. Since being ordered to try to perform under the illegal and unethical assignment, Dwight has been denied requested training in toxicology (mandatory under OPM regulations for the job), denied a computer or other word processor, forced to work in an unhealthful office (less than 5 CFM per person, two people cramped into an 8 X 10 space), and required to report in to Ellwanger each morning, something no one else in the section is required to do. He has also been illegally charged with AWOL for performing Union duties and visiting the Inspector General and has been denied adequate time to properly serve bargaining unit members who come to him with their problems.

EPA employees have suffered as a result of this management oppression. Tom Ellwanger has impeded Dwight's efforts to protect employees at the CM-2 construction site who daily have had to dodge

trip hazards and power tools. Dwight has also been blocked by Ellwanger in his efforts to handle cases of discrimination against African-American employees; Dwight has filed charges in this matter. Ellwanger made it impossible for Dwight to properly review and comment on an asbestos abatement protocol, granting 1 hour of official time for the job. Ellwanger even has required Dwight to request time to perform his assigned duties for the section, forcing him to wait a week for the "approved" hour to return a phone call about a test protocol.

The Union is fighting back with an arbitration over official time, grievances and ULPs, and a case before the Merit Systems Protection Board. These oppressive actions against Dwight, and those against other Union officers, have drawn attention and action on the part of Congress, citizens and the media. We are not without friends.

AA LINDA FISHER DERAILS OIG AUDIT OF PESTICIDE PROGRAMS A planned audit by the Inspector General of the Office of Pesticide Programs has been derailed by Assistant Administrator for Pesticides and Toxic Substances Linda Fisher. The audit, which was to have lasted five years, would have looked into a number of issues including unknown inert ingredients in pesticide products, failure to follow proper procedures, and unqualified personnel performing scientific reviews. The audit was put on the back burner and replaced as a priority item by an audit of good laboratory practices (by industry), as confirmed by a call placed to the OIG.

LOCAL 2050 CHIEF STEWARD FILES HANDICAPPED EEO COMPLAINT AGAINST LINDA FISHER

Dr. Rufus Morison, Chief Steward of NFFE Local 2050, filed an EEO complaint against Assistant Administrator Linda Fisher for refusing to meet with him outside of the EPA building in connection with a grievance. Dr. Morison's complaint indicates that he is being discriminated against because of his injuries received in the building from poor air quality, which keeps him from meeting within the toxic EPA buildings.

OPPT (formerly OTS) WANTS DESIGN & DEVELOPMENT BRANCH/EED TO SWAP SPACE WITH CHEMICAL TESTING BRANCH/ECAD Claiming that the Chemical Testing Program needs closer attention by the program office, OPPT wants to move the Chemical Testing Branch from the Northeast Mall to the East Tower. To do so would require the Design and Development Branch of EED to swap space with CTB. NFFE received early warning on this move and one complaint which it is investigating. Our position is that all moves are terribly disruptive and expensive and shouldn't be undertaken without serious reasons for doing so. NFFE plans on polling the professionals in these organizations for their thoughts on the matter.

OPPT AGREES NOT TO MOVE PROFESSIONAL WITH RESPIRATORY PROBLEMS

Once in a while a move that just doesn't make sense is canceled when both the employee and the Union take a stand. This just happened in the Health and Environmental Review Division/OPPT when plans were made to move a senior scientist closer to the division

director. NFFE got wind of it early on and asked to negotiate the move. We discovered that the move was going to entail rebuilding an entire office complex, disrupting two other senior scientists who would end up with less space. Adding injury to insult, we then found out the professional to be moved had respiratory problems and was going to be moved to a tiny cubicle with no ventilation (and no window). As details of the move became clear, it was obvious that the status quo was the best solution, and the move was canceled. The key to the situation was the strong stand made by the individual, but early awareness of it and the Union presence contributed to the right decision being made by management.

MAJOR CHANGES IN THE WIND FOR OPPT A recent report (the Stonnell Report) from a contractor on how OPPT/OTS does/did business has led OPPT Director Mark Greenwood to consider major changes in that organization's structure and operations. TQM quality action teams will be convened to consider changes, and Local 2050 is seeking representation on the teams to represent the bargaining unit's interests. Watch this space for more news on the TQM exercises and the Stonnell Report.

THE UNION IN ACTION*****

UNION REQUESTS BARGAINING ON METRO FARECARD PROGRAM, DRUG TESTING, OTHER ISSUES The Union has requested to meet with Agency representatives to begin bargaining on several important matters, and the Union would like to hear from its members and those it represents regarding these issues. Of special interest is a new Agency proposal on drug testing, which EPA says is mandated by Congress. As you know, the Union signed off on a drug testing scheme in 1988, and this is something new. The other items on which we have asked for bargaining are: the Metro FareCard Subsidy Program; an enforceable code of professional ethics; sabbaticals; fire safety and security; and Ethics-in-Government-Act outside employment rules. The ethics and sabbatical issues speak to creating a climate favoring good science at EPA--see the stories on the Loehr Committee and strategic planning for science at EPA.

Please attend the Open Meeting February 21, 12:30 in the Auditorium and give your thoughts.

LEMLEY MOVES TO ENHANCE SECURITY On November 19, Rich Lemley met with Bob Carton and Jim Murphy of Local 2050 and Amy Brooks Jones of AFGE Local 3331 to outline steps to enhance employee security. Coordination of security personnel is a complex problem; various agencies have responsibilities for different areas. At Waterside Mall, Stay Security covers EPA entrances and offices, Admiral Security covers commercial space in the Mall, and the DC Police Department covers the surrounding neighborhood. At Crystal Mall II, the Federal Protective Service is involved. At Crystal Station, it's Stay Security again, and at Fairchild it's Stay during the day and Diamond Security at night. Lemley has met with local educators to try to minimize problems with rock-throwing youngsters, and has marked "Walk Along" spots where EPA employees

can meet and walk in a group to minimize confrontations. We appreciate Lemley's initiative, but wonder why the unions have not been included in these plans or discussions concerning security for our bargaining unit members, in spite of our requests. Lemley is doing a good job, but the union position is that "all of us together are smarter than any of us alone."

DENNIS BUSHTA RESPONDS ON SAFETY PROBLEMS IN EPA HEADQUARTERS

BUILDINGS Once again Dennis Bushta is proving that he's not the type of manager to practice denial or coverup, but the type who deals with problems. Based on complaints by Local 2050 concerning the deficient state of emergency and fire preparedness in EPA Headquarters buildings, Dennis Bushta, working hand-in-hand with Local 2050 representatives Dwight Welch and Jim Murphy, is working to eliminate safety hazards and improve emergency and fire preparedness of EPA's Headquarters buildings. For example, the evacuation stairs in CM-2 have been painted with a reflective yellow paint. CM-2 hallways, painted a uniform gray, might have been dangerous in an emergency-lights-only evacuation situation. The yellow paint makes the stairs more easily visible to minimize tripping and stumbling hazards. Dennis has also acted to eliminate safety problems created by the numerous moves going on in CM-2.

Regarding fire safety, Dennis has hired a fire safety expert to assist Environmental Health and Safety in doing its job. Currently, the Union/Management team is also in the process of drafting emergency escape plan placards for all of the buildings. In the process the team has also noted missing and uninspected fire extinguishers, non-functioning fire alarm bells, phone outlets in the middle of the floor which create tripping hazards, and other hazards as they exist.

NFFE, Local 2050 would also like to give credit to Raj (the fire expert), Jim Engelka, and Fran Klacik, all of whom have been most cooperative toward this joint labor/management effort in protecting employee health and safety.

THE LOEHR COMMITTEE, REILLY'S EXPERT PANEL ON THE ROLE OF SCIENCE AT EPA, AGREES WITH NFFE LOCAL 2050

On January 6, 1992, a little known advisory committee held its final public meeting at the L'Enfant Plaza Hotel. Dr. Raymond Loehr, who chaired the Expert Panel on the Role of Science at EPA, presented recommendations of the panel to a small audience. The panel was charged by Reilly in May 1991 to look at how science is done at EPA and recommend ways of improving it. And recommend they did. We can't cover them all in this space but will try and focus on a few that seem to have very exciting possibilities.

First, however, we need to point out that NFFE participated in the public meetings that were held, and submitted detailed recommendations last September. Although the Administration did not invite us to the meetings, we went anyway to represent the interests of professionals, given the profound influence this panel may have on the future direction of our work for the Agency. Dr. Bob Carton represented NFFE at these meetings. Bill Coniglio, Local 2050's first president, who is on an IPA to the state of New Jersey, also contributed recommendations.

The Panel's conclusions were: (1) "EPA needs its own strong science base to develop effective environmental protection programs,." and (2) EPA leadership should develop a climate, culture and incentives to encourage superior science." (emphasis added). The first obvious conclusion says to us that there must be a question in important circles whether or not EPA does need a science base. By pointing out the need for "climate, culture and incentives" there must also be some understanding that superior science is not now being encouraged. The panel pointed out a need to have a serious peer review process for "science-based" products from the Program offices.

NFFE had noted at the public hearings that what review occurs here is often only political (case in point, the EPA IAQ Study, see above), to see if anyone else's program (or business) would be affected by scientific conclusions in a report. They also pointed out the need to bring in opposing scientific viewpoints so that all parties could be heard. (This was something that was totally avoided in developing the 1985 fluoride in drinking water regulation, and in EPA's response to NFFE's citizen's petition on carpeting.) Both of these review issues have been complaints of NFFE.

The panel emphasized the need for science career tracks in the program and regional offices, and for enhancing "rotational opportunities for EPA and non-EPA scientists." They also suggested EPA examine how it currently incorporates science in regulatory development and identify opportunities for improvements. NFFE asked if they were going to recommend that the professionals play a role in this examination and were assured that they would. See the following story for more Union involvement in moving these issues forward.

BILL HIRZY TAPPED FOR AGENCY STRATEGIC PLAN GROUP In December Bill Hirzy, Local 2050 Senior Vice-President and senior scientist in OPPTS was asked to participate in a group exercise to contribute to the Agency's Strategic Plan. The Strategic Plan is to be discussed in the annual Agency Management Conference in Baltimore in late January. The group, charged with work on, "Science/Data: EPA's Knowledge Base", was to develop themes, goals and budget initiatives for FY 1994, and to have these items ready for the January Management Conference. Representatives from ORD, OSWER, OPPE, OW, OA, OAR, SAB, OIRM and OARM as well as Regions 2,3,5,7,9 constituted the 22-person group. The major goals developed were: 1) "EPA will be a premier scientific organization (to manage, improve and protect the environment) through having a top-notch work force and sufficient resources, organized to use the scientific method to produce science recognized as credible by the scientific community to provide and use quality data/information in cooperation with the global environmental community;" and 2) EPA will use the best information to support risk-based decisions and to: make information compatible, comparable and accessible; develop valuations of ecological resources; understand non-cancer and (non-death) health effects; apply risk assessment techniques; synthesize, integrate and disseminate cumulative risk information; inform environmental decision makers; and understand and predict macro-economic effects of environmental policies.

Toward the "premier science organization" goal, the group recommended these FY '94 initiatives: 1) "Take affirmative steps to up grade the role of scientists in the Agency...development of a dual career track for promotion of scientists..involve scientific peers in the promotion process..negotiate with employee representatives to establish these procedures"; 2) "Develop a code of professional ethics..Negotiate an enforceable code..for Headquarters..evaluate the product for adoption Agency-wide. This will encourage a climate of professionalism and improved morale through protection against unethical uses/interpretations of science and plagiarism.."; and 3) "Establish a scientific peer review process." Those who know Local 2050's history will recognize all three of these initiatives as cornerstones of our foundation. Let's see how they're received by the decision makers.

OFFICE OF COMMUNICATIONS AND PUBLIC AFFAIRS EMPLOYEES RESIST INVASION OF POLITICAL APPOINTEES Several years ago we ran a story in this newsletter about EPA's reputation as the prime "plum" agency in Washington. That is, we have more political appointees here than in any other agency, and as the Presidential term nears expiration, these types begin scurrying into the career service, robbing career Civil Service employees of job openings and promotions. Last year OCPA employees asked the Inspector General and Representative Dingell to investigate the situation in their Office, including non-competitive appointments to the career service and performance of career service jobs by non-career people. The OCPA people asked the Union to intervene via bargaining over a reorganization of OCPA, but unfortunately, we have no bargaining unit members in that office and so are barred by Federal labor law from that avenue of aid to our workers.

But the good old Fishbowl as a means of publicity is another story. Granted, the Labor Relations Office might accuse us of trying to represent people outside our bargaining unit for carrying this story. But considerations of solidarity aside, this story, while reporting on one Office's resistance, is universally applicable to the whole Agency. Let the plums fall where they may.

CARPET DIALOGUE--THE STORY NEARLY ENDS by Bill Hirzy The Carpet Policy Dialogue officially closed up shop at the end of last September. Among the final items of business, still not finished in January, is production of the Dialogue's main public communications instrument--a brochure aimed at consumers in retail carpet outlets. The brochure states that "limited" research to date has found no link between the levels of chemicals emitted from carpet and adverse health effects. I tried to get the Dialogue to acknowledge, in its July meetings where brochure language on health concerns was being considered, that there is information linking carpets to adverse health effects. Bob Axelrad and his staff, along with industry representatives, carried the day for "no links" language. This position on the part of EPA is incomprehensible except in terms of generally keeping the lid on knowledge about carpet related health problems, since Axelrad must certainly have been aware of the results of Vol. IV of the EPA IAQ study at that time: Vol. IV is dated June, 1991. Also in July, Local 2050 put itself on the brochure as a source of further information for

consumers, believing that information on what happened to EPA employees following installation of new carpet would be useful to purchasers of new carpet. EPA management does not want this--and other--information made readily available, however, and is trying, along with industry, to keep us off the brochure as an information provider. A more detailed account of these EPA's efforts on behalf of the carpet industry is being sent to Local 2050 members. Non-members call 260-2383 for a copy. See the following related story.

TWENTY-FIVE STATES JOIN NEW YORK AND NFFE 2050 ASKING FOR WARNINGS ABOUT CARPET RISKS by Bill Hirzy

Yes, the cover-up continues, both here and at CPSC, but not without growing resistance. Twenty-five more states' Attorneys-General have joined the AG of New York in petitioning the Consumer Product Safety Commission to warn consumers of potential hazards when they buy carpet. On December 23, 1991, Dan Morales and the AGs of (please forgive the abbreviations) AL, AZ, CT, FL, IA, KS, MA, MN, MO, NV, NJ, NM, ND, OH, OK, OR, PA, SD, TN, UT, VT, WA, WV and WI wrote to CPSC asking for warnings, citing a "substantial number" of cases of "asthma, allergies and multiple chemical sensitivity" caused by exposure to VOCs from newly installed carpet.

CPSC refused in November, 1991, to docket the original New York petition, stating that the New York "submission does not contain information about the specific chemicals emitted..or provide information which links the adverse health effects..to the levels of..chemicals..released from carpet." In replying to the CPSC denial even to consider the petition a legitimate submission, Assistant New York AG John Corwin noted that the submission did contain scientific articles citing hazardous chemicals emitted from carpet. Corwin further noted that CPSC's call for data linking those levels of chemicals with adverse effects contravenes CPSC's own regulations at CFR 1051.5 (b), which states that if such data are not available, a petition is not required to contain it, and that CPSC's research (mentioned in the CPSC petition denial) into causation is proof that the data are not available.

The wheels of justice may grind slowly, but the cover-up artists in the Federal government are probably getting just a little nervous now.

UNION OFFERS "1992 FEDERAL PERSONNEL GUIDE" AT REDUCED PRICE

Local 2050 has made arrangements with the publishers of the "1992 Federal Personnel Guide" to provide this valuable book to EPA employees at attractive, reduced prices. The ca. 150 page book contains authoritative information on the Civil Service System, retirement (CSRS and FERS), ethics in government, veterans benefits, health and life insurance programs, pay, legislation and court decisions affecting Federal workers, and many other useful topics. The first ten (non-Executive Board) NFFE members entering the open meeting on February 21 will get free copies of the book. Other members may buy the book at cost, \$3.95; the price for non-members of the Local is \$6.00, except for Schedule C's and other political appointees whose special, one-time-only rate is \$500.00 per copy. Call 260-2383 for information.

OPINION PIECES*****

REAL RECYCLED VERSUS SHAM RECYCLED PAPER: EPA MAKES THE WRONG CHOICE by Eric Weltman and Eleanor J. Lewis*. Disdaining market principles, EPA is trying to create a supply for which there is little demand--paper collected in recycling programs. EPA is also botching efforts to use the federal government's purchasing power to drive the markets for recycled paper.

Congress recognized the need to create a demand for recycled materials in 1976 with the passage of the Resource Conservation and Recovery Act (RCRA). Section 6002 mandated that EPA write guidelines for federal procurement of products with recycled content. The facts would seem to dictate that EPA would right away prepare a guideline for recycled paper: paper occupies 40 percent of the municipal solid waste stream, and the government is a major paper purchaser. But it took new legislation, a lawsuit by several environmental groups and twelve years for EPA to write a guideline for recycled paper.

The 1988 guideline contained suggested minimum recycle content standards for numerous paper products, but none for printing, copying and writing papers. A 1989 advisory suggested minimum recycle content standards for these papers. The standards were adopted by the federal government's major paper purchasers, the General Services Administration (GSA) and the Government Printing Office (GPO), as well as numerous states and private sector companies.

The standards are so low, however, that they reward the paper industry for what it is already doing, with no incentive for doing better. For example, the content standard for printing, copying and writing papers calls for 50 percent waste paper content. EPA's "waste paper" can be composed entirely of scraps from factory floors and unsold paper stock, waste that has always been reused in the papermaking industry anyway. The standard does not require any "post consumer content" at all, i.e. material that has been recycled by its end-user. Thus, the standard does little to remove paper from the waste stream.

Since EPA issued its standards in 1988, the recycled paper market has expanded rapidly, increasing the supply of post consumer scrap paper. Many states, including Louisiana, California and Maryland, are buying recycled printing, copying and writing papers with post consumer content. EPA's poor standards, however, are still being used by the federal government.

Only recently have GPO and GSA agreed to require any post consumer content in some of their recycled printing and writing papers, viz. 10 percent, with 50 percent recycled content overall. This still leaves 50 percent of the paper made from virgin pulp. Furthermore, GSA's Federal Supply Service still sells completely virgin paper (and they wonder why their recycled paper isn't selling). Meanwhile, the national collection rate for the high grade waste paper needed to make recycled printing and writing papers is less than 20 percent. Moreover, the bulk of this collected high grade waste paper is used to make low grade products, such as tissues and toilet paper, which should be manufactured with low grade waste paper.

EPA employees should demand that the federal government push the paper industry to increase its use of post consumer waste. Advocacy by EPA employees can help put the federal government--and EPA in particular--back on the course which Congress originally established in 1976, as a driving force for developing markets for recycled products.

Contact: Mr. Richard G. Austin, Administrator
General Services Administration
Washington, DC 20405

Mr. John Merritt, Executive Director
Joint Committee on Printing
Senate Hart Office Building
Washington, DC 20510

* Weltman and Lewis are with the Government Purchasing Project, and recently testified before Congress on this subject. JWH.

DISCRIMINATION AGAINST BLACK MALES IN THE OFFICE OF PESTICIDE PROGRAMS AFFECTS US ALL by Tyrone Aiken Black Males have been and still are being discriminated against in the Office of Pesticide Programs. The evidence is over whelming and show prima facia that a pattern exists. The facts are available to everyone, just look at the organization charts and ask OPP's managers why there are not any Black Male Section Heads in their branches. The records will show that there has not been a Black Male Section Head or Branch Chief promoted or hired in over ten years. What more proof do you need? What other reason can there be for this obvious absence of Black Male managers. The situation is so ridiculous that any attempt to excuse the condition defies common sense. Yes we have a Black Male Director (Douglas Campt) and a few Black Female Managers and some may consider that reason for all Black Males in OPP to rejoice in the fervor of the symbolic gesture. I don't think so!

The few Black Managers that have gotten their positions because of the actions of Martin Luther King and others that have long since passed but are not forgotten have done nothing to give Black Males in OPP a chance to manage. When they are asked why or how does a Black Man get to become a manager, usually they hedge or tell you to apply some place else. The same managers become conspicuous when several white females are promoted by them or are promoted after leaving their Branch.

What is the position of a White Manager that does not and has not hired a single Black Male or Female Manager in over ten years? What excuse can such a person have? Black Males are hard to find in Washington, D.C. and then when you find one they are not qualified for the job? We have all heard this one so why not train existing Black Male employees and promote those that are already fit to manage.

Black Female managers, especially those that are active in Black Organizations that espouse to promote civil rights are especially bizarre when they don't promote Black Males or Females in their own Branch. Even the staunchest bigot would not begrudge a Black Manager hiring one Black Male Manager--but none??

What do these people tell their Black Children? "Study hard son and go to college and get a job and if you are lucky enough not to get a Black Manager like me, you may become a manager." What do these people tell their Black neighbors? Maybe they say "I like black people but not as managers especially on my staff, they don't know how to manage like professionals". How do they justify their achievement. Do they give credit to the Blacks, Whites and Others that marched and were lynched and attacked by dogs to get society to justly provide opportunities for all people regardless of race, creed or color?

Some Managers forget, while playing King or Queen for a day, that others work to feed their families and should not have to condescend or boot lick in order to get respect and equal credit for their work. Perhaps they fear that if they promote Black Males, the White establishment will take away their management and move them to another office or worse to another office with no windows like mine. Those that are above the rest need to stop and look at the people they work with and gain some understanding that there is life outside of EPA, and consider that the stress at work and at home add up and may cause an unfortunate turn of events to occur. Politicians are soon to forget the voters, Black Managers are soon to forget their history, and the wronged have a long memory. The wronged in the Agency are not all Black Males, but they are as good a starting point as any. The injustice is so pervasive in the Pesticide Registration Division that I have been told that it does not matter what race a person is, if you do not fit into the scheme of the current management, a management position won't happen for you-- ever. Working at EPA, I have met many professionals of all races, creeds and colors and have made some very good friends. But the problem is that some are too timid to act or even to speak when they know others are being discriminated against. In other cases some of the victims of discrimination in OPP are reluctant to speak about past and current experiences. Perhaps some of you will get tired of putting on a happy face and pretending that you like the actions of your managers and get the courage to tell them the truth. Some times people don't realize they are wrong until they are told.

If you go in the Northern direction there is the Human Resources Division. This office is where personnel supervisors sometimes conspire with some managers to manipulate job announcements, ratings and training, so that the discrimination that we are currently suffering is kept concealed under the protection of the law, specifically the Privacy Act. However the results of selections for management positions in OPP cannot be kept private forever, and the individuals that facilitate discrimination are not privileged either. Why do the Black Females in Human Resources (the Personnel Office) always manage to get promoted and to get the best office space and furniture? How does a personnel manager know you are not qualified without being qualified to understand your field? Why do some ARRP employees get new furniture and computers when career employees cannot get the same? Why do all the employees that speak their mind end up in the same office? The answer is simple--if I may borrow a line from that immortal classic, Gone With The Wind, "Frankly, Charlotte, they don't give a damn!"--about civil or Constitutional Rights.

The Agency is actively seeking to survey the prevailing perception of employees, to help change the image of EPA if necessary. In order for the image of the Agency to change the employees must change, there is no another way. Our society is not changing for the better and EPA won't change for the better unless we change it.

WHAT IT MEANS TO BE CHEMICALLY POISONED by Janet Orselli*

"Chemically sensitive" is an inappropriate and misleading label for the type of person many Americans have been forced to become. In the past, when I told others I was "chemically sensitive", I had the feeling of being hopelessly flawed; as if I had an inherent defect because my body refused to tolerate so called "normal" things like pesticides, formaldehyde, new carpeting, petrochemicals, etc. The term "chemically sensitive" gives the impression that no one is responsible for this condition; and in many cases, without a specific person or thing to blame, those of us whose lives have been severely compromised due to chemical exposure, internalize that blame.

As chemical victims we watch others blithely do things that we can no longer do without obvious ill effects. At times we doubt our sanity and wonder if we've been truly poisoned at all. The American Medical Association, government officials, and society in general scoff at our claims. And since in most cases, our "disease" doesn't show up on the typical medical tests and examinations; it's all the more difficult to convince others that we have been truly poisoned.

In a very real sense we are handicapped, but the handicap is not visible to the rest of the world. Most often the wounds and pain are on the inside not on the outside. We don't walk with a cane, we aren't confined to a hospital bed--yet we are handicapped none the less. We fear telling others how our lives have been irreparably changed, how our immune systems have been destroyed, and we hold in our anger which has no appropriate outlet. Since our society shuns any expression of weakness, illness, or "being different", we are discouraged from using our "illness" in a positive manner. Those who remain unaffected choose not to believe that we're chemical victims, not due to a lack of evidence, but mainly because along with the acceptance of such a possibility comes an intense feeling of powerlessness, a fear that "it may happen to me", and an inescapable pressure to take action against injustice.

I will no longer call myself "chemically sensitive". Not only because such a label is counterproductive, but because such a label empowers those who profit either directly or indirectly from the production and sale of toxins to continue to poison the public and claim that their victims are just "sensitive".

We do not need to accept the "chemically sensitive" label. We are not lesser people because we react to poisons which have no natural place in this world. It is the production and use of these poisons, not our reactions to them, that are unnatural. We must not accept the blame and hide behind our doubts, but must work to force consequences upon those who have the power and responsibility to protect our health.

A first step could be finding a suitable word to explain what

has happened to us. I propose using the term "chemically poisoned". "Chemically poisoned" implies that damage was done to us without our knowledge or consent--that we were not responsible. We must not allow ourselves to be victimized further and we must direct our anger in a positive way against those who have not been doing their job to protect our health, or much worse, who have been protecting industry's pocketbook at the expense of our health. We must join together and put the strength we have within to good use. We must believe that we are strong, normal people who have been chemically poisoned. Our rights were violated--taken away from us by our government's allowance and encouragement of the mindless manufacture, sale, and use of toxic substances.

It is hard to be strong and stand up for our rights when we have been chemically poisoned. Yet, we can not hide from what has happened to us and our true responsibility to share our pain and our convictions with others. We can make ourselves stronger and more able to face the challenge of changing the world by saying outloud, "I was CHEMICALLY POISONED, I was not responsible, it was not my fault, I will not let what happened to me make me feel less of a person. Although I may feel weak physically, I am not a weak person. I will accept my physical limitations, but I will use what happened to me in a positive way by demanding an end to the chemical poisoning of our planet."

*Ms. Orselli was President of Macon County (NC) Parents Against the Misuse of Pesticides, and is a supporter of Local 2050.

NFFE LOCAL 2050 IN THE NEWS*****

"WHO'S CHECKING PESTICIDES AT EPA" - JACK ANDERSON Local 2050 President Dwight Welch was the subject of a December 3, 1991 Jack Anderson column. The column discussed risks to the public from unqualified reviewers reviewing scientific data on pesticides. The column drew the interest of New Jersey Congressman Frank Pallone, Jr., who has written to Administrator Reilly calling for Reilly's personal attention to the matter. The Congressman also issued a press release which was critical of EPA inaction on human health issues and of EPA's retaliation against scientists choosing to take an ethical stand.

CBS "WHISTLE-BLOWERS" NEWS STORY Is EPA protecting the environment or is it really protecting industry? This question was explored in a recent CBS news story. Featuring EPA Whistle-Blowers Jeff Van Ee, Bill Sanjour, and NFFE Local 2050 officers Bob Carton, Bill Hirzy, and Tyrone Aiken. Jeff Van Ee, who spends his spare time protecting the desert environment where he lives, recounted his story of how he was formally disciplined by the agency for criticizing EPA for siding with industry at the expense of desert wildlife. Bill Sanjour, who says he has not been given any work assignments since 1989, and who assists community and environmental groups in fighting toxic dumps on his own annual leave time, tells of how he has been not allowed to accept travel expenses to do this community work. CBS exposed agency hypocrisy by showing a canceled check reimbursing an EPA employee for traveling to a community to support the Agency position on medical waste incinerators (we hear

EPA's dodge in this case was to put the employee on a 1 day IPA!!). The NFFE officers, all highly outspoken on numerous scientific and ethical issues, then got a sound bite each. Bob Carton, best known for his expose' of scientific fraud concerning fluoride in drinking water said, "You get the message early on that the people who do exactly what they're told and no more and give them exactly what they want get rewarded...." Bill Hirzy, long time champion of victims of toxic carpeting and critic of EPA management's coverup of this issue, was much more direct and critical, "The Agency's primary mission is to take care of the interests of industry, and if public health and environmental protection happens concurrently with that, that's OK. But that isn't what has been the primary function of the agency during this period of time." Tyrone Aiken, who (believe it or not) has triggered two IG investigations of mismanagement of the Office of Pesticide Programs recounted, "I got the lowest performance rating of all of my 23 years of federal service a couple of months ago, and one of the things that was stated there was that I wrote a regulation that a particular chemical industry organization didn't like."

The EPA management countered with the idea that these were examples of "typical labor-management tension", said that there were plenty of satisfied professionals at the agency, one official calling the five "professional gadflies", and was so confident in it's position that they refused to comment; neither did the five or six satisfied EPA professionals.

Everyone who has spoken to us in the halls of EPA Headquarters about the program has been very supportive. "Its about time the word gets out," is the usual comment.

COMING ATTRACTIONS

Progress Reports on Bargaining

Rachel Carson's Alma Mater Sprayed with Pesticides

Local 2050/GAP Co-sponsor Environmental Whistle-Blower Meeting

NFFE and Federal-Sector Labor History by Abe Orlofsky

Tale of Two Sisters--Racial Discrimination in Time & Attendance

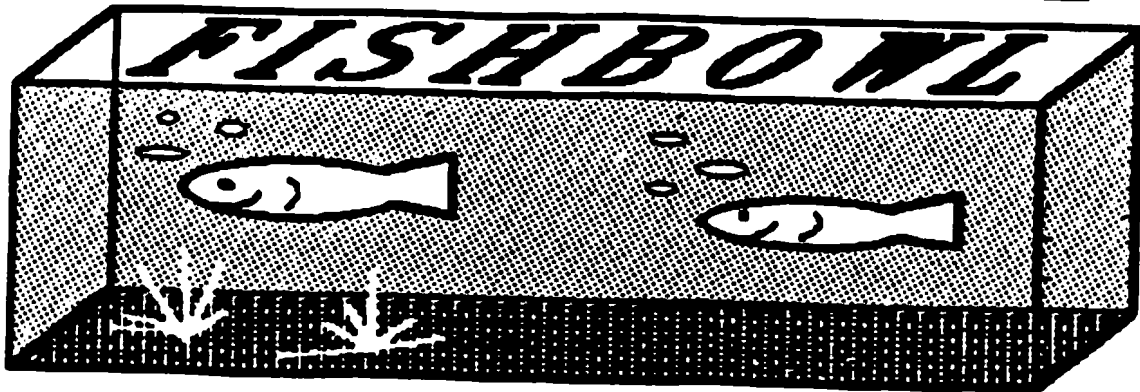
Negotiability Appeal on Official Time Bargaining

More on the Carpet Cover-up by EPA and CPSC

Union Leaders Meet With New OARM AA Holmes

Letters to the Editor (This one's up to you)

INSIDE THE



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

MARCH 1992

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LOCAL 2050

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EDITORIAL POLICY Articles from any source are considered for publication. Submit items for publication to INSIDE THE FISHBOWL by the first of the month of publication. Items are selected for publication by vote of the Editorial Board. Articles indicating authorship reflect the views and opinions of the author and not necessarily those of NFFE Local 2050.

EDITOR'S NOTES -- by Bill Hirzy Solidarity. A trade-unionist's outmoded cliché? Some might think so. Especially in this town, at this moment in history.

When I arrived here from the Midwest twelve years ago, two things struck me immediately: pervasive tension, anger and hostility in people and the sparse sense of community--"me first" as a guiding principle in peoples' lives. Of course, we were just entering the Reagan-Bush era then, with the White House serving as a national beacon of "me first-ism". I've seen little substantive change since the Amiable Dunce rode off into the sunset, though the rhetoric changed. Remember, "Golly, I'm a Federal employee, too," coming from our new President in 1989?

What kind of solidarity has the Chief Federal Employee demonstrated? Veto the amended Hatch Act, to keep Feds from fully expressing their constitutional rights. Veto family leave for American workers (in Western European countries family leave means paid leave, in contrast to what our Chief Fed found so objectionable). Propose delaying pay raises and taking another two percent bite out of the pay checks of Civil Service Retirement System participants next year. And on and on. No wonder ordinary citizen-workers in Washington are so damned angry, tense and hostile much of the time, with this kind of "solidarity" foisted on them.

There's a lesson and a mystery here, I think. The lesson is: Beware of avowals of common interest made by those in power to the ordinary citizen-worker. Look to those who share your toil, your pain, your deprivation, and your frustrations---when you look for real solidarity, for help when the chips are down, for allies when the s--- happens. The mystery is: why isn't there greater expression of solidarity among the lied to citizen-workers?

When that promised promotion hasn't come through, when you get that poor performance rating because you stuck to your ethical guns, when you get "asked" to come in weekends without comp time, when these things happen--and they happen to everybody sooner or later--what recourse have you?

You can fight the abuse or take it, hoping that taking it will ease your passage into the ranks of management. If you decide to fight it, you can fight alone or with allies. Each of us makes these choices sooner or later, and since NFFE Local 2050 has been around, the choice to fight alongside allies has been available.

This Union cannot promise you victory in every fight, but it does promise you real solidarity. Why there are not fully 1200 angry citizen-workers at EPA Headquarters supporting NFFE Local 2050 with dues and attendance at meetings remains a mystery to me.

MONTHLY MEETINGS NOTICES

**MONDAY, APRIL 13, NOON
CONFERENCE ROOM 9 NORTH**

**THURSDAY, MAY 21, NOON
CONFERENCE ROOM 9 NORTH**

NEWS BITES

THE MARCUS CASE Many people both inside EPA and outside it are interested in the status of Bill Marcus's case. In the last issue we reported on management's attempt to fire Bill, Chief Toxicologist in the Office of Water's Office of Science and Technology. Representatives Ted Weiss (D-NY) and Mike Synar (D-OK), both Subcommittee Chairman on the House Government Operations Committee, sent a letter to Administrator Reilly asking him to take a personal interest in the case. Bill has had his hearing before Tudor Davies, the deciding official in his case, and the next move is up to EPA.

An interesting note regarding EPA's allegations against Bill's claim of expertise as a toxicologist: he has had two new scientific articles accepted for publication in the peer literature and has been appointed expert reviewer by the Agency for Toxic Substances and Disease Registry for the updated Toxicological Profile on benzene. The publications are on lead poisoning in children, "Methods of Amelioration of Lead Exposure," New England Journal of Medicine, Vol. 326 (1992), and "The Health Hazards of Carbon Disulfide," Journal of Occupational Medicine and Toxicology, Vol. 1, No. 2 (1992) (page numbers have not yet been assigned by the journals).

BIKE TO WORK ON EARTH DAY On Earth Day, April 22, there will be a rally for Washington area bicyclers a 8:30 a.m. at 14th and Pennsylvania Aves., N.W., followed by biking to work all over the area. EPA bikers are urged to attend the 8:30 rally, then bike in a group to Waterside Mall for another rally and refreshments. Come to work "cleanly" on Earth Day with your co-workers! For more information call Patrick McCabe at 260-9411.

NEW RIF RULES COMING? The rumor mill says that the Office of Personnel Management is developing new guidelines for reductions in the federal workforce (RIFs), in which seniority will NOT be a factor. And you thought you didn't need a union.

CHRIS HOLMES SPEAKS OUT AGAINST MISMANAGEMENT In a February 29, 1992 Washington Post article exposing mismanaged contracts by the Computer Science Corporation, Assistant Administrator Christian Holmes, in sharp contrast to other EPA top management who usually deny any sort of wrongdoing, spoke out against this mismanagement and abuse. In a letter of support from NFFE Local 2050 written by Tyrone Aiken, Mr. Aiken called Mr. Holmes' stand "....the new standard for all officials in the agency." Mr. Holmes has responded with a "Thank you" note and a request to call him with any suggestions the Union might have on the subject.

HEALTH AND SAFETY ADVISORY: 911 Normally when you dial "911" in an emergency, your location is displayed to the dispatcher who can send appropriate emergency services to where the service is needed. However, according to Health and Safety manager Fran Klacik, due to EPA's being on a telephone network, it is necessary

for you to tell the dispatcher where you are calling from. The network apparently negates the automatic function of telling the dispatcher where the call is coming from.

HEALTH AND SAFETY ADVISORY: WESTFIELD BLDG EVACUATION PROCEDURE

A number of bargaining unit members in the Crystal Station Building have complained to the Union and to Health and Safety official Jim Engleka about not hearing the fire alarms during fire drills at Crystal Station. Fran Klacik explained that the Arlington evacuation plan for newer buildings in that county are that in the event of a fire only the floor with the fire and the floor above and the floor below will be evacuated. This is due to improved safety systems required in these newer buildings, and it is also to allow the Fire Department quicker access to the burning floor without having to fight a flood of fleeing employees coming down the stairs. Let's hope those safety systems work in the event of a real fire.

PROTECTING INTEGRITY AND ETHICS (PIE) CONFERENCE

The PIE Conference, cosponsored by the Association of Forest Service Employees for Environmental Ethics (AFSEEE), the Government Accountability Project, and Essential Information, was held at the Georgetown Conference Center on March 27 and 28. NFFE Local 2050 was an endorser of the event, at no cost to the Local. A more detailed report on the conference will appear in the next 'Fishbowl', but here is a brief summary. The thrust of the conference was developing strategies for protecting employees in environmental, wildlife, and natural resource agencies who choose to act in an ethical manner when faced with political manipulation of their work. Local 2050 President Dwight Welch and past Presidents Bob Carton and Bill Hirzy spoke at a Saturday workshop on this point, and other NFFE members also attended the conference.

Many courageous employees of the Forest Service, the Fish and Wildlife Service, Department of Energy (and contractors), as well as Jeff Van Ee of EPA, told their stories. It was at once both heartening and depressing to hear how management elsewhere in the federal government is "giving away the store" to industrial interests, but meeting strong, effective resistance from ethical workers. AFSEEE, founded in 1989 by Jeff DeBonis, has 6000 members nation-wide.

1992 FEDERAL PERSONNEL GUIDE FREE TO NEW MEMBERS

The 1992 edition of the Federal Personnel Guide, mentioned in the last issue of Inside the Fishbowl, is being offered as a free, sign-on bonus to those who join Local 2050. The book is a comprehensive digest of essential Civil Service information on RIFs, labor law, pay, leave, health insurance plans, retirement and much more. It is still available to regular members at \$5.00 and bargaining unit people who are not Local 2050 members for \$6.00. The newsstand price is \$8.00.

COLLECTIVE BARGAINING NEWS

ALTERNATIVE WORKSPACE NEGOTIATIONS TO RESUME President Dwight Welch has appointed Elbert Dage, Jim Murphy, and Steven Spiegel to serve as the NFFE bargaining team as negotiations resume on alternative workspace for chemically sensitive employees. The Union wishes to acknowledge the splendid efforts of Myra Cypser, Carol Bass, and our Brother Kirby Biggs of AFGE Local 3331, which laid the foundation for the current process.

METRO FARECARD PROGRAM BARGAINING Management is considering several options in responding to the Union's proposal to bargain over the Metro Farecard subsidy program. These are: 1) direct payment to an employee for farecard purchase; and 2) issuance of farecards, tokens etc. to employees after Agency purchase from the transportation authority. Metro is not the only transportation authority involved in the program, so employees using other systems can benefit as well. Another issue under consideration is whether the program will be financed centrally or from individual program offices. The Union is holding that all Headquarters employees should be treated equally, and allowing (or requiring) program offices to decide on funding levels would be unfair and a violation of the Union's right to bargain on a Headquarters-wide plan. On this latter point, you may recall the brouhaha over Compressed Work Week bargaining, which EPA refused to do Headquarters-wide. If you want an equitable plan, you need to let the Union know that you want us to hold fast for a Headquarters-wide program and not knuckle-under to a piecemeal plan.

Dues-paying members will decide by secret ballot election how we should proceed if the Union is faced with this choice.

OFFICIAL TIME As regular readers of the 'Bowl' know, the Union has been trying to resolve the problem of use of official time with management for a year and a half. In November 1991, the Federal Labor Relations Authority got the ball in its court, when the Union and the Agency completed their respective filings with FLRA in a negotiability appeal on the matter. We expect to hear from the FLRA sometime in April on the appeal, but NFFE national's attorneys tell us that some appeals have gone for two years before resolution, though such long delays have been rare in recent years. The appeal will only establish whether the Union's proposals on official time are lawful, and if they are, then it's back to the bargaining table. If impasse is reached there, then another appeal to the Federal Service Impasses Panel for binding arbitration would follow.

However, it is conceivable that all the above delay could be short-circuited, by a Chris Holmes-directed order to his Labor Relations team to go back to the table now and resume bargaining. The Union submitted a proposal on February 10 to resume bargaining, but we have received no response from management.

DRUG TESTING NEGOTIATIONS

We reported last issue on the Agency's new proposal on drug testing and the Union's request to bargain over it. Most of the Agency's drug testing proposal will have little effect on our bargaining unit in that most of those to be randomly tested will be upper management, OIG, OCM (some OCM employees are in our bargaining unit), and attorneys whose positions require national security clearance. There is, however, one provision which has great potential for abuse of the professionals in our bargaining unit, namely "reasonable suspicion" testing. If, according to a supervisor, an employee is exhibiting behavior associated with drug abuse, the employee can be involuntarily tested. Such a provision, if adopted, would provide a tool for unethical managers to harass employees they do not like. NFFE Local 2050 has stated its opposition to such a potent tool for harassment. Local 2050 has also stated its opposition to random drug testing based on the phenomenon of false negatives and on constitutional grounds. False negatives could lead to irreparable career damage to innocent people. For more information on this subject call Dwight Welch at 305-5422.

TWO UNION ELECTIONS ARE COMING

Two elections are fast approaching for NFFE Local 2050 members. One is the annual election of officers: President-Elect (who will serve on the Executive Board of Local 2050 for one year, beginning in June 1992, and then becomes President for a one-year term beginning in June 1993), six (6) Vice-Presidents, Chief Steward, Secretary, and Treasurer. Nominees must be on the ballot in May; write in votes are not counted.

All members of Local 2050 are welcome to nominate themselves or their friends for these offices. Here's your chance to have an impact -- especially if you feel that the Union has been too vocal or not vocal enough, too confrontational or too passive, too traditional or insufficiently concerned with traditional union bread-and-butter issues. Jump in.

In the past, Local 2050 had critics who suggested that the election of officers was rigged, because there was only one candidate for each office. Not so. Our members have been so content to "let George do it" that often we have had only one candidate willing to run for each office.

The second of the two elections will be to select delegates to the NFFE National Convention, 14-18 September 1992 in Miami, Florida. A local may decide not to send delegates to the National Convention, but this decision must also be taken by means of a secret ballot. A local may also choose to be represented by members of another local, but the representative must be selected personally, by name (not just the number of his or her Local), and no delegate may carry more than a total of 10 votes. Local 2050 and the NFFE National office, which is located here in Washington, have a history of strong mutual support.

If there are issues that you want raised at the National Convention, let your officers know what they are. Your officers are the ones with the green NFFE 2050 name badges. If you want to

be a candidate for delegate to the convention, let your officers know. If you do not want to run for local office or delegate, but would like to serve on the local Election Committee, let your officers know. Further specifics will be circulated in the near future. Plan now how you will get involved.

NFFE SUCCESSFULLY OPPOSES RUSH TO PUBLISH EPA'S ENVIRONMENTAL EQUITY REPORT WITHOUT MINORITY REVIEW--"FINAL" REPORT BECOMES ONLY A "DRAFT" IN LESS THAN 24 HOURS -- by Bob Carton

NFFE played a major role in a recent about-face by the Agency to allow minority review of its "politically explosive" Environmental Equity Report. The drama took place in the space of less than 24 hours, fueled ("some sources say") by the knowledge that Agency representatives had to appear in two days in front of Rep. Henry Waxman (D-CA) who was holding hearings on a bill to mitigate lead poisoning in minority children. The events unfolded as follows.

A professional on the Environmental Equity Committee learned that the Agency was going to publish its report in final form without contacting outside organizations as required by the committee's charter. He and others on the committee, upset by this and the fact that there were major problems with the report, contacted NFFE for help. With the report due to be released the next day, Dwight Welch for NFFE fired off a memo to Gordon Binder, Reilly's Chief of Staff, requesting that a dissenting opinion from NFFE be included. This opinion pointed out the contradiction between the report calling for improving communication with racial minority and low income communities, while at the same time excluding these groups from review of the report itself.

In less than an hour, NFFE received a telephone call from Mr. Reilly's office assuring us that the report was not final but only a draft.

The next day, Bob Wolcott, chairman of the Environmental Equity Committee, and Vic Kim, DAA for the Office of Pollution Prevention and Toxics, appeared before Rep. Waxman's committee. Wolcott insisted that the Agency had planned for months to issue the report in draft form, and it was purely coincidental that it happened to come out one day before Mr. Waxman's hearings. Rep. Waxman was understandably skeptical. He blasted the Agency's position as a public-relations ploy, based on a confidential memo from Ed Hanley, DAA for Administration and Human Resources. Hanley's memorandum stated that the report was, "--less than candid about EPA's track record." The staff report accompanying Waxman's press release made particular note of NFFE's dissenting opinion. Waxman brought this out at the hearing. He also expressed dismay that "EPA opposes legislation (H.R. 2840) that would establish a minimal federal program to protect minority and other children from lead hazards."

We understand the report is now being circulated to minority groups and low income communities who are expected to point out significant problems with the report. That is the good news. The bad news is that the Agency is rumored to be planning to attach minority comments to the final report without altering the report one iota. This would confirm Waxman's allegation that EPA is only

interested in public relations ploys. Let's hope that there is still some capacity for shame left in EPA management, and they change their minds.

OPPT RELEASES REPORT CRITICAL OF ITS OPERATIONS -- QUALITY ACTION TEAMS GIVEN MARCHING ORDERS -- UNION DISINVITED -- by Bob Carton

On January 29, following an openly critical analysis by Stonnell Associates of the operation of the Office of Pollution Prevention and Toxics (OPPT), OPPT Director Mark Greenwood, launched a massive attempt at correcting the ills of the organization. In a memo to the entire OPPT Staff, Greenwood admitted that OPPT had major problems but maintained that his organization was not unique in this respect. He presented an Action Plan with a short 60-day fuse. Seven Quality Action Teams (QATs) and a Reorganization Committee were immediately formed and tasked with specific action items for consideration. Volunteers were solicited for each QAT. A request by NFFE to participate (as is allowed and encouraged by law) was denied. At the recommendation of the Office of Human Resources Management (OHRM), Greenwood claimed that the Agency had no specific agreement with the Union on QATs and therefore, he could not negotiate a separate agreement. The advice from OHRM seems a bit odd, since they insisted on bargaining office by office on the Compressed Work Week Agreement.

It is too early to tell if Greenwood's attempt at solving OPPT's problems is working. What can be said, however, is that there have been significant deviations from Total Quality Improvement (TQI) principles. First, the report critical of the office was put together by a contractor with strict control from the top. Instead of having QATs identify problems and solutions, the contractor did the former and the Office Director did the latter. And contrary to all Total Quality Improvement programs, instead of starting off small with something you can handle, the Action Plan goes after everything. QATs were given only 60 days to show results, and the reorganization committee was bypassed completely in the March 24 announcement of an impending shift of Division Directors.

Having pointed out the constraints under which the QATs are operating, it is also important to note the lack of top-notch TQI facilitators to smooth out the start-up problems. Mr. TQI himself, Ron Brand, put in some cameo appearances, but was clearly not enamored "with jumping on a moving train", as he put it. We are now in a rough learning process, but things are made rougher when management refuses to totally embrace the new concepts and refuses to deal with the Union. NFFE is trying to ignore the insults and negotiate a Headquarters wide agreement on QATs. In the meantime, three NFFE Local 2050 representatives have joined QATs: Bob Carton (Risk Assessment), Bill Hirzy (Reorganization), and Jim Murphy (Staff Training and Development).

TOP LOCAL 2050 OFFICERS MEET WITH CHRIS HOLMES -- by Dwight Welch

Christian Holmes: Assistant Administrator for Administration and Resources Management, considering the budget responsibilities of the position, arguably the most powerful of all of the AAs.

Charles Grizzle's replacement, but Mr. Holmes is certainly no Charlie Grizzle. To begin with, Mr. Holmes requested a meeting with Local 2050. President Dwight Welch and President-Elect Tyrone Aiken represented the local. Since Mr. Holmes was interested in learning about Local 2050, he encouraged the Union reps to do most of the talking.

Dwight Welch led off with a brief description of the fundamental planks of NFFE Local 2050's platform: Professionalism and Ethics. Top points of discussion concerned EPA professionals being able to do their job in an ethical manner without fear of retaliation. Welch also pointed out that if EPA is to be a world-class scientific organization, the Agency needed to provide more openings at the GS-14 level and above; that one should not have to enter management in order to achieve the upper grades. Mr. Holmes agreed. Mr. Welch also pointed out numerous examples of employee abuse throughout the Agency and that the so-called "trouble-makers" often tend to be superior employees with a high creativity quotient who are repressed and abused by managers of lesser ability and intelligence. This situation, according to Welch, has developed by rewarding mediocrity and punishing excellence, and that the situation in many of the scientific divisions was one of managers with BAs in liberal arts managing scientists with Masters and PhDs in disciplines of which the managers had only the faintest knowledge.

Mr. Aiken supplemented Mr. Welch's argument of employee abuse by noting that managers were not held accountable by the same code of conduct (the EPA Conduct and Discipline Manual) that was enforced for employees.

Both officers discussed the need for cultural tolerance among the great variety of EPA employees. Both officers also indicated that TQM was being abused by some managers, and rather than ideas trickling from the bottom up, what is occurring is repression of employees's ideas by insecure managers reluctant to give up any of their power.

Mr. Holmes and the officers agreed on quite a number of things including the importance of good science at EPA, the need for management and the Union to work together, and the need for full time Union positions so that Union officers could do their job without interference by immediate supervisors.

Mr. Holmes seemed sincere. Currently Mr. Holmes is looking into the settling of the matter of official time. We certainly hope Chris Holmes will be successful in ushering in a new era for EPA: a new era of integrity and good science, one in which public and employee confidence in the Agency can be restored.

THE UNION IN ACTION

NFFE SUES OVER LOCALITY PAY FOR D.C., OTHER CITIES The National Federation of Federal Employees filed suit in Federal District Court in Washington in February over the Bush Administration's failure to properly select locations for special locality pay raises. In January 1991, Bush authorized pay increases of 8% for only the New York, Los Angeles and San Francisco metropolitan

areas, the raises being mandated under the Federal Employee Pay Comparability Act (FEPCA).

A December 1991 report by the Office of Personnel Management recommended no change from the three localities granted increases earlier that year, but the report also reveals that different data were relied upon in granting the New York/Los Angeles/San Francisco pay adjustments than were considered in denying adjustments to e.g. Washington, Baltimore, and Boston.

"Our suit is intended to make the President determine the need for adjustments in a consistent manner, based on the statutory criteria," said NFFE National President Sheila Velazco. "The broken promises of the past which created many of the pay problems of today cannot be allowed to reoccur under FEPCA."

NFFE LOBBY WEEK '92 Representatives of NFFE Locals from around the country participated in the annual Lobby Week run by the National Office March 2-5. In addition to a breakfast and dinner banquet attended by Members of Congress and the lobbyists, meetings were held throughout the week with Members and their staffs to press for reform of Federal employees health benefits and the Equal Employment Opportunity process, improvements in Federal employee health and safety programs at OSHA, reform of the Civil Service Reform Act, and addressing problems arising from agency down-sizing and from hiring of temporary employees. See the following article on how Lobby Week fits into the Union's operational and governance programs.

NFFE NATIONAL STRUCTURE AND OPERATIONS The National Federation of Federal Employees operates under the laws and regulations governing unions in the federal sector as well as its national constitution. The constitution, dating from 1917, may be modified by the delegates to the national convention, which is held every even numbered year. Delegates are elected by the locals, councils (groups of locals representing employees in an agency) or federations (groups of locals in a State). Delegates to the convention determine the National Union's goals for the next 2 years, elect a national president and secretary-treasurer, and nine regional vice-presidents. Together, these officers constitute the National Executive Council (NEC).

The NEC meets at least twice yearly and also conducts business by phone conference calls or mail balloting. At the first meeting of the year the NEC makes budget determinations for the fiscal year (July 1-June 30), and the president makes budget proposals and other proposals based on anticipated income and the mandates of the previous national convention. Based on those proposals, the NEC collectively establishes a general structure for the organization, selects programs and determines funding levels, and the president then operates the union under these guidelines. At the second meeting of the year revisions to the operating program, if necessary, are made by the NEC. Locals are encouraged to maintain close contact with their regional vice-presidents, and vice-versa. One of the major implementation mechanisms for the union's legislative agenda is Lobby Week, held early each March.

Please call the Union office at 260-2383 with any questions you may have about the national union and its relationship with Local 2050.

NFFE IN HISTORY--FOUNDING MEMBER MARY ANDERSON IN LABOR HALL OF FAME The late Mary Anderson, a pioneer in the federal labor movement, has been inducted into the Friends of the Department of Labor Hall of Fame. She was a member of NFFE Local 2 during the Union's formative years.

Mary Anderson immigrated to America from Sweden at age 16 and began her working career as a domestic, later rising to be appointed by President Warren Harding to head the Women in Industry Agency in the Department of Labor in 1919. She served as a representative to the Versailles Peace Conference following World War I, and urged President Wilson to add a clause to the International Labor Organization's constitution giving women the right to participate in the work of the organization.

She began her career in the labor movement as a member and then president of the Boot and Shoe Workers Union. Renowned as "the Dean of Women" in appointive office in Washington, she used her skills as union member and organizer to win better hours and wages for women workers. She died in 1962.

NFFE National President Sheila Velazco said of Anderson, "Women like Mary Anderson meant a great deal to the labor movement. Without them, the modern day women's movement would have no foundation. Her selection to the Hall of Fame honors them all and honors NFFE."

The other fourteen members of the Labor Hall of Fame include the late Sen. Robert F. Wagner, author of the private sector Labor Magna Carta, the Wagner Act, who was also a friend of NFFE. He was principal speaker at NFFE's 1935 convention.

THE CONTRARIAN 'S CORNER

QUESTIONNAIRE QUESTIONED -- by Jim Goodyear Management has recently burdened us with an overly long questionnaire. The Westat Company designed the questions so that management can interpret our opinions as supporting their existing policies. F o r instance: Almost all of the agree-disagree tables have an even number of choices (Strongly Agreed, Agree, Disagree, or Strongly Disagree). Standard test making practices require a middle column (Don't Know) for people who don't have an opinion, don't understand the question, don't care, or realize that the question is nonsense.

Some questions cannot be answered (Page 7, Question number 2). "Affirmative Action and Equal Employment Opportunity Programs at EPA have been successful." We don't know what the goals are so we can't judge the success. Equal Employment Opportunity means, "No discrimination," but Affirmative Action means, "Conscious, systematic discrimination against white males." Therefore, it is not possible for both of them to be successful.

Question no. 7, "Some individuals at EPA are hired without real qualifications in order to meet a quota." "Some individuals"

is a phrase designed to minimize the importance of "Crow Jim" laws now and in the future. What are "Real" qualifications? "Real" as opposed to what? As opposed to "not existing", "contingent", "ideal", or "imaginary"? A sophomore philosophy class would tear that phrase apart.

Several questions of this form have more than one answer (Page 8, question number 12). "The hiring of all women should be:

1. Based on the distribution of women in the general population.
2. Based on the distribution of women in the fields in which hiring is taking place.
3. Conducted in order to hire as many woman as possible.
4. Based on qualifications with concern for Affirmative Action.
5. Based on qualifications alone with no concern for Affirmative Action."

Answers 2 and 5 are exactly the same. If EPA hired women on the basis of their distribution in the field of knowledge, they would be hired without regard to Affirmative Action. The vote of people who are against discrimination will be split between numbers 2 and 5. The questionnaire repeats this form in questions about promotions and minorities.

Question 6 (Page 30) asks us to indicate how serious a problem various types of discrimination are at EPA. Someone who believes that EPA discriminates against minorities would respond "Very Serious" and someone who believes that EPA has anti-white regulations also would respond "Very Serious." They repeat the question in other categories.

In some questions the meaning of the words isn't clear (Page 16, Question 10). "All women are treated fairly. . ." "All" is a very inclusive term and they make no distinction between bias for and bias against a woman. If you believe that any woman has been treated negatively because of her sex [NOTE: the correct term is "sex" not "gender"] or if you believe that any woman has been treated favorably because of her sex, then the answer *must* be "Strongly Disagree." Thus, people with completely different opinions will have the same response!

In question number 14 on the same page, they extend the "All" confusion and introduce "equal." "All women have equal opportunities for advancement within EPA." Does a secretary who dropped out of high school to support siblings have the same chance of becoming a Branch Chief as a woman whose parents supported her through a Ph.D. program? That *is* what the question asks, isn't it?

Question 18 (Page 14) asks what factors were important in receiving your last promotion. It gave us a choice of six factors; Experience, Education, Expertise, Sex [which they mislabeled Gender], Race, and Ethnic background. They were so intent in putting forth the Affirmative Action hypothesis that they forgot to list the most traditional factors for merit promotion, Hard Work and Favorable Performance Appraisals.

This questionnaire is so poorly/dishonestly written, that its results are nonsense and should be put into the recycling bin (low quality, of course).

CONTRARIAN'S CORNER (CON'T)

SOME THOUGHTS AFTER PRESIDENTS' DAY -- by Jim Murphy I had the good fortune to be graduated from a technical-vocational high school whose motto was: "Deeds, not words." Words and thoughts were okay, but they should not get in the way of deeds. Deeds were possible. Deeds are possible.

Presidents' Day (Washington's and Lincoln's) reminds me of some of our country's great words. "If we do not hang together, we will most assuredly hang separately." "We pledge our lives, our fortunes, and our sacred honor." "Of the people, by the people, for the people." Nice rhetoric, but what makes these words great is that they were backed up by great deeds.

Today's words are not so inspiring. "I don't want to get involved." "It's not my job." "Let George do it." "I don't have the time...the money...a babysitter." "It's not a good career move." Our deeds are constrained by a narrow vision of self-interest.

Maybe it's human nature. Thucydides of Athens wrote, two dozen centuries before being quoted by John F. Kennedy: "The great wish of some is to avenge themselves on some particular enemy, the great wish of others is to save their own pocket. Slow in assembling, they devote a very small fraction of the time to the consideration of any public object, most of it to the prosecution of their own objects. Meanwhile each fancies that no harm will come of his neglect, that it is the business of somebody else to look after this or that for him."

Two more borrowed ideas (the origins of which elude my recollection just now): "All that is needed for the triumph of evil is for good people to do nothing." "When the Nazis went after the Jews, I was not a Jew, so I said nothing. When they went after the trade unionists, I was not a trade unionist, so I said nothing. When they went after the Catholics, I was not a Catholic, so I said nothing. Then they came after me, and there was no one left to say anything."

Join the Union. Join NFFE Local 2050 if you believe in what we're doing. If you don't believe in what we're doing, it's even more important to join. Give us your energy, your ideas, your \$8.34 per pay period. Government for the people will work only if it is also by the people.

CONTRARIANS' CORNER (CON'T)

CULTURAL DIVERSITY AND CULTURAL TRAITS -- by Tyrone Aiken

The Cultural Diversity Task force came under attack in the March 1, 1992 issue of the Washington Times. The article expressed concerns about money spent to train and educate employees in the Agency about cultural diversity and characterized the consultants

used, particularly, Mr. Edwin J. Nichols, self-proclaimed cultural diversity experts. In the article, Mr. Nichols's theory of the environmental impact of the climates from which different races originated/migrated was criticized by well known anthropologists, of which profession Mr. Nichols is not a member. I have heard two of Mr. Nichols's seminars and disagree with his theories. Nichols theorizes that certain racial "traits" are based on the original environments from which the races originated. White races that come from cold climates, where growing seasons are short, evolved in a climate of anxiety, therefore, about time. Hence, Nichols holds, a genetic trait of Whites is to be obsessed with time or to be watchers of the clock. On the other hand, Nichols says, Blacks that come from hot climates, where the growing seasons are long and food abundant, did not develop the time-anxiety trait.

The migration of races and interracial breeding have negated any validity (if there ever was any) of Nichols's theory. Most White and Black Americans have mixed racial heritages, which, according to the Nichols theory, would result in the following peculiar situations:

* A Black American with Northern European mixed blood would be obsessed by the clock and always late for meetings.

* White American with Black blood would not have a watch but would always be concerned about arriving on time.

* Then what about a Black with Spanish, Indian and White heritage? would he or she arrive a day before the meeting or two days after the meeting is over? and would he or she care?

Additionally, Mr. Nichols states that Orientals are unable to function independently because they are group oriented. What group of people is not group oriented? Everybody has an origin or tribe or clan or family. Nichols's theory is suppose to support the lack of independent thought by Orientals. How did Japan become the leader of the world economically and in literacy if not by making decisions independently.

The point is that Cultural Diversity cannot be protected from the charlatans who purport to become experts in every area that pays well. The danger is that these people will be believed and further cripple attempts to educate employees in the Agency about the importance of equality for all. NFFE Local 2050 supports the Cultural Diversity ethos, but not the approach used by consultants like Nichols.

The cultural diversity of this Agency cannot be "managed", as is the thought of some. The history of the United States, with all its triumphs and tragedies, is the only lesson in diversity needed. Those who don't learn from their history are destined to repeat it, especially the tragedies.

SO, WHAT ELSE IS NEW?

A TALE OF TWO SISTERS -- by Dwight Welch They're not sisters in the genetic sense, but they have a lot in common. They are friends. They are coworkers. And in the vernacular they are soul sisters. Women of color. But they have more than that in common.

Both have long, outstanding government careers. Both are well liked and hard workers. Both have the same new supervisor. Both have done not only their own jobs but the jobs of others when these others have left. Neither received any recognition for this above and beyond the call of duty effort. **BOTH ARE IN TROUBLE.** Prior to this article, both decided to withhold their names, and a third sister decided to withhold her information altogether, but all three have been victims of racial discrimination.

Which brings me to sister number one. I've known her a long time. She always been friendly and helpful in both our professional and personal dealings. Last year when CM-2 was being slimed with that imaginary, asbestos containing, ceiling tile dust. You know, the stuff that the guards testified to having seen escaping from the Portable Isolation Enclosure, but was really just a figment of our collective imaginations and hysteria. You read the affidavits, submitted to Rep. Gaydos (D-PA) in INSIDE THE FISHBOWL, but somehow management has never even commented on. Well, anyway, sister one got some bad cases of bronchitis, some might say, imaginary chronic bronchitis, and thus was confined to her home with fever, cough, and other symptoms.

So on December 26, 1990, sister one, was given a time and attendance letter courtesy of OHRM and her branch chief (Merry Christmas, Love, EPA management). And while the six month time period for these T and A letters has long since expired, sister number one still has to raise her hand (one finger or two) to go to the bathroom.

Sister number one also has a close family. And you know how families are. One day the family came a calling at a late hour and sister number one stayed up to the wee hours. Hard to come into work the next day after that, so she called in. "Aha, sister number one, you did not give 48-hour notice, you're AWOL". And if you're not feeling too good, better get a doctor's note, even if it's just the flu.

Now I've known sister number one for a long time and so have a lot of other folks. And we all think she's top drawer. She's got 20 years in, a number of awards, and always good to excellent performance appraisals (until this year). But like I said, she's got this new and did I say white supervisor.

Sister number two, I've just met. Of the 28 years she's been with the government, 21 of those years have been recognized with awards including 13 outstanding performance appraisals, a bronze medal, 2 QSIs and an On-the-Spot cash award. She also has a file chock full of letters of appreciation from both EPAers and the private sector. Well, I've never met anyone with so many awards, so it makes me sort of suspicious that sister number two also has had many of her responsibilities taken away from her, and though no T and A yet, it might be coming. Sister number two has had to get physician documentation for each visit to her doctor for an on the job injury! She has been relieved of many of her former job responsibilities, then denied promotion because she hasn't enough responsibilities. It makes me suspicious for her, after 28 years, to suddenly be in trouble, but like I said she has a new supervisor.

Sister number three was in trouble too. But suddenly, after the NFFE President started poking his nose around, management has lightened up and who knows, she might do OK. So no story for the Fishbowl.

Moral of the story: NFFE's concept of solidarity is to help our co-workers at EPA as much as we can, regardless of job classification, on our own time when need be, and we hope our sister Union at Headquarters shares that ideal.

RACHAEL CARSON'S ALMA MATER SPRAYED WITH PESTICIDES Honorary member Sharon Malhotra from Pittsburgh, PA reports that Rachael Carson's Alma Mater, Chatham College is sprayed with pesticides. Mrs. Malhotra, who is multiple chemically sensitive, prior to a meeting in the Rachael Carson Room at the college, called in advance to find out if the room had been recently sprayed with pesticides. Sharon, who has been chemically poisoned with pesticides, must do this in order to avoid pesticide exposure, low levels of which make her very sick. At first the maintenance people assured Sharon that they used ecologically "safe" pesticides. Sharon insisted on the names of the chemicals used. Much to Mrs. Malhotra's shocked surprise, the campus is sprayed on a monthly schedule and the Rachael Carson Room had been sprayed with Diazinon and Dursban.

STRIKE BY CANADIAN FEDERAL WORKERS ENDS* Canadian Federal workers struck last Fall over bad faith bargaining by the Canadian Government, and during the strike NFFE's National Executive Council sent a letter of support to our Canadian colleagues. The strike ended with the Canadian Government passing "back-to-work" legislation rescinding for the next two years the workers' right to bargain collectively or to strike. The legislation was met with massive non-violent demonstrations and rallies, including one of 30,000 strikers on Parliament Hill in Ottawa.

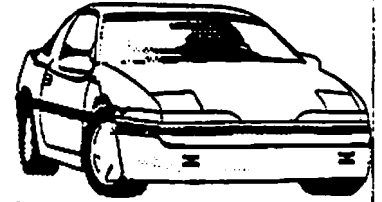
Daryl Bean, president of the Public Service Alliance of Canada, said, "We will continue to mobilize and organize in the workplace. The Mulroney Government has legislated our members back to work. However, it cannot legislate how they will work. The productivity of many public servants will probably deteriorate and they will be highly politicized in the next federal elections."

* Excerpted from an article by Steve Hantzis in The Federal Employee of December, 1991

BUY UNION - AMERICAN MADE

By Charles Bernhardt

"One For All ... All For One" is NFFE's official slogan, and it applies even after we leave work for the day. We are concerned about the state of the economy, the welfare of our country and the protection of the labor standards of all Americans, in both the federal and private sectors. Delegates to the 1990 national convention directed that the national office publish a "boycott list" of companies that NFFE members should not support and products and services that they should not buy. The NFFE boycott list will be published in next month's *Federal Employee*.



Meanwhile, in keeping with the spirit of the convention mandate, this month we are giving you a "Do-Buy" list. By buying Union/American we keep good paying jobs from being sent overseas. This reduces the unemployment rolls, expands taxpayer rolls and keeps our country strong.

The first installment in the Do-Buy list covers cars and light trucks. Note that while some cars have a U.S. nameplate, they are actually produced in other countries. Some cars not on the list are built in the U.S. but made by non-union companies. We urge you to look for the union label and made in America when shopping for your new car or truck.

1992 Model Cars

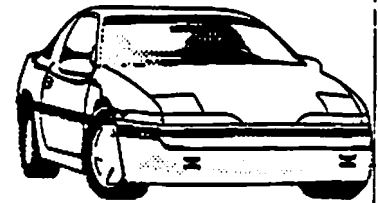
Bulck	Chrysler	Thunderbird	Ciera
Century	Imperial	Geo	Cutlass Supreme
LeSabre	Lebaron Coupe/Convertible	Prizm	Olds 88
Park Avenue/Electra	Fifth Avenue	Lincoln	Olds 98
Riviera	New Yorker	Continental	Toronado
Roadmaster	Dodge	Mark VII (LS)	Plymouth
Skylark	Daytona	Town Car	Acclaim
Cadillac	Dynasty	Mazda	Laser
Allante	Shadow	626	Sundance
Brougham	Spirit	MX6	Pontiac
DeVille/Fleetwood	Viper	Mercury	Bonneville
Eldorado	Eagle	Cougar	Firebird
Seville	Summit	Sable	Grand Am
Chevrolet	Talon	Topaz	Grand Prix
Beretta	Ford	Mitsubishi	Sunbird
Camaro	Escort	Eclipse	Saturn
Caprice	Mustang	Mirage	Saturn
Cavalier	Probe	Oldsmobile	Toyota
Corsica	Taurus	Achieva	Corolla
Corvette	Tempo	Custom Cruiser	

1992 Model Light Trucks

Chevrolet	Ram D/W Pickups	Safari	Mercury
Astro	Ford	Sierra	Villager
Blazer	Aerostar	Sonoma	Nissan
Blazer S	Bronco	Syclone	Quest
C/K Pickups	Econoline/Club Wagon	Yukon/Typhoon	Oldsmobile
Chevy Van/Sportvan	Explorer	Jeep	Bravada
Lumina APV	F-Truck	Cherokee	Silhouette APV
S-10	Ranger	Comanche	Plymouth
Suburban	GMC	Grand Cherokee	Grand Voyager
Chrysler	C/K Pickups	Wagoneer	Pontiac
Town and Country	GMC Suburban	Wrangler (Mid 1992)	Transport
Dodge	Jimmy	Mazda	Toyota
Grand Caravan	Jimmy S-15	Navajo	Pickup-compact
Dakota			

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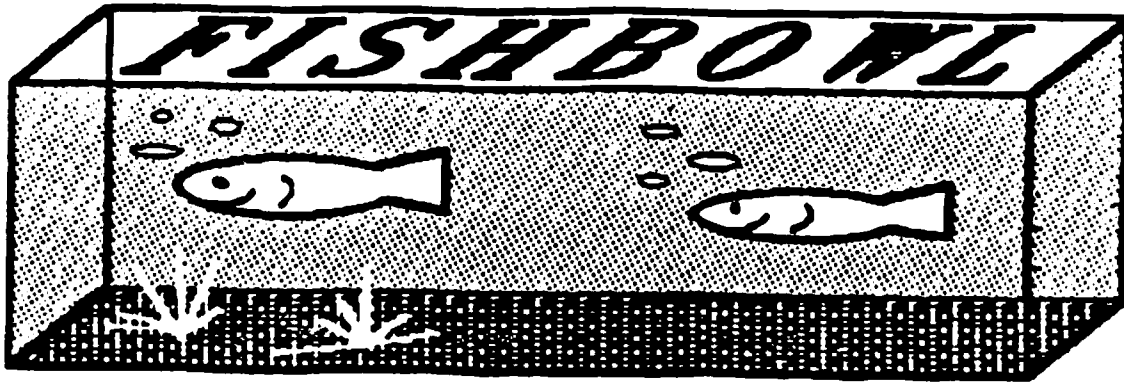
1992 Model Cars

Buick	Chrysler	Thunderbird	Ciera
Century	Imperial	Geo	Cutlass Supreme
LeSabre	LeBaron Coupe/Convertible	Prizm	Olds 88
Park Avenue/Electra	Fifth Avenue	Lincoln	Olds 98
Riviera	New Yorker	Continental	Toronado
Roadmaster	Dodge	Mark VII (LS)	Plymouth
Skylark	Daytona	Town Car	Acclaim
Cadillac	Dynasty	Mazda	Laser
Allante	Shadow	626	Sundance
Brougham	Spirit	MX6	Pontiac
DeVille/Fleetwood	Viper	Mercury	Bonneville
Eldorado	Eagle	Cougar	Firebird
Seville	Summit	Sable	Grand Am
Chevrolet	Talon	Topaz	Grand Prix
Beretta	Ford	Mitsubishi	Sunbird
Camaro	Escort	Eclipse	Saturn
Caprice	Mustang	Mirage	Saturn
Cavalier	Probe	Oldsmobile	Toyota
Corsica	Taurus	Achieva	Corolla
Corvette	Tempo	Custom Cruiser	

1992 Model Light Trucks

Chevrolet	Ram D/W Pickups	Safari	Mercury
Astro	Ford	Sierra	Villager
Blazer	Aerostar	Sonoma	Nissan
Blazer S	Bronco	Syclone	Quest
C/K Pickups	Econoline/Club Wagon	Yukon/Typhoon	Oldsmobile
Chevy Van/Sportvan	Explorer	Jeep	Bravada
Lumina APV	F-Truck	Cherokee	Silhouette APV
S-10	Ranger	Comanche	Plymouth
Suburban	GMC	Grand Cherokee	Grand Voyager
Chrysler	C/K Pickups	Wagoneer	Pontiac
Town and Country	GMC Suburban	Wrangler (Mid 1992)	Transport
Dodge	Jimmy	Mazda	Toyota
Grand Caravan	Jimmy S-15	Navajo	Pickup-compact
Dakota			

INSIDE THE



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LOCAL 2050
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NFFE

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

MAY 1992

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LOCAL 2050

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EDITORIAL POLICY Articles from any source are considered for publication. Submit items for publication to INSIDE THE FISHBOWL by the first of the month of publication. Items are selected for publication by vote of the Editorial Board. Articles indicating authorship reflect the views and opinions of the author and not necessarily those of NFFE Local 2050.

SPECIAL NOTE Since last we updated our mailing/subscribers' list, ca. 450 new members of the bargaining unit have joined the Headquarters staff. This issue and the next will be sent to all of these folks. We ask that those new employees who wish to keep receiving INSIDE THE FISHBOWL complete the form at the end of this issue and send it to the Union office. Of course, we invite those newly on board to join the Union and help us make EPA the kind of work place in which we can all take pride and that the public deserves.

ELECTION NEWS Votes were counted at the May 21 open meeting, and the officers for the Local for the year beginning June 18 are: President - Tyrone Aiken; President-Elect - Bill Hirzy; Chief Steward - Rufus Morison; Secretary - Jim Handley; Treasurer - Bill Marcus; Senior Vice-President - Dwight Welch; Vice-Presidents - Alex Arce, Elbert Dage, Jim Murphy, and Bernie Schneider; delegates to the Union's biennial convention are Tyrone Aiken, Dwight Welch and Bill Hirzy.

Installation of officers will take place at the June Meeting which will be at 12:00 noon on Monday, June 15 in North Conference Room 13. Join us for refreshments, a review of the past year, and a look into the future.

UP-COMING MEETINGS SCHEDULE

June 15 - Monday - 12 Noon - North Conference Room 13
 Principal Activity: Inauguration of officers

July 15 - Wednesday - 12 Noon - North Conference Room 5
 Principal Activity: Convention issues

August 18 - Tuesday - 12 Noon - North Conference Room 13 - Agenda open

EDITOR'S NOTES In this issue we include a Spanish language version of one article, the one on sexual harassment. Our thanks to our colleague, chemist Maria Rodriguez, for making the translation. Please let us know what you think of this inclusion and whether we should do more of it.

NEWS BITES

DR. WILLIAM MARCUS FIRED In what can only be described as a surreal event, Office of Water officials notified Dr. William Marcus on May 13 that as of close of business Friday, May 15, his employment with EPA was terminated. The firing, while clearly a possibility for the past several weeks, was a total surprise not only to Dr. Marcus, the Union and the interested public, but also to the Agency representatives who were discussing a settlement with Dr. Marcus

and his attorneys. A trial at the Department of Labor on Dr. Marcus's claim for whistle-blower protection had been continued on a motion by EPA from April 20 until May 20; the trial will go forward. If Dr. Marcus prevails at trial, and if the Secretary of Labor upholds the judge's decision, Dr. Marcus will be reinstated, be given back pay, lawyers' fees and compensatory and punitive damages. Apparently OW managers decided, "In for a penny, in for a pound", and are willing to face the consequences of their actions. We can say no more at the moment, but stay tuned. The Fat Lady is still warming up in the wings; it is only Act II, Scene I: enter, the paladins.

NEW BUILDING SCUTTLEBUTT A highly placed source provided Local 2050 with the latest word on new building prospects for EPA Headquarters. According to the source, EPA should be able to place half its Headquarters work force in the Federal Triangle building (formerly the International Culture and Trade Center), and half in the Portals building (at 12th and Maine, S.W.). All HQ personnel would be consolidated in these two buildings, and given the Portals's near-completion status, some folks could be moving there a lot sooner than they would have been able to move to the ICTC site. Its not an ideal situation to have our people in two locations, long-term, but look what we're dealing with now! Incidentally, when Local 2050 polled the bargaining unit on this issue 4 years ago (remember Project 1992??), the Portals was the number one choice of then-extant options.

ASSOCIATION OF GOVERNMENT TOXICOLOGISTS TAPS MARCUS, MURPHY AND SETTE Ann Brown, President of the Association of Government Toxicologists (AGT), on April 29 appointed NFFE Local 2050 Treasurer Bill Marcus and Vice-president Jim Murphy to a committee to develop a statement of ethics for the AGT. Coincidentally, Drs. Marcus and Murphy were the first two Diplomates of the American Board of Toxicology at EPA headquarters.

NFFE Local 2050 Vice-president Jim Murphy was recently elected to the Membership Committee of the Association of Government Toxicologists, as was OPP neurotoxicologist Bill Sette.

ALTERNATIVE WORKSPACE NEGOTIATIONS CONTINUE On April 22, negotiations resumed to establish workspace on the second floor of Crystal Station for some chemically-sensitive EPA employees. Leigh Diggs, Dennis Bushta, and Stan Fredericks represented management. Employees were represented by Kirby Biggs, Vice-President for Health and Safety of AFGE Local 3331, and Steve Spiegel and Vice-Presidents Elbert Dage and Jim Murphy of NFFE Local 2050. Agreement was reached on 32 points. Three points were dropped, 12 were deferred because of a need for additional information, and 7 points were held over for further discussion. On April 29, negotiations resumed. Agreement was reached on an additional 12 points, 2 were deferred for more information, and 2 were held over for further discussion. At least one more meeting will be needed to resolve the points that were held over from the first two meetings. No new issues are anticipated beyond what has already been put on the table. (See the related article on the Government Accounting Office's report on EPA's Alternative Work Space program.)

GAO REPORT RAPS EPA'S ALTERNATE WORKSPACE PROGRAM The Government Accounting Office, acting at the behest of Rep. John Dingell (D-MI), has issued a report critical of some aspects of EPA's Alternative Workspace (AWS) program. The report is seriously flawed; more on that below.

Mr. Dingell sent the report to Administrator Reilly with an admonition to fix the program. Chief elements of the criticism are that there is no central management of the AWS program and there is no provision for periodic re-determination of medical status of employees using it. The lack of central management, the report says, is reflected in such "failings" as some employees being in the program "without having gone through the prescribed process". And the lack of periodic re-determination for eligibility might result in unwarranted costs to the public, according to the report and Mr. Dingell's letter of transmittal.

What the report fails to note is that EPA and building management were responsible for injuring the employees who are now on AWS. These entities

installed defective carpeting and failed to provide adequate ventilation and maintenance. Once EPA came to grips with its responsibility to these injured employees, it executed a collective bargaining agreement with the Union (negotiated by NFFE, but covering all employees) to provide AWS under terms that were well thought out and that legally bind the Agency.

GAO's recommendation that a central authority manage the program may have merit, but requiring periodic re-certification of employees suffering from multiple chemical sensitivity (MCS) is, contractual considerations aside, unlikely to benefit anyone except the practitioners doing the examinations. Multiple chemical sensitivity is a condition that is notorious for not being detectable on routine medical examination and for being virtually irreversible.

The Union is preparing a response to Mr. Dingell's letter and a communication to Mr. Reilly on the subject.

LABOR-MANAGEMENT HEALTH AND SAFETY GROUP WORKING ON EMERGENCY EXIT PLANS, IDENTIFYING HEALTH AND SAFETY HAZARDS

Dennis Bushta, M. V. ("Raj") Rajamani, and Jim Engleka, working with Local 2050 President Dwight Welch, have been verifying the floor plans of EPA's various buildings so that emergency evacuation placards can be prepared and posted throughout EPA's buildings. These placards will be especially helpful to visitors to the buildings who are unaware of the best route of egress in the event of a fire or other emergency. In verifying these building plans, the group is also identifying health and safety hazards. Hazards identified so far have included missing, un-serviced, and unmounted fire extinguishers, tripping hazards, electrical hazards, and improperly operating fire doors. Nearly every fire escape door in the East Tower (the group has yet to get to any other Headquarters location) has one or more malfunction. These vary from minor problems, such as scraping and loose door closers, to more severe problems, such as doors which won't close completely and doors which don't open at all.

More severe problems, such as the nonworking fire doors, open electrical holes and carpet tears which have caused broken high heels and employee injuries, have been dealt with on an urgent basis while less urgent problems are being noted to be remedied at a later date. The group has also dealt with some problems directly by securing loose wires, tightening loose electrical covers, and even moving furniture where the legally mandated 36 inch egress path is compromised. This group continues to exemplify what can be accomplished when labor and management work together.

DENNIS BUSHTA CITES COMMUNICATIONS AT THE HEART OF MANY HEALTH AND SAFETY PROBLEMS

According to Dennis Bushta, Chief of Environmental Health and Safety, 80% of the Health and Safety problems in EPA's buildings could be dealt with much more effectively if only managers would communicate with employees. "It's often as simple as one person talking to another," Mr. Bushta said.

1992 FEDERAL PERSONNEL GUIDE FREE TO NEW MEMBERS

The 1992 edition of the Federal Personnel Guide, mentioned in the last issue of Inside the Fishbowl, is being offered as a free, sign-on bonus to those who join Local 2050. The book is a comprehensive digest of essential Civil Service information on RIFs, labor law, pay, leave, health insurance plans, retirement and much more. It is still available to regular members at \$5.00 and bargaining unit people who are not Local 2050 members for \$6.00. The newsstand price is \$8.00.

NEWS OF THE UNION

LINDA FISHER MAKES GOOD ON PROMISE OF TRANSFER, COMMITMENT TO IPM - by Dwight Welch

Those of you who have followed the story know that for nearly three years I have been fighting an illegal job assignment to perform acute toxicology data review. This assignment, a retaliation for my whistle-blowing on flammable aerosols, places the public at risk. As an entomologist, I lack the required training to be make labeling recommendations which instruct the

user as to hazards associated with a pesticide and recite measures to be taken in case of poisoning. A wrong recommendation can cause injury and death. OPP management says that mistakes do not get through secondary review by section head Thomas Ellwanger. However, I recently identified a mistake which did get through, one which, if followed, would result in more harm to the victim than if nothing at all had been done. (See "Deadly Recommendation Slips Through Supervisory Review", this issue.)

On January 15, 1992 I met with Linda Fisher to discuss this issue. I explained to Ms. Fisher the issue of illegality of my present job assignment as well as the possible risks to human health. Ms. Fisher would not agree to this assessment (that would be conceding my case before the Merit Systems Protection Board), however, she agreed that I was ill placed and should be transferred and she agreed to find another assignment for me, asking me what my interests were.

I indicated my interest in Integrated Pest Management, but added that this seemed a low priority in the Office of Pesticide Programs. Indeed, I indicated that it was a disgrace that the world premiere environmental organization employed hundreds of people registering pesticides, but a scant few in IPM. I also recounted the removal of the IPM library accumulated for over 10 years by Bill Currie.

The meeting went on to other matters as Ms. Fisher queried Tyrone Aiken and me regarding problems in the Office of Pesticide Programs. In addition to the lack of support for IPM, we discussed the misuse of TQM, the stifling of creativity, the prejudice against employees with scientific backgrounds, the abuse of personnel, and the general level of anger among professionals in the Office of Pesticide Programs.

The meeting obviously had an effect. The following day sources reported that Ms. Fisher was very impressed by the presentation given by Mr. Aiken and me. It was also reported that Registration Division Director Anne Lindsay asked for equal time with Ms. Fisher.

On May 6, 1992 I received orders of my reassignment to the IPM group in the Field Operations Division. According to IPM management there is a new emphasis on IPM and part of my new responsibilities will be to manage and accumulate a new IPM library.

DEADLY RECOMMENDATION SLIPS THROUGH SUPERVISORY REVIEW -

by Dwight Welch The name of the product is not important nor is the name of the reviewer. A pesticide product, only mildly toxic if swallowed, but corrosive to the skin and eyes and containing a high level of petroleum distillates, was reviewed by Mr. Thomas Ellwanger's section of the Registration Support Branch, OPP. The reviewer recommended inducing vomiting in the event the product was swallowed. Ellwanger signed off on this recommendation. However, the consequences of following this recommendation could be quite drastic. Vomiting such a product is likely to cause aspiration pneumonia, which can be fatal--5 ml. of petroleum distillate in the lungs can kill by coating the inside of the lungs and preventing the exchange of oxygen. The product being corrosive and/or highly irritating would also cause additional damage to the esophagus. I called the company and talked to a Medical Toxicologist (a type of MD) and a Ph.D Toxicologist. They confirmed that it is much more hazardous to induce vomiting than do nothing.

It is embarrassing and dangerous that EPA can have this sort of thing happen. The label recommendation has now been corrected, but the incident shows how important it is for a section with this one's responsibilities to have a senior science advisor for the Section Head who is a degreed toxicologist.

NFFE NATIONAL WINS INJUNCTION In 1989 the National Federation of Federal Employees filed suit in Federal District Court against EPA over use by the Office of Inspector General of questions in Standard Form-85 about drug use and arrests. SF-85 is a form to be completed by certain employees occupying sensitive positions. That suit is still pending.

In a closely related matter, the National Union sought an injunction against the command of the Rock Island Arsenal's (Department of Defense) use

of similar, but even more intrusive, questions for all employees. The answers to the questions would have been made available to virtually any governmental entity with an "interest" in them.

We have a copy of Judge Harold Greene's scathing analysis of the DOD's rationale for use of the questionnaire. Any law buff who would like to read how far into your knickers some elements of the present federal establishment are eager to penetrate should give us a call.

BA THANH NGUEN, UNION AND MANAGEMENT REACH AN ACCORD Ba Thanh Nguen, a chemical engineer, was recently hired by EPA away from a job he held with the D.C. Government. He was recruited through a job fair for an Environmental Engineer position by Rachel Hopp, an attorney. Unfortunately for Ba, Ms. Hopp's understanding of what Ba would bring to the job and what the position to be filled actually required were not compatible, resulting in a mismatch. The management solution to this mismatch was, you guessed it, fire Ba. Enter the Union, which suggested to management that to fire a person just lured away from a stable job, in today's job market, is ethically repugnant. The Union representatives, Rufus Morison and Tyrone Aiken, proposed that EPA rescind the firing and allow Ba 60 days to look for another job within the Agency. Next enter Personnel, in the persons of Leigh Diggs and Rita Jensen. They helped cement the solution with Ba's managers by agreeing with the Union's proposal. Finally enter OGC, in the person of Karen Hogan, who attempted to undo the deal. Fortunately (this time) for Ba, the cooperating coalition of Union, Personnel and program management prevailed: Ba will be retained in his position for 2 months, and at the end of that time he will resign his position if he has not chosen to take another position with the Agency.

WHAT ARE WE GETTING PAID FOR ANYWAY??--NFFE COMMENTS ON NEW OPPT "VISION" STATEMENT

As readers of this newsletter know, the Office of Pollution Prevention and Toxics (OPPT) has been in considerable flux for the past half-year or so. One aspect of the changes occurring is circulation of a new "vision" statement for the Office by Director Mark Greenwood. Bob Carton, late of the Executive Board of this Local, responded to this statement, and the body of his response is given below. The cogency of Bob's analysis of the "vision" statement gives evidence of why the Army made him responsible for environmental compliance for all Army medical research laboratories, and it shows the terrible loss the Union suffered at his going.

"While pollution prevention is an important addition to our mission, the OPPT Vision statement appears to go to great lengths to downgrade and ignore our other responsibilities. In the rush to embrace new legislation, we seem to be forgetting the old. The following comments are directed to this issue, and also, to the need for a strategy to achieve a high degree of professionalism in OPPT.

1. The Vision Statement fails to acknowledge by name the laws passed by Congress which authorize and direct our activities: the Toxic Substances Control Act and the Pollution Prevention Act. Our purpose is rooted in legislation and the legislative intent of Congress. A vague allusion to "statutory requirements" (p2) is not sufficient in creating a vision for this office. Reference to the laws and the intent of Congress should be included in the Vision Statement.

2. One of the requirements of TSCA is to prevent unreasonable risks. The constant use of the term "promote" sounds suspiciously like a cheer-leading slogan for an organization that is getting ready to go to bed with industry. The statement needs to be modified to include the idea of preventing risks.

3. It should also be noted that our responsibilities extend to all 70,000+ chemicals in commerce, the 1500-2000 new chemicals that are introduced every year, and the expanding field of bio-engineered organisms. Unless the full scope of our mandate is acknowledged, we will never adopt the proper strategy for achieving our mandate. (including a strategy for increasing the budget to a level commensurate with the mandate).

It was suggested at one QAT meeting that it is unreasonable to discuss becoming a pro-active office with a sizeable increase in staff. Instead it was suggested that we should remain only a reactive office that just handles what is thrown at us. If this is the philosophy of the office, then I suggest you put that in the vision statement.

4. In the vision statement, the second statement that begins: "Promote the design, development, and application of safer chemicals..." also mentions processes and technologies. Shouldn't they be "cost effective processes and technologies?"

5. The importance of understanding how chemicals affect living things can not be overstated. Understanding precedes action to prevent or reduce risks. It seems appropriate, therefore, to add to the vision statement the following:

'Promote the understanding of the effects of chemicals and bio-engineered organisms on humans and the environment.'

6. "The strategy for advancing the vision" is entirely directed to the product of our labors and not on how we get there. Some of the principles are enunciated but the strategy for developing people and processes is absent. There needs to be a strategy for developing a professional staff that is recognized and respected inside and outside the Agency. There also needs to be a strategy for processes that will help professionals achieve that recognition and respect. Suggestions:
Strategy for professional development:

- * Develop in-house expertise that has the respect of other offices in EPA, other Federal Agencies, the public and industry, by:
- * Developing scientific experts in specific chemicals and chemical classes, biotechnology and testing disciplines;
- * Developing engineering experts in processes and technologies, industry by industry;
- * Encouraging publication of scientific/technical papers;
- * Encouraging attendance at scientific/technical meetings.

Strategy for processes to ensure professional development:

- * Develop processes that help create scientific/technical excellence;
- * Develop a peer review system for scientific/technical papers;
- * Adopt an enforceable code of professional ethics;
- * Develop a user-friendly, integrated (with ORD) data base of hazard, exposure and risks posed by chemicals and engineered organisms for use both internally and externally to OPPT;
- * Develop technical management plans that evaluate current information on risks posed by chemicals and bio-engineered organisms, and identifies data needs for answering critical questions.

7. In the strategy section, the word "analyze" needs to be added when speaking about information.

8. In the principles section, the disclaimer that we are not engaged in "general research" is misleading. We are not engaged directly in laboratory research. We recommend laboratory research, we evaluate research and in some cases actually contract out laboratory research. However, it should be clear that assessments are a type of research. In many cases, the analytical work that goes on during assessments is much more intellectually demanding than one piece of laboratory research. Being able to figure out what all the research on a subject really means is the challenge.

Quite a valedictory. EPA would probably pay a contractor \$100K for advice as good as this. Too bad it couldn't see its way clear to give this guy a promotion for 17 years. Small wonder this place is in the toilet. EPA's loss is the Army's gain. See the story in this edition on OE-Superfund hiring practices for one reason for why and how EPA has stayed in the toilet for the last decade or so; its a microcosm, but it tells all.

BOB CARTON LEAVES EPA FOR A REAL JOB - by Bill Hirsy Dr. Robert J. Carton, Environmental Scientist in the Office of Pollution Prevention and Toxics, resigned his position effective May Day to take a job with the Army. Bob will be directing the Army's environmental compliance program for its nation-wide network of medical research laboratories, working out of Fort Detrick, MD.

During his years at EPA Bob did ground-breaking work on asbestos risks, arsenic and other high profile chemicals, incurring the wrath of the Nixon White House, among others, with his (and Bill Coniglio's) exposition of risks from these materials. In spite of Bob's productive and insightful work, EPA could never see fit to promote Bob after 17 years in a GS-13 slot.

Bob's work as a founder of Local 2050 and a guiding light of the Union's fight for professionalism and integrity will be long remembered--by his legion of friends and by those who felt the sting of his righteous wrath. Foremost among the latter, of course, are those elements in government that promoted fraudulent use of science to justify a dangerous drinking water standard for fluoride, a standard permitting levels of that substance that are known to cause severe adverse effects.

On the brighter side, Bob reports that his new job is massive, interesting, and challenging. His private office is 10 x 14; he shares a secretary with one other person; and those with whom he works respect his accomplishments and treat him like a professional.

He reports directly to the Fort's Commanding General, who welcomed him with; "We hear you've been in some fights at EPA. That's great. We like fighters here!"

Too bad EPA prefers roll-over artists to fighters and, because of that, wouldn't honor, reward or recognize Bob and his accomplishments. We hope that Bob will now, like Colonel Bogey of Bridge on the River Kwai fame, be happy in his work.

We will miss him terribly.

GENERAL NEWS

OFFICE OF ENFORCEMENT/SUPERFUND: MANAGEMENT POSITION ROUTINELY FILLED BY OUTSIDERS Staffers in OE-Superfund are beginning to ask themselves why so few are getting promotions to management positions. Although there have been a number of vacancies in the Division for managers in recent years, staff attorneys are not selected for promotion. Instead these positions have been filled by lateral hires from the Department of Justice or the private bar.

Last year a new Division Director for OE-Superfund was hired from the private bar. He had little Superfund experience, and was chosen over a dedicated civil servant who had worked his way up through the ranks to become acting Division Director. His Deputy, who had been a Branch Chief for only a few months, had been hired from the private bar (having previously worked for DOJ). The new Branch Chief was hired from the private bar (although she had previously worked at DOJ, too) and the new Director of Civil Enforcement was also hired from DOJ.

Is anyone surprised that morale in OE-Superfund, which also has a chronic indoor air problem, is abysmally low?

(Editor's Note: Does this pattern show a deep distrust among decision-making managers of the legal arm of the Agency for dedicated, career EPA employees who are, in the eyes of some, much too likely to try to actually uphold the law?)

PUBLIC SERVICE RECOGNITION WEEK--ESTHER PETERSON REJUVENATES EPA AUDIENCE - by Jim Murphy Esther Peterson, who served three U.S. Presidents in a variety of jobs dealing with health and consumer protection and women in the work force, visited EPA on May 6 as part of Public Service Recognition Week and electrified the audience, who may have been expecting platitudes about the value of public service. She thanked Administrator William Reilly cordially for his introduction, and then announced that she "resents the layers of non-career political appointees, you know, the Schedule C's, installed over scientists and professionals." The result, she said, is that environmental professionals are "second-guessed by people who don't know what they're talking about." A roaring round of applause followed.

Ms. Peterson, who was a close friend of Eleanor Roosevelt, urged the audience not to make problems and leave them for our grandchildren. She conceded that there are things that we don't know, but said that this imposes on us an obligation to try to find out. Ask why and how. Insist on truth. [Editor's Note: This is reminiscent of a part of Richard Feynman's minority

report on the causes of the space shuttle Challenger disaster: "For a successful technology, reality must take precedence over public relations, for Nature cannot be fooled."]

Public servants make history, she said, and frequently need to decide where the public good rests. "Look at who benefits," she advised, as a guide to making that decision. "Change comes slowly, but it comes," she said. Expect bitter opposition to change, and "distinguish between legitimate objections and plain institutional inertia." She outlined a series of paradoxes: regulatory agencies were created primarily to protect industry, while bottom-line profitability is, truly, only protected by industry's genuine concern for people and their needs. Corporations resist change, but a willingness to embrace change is vital.

The May 6 program also featured a moving remembrance of Rachel Carson, with remarks by Shirley Briggs, Executive Director of the Rachel Carson Council, and a narration by Kirby Biggs (Vice-President, American Federation of Government Employees Local 3331) of excerpts from Silent Spring, Rachel Carson's environmental call to arms, accompanied by George Alderson on the violin.

After the program, Esther Peterson noticed a green NFFE Local 2050 name badge and volunteered: "NFFE -- that was my old union!" Well, now.

CONGRATULATIONS TO OPPT AND RTP CARPET DIALOGUE BRONZE MEDAL WINNERS - LATE CARPET NEWS Congratulations to Bruce Tichenor, Margaret Conomos, Ward Penberthy and Richard Leukroth, winners of Bronze Medals for their work on the Carpet Policy Dialogue. Other OPPT staffers, such as Nhan Nguyen, Sarah Shapley, Christina Cinalli, Gordon Cash, and other members of EED who did so much hard, competent work on the project should also have been recognized. Dr. Bruce Tichenor, Environmental Engineer and analytical chemistry expert based at the Air and Energy Engineering Research Laboratory, RTP made major contributions to the test method development piece of the Dialogue. Likewise contractor statistician, Barbara Leczynski did much noteworthy work.

There is exciting news coming from Anderson Laboratories (Dedham, MA) where some very significant research on carpets and 4-phenylcyclohexene has been started. Some of this early work was alluded to in the Union's comments on Volumes III and IV of the EPA HQ Indoor Air Quality Study. This early work, done under the protocol of ASTM Method 981 E, showed that a "complaint" carpet caused pronounced pulmonary rate depression in mice, exhibiting a smooth dose-response curve, while "non-complaint" carpet caused no response in mice. Now, Rosalind Anderson and Mark Goldman report that several other "complaint" carpets, submitted by individuals sickened by carpet installations, are eliciting even stronger pulmonary responses and what appears to be frank CNS toxicity ("circling" behavior) and death of 25% of the test animals. "Non-complaint", new carpet controls continue to elicit no response.

The pattern of response, including death, seen with these "complaint" carpets is closely mimicked by 4-PC when it is tested alone at levels of 200 ppb.

EPA's contention, publicized on nation-wide television and in the Carpet Dialogue's Public Information Brochure among other places, that 4-PC is "an un-remarkable" and "non-toxic" chemical, and that there are no data showing adverse effects from carpets, may need revision soon. Anderson and Goldman plan to publish in the peer literature shortly and to submit a For Your Information package to the TSCA 8(e) program in OPPT.

It is well that the campaign of EPA, CPSC and the Carpet and Rug Institute's to avoid testing "complaint" carpet did little to stifle research interest in the subject. God bless inquisitive, honest, private sector science. As Feynman said, "...Nature cannot be fooled."

Bob Axelrad and John Girman, of the Indoor Air Division, a principal source and instrumentality of EPA's policies on this subject, also got Bronze Medals for Dialogue work.

ENDANGERED SPECIES NOT A HIGH PRIORITY Some anti-environment groups might have us believe that protecting endangered species is a major impediment to progress. However, according to the World Wildlife Fund only 19 of a potential 75,000 federal activities and projects, such as building dams or

cutting down forests, have been halted by the Endangered Species Act. Local 2050 President sent Administrator Reilly a letter thanking him for his recent courageous vote to protect spotted owl habitat in the Northwest; his was the only vote (on the so-called God Squad) against clear-cutting the habitat.

MORE FOGGER FIRES REPORTED, HOMEOWNER CHARGED WITH ARSON - by Dwight Welch
According to the "Technical Information Bulletin" March-April, 1992 a Texas woman demolished her apartment attempting to rid the place of cockroaches. Nine foggers were used in this incident.

In a separate case in Connecticut, a homeowner used only four foggers in his house. The foggers were spread out within the house. After setting the foggers off the man left on vacation. Upon returning he found himself charged with arson. The justification for the charge was similar to that given in the two charges previously reported in INSIDE THE FISHBOWL--a petroleum distillate spike in the spectral analysis, and a fire start-up which occurred close to the floor. Both these factors, which can be accounted for by the heavier than air hydrocarbon propellants, are also characteristic of arson fires. The State's attorney has declined to prosecute the arson charge. However, the homeowner's insurance company is refusing to pay the damage claim.

Meanwhile, the Aerosol Flammability work group has yet to come up with a recommendation. A meeting is scheduled for the latter half of June. Donald Stubbs has informed me that I would no longer be working on the work group. Life goes on around here at its own leisurely pace.

CONTRARIAN'S CORNER

EPA SHOULD ACT TO PREVENT ADVERSE COSMETIC EFFECTS - by Jim Murphy

Consider that a plastic surgeon is more likely to rebuild a nose electively - because the patient has some ideal shape in mind - than because facial trauma has made it necessary. Consider that the number of breast implants is largely unrelated to the number of mastectomies. Consider the huge sums of money spent every day on cosmetics and a host of other products that say they will improve our appearance. One may form an opinion that our appearance occupies a central and important position in our social and economic lives. The corollary is that any event that harms our appearance injures us. Therefore, protection against adverse cosmetic effects deserves to be a part of the Agency's public-health philosophy. The Agency has not yet recognized this need.

For example, the limit for fluoride in drinking water is set at a level intended to prevent the development of crippling skeletal fluorosis, but that level will not prevent permanent, disfiguring discoloration of teeth, ranging from small, unnaturally chalky-white blotches to large dark brown areas covering most of the tooth surface. The condition progresses in some cases to erosion, fracture and complete loss of teeth.

Electronic and print advertising bombard us with messages about the importance of white teeth. Let us not pretend that cosmetic damage is a risk that deserves to be minimized.

Certain phenolic compounds cause depigmentation of areas of the skin. The blotches are often large, irregular, and highly noticeable, regardless of how dark or light the person's skin was originally. Polychlorinated biphenyls (PCBs) are regulated under the Toxic Substances Control Act. Exposure to PCBs has been linked to cancer, liver and immune-system damage. PCBs also cause chloracne, a painful skin disorder of multiple large blackheads. One may wonder whether PCBs would merit regulation if chloracne were their only adverse effect. I believe that EPA should seek to protect the whole person, skin and teeth and all, from adverse effects of environmental agents.

[Editor's Note: A committee convened by the National Academy of Sciences to review risks from ingested fluoride recently indicated its belief that severe dental fluorosis is an adverse health effect.]

A RETROSPECTIVE - HOW MUCH HAVE WE ACHIEVED - by Alex Arca

While reviewing mail recently, I found a list of chemicals that made me look back at the achievements of the Agency during the 21 or more years of its

life. The list that I am referring to is not a new one. It comprises a large number of chemicals that we also know as "registrations" or - according to their chemical structures - as phenols, quats, or whatever the fancy of the chemist directs.

I also remember a list from 1972, when I started working for this Agency, that was very similar. Perhaps the paper or the printing was somewhat different, and I believe the title was "Backlog List" or "Products to be Studied", or "List of Registrations to be Recalled". In any case, the lists are similar and the titles imply that the products, chemicals, or pesticides--whatever we want to call them---need to be reviewed, re-reviewed, studied, or re-studied--or whatever.

After some 20-plus years, one of our greatest achievements has been to add more numbers for the identification of products. With the use of computerized filing systems and the "Bean-Count Systems", we can no longer call "Peter, the chemist" or "Roy, the toxicologist" and request an evaluation of the chemical or its toxicological properties. No, indeed. Now, in order to accomplish these tasks, we must fill out one sheet of paper every time that a review or administrative procedure is required (perhaps the word, "required" is not exactly the correct one) or desired. If I were a registrant today, I would seriously consider committing suicide or, perhaps, murdering someone else, when embroiled in the current process of trying to register a pesticide product for use.

I say that after 20 years of working in the process, and after having seen millions of meetings, thousands of task forces, creation of new sections and hundreds of thousands of memoranda, millions of reviews, and trillions of re-reviews by primary, secondary, and tertiary reviewers. Why are the scientists - many of whom have worked for the U.S. Government for more than 20 years and have long bureaucratic titles and three Ph.D's after their names - not equipped to make final decisions regarding a mixture of water and something, or oil and something, or something else that has been shown to cause deleterious effectsWHY?

The pharmaceutical industry probably goes through essentially the same procedures while attempting to introduce a product into the market. It is well known that many products that are being used effectively in other countries cannot pass the bureaucratic barriers that we impose.....WHY?

The former Soviet Union recently collapsed because of its bureaucracy; will the United States also collapse while the bureaucracy is having meetings, organizing task forces and seminars, and writing, writing, writing---. Yet, even with all of this bureaucratic activity, we are still debating essentially the same "pesticide list" that existed some 20 years ago!

OTHER THOUGHT PROVOKERS

PROFILE OF SEXUAL HARASSMENT - by Tyrone Aiken The selection process for management positions in the agency must be reviewed to reduce the number of unqualified managers. The cost of mismanagement cannot be measured in dollars. There are many unqualified managers making costly decisions on a daily basis. Acts of mismanagement foster sexual discrimination, harassment and retaliation.

Victims usually seek representation through the Unions (i.e. AFGE or NFFE, whichever is appropriate). Management is supported by the Employee Relations Office and the OARM Labor Relations Officer. Usually the accused manager receives representation as a matter of policy, while complaining employees are left to their own devices and financial resources when legal representation is needed beyond what the unions can provide. Resolution of problems resulting from poor management decisions in this arena is costly. Usually, complaints are filed, answered and investigated by all concerned. The end result is a waste of time and money for the Agency and a degraded work environment that contributes to poor employee morale.

Employees who are victimized by unqualified managers suffer stress, and most get little or no sympathy from their co-workers. Usually co-workers of a sexually harassed employee do not want to believe that it has occurred, or

they assume that the victim did something to bring about the illegal act. Sometimes the co-workers have had previous harassment from the same manager themselves and feel guilty because they did not complain formally. The nasty rumors that spread about a female employee who files a sexual harassment complaint often fit the following profile:

She brought this on herself.

She went to lunch with him and dated him.

She is angry because a love affair broke off.

She is not very cooperative, therefore he must not be guilty.

When it becomes evident that the complainant is not going to yield to pressure to drop the complaint, other female co-workers come forward. Rarely, however, do they have the courage to file a formal complaint. When the facts are put together we usually discover that the guilty party has gotten away with the behavior because of the reluctance to complain of sexual harassment, as is the case with rape. We the Unions must defend our bargaining unit employees, or watch others get away with violating the law under its color. Sexual harassment, child abuse and rape all start with simple gestures emanating from a sick mind, we all have a responsibility to ensure that our co-workers are respected, or tomorrow the victims will be our daughters, wives, sisters and mothers.

The cycle will not cease until mismanagement is taken seriously by senior Agency managers. Currently most managers feel that they cannot be removed or downgraded for mismanagement. The belief among senior managers seems to be that anything short of a criminal offense is not worthy of causing removal of the offender. It is said often that federal government managers are never demoted or removed; rather, the worst that happens is a transfer to a new job. Demotion, removal and suspension of supervisors found guilty of sexual harassment, discrimination and illegal retaliation would be a cost-effective way of improving working conditions in the Agency.

DR. BIPIN GANDHI'S CASE - by Tyrone Aiken The recent removal of Dr. Bipin Gandhi, former supervisor/section head of the product chemistry section in the Registration Support Branch, Registration Division, OPP, is a result of his inability to fulfill the standards required by the Agency for a supervisory position. During Dr. Gandhi's reign, several complaints of abusive behavior were filed with the Union and the Office of Civil Rights. Management tried to improve Dr. Gandhi's personal skills by sending him to classes but these approaches did not work. Was Dr. Gandhi set up to fail?

Dr. Gandhi, a brand new supervisor, attempted to supervise a staff four times the size of other managers in the RSB. Dr. Gandhi antagonized his staff, on several occasions calling employees dumb, unqualified and stupid. On other occasions Dr. Gandhi claimed Division Director Anne Lindsay and Donald Stubbs did not have the necessary scientific backgrounds to make proper decisions. He attacked officials of Local 2050, hoping to appease his management, and now he is petitioning the Union for assistance to keep his management position and/or pay as a GM-14.

The first question is: how could a minority discriminate against other minorities with such zeal? The next question is: how did Dr. Gandhi get away with habitually abusive behavior and mismanagement for so long if others were not condoning the behavior? And the key question is: is it reasonable to put all the blame on Dr. Gandhi for the complaints against management in the Registration Support Branch? We think not.

Accountability, however, is the cornerstone of good government. Managers who create oppressive conditions and foster discriminatory environments cannot be condoned if EPA is to be a healthy workplace. Dr. Gandhi's supervisors must be held to account as well.

BOOK REVIEW - by Jim Murphy If it ain't broke, break it! is a new book by Robert J. Kriegel and Louis Patler (1991), from Warner Books in New York. The library may have it under 658.4063 under the Dewey system, or HF 5386.K855/1991 under the Library of Congress system. It may not be the sort of thing you want for your reference library, but it is stimulating. The

subtitle tells the reader that the book offers "unconventional wisdom for a changing business world." Bureaucrats could profit from it also. For example, there is the suggestion that meetings be limited to 45 minutes, tops. Or the recommendation of "vertical meetings" (no chairs), to help participants to come quickly to the point.

Some of the truths seem self-evident: "The best time to change is when you don't have to....You can't move fast following a herd of sacred cows....Dream big, but take lots of small steps." Some of the statements are more challenging: "Playing it safe is dangerous....(quoting Tom Watson of IBM), If you want to succeed, double your failure rate...The biggest mistake is not making any....Deny a mistake, and you deny yourself the chance to learn from it." After profuse examples of the constant need for innovation, the book's curious title makes a lot of sense.

THE RODNEY KING VERDICT AND THE THOUSAND POINTS OF LIGHT - by Dwight Welch I must admit that I had some hope for the George Bush Administration. After eight years of the Reagan Regime, I had hoped that the supposedly more moderate George Bush, the Education President, the Environmental President might make some meaningful changes. Like everyone else, I waited and watched as our schools produced more Johnnies and Joanies who cannot read. I read with great dismay of the ozone hole now forming over the Northern Hemisphere. I became more saddened as millions of hectares of wetlands were, by federal fiat, no longer wetlands. I hoped the President might set an example by scrapping his gas guzzling boat or by curtailing the use of government aircraft by his staff. I cannot, in good conscience fault only the President, the Congress too is to blame. But the President is the leader, the top executive, he sets the tone.

Money. To understand the present day United States, you must understand money and its generation through profit. You must understand not only money used to gain possession of material things, but more money than you could ever hope to spend on material things. But what is the cost of the profit which generates all this money? The cost of this profit is far more than mere money can ever hope to pay for. Money cannot buy back an extinct species, a destroyed wetland, an eroded farm, or depleted stratospheric ozone. And it won't buy back the rights we have lost as American citizens.

Finally, though, one of George Bush's campaign promises did come through. He promised us a thousand points of light. Recently in Los Angeles (and other cities) we witnessed tens of thousands of points of light--from set fires and from the muzzles of firearms. I fear it to be a minor prelude. The structure of society is breaking down. Profit and power. The rich grow richer and the poor, poorer, and as the wealth flows, so does power. The number of homeless families continues to grow. Polarization between rich and poor, the powerful and the powerless, like the ozone holes, continues to intensify. The progress we made in civil rights is reversing at such an accelerated rate that they may soon be marching for us in South Africa; they may soon be calling for democracy for the United States in the former Soviet Union.

Why this downward spiral of social disintegration? Blame the corporate robber barons who grow even richer by packaging the same old crap in the same old plastic and glossy cardboard and propagandizing us to believe it is somehow environmentally benign. Blame the politicians who put out the same old rhetoric about the land of the free, while our civil and economic rights and choices rapidly dwindle. And blame the electorate.

There are too many who sit back and say, "It doesn't personally affect me, why should I care." While most were horrified by the video tape of the Rodney King beating, many rationalized with, "Well, he resisted arrest." Or put it out of their mind once the TV was turned off. "Well, it doesn't affect me personally." But it does affect you personally.

In one way or another we are all getting the crap beat out of us. Paraphrasing Lincoln, that one person can subjugate and brutalize another leaves us all open to the same treatment. Many were horrified by the rioting, the violence, the death and destruction.

I will not defend the rioters, nor will I defend the others who are responsible - the ones who didn't vote, the ones who didn't get involved, the ones who let their neighbor do it because, after all, "It doesn't directly affect me personally," and, "I haven't got time for this, I'm too busy working to make a living."

There's a message here for our own local, EPA headquarters situation. Those who suck up to incompetent management in hopes of getting ahead and those who say they can't afford to pay Union dues or spend time helping to do the Union's representational work are partially responsible for the state of working conditions here. Not all EPA shops are bad places to work, but some are, and it is the responsibility of all of us to make conditions better for all of us. That's what the Union is about.

So all those EPAers who "aren't affected personally", or who "don't want to piss off the boss by being known as Union", or who "can't afford to pay dues" can continue to rationalize their "Me, First and Only" behavior for now. But the Piper's bill will come due, here as it did in Los Angeles, and when it does the union dues that weren't paid and the investments that weren't made in contributing to bettering working conditions will leave those people with nothing but ashes in their purse and a career of no significance.

As Americans and as EPA workers, we stand at a brave new frontier, a crossroad in history. Either we will succeed in establishing true political and economic democracy and environmental consciousness for America, or we will witness social and environmental breakdowns of which the Chicago flood, the poisoning of the Sacramento River and the Los Angeles riots are only previews.

It is time that we live up to our responsibilities, to ourselves and to our posterity. It is time we assert our enormous but latent power. It is time for the people to take back control of the government, for federal workers to control their work lives.

We must get on with the jobs at hand and stop the "Oh, Murphy Brown, You Tramp" bullhockey that passes for political leadership these days. We must do it expeditiously or Nature (which cannot be fooled) will cleanse the environment of our species, and we must do it democratically or our cities, indeed our civilization, will burn.

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PERFIL DE HOSTIGAMIENTO SEXUAL

El proceso de selección para posiciones gerenciales en la Agencia debe ser revisado para reducir la cantidad de gerentes no calificados. El costo de la mala administración no puede ser medido monetariamente. Hay muchos gerentes no calificados tomando decisiones costosas cada día. Los actos de la mala administración alientan la discriminación sexual, el hostigamiento y las represalias. Por lo regular, las víctimas buscan representación a través de las Uniones (i.e. AFGE o NFFE, la mas apropiada). La gerencia está protegida por la Oficina de Relaciones con el Empleado y por la Oficina de Relaciones Laborales de la Oficina del Administrador Asistente para la Gerencia de Administración y Recursos. Por lo regular, y como parte del sistema, cuando se necesita representación legal la gerencia recibe representación y los empleados se dejan por su cuenta y sufragando sus propios gastos. La resolución de los problemas que resultan de decisiones gerenciales deficientes es costosa. Por lo regular, se hace una querrela, se recibe contestación y se investiga por todos los afectados. El resultado final es una pérdida de tiempo y dinero para la Agencia y un ambiente denigrante que contribuye a una pérdida de moral entre los empleados. Los empleados que son victimizados por gerentes no calificados sufren de tensión. Muchos de éstos empleados no reciben compasión de parte de sus compañeros de trabajo. Por lo regular, los compañeros de trabajo de un empleado hostigado no quieren creer que algo así ha ocurrido o asumen que la mujer hizo algo para que ocurriera el acto ilegal. Algunos empleados han tenido episodios previos de hostigamiento sexual con el mismo gerente y se sienten culpables porque ellos no se querellaron formalmente. Los rumores ofensivos que se divulgan acerca de la empleada que hace una querrela de hostigamiento sexual llenan el siguiente perfil:

- "Ella es mujer y no sabe cómo piensan los hombres"
- "Ella se lo buscó"
- "Ella almorzó con él y ella tenía citas con él"
- "Ella está enojada porque la intriga amorosa terminó"
- "Ella no es cooperadora, por lo tanto, el no debe ser culpable" y en algunos casos,
- "Ella es hispana o latina y no conoce el estilo de vida americano"

Cuando se hace evidente que la querellante no cederá a la presión, otras empleadas compañeras de trabajo también proceden a quejarse. En raras ocasiones ellas tienen el valor de querellarse formalmente. Al igual que ocurre en el caso de violación, cuando todos los hechos se ponen juntos, se descubre que la parte culpable se ha salido con la suya porque ha estado renuente a comparecer por hostigamiento sexual. Nosotros, las Uniones, debemos defender a nuestros empleados de las unidades de convenio o de otro modo ver a otros salirse con la suya violando la ley. Hostigamiento sexual, abuso de menores, y violación, todos empiezan con simples gestos que vienen de una mente enferma. Todos tenemos la responsabilidad de asegurar que nuestros compañeros de trabajo sean respetados o mañana las víctimas serán nuestras hijas, esposas, y madres.

El ciclo no cesará hasta que la mala gerencia sea tomada en serio por los Administradores de la Agencia. Actualmente muchos gerentes sienten que ellos no pueden ser removidos o degradados por mala administración. La creencia actual es que algo menor que una ofensa criminal no amerita la remoción. A menudo se dice que los gerentes del gobierno federal nunca son degradados o removidos pero lo peor que puede pasar es ser transferido a una esquina. La degradación, remoción, o suspensión de los supervisores encontrados culpables de hostigamiento sexual, discriminación, y represalias ilegales es un camino efectivo de aumentar eficiente y efectivamente las condiciones de trabajo en la Agencia.

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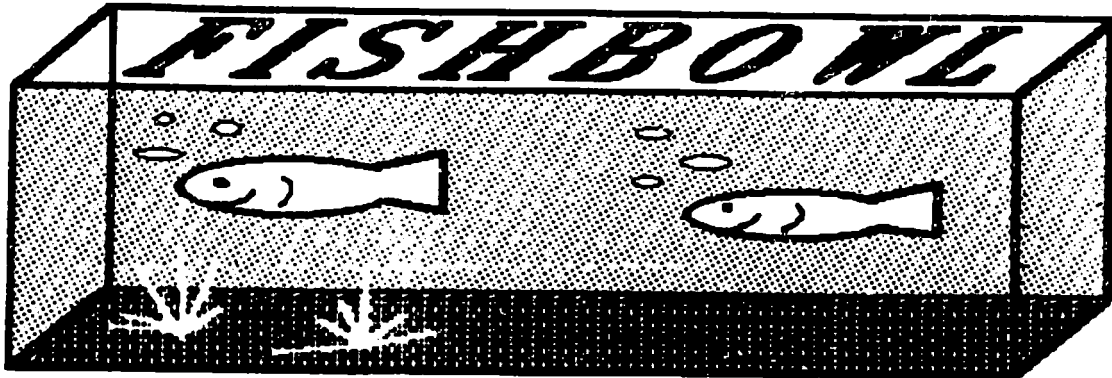
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"We must conduct our affairs at EPA as if we worked inside a fishbowl—"
William Ruckelshaus, Former Administrator, U. S. EPA

SUMMER 1992

VOL. VIII NO. 4

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LOCAL 2050

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EDITORIAL POLICY Articles from any source are considered for publication. Submit items for publication to INSIDE THE FISHBOWL by the first of the month of publication. Items are selected for publication by vote of the Editorial Board. Articles indicating authorship reflect the views and opinions of the author and not necessarily those of NFFE Local 2050. Articles should be submitted both in hard copy and on a 5 1/4 inch disk in Word Perfect. Disk will be returned; be sure to put your name on the disk label. Please try to limit articles to not exceed one page of single space Courier 10. We reserve the right to edit submitted articles.

SPECIAL NOTE TO "NEW" EMPLOYEES Since last we updated our mailing/subscribers' list, ca. 450 new members of the bargaining unit have joined the Headquarters staff. This issue and the next will be sent to all of these folks. We ask that those new employees who wish to keep receiving INSIDE THE FISHBOWL complete the form at the end of this issue and send it to the Union office. Of course, we invite those newly on board to join the Union and help us make EPA the kind of work place in which we can all take pride and that the public deserves.

FROM THE EDITORS

WE'RE BAAACK

With the Official Time issue resolved (read story in this issue) you will notice some changes in NFFE Local 2050 and in INSIDE THE FISHBOWL. With the Union's survival no longer in the kind of jeopardy it was in for the past year, it can get back to providing the high quality service that EPA professionals deserve and have come to expect. This issue of the newsletter will update you on Local 2050's return to increased service to the bargaining unit while retaining its original flavor, which has helped make INSIDE THE FISHBOWL the most popular newsletter at EPA (where else can you get the real scoop). Even the ROACHEZ are back.

IN MEMORIAM

SENIOR SCIENCE ADVISOR, DR. M. ADRIAN GROSS DIES OF CANCER AT AGE 68 - Dwight Welch Dr. M. Adrian Gross, 68, a veterinary pathologist and Senior Science Advisor in the Office of Pesticide Programs died of cancer June 28 at Johns Hopkins Hospital in Baltimore. He had been with the Agency since

1978. Throughout his career with both FDA and EPA, Dr. Gross warned about various drug and pesticide hazards.

Born in Bucharest, Romania, Adrian Gross lived in Palestine from 1939 to 1947, then moved to Winnipeg, Canada. During World War II, he served as an officer in the Jewish Brigade of the British Army in Egypt and Italy. In 1954 he immigrated to the United States. As a youngster, he traveled around Europe with his father, who was a business man fluent in a half dozen languages.

While at FDA, Dr. Gross warned against the possible carcinogenic hazards of residues of diethyl stilbesterol (DES). He also laid the groundwork for charges against the G.D. Searle & Co. drug manufacturing firm for falsifying data about the medicines flagyl, aldactone and aldactazide. All three had been found to cause cancer in animals.

In 1974, testifying as an individual before the EPA, he issued similar warnings against the continued use of pesticides aldrin and dieldrin. In 1981, after he came to work for EPA, Dr. Gross charged that top officials of the agency had disregarded evidence that the pesticide ethylene dibromide could cause cancer.

In 1986, Dr. Gross testified in a court case that Searle, the pioneer maker of oral contraceptives, had given the FDA false and misleading information about the adverse effects of the pills on the livers of experimental animals.

Dr. Gross, a whistle-blower par excellence, was, depending on who at EPA you talk to, a hero or a villain. He served as Chief of the Toxicology Branch in the Office of Pesticide Programs and was replaced for a time by Susan (Sherman) Wayland, who holds a B.A. degree in English Literature (and is now deputy director of the Office of Pesticide Programs). Dr. Gross became an outspoken critic of installing non-scientists in critical scientific decision making positions in the Office of Pesticide Programs.

Adrian was always in the news, most recently on "60 Minutes" and other programs criticizing the wisdom of spraying residential populations with malathion (which degrades to a carcinogen, according to Dr. Gross). He was also on a local news program questioning the safety of aspartame. (Dr. Gross had been on a "Blue-Ribbon" panel at FDA to judge the sufficiency of the toxicity data on aspartame. Although a majority of the panel gave a "thumbs down" on its registration, aspartame was nevertheless registered by the Reagan-appointed FDA head.)

Adrian Gross participated in early meetings which led to the formation of Local 2050. Although he could not join as a regular member due to his SES rating, Dr. Gross was an honorary member of this Union.

Dr. Gross was well known for his expertise in toxicology and statistics. When a new pesticide chemical was to be registered, somehow he would get a hold of a complete set of data. If the reviews done by the Hazard Evaluation Division and those of Dr. Gross differed significantly, usually there was trouble...and usually Dr. Gross would win.

But he was also well known for his sense of humor. After the departure of the Gorsuch gang, Adrian was interviewed by a reporter for a front page story in the L.A. Times. As part of the interview when asked to characterize EPA as an organization, Dr. Gross told the reporter that "EPA is a Marxist organization." To the journalist's puzzled look, Adrian continued, "Not Karl, Groucho!" On another occasion, Dr. Gross escorted former OPTS AA (under Gorsuch-Burford) John Todhunter off the EPA premises. Dr. Gross informed Todhunter (at the time a pesticide registration consultant) that EPA standard operating procedure advised employees to challenge suspicious looking characters. (Todhunter and Gross had been well acquainted; for a TV interview on the pros and cons of a registering certain pesticide, Dr. Gross refused to be interviewed with Todhunter unless the AA left his own office for "neutral" territory. Dr. Gross prevailed.)

The management of the Office of Pesticide Programs tried various tactics to neutralize Dr. Gross, including a set of bogus charges which Dr. Gross was not only able to refute, but proved conspiracy between the Office of Inspector General and the Office of Pesticide Programs to get him. Office Director Douglas Campt also tried revoking Dr. Gross' permission to do outside consulting, and Dr. Gross was for a time put into a private office with no responsibilities

whatsoever. A letter from Adrian to EPA Administrator William Reilly quickly corrected both these problems.

A good many of us here at EPA will surely miss Adrian Gross.

NEW DIRECTIONS, NEW PROGRAMS FOR NFFE

BIG WIN ON OFFICIAL TIME FOR LOCAL 2050 The Union and EPA have been at loggerheads over Union officials' use of official time for two years. ("Official time" means that Union representatives can carry out representational duties during regular work hours and get their regular pay.) At issue were questions of how much official time the Union needs and whether certain activities, such as responding to press and citizen inquiries about representational matters, could be done on official time.

In March 1991 EPA offered the Union 3000 hours/year of official time, and said that talking to citizens or the press was not permitted, and that Union participation in the carpet Dialogue was also not permitted. 3000 Hours/year was about one-fourth of the amount of official time that the Union had been using since about 1988, and since the Summer of 1988 we had been responding to citizen inquiries and the media, getting out the story of how bad working conditions were, especially indoor air quality here at Headquarters. In August 1991 Charlie Grizzle left OARM, and the atmosphere changed for the better.

Negotiations over official time had been stalled since July 1991, when the Union filed a negotiability appeal with the Federal Labor Relations Authority, asking that the Authority rule on EPA's contention that responding to press and citizen inquiries on official time was illegal and that other Union proposals dealing with re-training, speaking with Congress and carrying out other representational activities designed to promote amicable relations between labor and management and improve the efficiency of the Government, were also illegal.

Earlier this year, before FLRA ruled on our appeal, negotiations were resumed under the direction of new OARM AA Chris Holmes. His staff member, Leigh Diggs, and Union negotiators Dwight Welch and Bill Hirzy made rapid progress. In May an agreement was reached with the Union having four full-time positions (for President, President-Elect, Chief Steward and Senior Vice-President) plus a bank of 3000 hours/year for use by other Union representatives. It permits contact with Congress on official time and provides for re-training and for Union officials to be able to volunteer to do work for their EPA work units (which several are doing). Union members ratified the official time agreement at the June 15 monthly meeting.

Then FLRA ruled on June 19 that the Union proposal to use official time to respond to inquiries about representational matters was negotiable, i.e. such activity is legal. The FLRA also found that the Union proposal to carry out other representational work designed to promote amicable relations and improve the efficiency of the service was permissible under the law. A Clean Sweep.

The Union looks forward to being able to carry out its duties to Headquarters professionals now free of the burdens, threats and inhibitions that it was forced to endure for so long, and it looks for much better relations with management now that the rules of the game are clear to everyone.

UNION SETS UP COMMITTEES TO TACKLE WORKPLACE PROBLEMS Total Quality Management (TQM) is the current vogue for dealing with improvements in efficiency and "customer" satisfaction. The concept of empowering employees to help solve workplace problems is intrinsically good. A major drawback of TQM, however, is that too often management selects the "problem" to be "TQMed", and employees' ideas on what need fixing are shunted aside. And too often management selects those who will serve on Quality Action Teams, leaving some employees who are eager to work on bettering their workplace in the same old position of merely passing on ideas to somebody else. And most TQM exercises are conducted within rather limited work group boundaries, i.e. sections, branches or divisions. But times are changing.

Local 2050 is establishing committees to develop ideas and programs and to tackle problems that you, the professional employees of EPA Headquarters, consider important. The output from these committees will then be translated into bargainable proposals.

The Civil Service Reform Act gives you the right, through the contract negotiated by Local 2050 with Headquarters management, to bring forward proposals to improve your working conditions. The newly revitalized (to borrow a Perotism) Union intends to help EPA professionals to fully exercise their rights to make EPA more conducive to producing high quality, public service-oriented work.

Tired of having your work products word-smithed to death by supervisors unqualified in your field, changing your professional findings to suit the politically correct, desired outcome? Come work on our Professional Ethics Committee and help hammer out a bargaining proposal to protect your intellectual property and ethical standards.

A recent news item indicates that Washington DC may be home to as many as 30,000 people who are HIV positive. What does this mean for EPA employees? What is Agency policy towards employees with AIDS? Our research shows there is no Agency policy concerning employees with AIDS. A Union committee will work on developing a policy, which will then be presented to management for bargaining.

Some program offices have adequate policies on professional development issues, others do not. A uniform Headquarters policy is needed. A Union committee will develop one and present it for bargaining.

We're looking at other issues too, community outreach, recruitment and awards to name a few. If you've got energy and ideas and want a way to effectively put them to use, call the Union office at 260-2383 and ask about the Committees program.

Another important point: the recent collective bargaining agreement reached with management will allow you to do Union committee work on official time, not after hours or on lunch break, etc.

EPA IS NOT RECRUITING MINORITY SCIENTISTS EFFECTIVELY ..THE UNION HAS SOME IDEAS - Tyrone Aiken

EPA has been moon-walking black employees interested in helping to recruit black scientists to work in the Agency. The Agency has co-op and stay-in-school programs, research grants, etc. and clearly recognizes the need for such programs, but it cannot seem to convince some managers to take advantage of these programs. Money is not the problem, because some of these programs don't count against FTE ceilings, and the needs for staff are obvious. Contracting out work to companies that rip off the Agency is not the answer; hiring young scientists who are anxious to prove themselves makes more sense.

Some recently hired minority scientists have been rebuffed, aggravated, and forced into dysfunctional offices where they can never be recognized as an asset to the Agency. Why is there such an unfriendly attitude towards newly employed, young and minority scientists? How can we make EPA more friendly towards young scientists and minority scientists and others so that the Environmental Protection Agency can better protect the environment?

First, establish an effective recruiting program. This means using scientists as recruiters, encouraging EPA scientists to communicate with minority scientists and students, and establishing committees charged with making research grants more readily available to minority science students.

Second, develop a support program for new employees and science students inside the Agency and give employees credit and rewards for participating.

These ideas are practiced in some programs, but the effectiveness of the Agency as a whole is not noteworthy. The entire recruiting process can be effective if the Agency is truly committed to hiring and making welcome the best scientists regardless of race, sex or national origin.

NFFE Local 2050 has a committee charged with seeking solutions to such problems, and we need your assistance (See related story on Committees).

NEWS OF THE AGENCY

CITIZENS STAGE PROTEST AT WATERSIDE MALL AGAINST WTI TOXIC WASTE INCINERATOR IN EAST LIVERPOOL OHIO - 12 ARRESTED

July 20, 1992.

Citizens from this Ohio River Valley town and their neighbors met with EPA officials concerning the WTI Toxic Waste Incinerator located in East Liverpool, Ohio and staged a small sit-in.

The incinerator is located ca. 1,100 feet from an elementary school, 400 feet from residential housing, on the banks of the Ohio River, over an aquifer, and 35 miles upwind from Pittsburgh, PA. The siting violates an Ohio law prohibiting such installations within 2,000 feet of schools. The New York Times reports (5/8/92) that EPA admitted it had broken two laws in issuing the permit. EPA maintains these are technical violations. The original permit did not name the owner of the land, and later it was amended without chance for public comment.

According to the protestors, Ohio already has two and a half times the toxic incineration capacity it currently needs, and with the WTI incinerators, the over capacity will be six-fold. The protestors say they are victims of Environmental Inequity: the toxic refuse of the more affluent being dumped upon those with less political power. They also claimed that data on stack emissions were developed at optimal operating conditions, and note that the stacks will, under less-than-optimal conditions, blow a lot of chlorinated dioxins and furans, heavy metals, and other toxics into the air.

Twelve of the protesters who met with EPA Headquarters officials refused to vacate the premises unless they were given a decision to reverse this situation. No decision acceptable to the citizens was given (and EPA was unable to produce documentation to support its siting decision). So the citizens refused to vacate and were arrested. Rich Lemley, who coordinated the arrests for the Agency, arranged for processing at the EPA Education Center, limiting the protesters exposure to the unsavory conditions in the DC Superior Court Building's basement holding cells. The arrested protesters were released from jail at 4:30 a.m. the following morning on \$6,000 bond. (Note: 2-4 a.m. release is typical in protest cases no matter when the arrests are made. The size of bond is way out of proportion to other protests.)

The meeting on the 20th was promised to the protesters when a group of them occupied the Administrator's Office on July 10, 1992. According to Security, the protesters first gained access to the 11th floor of the West Tower to look at the Tropical Rainforest display. Then a helpful EPA employee was kind enough to show them the elevator to the 12th floor.

Other activities on the 20th also included a candlelight vigil that evening and a hunger strike by the 12 joined by others back home in East Liverpool. "It is the EPA who should be behind bars tonight," said Terri Swearingen, a mother and a registered nurse who lives across the river from the WTI hazardous waste incinerator. "After admitting they are moving forward with an illegal permit for WTI, they had us arrested for simply demanding that EPA do its job and start protecting the people, not the polluters."

Security, Federal Protective Service, and DC Metro Police presence remained high for a week following the incident. According to the EPA Security Office, the concern is that the protesters do not interfere with employees doing their work. Lou Crampton of EPA continues to keep an open line with the citizens and the dialogue continues on the issue.

CHRISTIAN HOLMES CONFIRMED AS ASSISTANT ADMINISTRATOR Although as of this writing it has not been officially announced to employees, Christian R. Holmes has been confirmed by the Senate as the Assistant Administrator for Administration and Resources Management. As word spread throughout the ranks, we saw nothing but smiles and thumbs up by employees from Personnel, to the Unions, to the leadership of Women in Science and Engineering. Chris Holmes, long regarded as something of an oddity by the other AAs, is beginning to accomplish things that his predecessor was unable to do. The other AAs are

looking at Mr. Holmes and taking notes; while others talk about TQM Chris Holmes practices it, drawing ideas from the employees themselves.

8 MORE YEARS AT WSM! For those of you who haven't heard the news, GSA is currently negotiating an 8 year lease renewal for the Watercside Mall complex. Meanwhile, another building acquisition is in the works which will put EPA Headquarters in eight buildings.

WSM LIBRARY FLOODING No folks, it wasn't the new roof that leaked--a water tank ruptured and flooded the EPA library. All book cases have to be moved and the carpet taken up. An unsolicited but very thoughtful suggestion was made by Dennis Bushta, Chief of Environmental Health and Safety. When the cleanup is completed, set the book cases directly on the concrete floor and carpet around them; then should a future incident happen, the carpets are more easily taken up.

SHUTTLE BUS CHANGES The Virginia Route will now be making only three trips per hour rather than four, because of the addition of the Crystal Gateway stop to the route, and another bus has been added to that route. Another bus has also been added to the DC route because of the new Third Street building service. Also currently in the works is destination/route marking of the buses. The changes are scheduled to take place on August 10, 1992; watch for flyers noting changes.

AUGUST IS PARKING PERMIT MONTH In August, be sure to update your parking permit, noting changes in carpool members, etc. This is also a good time to apply for a permit if you don't have one.

DUAL FUEL ECONOMY STANDARDS--ONE FOR EPA EXECUTIVES AND THE OTHER FOR THE REST OF US

In a report obtained under the FOIA by the San Francisco Chronicle, EPA's 12 car executive sedan fleet, used mainly by the Administrator's Office, consists of a Lincoln Town Car, a Mercury Marquis, and several Ford Crown Victorias. The EPA has 6 full-time chauffeurs and one employee working part-time as a driver. The dozen large sedans average 6.3 miles per gallon; the federally mandated standard is 27.5. The EPA maintains it needs cars that can carry up to six persons, but the luxury cars seldom carry more than two passengers and the chauffeur. Investigators who spoke with EPA staff members about the luxury cars found the primary concern "was to obtain large cars as emblematic of the status of the EPA executives riding in them." Fuel economy "was not a consideration." The report said often the cars were parked with their engines idling and the air conditioners or heaters running. The cost for the lease of these cars is more than twice that of smaller vehicles.

HEALTH AND SAFETY NEWS

UNION'S WSM OFFICE EVACUATED It had to happen. The Union's office at 302 Northeast Mall (NEM) finally went completely toxic in mid-July. Emissions from renovations taking place elsewhere in NEM made several heretofore "resistant" Union workers sick. Coupled with consistently frigid temperatures and the rumble and the roar of an air handling unit in the ceiling of NE-302, the toxic fumes led to abandonment of the room in favor of temporary space in LG-100 (under Safeway). We'll keep you up to date on our location. The Union Mail Code remains UN-200 and the phone number 260-2383.

HEALTH AND SAFETY WALK-THROUGH NETTING QUICK RESULTS As reported in a previous issue, Dwight Welch of NFFE, Local 2050 has been working with the Headquarters Environmental Health and Safety group, Dennis Bushta, Jim Enkleka and M. V. ("Raj") Rajamani, to verify floor plans of EPA's various buildings so that emergency evacuation placards can be prepared and posted. During these walk-through inspections the group has identified and reported numerous safety

hazards. Feedback from employees has been heartening, with a number of them reporting that corrective action has been taken within a couple of hours of the walk-through. Most of the malfunctioning fire doors in the East Tower have now been fixed. The walk-through inspection system is soon to be improved; a member of the facilities staff will now accompany the group and this will speed fixing problems that the group identifies.

VERY UNSAFE CONDITIONS FOUND BY HEALTH AND SAFETY TEAM IN MAIL ROOM - WAREHOUSE - PRINTSHOP AREA

While the many of the conditions reported in the story above are being remedied, the joint Health and Safety Team continues to identify problems in other areas. In warehouse area, two of the four fire extinguishers were found to be discharged and one of the working extinguishers was almost impossible to reach without climbing over boxes. Most of the extinguishers in this area had not been inspected or serviced for a long time, some for years. In the mail room, a broken step edge presented an ongoing trip hazard which has already injured one employee (a split chin from a fall). The mail distribution room, an area containing computers, was routinely plagued by water leaks. The source of the water seemed to be air conditioning condensate, a potential source of legionnaire's disease. According to workers and managers in the area, Town Center Management "corrected" the situation by placing a couple of extra ceiling tiles above the dripping area to absorb the water. Visual inspection confirmed the extra ceiling tiles above the area and below A/C ducting and equipment. All of these conditions were reported for priority remedy.

"NO SMOKING" SIGNS MISSING IN MOST WSM ELEVATORS Union officers noted, then confirmed, that most elevators in the Waterside Mall complex did not have "No Smoking" signs posted. Considering the small space in an elevator, and the limited oxygen, a fire on an elevator could pose a serious risk. Employees with heart trouble, diabetes, or multiple chemical sensitivity could suffer severe effects when exposed to cigarette smoke in an elevator. The deficient elevators were reported to Jim Engleka who promptly added this report to the list of deficiencies for EPA and Town Center Management to remedy.

A SMOKING LOUNGE ON SANTA'S SLEIGH? The latest word from the quarterly Facilities, Health, Safety, and Security briefing is that the smoking lounge in Watercside Mall is due for completion around Christmas time. The lounge is to be approximately 2,000 sq ft. and will have direct exhaust to the outside. The room will be located at the North end of the 2400 corridor. Management said that smoking lounges for other buildings were currently under negotiation; however, the Agency does not have the same leverage with other building owners that it has at Watercside Mall, due to the lease renewal (see above).

At the Crystal Gateway building there was concern about smoking by non-EPA tenants in the building. The Charles E. Smith Companies have banned smoking in public areas in the building. Other organizations in the building also have a smoking ban, but some do not. According to Environmental Health and Safety Division, the EPA space will be monitored for nicotine (the marker substance for cigarette smoke) to determine the extent of exposure of EPA employees. Also, according to EPA, the building uses "bag filters" which are 85% efficient in removing particulates, double the 40% ASHRAE standard and about 4 times superior to many buildings in the area.

CRYSTAL MALL 2 JACKHAMMER NOISE Numerous complaints, many funneled through Crystal City Vice President Alex Arce, have been received regarding jackhammer noise from concrete work being done in the garage at Crystalcside Mall. EPA through GSA is currently negotiating a work schedule change for concrete workers to try to minimize federal employee disturbance. One suggestion was that concrete work start at 6:00 AM and end at Noon, leaving federal employees at least a quiet afternoon.

CRIME RATE DOWN AT WSM According to the Security Office, the spring and summer have thus far been relatively quiet crimewise. Security and DC Police

credit the community outreach program with a large share of this reduction. Security cautions, however, for employees to continue to keep their guard up, and to be especially aware if parking on the street and if walking through the park (Lake EPA) between the hours of 4 and 6 PM.

SIMPLEX LOCKS TO BE REPLACED IN ROOMS OF 5 OR MORE Due to fire and safety considerations, bays containing 5 or more employees will have their simplex locks replaced. The new locks (\$500 per copy) permit opening of the door with one action instead of two which will save precious time in the event of an emergency.

IS YOUR PC EMITTING HAZARDOUS ELECTROMAGNETIC RADIATION? - GET YOUR AREA TESTED BY LOCAL 2050 Some personal computers emit high levels of radiation, others are lower; the difference being in how well the machine is shielded. Are there adverse health effects from this exposure? The answers are unclear, but Sweden has enacted a 2 milliGauss (mG) standard for ELF (extremely low frequency-below 100hz) emissions. Electromagnetic radiation is also emitted from fluorescent lighting, resistance heaters, and just about anything containing a transformer or other type of electrical coil.

Some studies indicate ill effects such as cancer, immune system deficiencies, and miscarriage; still other studies give electromagnetic radiation (as experienced in home or office) a completely clean bill of health. For decades, the tobacco industry claimed there was no proven link between cigarette smoking and ill health; so perhaps the key concept here is "prudent avoidance." Until such time as electromagnetic radiations hazards are proven to be without significant hazard, concerned individuals may wish to avoid unnecessary exposure.

NFFE Local 2050 has an ELF monitor and will take readings in employee work areas on request. These readings will help you to minimize your exposure to ELF. It is usually just a matter of positioning yourself far enough away from sources without any significant disruption of your office area.

TO OBTAIN A FREE EVALUATION OF ELF LEVELS IN YOUR AREA, SCHEDULE AN APPOINTMENT BY CALLING NFFE, LOCAL 2050 AT 260-2383. MEMBERS WILL BE GIVEN FIRST SCHEDULING PRIORITY, FOLLOWED BY BARGAINING UNIT MEMBERS, THEN OTHER EMPLOYEES.

CONTRACTING OUT AND OTHER CRIMES

SOME THOUGHTS ON CONTRACTING PROFESSIONAL WORK - by Bill Coniglio

Since its inception, EPA has found it hard to focus a critical mass of skilled professionals on developing sound technical bases for action. One source of this problem has been the decision to use contract workers (at an ever increasing rate) instead of skilled EPA employees to do EPA work. Faced with this decision, management has transformed most of the professional staff into contract writers, evaluators, and designers who do little more than oversee work done by low-bid vendors.

Lovingly called beltway bandits, these vendors have become famous for the process by which they transform public dollars and public information into private profit. It begins with a call to the EPA technical people who have the needed information, and proceeds by furnishing staffers to extract more information from federal files, format the findings into a "government" report, incorporate and change areas found to be in error by contract-managing EPA professionals and managers. Finally - Presto! Chango! - a bill to the Agency for all costs, plus profit, and the miracle of "privatization" has just worked another wonder for the American public.

Few contractors bring real technical expertise to the process. The contractor gets the profit, EPA gets a report, and the EPA professional gets judged on timeliness of his/her product, often without regard for the effort required to make the contractor's product useful or cost effective. And, Oh, yes, the taxpayer gets the benefit of the miracle, a.k.a. the expanding right-handed helix, Phillips Head or Standard.

Another interesting wrinkle has developed in this miracle of privatization. Staff shortages have become so critical in some areas that management devised a plan to save the time required to initiate new contract support for a work unit. Professionals are asked to find an existing contract somewhere in the Agency with a scope of work which could cover the proposed work, especially one which contracted for far more hours than needed by the originating office. After speaking with the project officer, a series of tasks are issued. If you are lucky, the contractor might actually have the talents needed to perform credibly. If not, perhaps the contractor will subcontract to some one who knows how to do the job. Never mind the pass through cost added (miracles don't come cheap). Money is available. Professionals are not.

In general, contract work is done by junior staff, some of whom must work overtime without compensation. The uncertainty and exploitation associated with working for a contractor makes for constant turnover and high retraining costs. Guess who pays?

Is it possible that EPA would be better off with, say, 50% fewer contract dollars, with the money going to hire more competent engineers, toxicologists, chemists, biologists, etc. and to provide the training to keep them current in their professions? Is there really any question about it?

CHRISTIAN HOLMES TO REFORM CONTRACTING PRACTICES AT EPA - by Dwight Welch

Since 1981 the number of people doing work for EPA as contractor employees has increased by 237%; over the same period EPA staff has increased by only 25%. At a recent press conference concerning contracting scandals, including one at the Duluth Laboratory (see related article below), Mr. Holmes indicated that contracting has been a problem plaguing the Agency for 20 years. However, between 1980 and 1988 an "explosion of contract dollars" occurred. Mr. Holmes promised changing the environmental culture, moving contractors out by "phasing down, scaling out, and canceling" and moving more staff in. "Civil Service employees take oaths, contractors do not", said Holmes. Mr. Holmes promised a complete overhaul, not a piecemeal fix, of contract management.

There was one cause of concern to an otherwise heartening and upbeat press conference. Mr. Holmes said that in the future one out of every 40 EPA employees will be in the Inspector General's office so as to catch up on the backlog. I can understand how it could be politically expedient to compliment the OIG for its work on the Duluth situation, and I realize that a larger force of auditors is needed for the backlog. But considering the past record of John Martin's OIG (as reported in the Dingell committee's report on the EPA OIG and by NFFE Local 2050) of using criminal investigators to investigate and harass employees and of the widespread complaints by employees of retaliation after reporting waste, fraud, abuse, and mismanagement, EPA under Martin's OIG might well become an Orwellian nightmare of dramatic proportions. Many at EPA feel that there can be no true reform of EPA as long as John Martin is Inspector General.

AN OPEN LETTER FROM THE DULUTH LABORATORY The following is an open letter we received from a group of scientists who work or formerly worked at the Duluth Environmental Research Laboratory relating to a scandal involving involuntary separations from the service of career employees and alleged channeling of funds thus acquired into contractors' hands under dubious circumstances. For a copy of the Inspector General's audit report on the entire matter, contact the Union at 260-2383.

"Dear Colleagues:

"An open letter to fellow EPA employees from some uninformed Duluth laboratory employees was published in EPA InSight of July, 1992. They were reacting to what they believed were unsubstantiated allegations concerning publicity surrounding the release of a draft Inspector General (IG) Audit Report concerning 'Contracting Activities at Environmental Research Laboratory - Duluth.' The findings of this audit report are now accepted by the agency as final, and corrective action is being taken. A summary of EPA's official response to the IG Audit is as follows:

'Summary of EPA Response to Inspector General Audit Of
Contracting Activities at the Environmental Research
Laboratory - Duluth, Minnesota

'1. The Agency agrees that the award of ASCI's initial contract at Duluth violated Agency regulations governing sole source, contracts to former EPA officials.

'2. It is apparent that Agency contracts and program officials did not fully understand Small Business Administration (SBA) rules governing 8(a) contracts with former government employees and EPA regulatory requirements for sole source awards to former EPA employees. EPA's Procurement and Contract Management Division and Office of General Counsel (OGC) will work together to provide clear and direct policy and guidance in this area.

'3. The Agency agrees that it did not fully inquire as to potential conflicts of interest regarding the Duluth Lab Director's spouse's employment at ASCI. Information in the draft audit report, not previously known to OGC (e.g., Lab Director's role in contractor performance evaluation), has caused OGC to determine that its concurrence in the spouse's employment should not have been granted.

'4. The Agency agrees that it needs to better document all ethics advice and decisions. In regard to spousal conflicts, the Office of General Counsel will prepare an Ethics Advisory that will provide detailed information on spousal employment questions.

'5. In the past, only certain employees involved in significant contract administration activities were required to file, Confidential Statements of Employment and Financial Interests. Effective October 1992, the new Office of Government Ethics will make the requirement to file Confidential Statements apply to employees at any level who participate in significant contract administration activities.

'6. The Agency agrees that the Duluth requirement was improperly split into three separate procurements, thus avoiding competition requirements established by SBA. Cincinnati officials moved earlier to bring these three contracts to an early end. They were brought to an end on June 30, 1992, 15 months ahead of schedule. They will be replaced with competitively awarded contracts, even though this will cause a lapse of support to the Lab of several months.

'7. The Agency agrees that it directed ASCI to perform work outside the scope of the contract. This should not have occurred and will not be condoned within the Agency. Action against EPA officials involved in this improper direction is under consideration as part of a separate review.

'8. The Agency agrees that clearer guidance and better training are needed to address a host of issues raised in the draft audit. We are moving out to provide those as quickly as possible.

'9. The Office of Research and Development (ORD) is implementing a number of internal control improvements to strengthen its oversight of contracting at its field laboratories. Financial management controls are being strengthened by consolidating the six existing ORD Allowance Holders into one allowance, administered by the Director, Office of Research Program Management.

'10. As a result of the troubling findings in the draft audit report, EPA's Office of Administration and Resources Management has begun a review of all Agency 8(a) and sole source contracts to determine whether other instances of improperly split procurement or sole source contract awards to former EPA officials have occurred.'

"The objectives of the IG investigation were very limited in relation to the wide range of waste, fraud and personnel abuse issues reported to the IG by the ERL-D staff. The IG investigation covered only criminal actions and contract management issues and did not go into illegal personnel actions or abuses. For this reason we have sought a second investigation into personnel abuses at ERL-D.

"Since 1981, there has been increasing priority on contracting out federal work. Gilman Veith implemented these priorities at ERL-D. Federal employees were

forced into early retirement to make room for contract employees. The first group involved personnel older than 50 years, who were entitled to early retirement, and this was completed by 1988. But then the ERL-D management under Gilman Veith's direction began harassing other individuals who were approaching 50 years of age, including a charter member of EPA. Seven of these were permanent full time employees and were subjected to either manufactured performance cases to justify dismissal of their positions, or changes in job descriptions and research support to frustrate the employees to accept early retirement.

"Several others left or retired early to avoid harassment and poor management practices. Most of these employees did not have the benefit of "due process" in determining their retirement options, nor did they have the opportunity to file an EEO complaint against the management once they were retired.

"Several of the ERL-D managers involved in the purge of federal positions have been rewarded by promotions and/or new positions for their programs, with no savings to the tax payer and a net loss of skills and experience for environmental protection.

"The loss of jobs of older and higher grade federal employees may not concern the average tax payer today, but what is happening to the federal civil service and the subversion of the Merit System should concern each and every citizen!

"We former employees wish to confirm our unwavering pride and dedication to professional ethics and environmental protection work everywhere, but condemn the self serving interests of managers like Gilman Veith and the disruption of research and professional careers that are caused by this type of mismanagement.

Signed: Ken Hokanson and other Former ERL-D Employees"

COURT UPHOLDS "DELANEY CLAUSE" REGARDING CARCINOGENIC PESTICIDES

The U.S. Court of Appeals for the 9th Circuit has ruled in a unanimous decision that "if pesticides which concentrate in processed foods induce cancer in animals, they render the food adulterated and must be prohibited," further adding that EPA "has no discretion under the law." EPA, in administering the Federal Insecticide, Fungicide and Rodenticide Act, is required to balance the economic benefits of a chemical in the food supply against its health risks. However, under the Delaney Clause of the Food, Drug and Cosmetics Act, passed in 1958, carcinogens whose concentration increases when produce is cooked or mashed in soups, juices, baby foods, sauces, etc. are strictly prohibited.

In 1988 EPA proposed a "negligible risk standard", which established a limit of one additional case of cancer per million people caused by the exposure of a single farm chemical over a lifetime. The one-in-a-million rule of thumb had been used by the Office of Pesticide Programs for years before the 1988 official pronouncement. EPA has argued that the standard allows the Agency to reconcile statutory differences.

The court rejected this argument. Wrote Judge Mary M. Schroeder, "The EPA in effect asks us to approve what it deems to be a more enlightened system than that which Congress established...Revising the existing regulatory scheme...(is not)... the function of the EPA."

BEWARE OF BOGUS "FULL RELIEF" OFFERS OF SETTLEMENT FROM THE OFFICE OF CIVIL RIGHTS - Dwight Welch

Refusal to accept an offer of full relief on an EEO complaint is grounds for dismissal of the complaint. But are offers of "full relief", really full relief? That is the subject of my appeal to the Equal Employment Opportunity Commission. This is also of concern to other employees, as the contested parts of the "offer" made to me. is, according to OCR's Rodney Cash, "standard language." This "standard language" results in forfeiture of important rights, including freedom of speech (it employs a "gag order") and using your EEO case in support of related actions, such as other administrative and legal proceedings. It also protects the discriminator from liability and protects their personnel record. A brief summary of my case:

I requested 27 hours of official time to work on a grievance filed by now President Tyrone Aiken regarding discrimination against African American males in the Registration Division of the Office of Pesticide Programs. Only 12 hours was approved, causing me to forfeit the opportunity to do background research. I filed a grievance claiming discrimination for denying me an amount of time equal to that I had used to develop grievances for white employees. I was later forced to take an involuntary hour of annual leave for the hour I spent preparing this personal grievance. Despite extended negotiations, my supervisors refused to revoke this one hour of AWOL.

My subsequent filing of an EEO complaint over the matter resulted in a so called "offer of full relief", namely, my hour of leave was to be restored. But by accepting this "offer" I would have forfeited my other actions (before the Merit System Protection Board and arbitrators) all of which are inextricably bound together and result from my supervisors' various other "Union-busting" activities.

The worst part about this one-sided deal is that it would protect the discriminators and their records and leave them free to discriminate again. This is more than idle speculation. There are a number of EEO complaints against these supervisors, all filed by Local 2050 members, and all, except for me, minorities. Yet all would be required to shut up and the Agency admit no "guilt or liability."

By way of analogy, OCR's offers of settlement are akin to making the mugger refund your money after he had beaten and robbed you, but then letting the criminal get off scott free and not allowing you to press related charges or enlighten others as to what happened to you.

What can an employee who is a past, present, or future victim of OCR's bogus settlements do? First, you can add your complaint to mine with an appeal to the EEOC. Second, in your relief sought (given when you first file your charges), you must demand accountability for the offender; you are less likely to get a settlement offer since the "offer" is designed to protect the guilty parties. However, an offer of "full relief" could not then be used to drop your case. Third, you can add other stipulations to your relief to preserve your rights to speak and write about the case and to use the information in collateral actions. Finally, and most importantly, you should contact your Union prior to going to the Office of Civil Rights; we can help you avoid the pitfalls which are designed to make you forfeit your case.

AGE DISCRIMINATION AND SENIOR EPA SCIENTISTS Age discrimination is accelerating at EPA, and we are losing experienced, skilled workers. It is more than the aging out of EPA's first generation scientists. These are scientists with extensive backgrounds, training, experience, and ability, who as a group are working to maintain their professional credibility, sometimes at their own expense. These senior scientists are being passed over for promotions for younger, less qualified individuals. This flies in the face of stated Agency policy to improve its scientific image in the academic community and with the general public.

Senior EPA scientists are being discriminated against by a variety of subtle and not so subtle techniques: 1) younger, less qualified individuals are being favored with desirable assignments to inflate their 171s; 2) younger scientists are given high visibility projects resulting in high probability of awards; 3) senior scientists are under-evaluated on performance evaluations; 4) senior scientists are denied advancement for lack of appropriate non-supervisory career tracks through grade 15; 5) senior scientists are passed over for supervisory and non-supervisory positions for younger, less qualified individuals; 6) background, training, and experience are given less weight than more subjective criteria, like "being a team player"; 7) work related projects in professional societies are not recognized; and 8) national certification and licensing in work related specialties is not recognized.

Two of the more blatant examples involve two Ph.D.s with Board Certification in their professions passed over for senior science position in favor of less qualified and less experienced individuals. If you think you're being

discriminated against because of age, call NFFE Local 2050 at 202-260-2383, or Dr. Rufus Morison, Chief Steward at 703-998-5145.

Why is this discrimination occurring? One reason is that some less qualified, younger scientists and/or ambitious supervisors feel insecure working with more highly-trained, experienced, and objective scientists capable of providing constructive criticism in their fields.

These senior scientists are a valuable resource which needs to be identified and adequately utilized, not bypassed or ignored. There is a relationship between the Report to Administrator Reilley, Safeguarding the Future: Credible Science, Credible Decisions and discrimination against senior EPA scientists. EPA cannot hope to have a strong science base to accomplish its goals if it does not encourage its senior scientists to excel and to interact with peers nationwide and internationally.

BILL MARCUS: STILL FIGHTING As reported in earlier editions, Bill Marcus continues his fight against the trumped up charges brought against him by this Administration as the basis for his firing in May. Bill's whistle-blower trial is proceeding at the Department of Labor and is putting on record some highly unusual (to say the least) practices of the Office of Inspector General (shredding evidence, among others) in this case. Witnesses have been threatened by management not to give evidence favorable to Bill, causing the judge to "go ballistic". A grievance is also in process. Congressional and public interest continues to build. The Administrator's Office continues to duck. The White House is involved in his firing. In next month's issue, to inform you about "justice" at EPA, we will look at a comparison of charges and disciplinary measures taken against Bill and proposed against a management official, Gilman Veith (see "An Open Letter From the Duluth Laboratory" above) on page 11.

OTHER ENVIRONMENTAL NEWS

AT THE ROOT OF ENVIRONMENTAL PROBLEMS! During the 19 days of the environmental summit at Rio de Janeiro, the Earth's population grew by 9 million people.

U.S. NUCLEAR TEST BAN NOT LIKELY There are four nuclear weapons tests scheduled this year; 3 primarily to test the effects on Star Wars equipment. The majority of the House and Senate support a bill which would implement a one-year test ban. President Bush is said to be likely to veto any such ban.

ICELAND QUITS IWC Iceland has quit the International Whaling Commission, indicating that the six year ban on taking minke whales is unnecessary because the species has become sufficiently plentiful. Norway has also become defiant of the IWC. Environmentalists fear more hunting of endangered species of whale in addition to the hunting of the minke.

REPORT ON FLUORIDATION FROM ENGLAND A principal reason Bill Marcus was retaliated against and fired was his public stance on the carcinogenic hazard of water fluoridation, as revealed in the NTP bioassay on sodium fluoride. Among those helping Bill and the Union fight the retaliation is an English organization, North West Councils Against Fluoridation, which recently sent the following statement to us on how the government steamroller works in the U.K.:

"North West Councils Against Fluoridation is a consortium of 28 Local Authorities whose elected members represent 4.5 million people in the North West [of England]. The Local Authorities in Britain are responsible for all the district government in the region, from education, taxes, through to planning permission etc.

"We have rejected water fluoridation and North West Water Ltd., now a private company serving the 6.8 million people in the North West, have refused to fluoridate on the grounds that the Local Authorities and public opinion are against fluoridation (75-95% on recent polls).

"The Government appointed members of Health Authorities do not accept this and use polls which ask the leading question, "Are you in favor of adding fluoride to the drinking water if it prevents tooth decay?" They continue to attempt to force water fluoridation, and they have produced no scientific evidence proving that water fluoridation prevents tooth decay. They have glibly dismissed any international scientific evidence showing that water fluoridation has an adverse effect on health and insist that fluoridation is harmless.

"Very little if any research on fluoride is taking place in Britain. We know that America is investing greatly in research, so we appeal to your Scientists for the sake of the health of the 4.5 million people we represent to please send us any scientific papers they have on the adverse effects of fluoride on health.

"I and my Committee give [the Union] permission to publish this statement according to [your] discretion".

(Ed. Note: An epidemiology study from the State of New Jersey is nearing release, showing several-fold excess of cases of osteosarcoma in young men who live in fluoridated communities. The NTP bioassay showed excess osteosarcoma in male rats.)

****** JOBS EXCHANGE ******

Mr/Ms Manager: Are you looking for that special professional to help you do a critical task? Describe the challenge in ca. 50-100 words (plain English please), specify the talents you need and the duration of the temporary assignment you're trying to fill. Send your descriptions to NFFE 2050, MATCHMAKERS, UN-200 . EPA scientists, engineers and lawyers are ALWAYS looking for creative and rewarding ways to use their talents, and we'll try to make a match.



National Federation of Federal Employees Local 1827

P.O. Box 13301

• St. Louis, MO, 63157-0301

• Phone (314) 776-8424

28 July 1992

Inside the Fishbowl
Local 2050, NFFE
P. O. Box 76082
Washington, D.C. 20013

Dear Brother Hirzy:

Recently you sent our Local, 1827 NFFE, St. Louis, copies of the January/February, March and May issues of "Inside the Fishbowl". You and your staff produce a first rate newsletter that any Local should be proud to call its own. An Outstanding Job!

We read it with interest since much of the information presented constituted follow-on reports to articles in the "Federal Times." My blood boils to read about the injustice being perpetrated on patriots. PATRIOTS - like Dr. Marcus, Dwight Welch, Myra Cypser, Tyrone Aiken, Jeff Van Ee, Bob Carton, Bill Sanjour and yourself. We are watching the leading edge of a wave of whistleblower retaliation take shape here so we have empathy with your employees as well as outrage over the craven, politically motivated actions against them.

One of the things that was most interesting and inspiring about your newsletter was all of the reports detailing the unflagging battles your employees wage to do their job properly in spite of managements desire that they do otherwise. Until I read your newsletter I had no idea that we citizens owed the scientists and researchers at EPA the debt of gratitude that we do. It's obviously a constant struggle to be allowed to function in accordance with EPA's charter let alone do the job well. It appears that doing a good job is in fact a firing offense. What an extraordinary situation as we approach the 21st century.

It is a matter of pride to me that my Union, NFFE has a hand in perserving and protecting the workers at EPA. Please continue to send us your newsletter. And please continue the struggle - lives depend on it.

In solidarity

Pamela E. Janisch
Chief Steward
NFFE, Local 1827

PEJ/sw

FOR NEW EMPLOYEES ONLY - "X-3" ON MAILING LABEL

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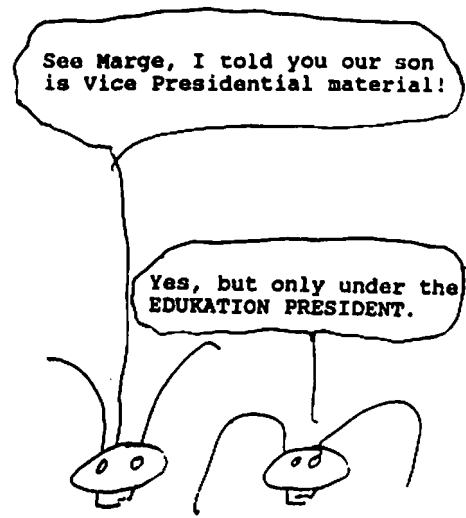
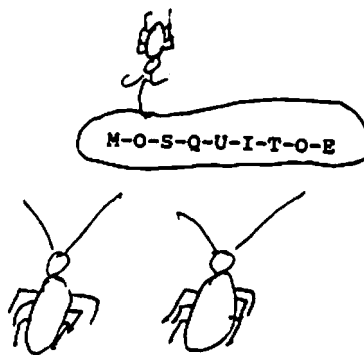
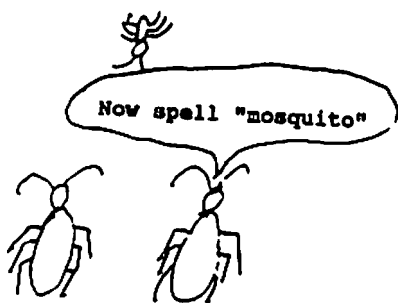
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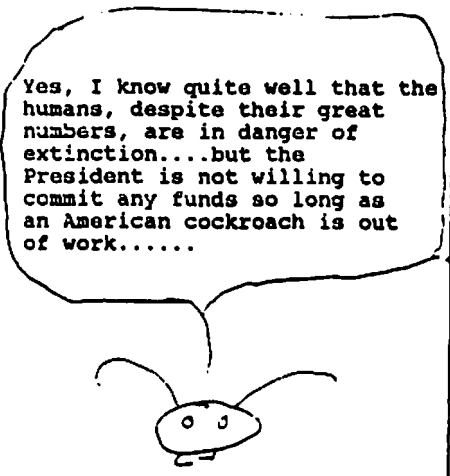
PLEASE SEND ME INFORMATION ON HOW TO JOIN THE UNION _____

RETURN THIS TO MAIL CODE UN-200 TO CONTINUE RECEIVING INSIDE THE FISHBOWL

ROACHEZ



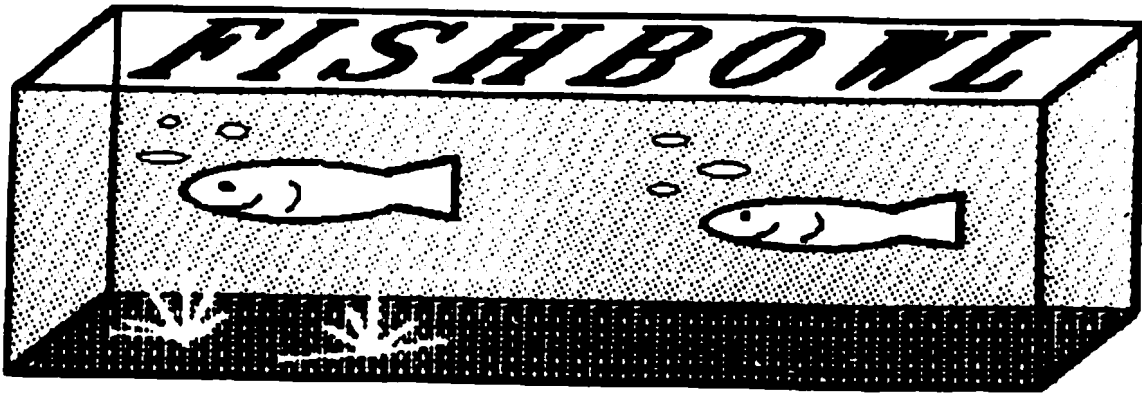
MEANWHILE IN RIO, Bill Roachley, head of the delegation of Periplaneta americana (the American Cockroach for all you non-entomologists) is quite busy trying to defend the President's position.



LATER IN THE SUMMER, citizens take over the EPA Administrator's Office

To be continued.....

INSIDE THE



NATIONAL FEDERATION OF FEDERAL EMPLOYEES
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EPA HEADQUARTERS' PROFESSIONALS

NFFE

LOCAL 2050
(202) 260 2383

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

SEPTEMBER 1992

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LOCAL 2050

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EDITORIAL POLICY Articles from any source are considered for publication. Submit items for publication to Dwight Welch, INSIDE THE FISHBOWL, UN-200 (interoffice mail) by the first of the month of publication. Items submitted after this date will be considered for the following issue. Submit articles on a 5 1/4 floppy disk in WP5.1 and do not exceed one page of 10 cpi type single spaced or equivalent. Disks will be returned if requested--be sure to write your name on any disk to be returned. Items are selected for publication by vote of the Editorial Board. Articles indicating authorship reflect the views and opinions of the author and not necessarily those of NFFE Local 2050. INSIDE THE FISHBOWL will publish articles in which the author's identity is concealed by request; however, we do not publish anonymous articles. Include you name and telephone number with your article.

FEEDBACK REQUESTED Please let us know how you like the balance of articles, their content, etc. Let us know if you want your feedback published.

GENERAL NEWS OF HEADQUARTERS

EPA BEGINS STUDY OF MULTIPLE CHEMICAL SENSITIVITY An EPA physician, Dr. Howard Kehrl, of the Office of Research and Development (RTP), has been given the job of characterizing MCS, a condition with which some EPA employees are afflicted. Dr. Kehrl is a clinician with background in pulmonary effects. He plans a 3 to 5 year study - in cooperation with the University of North Carolina - to be run in phases. Phase 1 will involve about 20 people who will be recruited from the RTP area in North Carolina. This phase will look at feasibility of conducting studies on MCS victims at UNC facilities. Blood, neuropsychological and pulmonary studies will be run on the patients, with the aim of finding definitive characteristics of the disorder. Later, a larger group of MCS sufferers will be studied along with, probably, two control groups - a "healthy" group and a group suffering from a chronic condition such as chronic pain syndrome. Dr. Kehrl declined to identify colleagues with whom he is consulting in developing his research protocol, but he asserts that his work will be objective and without bias with respect to MCS "believers" or "skeptics". Dr. Kehrl's work has significant implications for EPA Headquarters workers suffering from MCS, especially with regard to work-at-home arrangements and workers compensation issues - not to mention tort litigation.

EPA BEGINS SIXTH YEAR OF PARTNERSHIP WITH BERTIE BACKUS JUNIOR HIGH -- VOLUNTEERS STILL NEEDED As EPA begins its sixth year of a partners-in-education program with Bertie Backus Junior High School, the program's EPA

coordinator, Danny Gogal, has put out a call for more volunteers to participate in it. Activities with which you can help include mentoring/tutoring, science club, science fair, recycling program, computer activities, Students Watching Over Planet Earth (SWOOPE - a student lab program), Chesapeake Bay activities, speakers/teaching activities (on environmental equity, water-, air-, solid waste-, enforcement- and toxics- programs), Earth Day, the Bertie Backus Ecology Center, and field trips. Bertie Backus is located in near Northeast D.C., not far from Catholic University.

Local 2050 played a role in starting the program at Bertie Backus during planning for Martin Luther King Day celebrations in 1987, and Union members have participated as volunteers ever since. We urge all EPA employees with something to give back to the community to come forward and enrich this year's programs. Managers give administrative leave for the partners-in-education program, so one need not use annual leave to help out. Contact Danny Gogal at 260-0392, Joan Schnell (HQ Volunteers Coordinator) at 260-3600, or Nancy Allinson (OSWER Coordinator) at 260-5615 for more information.

UNION GETS COMPUTERS FROM MANAGEMENT The times they certainly are a changing. In the past Agency supplied computers were monochrome, low density, low memory clunkers which worked for a while then broke down. In August, in response to the Union's request for another computer, Local 2050 received not one, but two computers--decent ones with color monitors. The first was supplied by Dennis Bushta. This was certainly nice of Mr. Bushta, but what may be really a sign of the changing times is that the transaction was readily signed off on by Division Director Julius Jimeno. Longtime readers of **INSIDE THE FISHBOWL** may recall a period of ill feelings between Mr. Jimeno and the Local. But this is a time of healing and cooperation and Local 2050 would like to thank Julius for his cooperation - and of course Dennis Bushta, who found us a computer, got it fixed, and gave it to us on long term loan. Local 2050 also thanks Paul Wohlleben for coming up with computer number 2 and Charles King of WIC for setting them up and fixing the bugs in them.

HATCH ACT TIME OF YEAR AGAIN With the Presidential Elections coming up, employees need to be aware of the provisions of the Hatch Act. In general, employees are allowed to vote, wear campaign pins, put bumper stickers on their cars, contribute to campaigns, and express political opinions both in public and in private as individuals. You may also be a member of a political party and attend their meetings (you cannot be an organizer), and sign petitions for the nomination of a political candidate. We cannot participate in fund raising, act as voter checkers at the polls, participate in partisan political conventions (as a delegate), nor can we offer rides to the polls. For further information, contact Charlie Garlow, LE-134A, 260-1088.

MR. DINGELL REPLIES TO UNION REGARDING HIS INQUIRY INTO EPA'S ALTERNATE WORKSPACE (AWS) POLICY Last March Congressman John Dingell transmitted, with a cover letter from him, a GAO report to the Administrator on EPA's AWS policy that was critical of its management and questioned its legal basis. Local 2050 and AFGE Local 3331 prepared a joint response to Mr. Dingell and subsequently visited with his staff. The unions said that the GAO report too narrowly focussed on management of the AWS program and did not address the underlying problems of poor air quality at, especially, Waterside Mall. Nor did the report note the existence of a collective bargaining agreement on AWS that binds EPA to providing AWS to affected employees. The Congressman has replied to our letter, assuring us of his sympathy about poor working conditions here, especially indoor air, noting the existence of the AWS contract, and stating that he has asked GAO and OMB to address our concerns about air quality and about the continuation of the AWS program under the collective bargaining agreement. He also noted that his original letter asked EPA, GSA and OMB to explain what it was doing to resolve our air quality complaints.

Mr. Dingell, however, remains concerned over the legal basis of the program, the collective bargaining agreement notwithstanding, and over the lack of central management of it.

EPA has made no written reply to Mr. Dingell since his March 18, 1992 letter. The unions are staying in close touch with OARM on the issue, and OARM notes that it cannot change any aspects of the program without bargaining.

EPA LENDS NAME TO CARPET INDUSTRY ADVERTISING GIMMICK - UNION TAKES

ACTION On July 17 the Carpet and Rug Institute (CRI) announced its "Green-Tag" program which, in the words of CRI, "will tell consumers that the carpet or rug they buy meets the predetermined indoor air quality criteria". CRI proposes to do this by testing one sample of a manufacturer's generic "type" of carpet (defined by its face fiber [e.g. nylon], backing [e.g. jute], dye process [e.g. pre-dyed], and chemical composition [e.g. latex-, polyurethane-, or PVC plastisol binding]), once a year, then labeling each and every package of every style and model of carpet of that generic "type" manufactured for the next twelve months with a "green-tag". It is not immediately obvious to one with a background in chemical industry quality control practices just how a once-a-year test on a generic product is supposed to assure consumers that the carpet they buy (made, say, in December) meets the testing criteria met by the generic carpet made and tested in, say, February.

EPA along with the General Services Administration and the Consumer Product Safety Commission and several private organizations are listed in the CRI press package and on a consumers brochure as members of the "CRI Indoor Air Quality Panel", which, in the words of a CRI spokesperson, "signed off on the program". Bob Axelrad, Director of EPA's Indoor Air Division, however, says that EPA isn't completely happy with the testing frequency of the CRI program.

The Union has filed a grievance with Mr. Axelrad asking for EPA's withdrawal from the "CRI Indoor Air Quality Panel" because of the false and misleading nature of CRI's advertising campaign. The Union has also asked the Federal Trade Commission to look into CRI's claims about assurances of air quality. Several journalists have inquired of the Union about the program, and Bill Hirzy has told them that the program's acknowledgement that some people have reported getting sick from carpeting (though CRI then says these reports are wrong) was a step in the right direction. He also said that CRI's claims about air quality assurances based on generic once-a-year testing are a fraud.

The Washington Post of Thursday, September 3 carried an article in its "Home" section titled "Carpet Testing", and the article uncritically parroted the fraudulent CRI claim for its testing program. The article also reported that EPA has no knowledge of any adverse health effects attributable to new carpet. The "Home" editor solicited a letter-to-the editor from Hirzy to clarify the issue, and she promised to ask the writer the source of his report on EPA's state of knowledge about carpet's health effects. Writers for House Beautiful and the St. Petersburg Times called the Union before running the CRI press release material, and their readers will get a truer picture of the CRI program than the Washington Post's readers.

HEALTH AND SAFETY NEWS

CORRECTION In the "Summer Issue" of INSIDE THE FISHBOWL, in the story "Health and Safety Walk-Through Netting Quick Results, we indicated that corrective actions were taking place within a couple of hours. We meant to say that corrective actions were taken within a couple of days. The group is working very well, but not that well yet.

MAILROOM PROBLEMS FIXED In the summer issue we reported a broken stair in the mailroom which had previously injured an employee. Senior VP Dwight Welch followed up this complaint about a week after it was reported. The stair and tiles had been fixed. Mailroom personnel indicated that they had previously

complained about this situation for 6 months, but to no avail and that they were quite pleased with the response of the Union-Management Health and Safety Team.

CHRIS HOLMES--PLEASED WITH UNION MANAGEMENT HEALTH AND SAFETY TEAM

After the last issue of the FISHBOWL appeared Assistant Administrator Christian Holmes called Jim Engleka and Tim McClellan of Headquarters Environmental Health and Safety to his office to say he was pleased with the progress made by the Union-Management Health and Safety Team and with the fine cooperation between Local 2050 and the Health and Safety Office.

MOLD AND VENTILATION PROBLEMS IN NEB013 It was like office space from hell. In the basement of the North East Mall, this room was receiving suffocatingly little ventilation and dampness was causing mold to grow on paper, carpet and other media. The carpet was filthy with mold. Two weeks after this room was inspected by the Union-Management Health and Safety team, it was rechecked. What a difference! The carpet looked almost new and the air was much more breathable. The occupants of the room were very pleased.

OIG CITED IN SAFETY INFRACTION BY HEALTH AND SAFETY TEAM Those of you following the William Marcus case may get a chuckle out of this one. The violation--a very large bag of shredded documents blocking fire egress located in between John Martin's and Anna Virbick's offices. (OIG has admitted shredding crucial evidence in the Marcus case.)

SAFETY PROBLEMS IDENTIFIED IN EPA DAY CARE CENTER Four potential safety hazards were found in EPA's Day Care Center in the continuing fire and safety walk-through. The first involved an ice machine connected to an extension cord looped up through the ceiling and wrapped around a fire extinguisher. This was a short-circuit electrocution hazard. The cord was moved out of the way and an immediate priority work order was put in for installing an outlet near the machine.

The second problem involved blocking of an emergency exit by the stanchions used in the Office of Administrator parking area. The stanchions were moved and plans made to paint the pavement with "EMERGENCY EXIT--DO NOT BLOCK". The Transportation Office was notified immediately.

The third hazard involved a missing safety outlet plug (to keep the kids from poking stuff into the outlets). The team also identified fire extinguishers in need of inspection.

Additionally, the staff complained of ant problems infesting the area.

ENVIRONMENTAL INEQUITY

MINORITY COMMENTS WITHHELD FROM ENVIRONMENTAL EQUITY REPORT In a previous issue we reported that minority groups were upset at not having an adequate chance to comment on the Agency's report to Congress regarding its environmental equity program. A letter from the Union to Rep. Henry Waxman of California exposed this injustice. Since that time the minority comments have been incorporated as part of Volume 2 of the report, with the original unchanged version as Volume 1. Local 2050 has recently been receiving reports from requestors of the report that they have only received Volume 1. Could this be an oversight or is EPA deliberately withholding the minority comments?

The following opinion piece is aimed at giving us a view of how our day-to-day work affects and is perceived by the public for whom we toil.

"WHO ARE THOSE PEOPLE?" by Dwight Welch Some are middle class professionals, some working class men, some housewives. They range in age from high school students to retirees. They pay their taxes and they vote. They used to believe that the EPA was here to protect the environment. They're regular

folks, you know, the ones who pay our salaries, our customers--the ones we are supposed to be protecting. But unlike most regular folks they have what may become the largest toxic waste incinerator in their valley and they're really pissed.

Some of these people have been arrested three times for trespassing, have marched with actor/activist Martin Sheen, and have been on a hunger strike since July 20th. They've been written up in a variety of newspapers including the "New York Times" and the "Wall Street Journal". They roused the personal attention of numerous U.S. Senators and Congressmen, Dan Quayle (who is working against them), Bill Clinton and Al Gore.

In the last issue of INSIDE THE FISHBOWL, we reported on their hushed up takeover of EPA Administrator Bill Reilly's office. EPA security had reported to us that a naive employee directed them to the elevator to the 12th floor while they had been viewing the Tropical Rainforest exhibit. "Not so," say the citizens. They knew exactly where they were going, and, one by one made their way up from the library, where they could not be denied access, to a position to storm Mr. Reilly's office. Indeed, as they tell it, Mr. Reilly, on his way out, held the door for them as was reported to have said, "Who are those people?"

They're the people of East Liverpool, Ohio and their neighbors from nearby West Virginia and Pennsylvania. They are fighting Waste Technologies Industries (WTI) and that firm's agents and allies in the federal government.

Environmental Racism? The WTI hazardous waste incinerator is located literally on the other side of the tracks; the railroad tracks that will haul in three cars of toxic waste a day. That side of town is where most of East Liverpool's poor and working class live and where virtually all of its black citizens live.

Testing? Testing of the toxic effects of hazardous chemicals is usually performed on rats, mice, rabbits and the like. WTI will be doing their testing on children. The blood and urine of school children in the nearby East Liverpool Elementary School will be tested periodically to see if the incinerator is having any adverse effects on the kids. But don't worry, participation in the testing program is voluntary (exposure, of course, is not - the facility is about 1100 feet from an elementary school).

What's That You're Smoking? The facility's test burn will be conducted using qualitatively tested, known toxicants; real life burning will involve a potpourri of real-life toxic waste. Will there be chemical interactions in the combustion process? Nobody really knows, nobody has really established all the chemical components coming out of a toxic waste incinerator's stack. We do know WTI is permitted to emit thousands of pounds of dioxins, furans, PCBs and other cancer causing substances; along with 4.7 tons of lead per year; other heavy metals such as arsenic and mercury will be included in 78.7 tons of suspended particles which can be emitted from the WTI stacks annually. After the burning is done 80,000 tons of toxic ash will be landfilled yearly.

Americans' Health Traded for Jobs and Foreign Profits WTI is owned by Von Roll, a Swiss firm which boasts that WTI will bring more than a hundred jobs and \$600,000 per year into the community. How much of that \$600,000 will be left after medical bills are paid for injury to people's health, clean up of toxic residues settling out of the smoke, shortened life spans (hence smaller lifetime earnings) and lost property values? Who knows? It is interesting that BCCI figures into the financing scenario.

Track Record The toxic waste disposal industry is not without accidents including an explosion in a Chicago facility. Such an accident could have devastating effects on East Liverpool residents and on water supplies of those living down-river.

Who is Responsible in Case of an Accident? About two dozen firms have been associated with permitting documents. Who would be responsible in case of an accident is a question yet unanswered and is far more than a mere technicality. Taxpayers could be left picking up the clean-up tab, so the permit violates both the letter and spirit of the regulations.

Non-attainment The area is currently "non-attainment" for air pollutants; why is another major source being permitted?

Alternatives The best one I've been able to come up with is that WTI could be turned into an electrical power generating plant, should justice prevail.

THE PLAYERS: **Alonzo Spence** is President of SAVE OUR COUNTY, a citizens group which has been fighting the WTI incinerator for 12 years. Mr. Spence, a black man, has been fighting environmental racism long before "Environmental Equity" became a buzz word.

Terri Swearingen is the leader of the TRI-STATE ENVIRONMENTAL COUNCIL. Dubbed "Queen Terri" by WTI, Terri has been the subject of numerous slanderous attacks which she shrugs off with a laugh. Her enemies insinuate that a mere housewife is not capable of questioning the wisdom of the Ohio and U.S. EPAs, but they concede that she does her homework.

The same day that the summer issue of INSIDE THE FISHBOWL hit the offices of EPA, ABC's "Nightline" ran a story on the WTI protest at EPA. The story featured EPA whistle-blowers Bill Sanjour and Hugh Kaufman and presented a critique of the wisdom of the facility's siting. The real fireworks in the story, however, was the debate between EPA Regional Administrator Valdas V. Adamkus and Terri Swearingen. She accused EPA of breaking the law and thwarting the democratic process and Mr. Adamkus of lying. She cited documents to back up her accusations including a letter from Mr. Adamkus to Senator Robert C. Byrd and a letter to Vice President Dan Quayle from Von Roll admitting that, "The valid permits to construct we once had are now invalid", and asking for the VP's assistance in the matter. (The company soon after obtained its new permit.)

They've been fighting this battle for 12 years. They've got the Administration, big capital, the Ohio and U.S. EPAs, the governor of Ohio, and the mayor of East Liverpool against them. The odds are pretty long, but I'm putting my money on the people.

NEWS BITES

* In California, the good news is that state toxicologists are paid at a higher scale than their counterparts in the federal government; the bad news is that California pays off in IOUs; the worse news is that banks have developed a reluctance to honor California state IOUs. Governor Pete Wilson has been telling west-coast lip-readers: no new taxes.

* Former U.S. Senator Gaylord Nelson, the father of Earth Day, spoke at the EPA Auditorium on June 23. He explained that the idea for Earth Day grew out of anti-war teach-ins of the 1960s, and that the date was selected to permit college students to participate, avoiding both spring break and final exams. He was surprised to be accused by the John Birch Society, he said, of celebrating Earth Day on the 100th anniversary of the birth of Vladimir Lenin. Not so, said Sen. Nelson: it was the anniversary of the birth of St. Francis of Assisi, a great environmentalist. Sen. Nelson urged population control and the development of a conservation ethic. One who destroys something that is man-made and replaceable is called a vandal, he said, but someone who destroys something irreplaceable, made by God, is called a developer.

* Straight from Mr. Potatoe Head: Vice-President Dan Quayle recently addressed a group of aerospace workers and told them: "While George Bush is President, the Space Station is safe, and your jobs are safe." An hour later, 50 of those aerospace workers were laid off.

FROM THE CHIEF STEWARD

PRESELECTED CANDIDATES FOR REDUCTION IN FORCE [RIFs] Perhaps you are not a veteran of a reduction in force. Are you about to be drafted to serve in the army of unemployed ex-civil servants hatched in the name of reducing the size of government? What are the bases for choosing who will be RIF'ed if a reduction in force comes? Will the reduction in force be by attrition or based on performance, time in grade or length of service?

If RIF's are based on the current trend of TQM "Terminate Quietly Maneuvers" you could be given your pink, blue or red slip without knowing why. Here are some points to consider if performance is to be the criterion for the next RIF.

What have you done in the following areas?

1. Had training in the past year
2. Been assigned to any special projects
3. Been given a chance to act as supervisor
4. Been given a performance rating that is fair
5. Been given an accurate job description

All of the above may be critical if a RIF comes and you are not able to compete with other employees because you lack the above experiences. Missing out on a raise or performance award is one thing, being RIF'ed is another.

NFFE Local 2050 is looking into the amount of contractors and grantees hired into EPA. If current employees who were formerly employed as contractors or grantees - and thus may have more years of experience with EPA programs than some EPA employees - are added into the RIF equation, who gets the pink slip?

NFFE Local 2050 urges its bargaining unit to be aggressive in requesting training and assignments to special projects, and in demanding accurate performance ratings and job descriptions. The Union is asking for bargaining on RIF procedures. Call 260-2383 for information

PERFORMANCE APPRAISAL TIME IS HERE - Rufus Morison, Ph.D. Senior Ecologist

Performance appraisal time is less than a month away. From past experience, we have found there are several signs for which to look. 1) Is management just now getting around to holding mid-year performance reviews or were they held during the April 1-30 period?

The requirements of the performance year schedule are outlined in EPA Performance Management System for General Schedule (GS) Employees manual 3151 [1990 Edition] page 1-8 and in OPM regulations (5 CFR Part 430). Copies are available from your NFFE Local 2050 Stewards 202 260-2383 or 703 998-5145 and from the Office of Human Resources Management, Client Services Division 202 260-3266. [According to best estimates, FY1992-1993 will be a year of RIFs (reduction in force) regardless of the winner in November's election.]

A start on protecting their favorites by your management could begin with a manufactured performance appraisal through the use of a fraudulent or inaccurate mid-year review. It is not necessary for management to document anything in writing in the mid-year review. Later management can try to claim (and this has happened in the past), that you "needed improvement" as they outlined to you in the mid-year appraisal. Next you will be facing a "manufactured" annual performance appraisal that threatens you.

2) Has your supervisor of record been in the job less than 60 days or have you had more than one supervisor in this performance year? If so or you have changed positions during the "year", your rating must reflect by weighted averages the appraisals of all of your supervisors for the performance year. However, your supervisor at appraisal time is "ultimately responsible for evaluating the employees performance during the entire performance period." *Ibid.*, 2-4,5,6; see also section on transfers to EPA, Details, IPAs. It has been a tactic by some division directors in the past to use "test" section heads and branch chiefs to bring divisions and offices to stated FTE (Full Time Equivalent) level through firings or scaring professionals into moving. Since it is assumed generally that these managers have unlimited and unchallengeable power, many professionals accommodate this management ineptitude and move.

3) Is your performance agreement current: does it reflect the actual tasks and work you perform? In the PMS manual management states that "people are most likely to perform effectively when: they clearly understand what is expected of them; they participate in setting their own performance objectives; and they know their objectives relate to unit plans and Agency goals and objectives." *Ibid.*, 1-2.

Before your yearly appraisal you may want to record your thoughts to the file on the relevance of your job to the above and ask your first and second line supervisors how they can document the relevance of your performance contract with

the tasks you have been required to perform. You can require your management to remove those elements from your performance contract that do not represent professional duties. Call me at 703-998-5145 if you have any question about what "professional" duties means under the law and our collective bargaining agreement with EPA.

4) Have you been eligible for a promotion and gotten an award or nothing instead of the promotion for which you are qualified? Does your management "lowball" you just before performance contract time or verbally tell you year after year that you are next in line for promotion or some other offputting prevarication? Do you ever document these conversations with a letter to the supervisor and a copy to the Chief Steward of Local 2050? Do you know about the Classification Appeal 5 CFR 511.108 as a means to demonstrate accretion of duties at a higher GS rating?

Your Union, Local 2050, will assist and advise you in requesting and planning for a Classification Appeal [Desk Audit]. 5. Have you been passed over for a promotion in favor of younger, less qualified/educated employees? What is the ratio of under to over 40 years old employees in your branch? Are minorities represented in proportion to their numbers in the general population? What is the ratio of males to females in your division? Local 2050 will advise you of your rights, assist you to correct inequities and advise you of the intricacies and snares of the EPA Office of Civil Rights and the EEOC, *confidentially*.

6. Have you been discriminated against for an unpopular (with management) scientific analysis and opinion or a refusal to *go along to get along*? Do you believe that you have been denied promotion and recognition because of this and other refusals to "cook the science" for the Agency? Call your Union Local 2050 at 703 998-5145 or 202 260-2383. It is privileged communication and will be confidential. Your Union, NFFE Local 2050, and others have an ongoing interest in fraudulent science at EPA.

7. Has your original work been appropriated by a manager claiming that it is for the good of EPA? You have rights to your own work - it is your intellectual property. Unless you assign rights to the Agency, managers do not have the right to take without attribution. If they do it is called stealing - larceny, and you have the right to redress your grievance against the Agency and privately against the individual who stole the idea from you. Local 2050 will assist you in redressing your grievance. EPA Conduct and Discipline Manual 3120.1; 40 CFR Part 3.

Are you disgusted with the poor quality of managers at EPA? Well, get going and help force change for the better.

COMPARISONS AMONG PUNISHMENTS In the last issue, we promised to show a comparison of punishments meted out to professional staff and to management officials to provide some sense of what passes for "justice" at EPA Headquarters. Below is a tabular presentation of such a comparison of punishments given or proposed for two professionals and for a group of managers.

COMPARISONS AMONG PUNISHMENTS

Organizational Position	Allegation/admission of wrongdoing	Penalties to Date	
Manager Director Other Management Staff	<ol style="list-style-type: none"> 1. Violated EPA sole source contract regs with contract firm, AScl, owned by former EPA officials. 2. OGC did not fully inquire as to the potential conflicts of interest re: employment of a spouse by the contractor and the managers evaluation of contractor performance. 3. Agency procurement was split into 3 separate procurement to circumvent SBA competitive requirements. Contract termination on 6/30/92 leaves "office" without support in contract "areas". 4. EPA, presumably the manager <i>et al</i>, directed the contractor to perform work outside the scope of the contracts. 5. EPA agrees that it needs to better document all ethics* advice and decisions 6. Former Manager Director [retired] employed by manager's wife at contractor. 	<p>"Voluntarily" stepped down as Director; retains all benefits as director [\$100K+ salary for 3 years] Appointed Senior Scientist. "Punishment" recommend.</p> <p>Proposed punishment for Other management Staff: reprimand to 10 day w/o pay.</p>	
Senior Environmental Engineer, Non Management	<p>Engaging in private business activities which result in or give the appearance of a conflict of interest and related charges.</p> <p>All charges except "engaging in private business" have been dropped. Engineer and Local 2050 are in Arbitration of his grievance re: his suspension]</p>	<p>Proposed 60 day suspension. by IG reduced to 30 days reduced to 15 days.</p>	
Senior Toxicologist Non Management	<p>Engaging in private business activities which result in, or cerate the appearance of a conflict of interest and related charges.</p>	<p>Fired from his position as Senior Toxicologist</p>	

OPINION PIECES

BAD NEWS FOR PROGRAM OFFICE SCIENCE FROM THE STRATEGIC PLANNING EXERCISE - Bill Hirzy Last November, as reported in earlier issues of **INSIDE THE FISHBOWL**, Agency management asked me to participate. I served on the team that developed the Science and Knowledge Base "theme", one of ten themes that make up "Strategies and Framework for the Future - Final Report" (Final Report). Other themes include Pollution Prevention: EPA's Preferred Choice, Building State/Local/Tribal Capacity, Geographic Targeting for Ecological Protection, Better Management and Infrastructure, Strategic Implementation of Statutory Mandates, Enhancing International Cooperation, and three others. The document, according to EPA, will "guide EPA's planning, budget formulation and program implementation", and "represents broad-base input from Agency managers in developing themes, and their use in formulating the FY 1993 and FY 1994 budgets" (emphasis added - see below).

The bad news is that, despite my efforts to the contrary, the Final Report denigrates the role of science in the program offices. This is an especially galling problem in light of the recommendations of the so-called Loehr Committee, constituted in 1991 by Mr. Reilly to advise him on the role of science at EPA. The Loehr Committee recommended that the role of science in the program offices be recognized for its critical contributions to the Agency's mission, and that

steps be taken to enhance professional development of scientists working in those Offices and to give them proper recognition.

Denigration of program office science is most glaring in the Final Report's (i.e. "broad-base" of "managers") definition of science, viz: "EPA defines science broadly to include basic and applied research (including socio-economic), routine field monitoring, and technical assistance". This definition fails to acknowledge the vital interpretive and evaluative role of program office scientists. The denigration of our work by refusing to acknowledge that it is science is one thing, but the implications of the denigration for those planning a career in program office science are little short of catastrophic.

The major role that I and my OTS/OPPT colleagues have played over the years is an evaluative and interpretive one. That is, scientists in OTS/OPPT and other "science-heavy" Offices like OPP study research reports from the open literature, EPA-, other governmental and industrial laboratories, and other sources. We evaluate and interpret their significance for a particular program objective. We also work with colleagues from other Offices and Federal agencies to design and carry out studies aimed at furthering understanding of particular cases under review. And then we evaluated the results of those studies and make recommendations based on our evaluations.

It is this latter step, making judgements and recommendations for action that is the crux of the situation. "Science cover" for risk decisions based on politics is hard to come by when scientists in the program offices are experienced, well-trained, ethical masters of their professions. Sworn-to-duty civil servants can be a threat to those who make environmental decisions. ⁵ over the years we have seen a steady increase in the amount of professional evaluative work contracted out to private firms, who give management what they want in the way of judgements. And we have seen a steady attack on senior level scientists, chasing them out of the Service in order to bring in younger people, eager for advancement (no crime in that), but woefully inexperienced, who are relatively easily convinced, especially by Schedule C managers, to follow the party line.

Contractors are unencumbered by the niceties of a Civil Service oath and have no recourse when management tells them that an evaluation "is not consistent with program objectives". Many younger civil servants mistakenly believe that they too have no recourse when management prescribes, with more or less subtlety, a certain outcome of their work.

Based on this Final Report, the Administration appears to have little intention of following the Loehr Committee's recommendations about program office science - and that's the good news. Now for the other shoe.

A tactic much favored by some decision makers at EPA is to use definitions to achieve a nefarious outcome'. By defining program office science out of the Agency's strategic plan, management sends a very clear signal about the future of program office science: There isn't any future for program office science. I fought this definition, but did not prevail.

The Final Report's way of addressing scientific and technical staffing needs (page 10) sounds more like a Final Solution for program office scientists: "Scientific and technical staff appropriate to meet the Agency's current and long-term scientific research and data management needs, with the appropriate roles, grade levels, career paths and incentives to ensure that science and data needs can be carried out effectively" (emphasis added). No program office scientists needed, thank you very much, we'll get along quite nicely with laboratory researchers and number crunchers (and, oh yes, plenty of contract workers to evaluate lab studies and plenty of B.S.-level contract managers in the Civil Service).

I urge conscientious civil servants, and especially every program office scientist, to join the Union in its fight to stave off the gutting of program office science staffs, which is what the Environmental President's people clearly have in mind for us -- it is in fact already happening to us. Read their ~~lips~~ words and deeds.

The Union is establishing a transition team and prayer group to work on this problem. Call 260-2383.

FAILED SUGGESTIONS PROGRAMS IN THE GOVERNMENT AND PRIVATE SECTORS
by Tyrone Aiken The Investor's Business Daily recently stated that major

¹ For example, severe dental fluorosis is defined as not being an adverse health effect, but rather a "cosmetic" effect, thereby placing that end-point beyond the regulatory reach of the Safe Drinking Water Act.

U.S. companies failed to fully develop inventions and ideas. Managers' lack of foresight was the a major factor in the U.S. getting the short end of the stick for such inventions as the VCR, facsimile machines and laser printers. The federal government is just as guilty; EPA is guilty of doing studies of studies, of "paralysis by analysis" and never following through on the findings of studies. The Agency has studied the use of computers, optical scanners, and other forms of technology, yet is still doing business as it was ten years ago in some programs. The EPA suggestion program is an example of the lack of follow through; too many employees have put ideas into the program and never got a return signal from the personnel office. Perhaps the ideas were too advanced for EPA. Could the suggestions submitted to Personnel be processed if changes are made? Personnel has not sent your suggestion to the Pentagon for further study, or to NASA either; recent NFFE investigations found that most suggestions sent in never get beyond the Personnel office. The suggestions program is not advertised vigorously because program managers do not want to pay awards from their program budgets for worthwhile suggestions. Employees that get recognition for a suggestion advance faster. If the suggestion program worked, awards would no longer be contingent upon vague requirements set by managers with weak egos who are afraid of employees with intelligent ideas.

NFFE Local 2050 encourages its bargaining unit to submit as many suggestions as you can and to keep a record; if you do not get fair treatment according to the regulations, contact NFFE Local 2050. The use of an idea without compensation is illegal; submitting suggestions is another way of getting on record the effort you have shown to make EPA a better agency. NFFE Local 2050 is investigating the agency's suggestions program and needs your comments and help.

A GENTLEMAN AND A SCHOLAR by Alex Arce It is becoming increasingly difficult to find a real Gentleman that at the same time can be a Scholar. Ed Johnson, who is retiring, is one of this rare breed: elegant, kind, intelligent, tactful, well informed. Ed Johnson was willing to listen to anyone with something to contribute, regardless of rank or affiliation.

Years ago, while representing a large group of scientists, I had several opportunities to talk with Ed about problems that they have encountered while working for the Agency. At least three of them were under the threat of being fired. These were senior scientists, professionals who had created an environment around themselves that was, to say the least, unusual. Their old habits were not suitable to their young, aggressive supervisors. A mother would call their rooms "a mess". Their ways of reporting were most unusual--these gentlemen would do their reports using their old typewriters, rather than send their papers to be typed by the secretary. Their format was elaborate. These were professionals who had worked in old laboratories, mixed their chemicals by hand or examined laboratory animals or observed the petri dish with their own eyes. For these professionals Ed Johnson stepped in and made the organizational problems go away, bringing out the best in all the people involved.

We will not say "Goodbye Ed," but, "Thank you for being the kind of manager that brings out the best in his people" - a task that is almost impossible in the Government.

THE KILLING FIELDS OF THE U.S. CAPITAL by Tyrone Aiken The killing of descendants of slaves in D.C. is a result of the slavery mentality of Blacks in America. Some Black Americans don't value themselves as much as White Americans; they do not feel that America truly wishes to share its wealth or liberty with them. The cumulation of dislike and the effects of being projected as animals around the Nation has finally had negative influences that are crystal clear to sociologists and psychologists. The emotional illness caused when people feel worthlessness cannot be adjudicated away. The truth is Black Americans are an embarrassment to liberals and conservatives. Each time a light skin black person appears it is sure proof that the slave masters treated slaves as chattel. Each time a Black American appears it is proof that America is built on racial hatred and slavery. Having Black Americans around is inconvenient for some, especially those who want to get on a soap box and preach human rights to other nations. So don't be so surprised when Black youths kill each other in Washington, D.C. and show no remorse. They have seen the light and realize that ultimately no one cares, not even their own kind. Yugoslavia is the human rights focus at the moment; Washington D.C. is the "so what"? killing field, that is, until a notable person is slaughtered. When will the cycle end? We Americans have such pride in our country, but do not have enough confidence to try playing by the rules. The fear of giving Blacks, Hispanics and other ethnics of European

decent in this country a fair chance borders on fatal paranoia. The only solution to the self destruction of Blacks in this country is bare honesty, direct confrontation of the by products of slavery. Why pretend that Blacks are not reluctant to try the social system even if they have the best education America can offer. Anita Hill had the best education money could buy, but she was afraid to trust the system until the odds were in her favor (then what did it get her?). Minorities have excelled in all areas of the academic and sports worlds, perhaps that is the fear producer. All Americans must realize that it is not inhuman to dislike those that differ, but to fear to the point of letting a race of people destroy themselves so that our inner most hatred can be vindicated is inhuman. America should demand that the killing in the District of Columbia Stop; it's the Capital of the United States, and America is supposed to be the leader of the World in Human Rights. "We the People of The United States, in order to form a more perfect union", does not mean perfection through genocide.

THE PROPHETS HAVE SPOKEN: TWO BOOK REVIEWS by Jim Murphy Dan Quayle, Vice-President of the United States of America, may have been right when he said that family values have been in decline in our nation. When both parents have to go to work to make ends meet, and often each parent has to work at more than one job, there isn't much time left for family values. Dan Quayle should meet some of these people, but he should not criticize them. The people who make it necessary deserve the blame. A front-page story in the Wall Street Journal on July 29, 1992, described companies that advertise proudly "Made in USA" while holding their employees to the minimum wage (still \$4.25 an hour) and threatening to move the jobs out of the country if anybody objects. Raise a family on that.

Fortunately, Dan Quayle is not the only prophet abroad in the land. Prophets were the investigative reporters of Biblical times, observers of the contemporary scene, who received tips from a Highly Placed Source. They pointed out what was wrong in society, warning that dire results would ensue if reforms were not implemented. Now we have Donald Barlett and James Steele of the Philadelphia Inquirer, who wrote America: What went wrong? (235 pages, paperback, \$6.95 from Andrews and McMeel in Kansas City, Dewey 338.973, Library of Congress HC106.8 B373), and William Greider of the Washington Post, who wrote Who will tell the people?, subtitled The betrayal of American democracy (464 pages, hardbound \$25 from Simon & Schuster, Dewey 323.042, Library of Congress number JK 1764 G74).

These books, respectively, tell how the deck has been stacked against ordinary people economically and politically.

America: What went wrong? argues that the economic game in the U.S. has been rigged. The tax system is weighted against the middle class. Health care and pension costs have been shifted from corporations to the taxpayers. High-wage jobs have been exported and companies creating low-wage jobs have been subsidized. Home ownership and college education are moving out of reach of an increasing number of Americans, despite their increasing productivity. The economic mess is unrelated to the recession, Barlett and Steele said, and will not improve even if there is an upturn in business. The rules of the game have to be changed to give everybody an even break, say Barlett and Steele, and they include both Congress and the Executive branch in their indictment.

They give bitter examples. In the 1950s, a store clerk had to work 2 hours to buy 100 postage stamps; in 1991, it took 6 hours of work. If the pay for manufacturing workers had increased at the same rate as the pay for corporate chief executives, a factory worker would be earning \$81,000 a year.

"Long ago, businesses borrowed money to build plants, to buy equipment and to make new products, thereby creating jobs. In those times, there was a certain logic to allowing companies to write off the full interest expense on their tax returns. But in the 1980s, the interest deduction became an instrument to dismantle America -- not to build it." Here's how it works: an individual or a company borrows a huge amount of money to buy another company; the new company raids the pension fund to help pay for the deal, then realizes that it can't make payroll and pay the interest on the huge debt, so it "downsizes" (the corporate equivalent of bloodletting in medieval medicine); this doesn't help, so the next stop is bankruptcy court, which protects the corporate raiders but not the workers or suppliers.

In the 1950s, for every \$1 billion in interest that companies paid out, \$3 billion was invested in new plants and equipment, and over \$700 million was invested in research and development. In the 1980s, for every \$1 billion in interest, only \$625 million went for new plants and equipment, and only \$220 million for research and development.

"Under the existing system, a Michael Milken, whose activities led to the collapse of companies and the elimination of thousands of jobs, will serve time in prison but retain the ... millions of dollars that he made." Barlett and Steele suggest applying the provisions of the drug-forfeiture law to economic crimes, so that white-collar crime does not pay.

There is also a poignant quote. "The fundamental business of the country ... is on a very sound and prosperous basis.... There has been a tendency for wage increases and the output per worker has increased, all of which indicates a very healthy situation." Sounds familiar. The speaker was President Herbert Hoover. The date was October 25, 1929.

Who will tell the people? is a hopeful book, in spite of its long list of abuses and its warning that, "... the self-correcting mechanisms of politics are no longer working." Greider says, "The elusive, redeeming paradox of American democracy is that people are made powerful, despite all of the political obstacles, when they come together and decide that they can be powerful."

Greider has an unpleasant message for our bargaining unit: "Many citizens have come to distrust scientists almost as much as they distrust lawyers, if the scientists are employed by a polluting industry or even by the government.... Their skepticism is not altogether irrational...." Industry's use of "white hat" citizens and environmental groups is described, including "Reilly-gate," a meeting that the CEO of Waste Management engineered with the help of the president of the Wildlife Federation to persuade EPA Administrator William Reilly to block tougher state restrictions on hazardous wastes. This was not reported in the national press.

Today's journalists are "strong on facts and weak on truth." Many editors and reporters believe that they speak for the average citizen, but they no longer do. The working-class reporter has largely been replaced by the elite journalist, in the opinion of Greider, himself an elite journalist.

Greider's book describes this capitol-hill interaction. Senator John Glenn: "Is it your testimony that EPA's enforcement policies are so weak that it frequently pays polluters to keep polluting and pay EPA's small fines rather than clean up their act?" EPA Inspector General John Martin: "Absolutely."

"...[T]o subvert the authority of law, powerful interests have had to eviscerate the authority of the permanent civil service...." Greider says. The Office of Management and Budget and the Office of the Vice-President (occupied by Mr. Bush and then by Mr. Quayle) became "a shadowy court of appeals where ... business ... could win swift redress -- without attracting public attention or leaving any record" of what had happened.

Greider warns that harmonization of U.S. environmental laws with the rest of the world will mean lowering U.S. standards. Greider may be overly pessimistic on this point: there are some signs that the European Community may be turning "green." It is another thing to keep an eye on. Constant vigilance is the price of freedom -- and of a decent environment.

Economic matters are also touched upon in Greider's book. One story concerns the people who clean the fancy office buildings in Washington, DC. By using multiple cleaning crews on the same building, the owners can hold down the number of hours an individual works and make it appear that nobody is employed full time. Thus are the workers denied benefits, such as sick leave and health insurance. When they get sick, the taxpayer foots the bill, not the employer or his insurance company. While the workers are healthy, this economic game requires that they hold multiple "part-time" jobs and run from one job to another daily in order to feed their families.

Family values mean different things to the rich than to the poor. Not much has changed since Marie Antoinette's "Let them eat cake!" Greider reminds us that, "In an earlier era, American industrialists warned that there would be economic chaos if children were prohibited from working in coal mines and garment factories." Never fear; today, children are back in the garment factories. You don't hear much about it these days, but, once upon a time, oppression of the poor and defrauding a laborer of his/her wages were considered to be sins that cried to heaven for vengeance. Thomas Jefferson said: "Indeed, I tremble for my country when I reflect that God is just."

FOR SALE: HOME FOR THE CHEMICALLY SENSITIVE

The present owner is an honorary member of NFFE, Local 2050 and a contributor to INSIDE THE FISHBOWL. FOR MORE INFORMATION CONTACT: Janet Orselli, 1339 Sinkler Road, Columbia, SC 29206, Phone: 803-782-3000. (This is an Equal Opportunity sale. INSIDE THE FISHBOWL cannot warrant the description of the property, which was provided by Ms. Orselli.)

This six year old brick home, on 6.4 wooded acres, was built under the direction of a chemically sensitive individual in rural Macon County, NC. Only the least toxic available building materials were used. Kitchen cabinets are wood, not particle board; sheetrock is painted with Livos (milk based) paint; hardwood floors throughout the house are sealed with a special low emission sealant; ceramic tile is used in the bathrooms and on the kitchen counter tops. No pesticides have ever been used in or around the home. The house is passively solar heated, and has triple-glazed Andersen windows. Trees shade the house from summer sun but let in the rays on winter days. A Fasco vacuuming system is built into the house and the dust is vented to the outside. The water source is a 200 ft. drilled well. Views from the house are magnificent. The house totals 2580 sq. ft. of space, half upstairs and half in the workshop/garage basement. Wooden cathedral ceilings run the length of the living/dining room areas which opens to a large country kitchen. The house is light and airy throughout and features two full bathrooms (one with a shower, one with a shower/bath), three bedrooms, and a large balcony/deck with a view of the mountains. The house is heated by individually thermostatically controlled electric baseboard heaters and cooled by an efficient whole-house attic fan, but in this mild climate at an elevation of 2,500 ft., very little of either is needed.

Nearby are hiking trails, scenic rivers, streams and waterfalls. This is the land of the Cherokee and much of its ancient beauty still remains. The house is priced to sell at \$119,000, however, with this ad from INSIDE THE FISHBOWL, you can steal it from her for \$105,000.

(Continued)

July 10, 1992 - A GROUP OF CITIZENS TAKE OVER THE EPA ADMINISTRATOR'S OFFICE



WHO ARE THOSE PEOPLE?

How come we never heard about this?

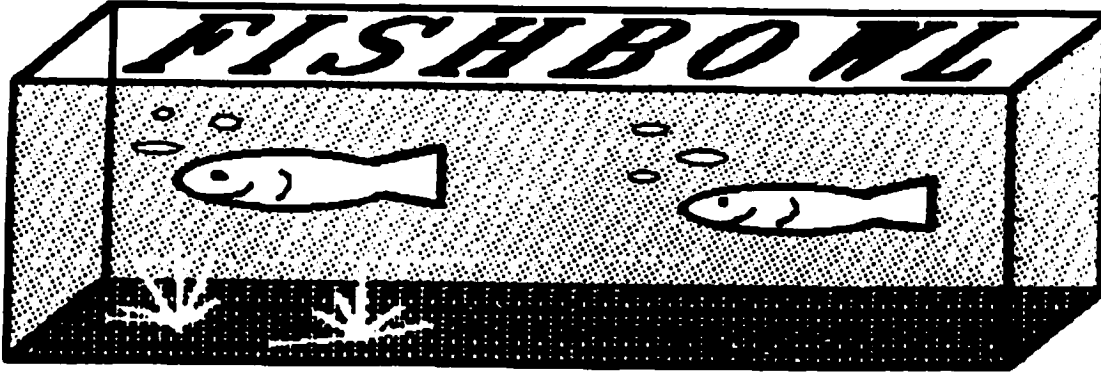
How come we never read about it in EPA INSIGHT

Hmmm, maybe they're not conducting their affairs at EPA as if they lived inside a fishbowl.

STILL LATER IN THE SUMMER, 12 of the same group of citizens get busted.

Coming.....Protecting EPA from U.S. Citizens (To be Continued)

INSIDE THE



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

OCTOBER/NOVEMBER 1992

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UN200

NFFE

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THE WIZARD OF EPA The day after the election quite a few political appointees were walking around with some pretty glum faces. Not everyone was so unhappy. Throughout the day, from an office at Watercide Mall, were heard strains of a tune from the Wizard of Oz, "Ding-dong the witch is dead...the wicked witch is dead....."

STEWARDED ACTIVITIES

YOUR RIGHTS UNDER MOVE OR REORGANIZATION PROPOSALS BY MANAGEMENT

Under the Civil Service Reform Act, which governs the relationships among management, unions and employees, management has broad authority to assign work, to prescribe the technology to be used in performing work, to set the mission of the organization

and its staffing patterns, and to providing a location in which the work will be done. But management's rights are not unlimited. Employees do have some say in how management exercises its rights.

In Federal workplaces where unions exist, as here, employees through their union representatives can bargain with management over any proposed change in working conditions, including moves and reorganizations. If employees are adversely affected by a proposed change in working conditions, they can bargain over appropriate arrangements to ameliorate the adverse effect. Employees can bargain over procedures that management will use in exercising its authority.

Local 2050 was elected by EPA professionals in 1984 to carry out these sorts of representational activities, and that is its reason for being.

Management is, or should be, aware of these statutory mandates, but some supervisors are not as well versed as others, or do not care about them. If you feel that your management is not as well informed as it should be, or is otherwise not complying with these mandates in dealing with you, give the Union a call at 260-2383. That's what we're here for¹.

OPPT REORGANIZATION TAKES EFFECT AFTER MANAGEMENT REFUSES TO BARGAIN - UNION FILES UNFAIR LABOR PRACTICE CHARGE

The long awaited reorganization of the Office of Pollution Prevention and Toxics took effect on Monday, October 5, following a refusal of OPPT and Labor Relations management to bargain over employee concerns.

In February, the Union asked to be included in Quality Action Teams then being formed to study issues related to OPPT operations and the contemplated reorganization. Management refused to seat the Union on any QAT, saying that there was no obligation to do so under any contractual agreement. (Labor Relations, meanwhile, had been refusing to go to the bargaining table to secure an agreement on TQM, claiming that, "TQM isn't being implemented anywhere in Headquarters yet". Sound a little Catch-22ish?) Office Director Greenwood assured the Union, however, that after management made "proposals that might change working conditions", the Union "would have an opportunity for involvement in the process".

This is a report on what management thinks constitutes "involvement in the process", and what the Union is doing in response. (OPPT professionals have already received copies of relevant correspondence through October 5 on the subject.)

First, when the final reorganization package came round for Union sign-off on August 25, we sent a letter to all OPPT professionals on September 3 informing them that the last chance

¹ The Union does other sorts of representational work too, e.g. assistance in grieving performance appraisals, working for a safe and healthful workplace, and responding to inquiries from Congress, the press and the public about working conditions.

for bargaining with management in a legal context was here, and that they should send comments to the Union by September 8. A group of employees sent the Union a letter detailing their problems with the reorganization and the process by which it was done.

The Union sent notice to Director Greenwood and Leigh Diggs of Labor Relations on September 9 that we had received these employees' comments. We also sent comments dealing with worries over contracting out professional work in a major new organization² in which there were only two people on the staffing pattern list, and we asked to set ground rules for the upcoming bargaining. Management asked for a meeting on September 11 to see what was on our mind; we went and told them, saying, in a spirit of cooperation, that we didn't see any problem with the reorganization going into effect on October 5 as planned. That comment was based on an assumption that good faith bargaining would occur. The Union then met with all the disaffected employees and hammered out specific proposals that would accommodate their concerns, and these were sent in to management, as requested, on September 22. They dealt with 1) supervisory employees having a chance to stay in supervisory positions if they wanted, elsewhere in Headquarters, 2) a "window" of frequent discussions between employees and bosses about how new assignments were working out and facilitating transfers or details where indicated, 3) providing appropriate training for the new jobs, 4) providing a chance for employees to have an equal say [i.e. equal to employees in the "receiving" organizations] in planning moves to new offices, and 5) contracting out would be done only in accord with regulation, i.e. no legitimate government work would be contracted out.

The OPPT Director, Division Directors, Leigh Diggs, and three Union reps met on September 24 to talk over the proposals (management having refused to set ground rules as requested by the Union, negotiations had not formally begun), all of which management said were non-negotiable, except the one dealing with moves. Management said that they would arrange frequent discussions about the new jobs as a matter of course, but wouldn't agree to facilitated moving of employees into other jobs; that training money was short; and that no government work would be given away. They also said a written response would be forth coming. We waited 11 days for the written reply, which arrived on the day the reorganization took effect, October 5. In the written reply, contrary to what was asserted at the September 24 meeting, management indicated that, in fact, four proposals were, at least in part or with re-wording, negotiable.

The Union sent another memo on October 5 asking for resumption of bargaining, at least on the "partially" negotiable items. Management replied, "Go Fish". So much for cooperation. Failure

² Design for Environment Staff, whose Functional Statement contains 15 detailed and highly technical tasks, reading rather more impressively than most of the OPPT Division Functional Statements.

to bargain in good faith and to reduce agreements to writing is illegal under 5 USC Chapter 71, so the Union has filed an Unfair Labor Practice charge with the Federal Labor Relations Authority, seeking status quo ante relief.

EMPLOYEES CALL IN FOR ELECTROMAGNETIC READINGS IN THEIR WORK AREAS

About a dozen employees have requested evaluation of the electromagnetic radiation in their work areas in response to the article in the "SUMMER ISSUE" of INSIDE THE FISHBOWL advertising free electromagnetic radiation testing by the Union. We again emphasize that the data on this subject are conflicting and, while we do not wish to raise any alarm, prudent avoidance is probably the best course of action.

Some employee areas tested needed no modification whatsoever; most others merely called for minor changes such as moving a PC farther away from where the employee was sitting. In a few situations, high levels were recorded as a result of the back-end of other people's PCs pointing toward their area. Again, however, it is a simple matter of moving the equipment. We have also found an amplification/transmission effect of metal cabinetry around equipment - high levels near the cabinet but some distance away from the electronic equipment.

This is an ongoing program. If you want an assessment of your area, please call Dwight Welch at 260-2383. You do not have to be in the bargaining unit; this testing is available free to all employees as a service by NFFE Local 2050.

AWARDS FOR...WHAT? WHO? WHY? On October 21, 1992, a memo from Dr. Stephanie Irene, Deputy Director of Registration Division (RD), OPP, was distributed to the branches in RD. This memo was an appeal to the RD Branch Chiefs to participate in a Quality Awards program and to disseminate to their staffs this idea of rewarding top-performing staffers in RD and OPP. The award was stated to be "comparable to a Bronze Metal." A guidance memo was attached from Program Management and Support Division Director Allan Abramson, with the qualifications and categories for the recipients. Awards would be given based on the number of "votes" or "nominations" the various nominees received. Nominators were to remain anonymous. The award categories were: Performers, Managers and Champions. Each person nominated was supposed to have exhibited some TQM quality in the discharging of their respective jobs. (Since TQM is only given lip service in RD, that was going to be hard to do.)

The program has several major faults: (1) NFFE Local 2050 was not informed about the formation of this new awards program and given a chance to bargain over it. Since the new program affects the terms and conditions of employment of professionals and solicits the participation of professionals in the awardee selection process, it is an unfair labor practice to deny employee representatives the right to bargain over it. (2) The information distributed to my (Antimicrobial Program) Branch was inaccurate. Contrary to what the Abramson memo stated, awards cannot be given

to contractors, such as AARP employees. Awards cannot be given to managers from staff personnel. These actions violate Ethics Laws.

But the real outrage occurred on November 2, when a second memo from Dr. Irene was distributed to RD branches. This one stated that the first vote was thrown out, and it was necessary to repeat the vote. Why? What went wrong? How many votes were cast? Who won? No explanation was given.

For the repeat vote, the ballots were to be returned to the branch chiefs rather than placed in a wooden box outside of Dr. Irene's office. After carefully looking over the balloting sheet, I noticed a number in bottom right-hand corner (123 for me). Didn't this start out as a "secret" ballot? Why all the changes? If you believe this number on the ballot makes it secret, I got a bridge that I can sell you in London.

If ballot box stuffing was the concern, collecting un-numbered ballots, using the technique the Union (and numerous professional societies) uses in its elections, would fix that, but it smells to us like somebody who management didn't want to get an award was a big winner.

THE "WHAT WAS HE THINKING ABOUT" AWARD goes to Assistant Administrator Herbert Tate. Seems Mr. Tate hired a new special assistant just a couple of weeks before the election. American politics being what they are, this is hardly worth raising an eyebrow about, except.....not only was a new special assistant installed, but riding roughshod over employee bargaining rights, Mr. Tate ordered new carpeting installed in the special assistant's office without an employee carpet vote. A majority of the employees, occupying the same bay and served by the same air handling system as the carpeted space, have complained about headaches and irritation of the mouth, nose and nasal passages. The supervisor, Jon Jacobs, has been very cooperative with the Union investigation as well as being very supportive and sympathetic toward the affected employees. Mr. Jacobs indicates, however, that personally he was not very able to judge the impact for himself since he suffers from daily headaches and sore throat which he attributes to the already bad air in the area. Sort of like the old joke about having an accident with a police car saving the necessity for calling a cop, the Award goes to Mr. Tate for the following reason. You see, the slimed employees are toxics litigation attorneys! Way to go Herb!

OFFICE OF CIVIL RIGHTS GETS A NEW DIRECTOR AND A NEW DIRECTION by Dwight Welch On October 27, 1992 Local 2050 President Tyrone Aiken and Vice Presidents Bill Coniglio and I had our first official meeting the new OCR Director Dan Rondeau.

Mr. Rondeau says he intends to enforce the rules in an unbiased manner, which is a management style nearly foreign to EPA. In an Agency where preselection for hiring and promotions are the rule rather than the exception, and where the previous management

of OCR and Personnel offices have routinely conspired with errant managers to circumvent complaints from employees, Mr. Rondeau's avowed style is certainly a breath of fresh air.

But make no mistake about it, Mr. Rondeau is not an advocate for the employee (he will tell you this himself); he is a manager, a direct agent of the Administrator. However, he intends to enforce the law and regulations in an unbiased fashion. Equal enforcement of the rules, not any sort of special privilege, is all the Union asks.

Mr. Rondeau immediately impressed us with his honesty. He indicated that some members of his staff and others specifically advised him not to meet with the Union. He indicated that there was a list of people not to meet with and that Aiken and Welch were at the top of that list. We've known for ages that such gossip mongering goes on, but Mr. Rondeau is the first manager we've ever met with the honesty to come out and tell it like it is. Mr. Rondeau went on to state that because of their agendas, the Office of Civil Rights and the Unions are natural allies and at worst, there should at least be a continuing dialogue between the two. The director backed that up with offers to meet on a regular basis to discuss employee problems.

Director Rondeau discussed a number of major ideas he intends to implement. To begin with, he intends to comply with basic rules, followed in other Agencies but seriously neglected at EPA. Did you know for instance that pictures and names of EEO counselors need to be posted where employees can see who their counselors are? Expect to see these soon says Mr. Rondeau. Did you know that filing an EEO complaint can be done during work hours and that you do not need your manager's permission to go and file one? We asked a specific question in that regard, "Can an employee who goes to OCR to file a complaint without their manager's permission be charged AWOL." "Absolutely not," said Mr. Rondeau with intense conviction; "that (filing an EEO complaint) is a protected activity and charging AWOL is considered retaliation and is illegal." (Such retaliations in the past have been ardently supported as legal by OHRM.) Freedom from retaliation against counselors and complainants is another rule which Mr. Rondeau intends to strictly enforce.

The new Director also outlined the need for management accountability, equal enforcement of the "EPA Conduct and Discipline Manual", and the need to resolve complaints in a "common sense" manner rather than turning them into dug-in, manager vs. employee confrontations. Mr. Rondeau also discussed the new EEO rules, which give agencies 180 days to resolve a case, after which the Equal Employment Opportunity Commission takes over the case.

Honesty, integrity, equal enforcement of the rules--where did they get this guy? This is perhaps further evidence of Assistant Administrator Chris Holmes intentions of changing the EPA Culture to one which brings out the best in people, rather than the worst. Based upon what we've seen so far, Dan J. Rondeau has NFFE Local 2050's enthusiastic support.

HEALTH AND SAFETY NEWS

SOME DAY CARE SAFETY PROBLEMS FIXED: THEN A SEWER BREAK AND OTHER PROBLEMS In the September issue we reported a number of safety problems in the Early Environments Child Development Center at EPA. We are happy to report that these problems were taken care of rapidly. On a reinspection all of the problems including the wiring of a new outlet for the ice machine were taken care of. The make-shift extension cord through the ceiling, though now disconnected, was still hanging from the ceiling tiles. This was promptly removed by Dwight Welch, who, being 6'3" was the only one tall enough to reach the wire. Although cleared of the stanchions blocking the emergency egress to the Day Care Center, a "No Parking" area of the pavement awaits painting.

On Wednesday, November 4, a truck backed into and ruptured a sewer line beneath one of the classrooms. Then, without notifying the teachers, power saws and drills were engaged to repair the break. This profoundly terrified one little boy who happened to be sitting on one of the potties, trying his best to learn toilet training. Aside from the terror induced in the little boy, who still enters the Center each day saying, "The noisy drills are all finished now, aren't they?" the safety implications of using an electrically powered tool on steel soil pipe while a human is connected to the system by bare skin are unsettling. The Facilities and Services Management Division was notified of this health and safety violation and asked for an accounting of the situation, but to date, none has been forthcoming.

VENTILATION COMPLAINTS ON THE SECOND FLOOR OF THE WEST TOWER

Complaints of particles coming out of the ventilators on the second floor of the West Tower were registered by several employees. One employee even had a porous piece of white (packing) paper taped over the outlet. When advised that employees were not supposed to block ventilation outlets, the employee informed the team that the paper was not a "block" but a filter used to filter out particles being discharged from the ventilation system. Dennis Bushta said he would look into the situation.

FIRE OR FALSE ALARM IN CM-2? On September 23rd employees called the Union to report a fire in the elevator shaft of CM-2. According to the reports, the alarm system had been turned off and without an alarm some employees evacuated while others didn't. A unit of the Arlington Fire Department showed up to fight the fire. A memo from Jeff Kempter, Alternate Building Monitor sheds some light (or maybe some smoke?) on the issue. According to the memo, smoke from pipe sweating (soldering) got into the air handling system of the building and dispersed throughout the building. A Charles E. Smith employee, according to the memo, called Arlington FD to report a "false alarm" situation, then turned off the alarm, but then

apparently told no one else. The ensuing situation created by this chain of events led to panic and confusion clogging up the guard phones with calls and leading to a partial evacuation. An Arlington FD unit not informed of the "false alarm" situation, but called on the 911 line, showed up for the fire/false alarm. We are all glad that a serious fire did not happen during the interval that the fire alarm system was turned off. Local 2050 Senior VP Dwight Welch will be exploring the situation and solutions for a better handling of fire evacuations in future Health and Safety meetings.

MULTIPLE CHEMICAL SENSITIVITY/TOXIC CARPET, ETC.

SENATE HEARINGS ON TOXIC CARPET On October 1 Senator Joseph Lieberman (D-CT) held a hearing on recent developments in the on-going saga of toxic carpets. The hearing aimed specifically at what the implications are of Dr. Rosalind Anderson's work (See Inside the Fishbowl, Summer 1992), in which she has killed mice in tests of carpet and with low concentrations of pure 4-phenylcyclohexene, when this work is considered alongside the large number of reports of adverse effects among people.

Testimony was taken from Mrs. Linda Sands, a Vermont housewife and mother of four (who along with her children became very sick after exposure to new carpet), Dr. Anderson, and Kristen Rand of Consumers Union. Also testifying were Victor Kimm and Mark Greenwood of EPA, Eric Peterson of CPSC, Ron VanGeldereren of the Carpet and Rug Institute (CRI) and Professor Alan Hedge of Cornell University, who is a consultant and sometime speaker for and to CRI. Rona Brown testified on behalf of the New York Attorney General's Office, and Representatives Bernard Sanders (D-VT) and Mike Synar (D-OK) also gave testimony. Rep. Sanders also participated in questioning witnesses.

Mrs. Sands recounted the incident in which she and her family were subjected to toxic emissions from carpeting for about three weeks and the subsequent struggles to regain health and obtain justice. She spoke of her previously healthy and active children becoming chronically ill with headaches, overwhelming fatigue, body aches and infections, then developing - as she herself did - multiple chemical sensitivity. She described their life since 1989 as "six years of living hell".

Dr. Anderson recounted her work in testing a variety of household products for adverse affects in indoor environments; she has run 3000-4000 such tests, including tests on 32 "complaint" carpets received from around the country. Her testing of carpets and 4-PC involves repeat one-hour exposures to body-temperature air blown across the carpet or container of 4-PC. In all her previous 3000-4000 tests on non-carpet products, she said that she killed 2 mice; with the 32 carpets she has killed 30 mice. She also tested 13 sample of carpet that she purchased at random, and 10 of these were "health neutral", while three showed "very serious" health

problems (paralysis, abnormal gait, hypo- and hyper-activity). Her work has been duplicated by Dr. Yves Alarie at the University of Pittsburgh; Dr. Alarie is the developer of the mouse pulmonary assay which Dr. Anderson is using in modified form in this research.

Dr. Anderson also reported that she has killed mice with two 1-hour exposures to pure 4-PC at concentrations of 0.4 ppm. (That's about ten-fold higher concentration than what EPA employees were exposed to at Waterside Mall, according to EPA documents. And we got more than two doses³. She also tested a sample of the "EPA carpet", provided by Sen. Lieberman's office, and found the five year-old carpet to cause severe neurological and respiratory problems in mice.) Dr. Anderson notes that the mice exposed to 4-PC died with little sign of sensory irritation, and that pulmonary damage was less in these mice than in those that died after exposure to complaint carpet, indicating that another agent in addition to 4-PC could be at work in at least some toxic carpets. 4-PC appears to be a potent neurotoxicant under Dr. Anderson's test conditions.

Dr. Anderson noted that a typical pattern in the four-mice set that she uses in these tests is for one to die, one to be paralyzed, one to be "very unhappy" and one to be apparently unaffected. The animals vocalize oddly and seem to fear touching during exposures. In private communication, she has also noted that the thymus glands of dead mice are enlarged and red, and that there is evidence of restricted blood flow to kidneys and extremities. With this variation in response among genetically similar animals and with other signs she describes the mice displaying, it seems that she may have discovered an animal model for MCS. Her work cries out for expansion and support. EPA said that it would not fund more work in Dr. Anderson's lab; such is the Agency's recognition of a significant contribution to public health research.

Following the testimony of Ms. Sands, Dr. Anderson and Kristen Rand, a Consumers Union representative who reported on a validation visit to Dr. Anderson's laboratory by her organization, the Subcommittee asked EPA and CPSC why they continue to refuse to require labeling of carpet to warn of the product's hazards. The exchange between Rep. Sanders and Mark Greenwood, Director of OPPT, is enlightening on this subject. (Testimony and questions just prior to the Sanders-Greenwood exchange established that there are probably thousands of cases of people suffering ill effects from carpeting, based on cases known to CPSC and at least 26 states' attorneys general.)

Mr Sanders: "You think, that based on the fact that we may have many thousands of people who are suffering problems - some of them severe - you do not have the regulatory authority

³ The mice died after ca. 800 ppb-hours exposure. Based on EPA documents, EPA employees received ca. 800 ppb-hours in 3-5 days of exposure to the toxic carpet at Waterside Mall.

to publish warning labels and signs in stores? Is that what you're saying?"

Mr. Greenwood: "One of the points I would point to in Dr. Anderson's data, she talked about testing some 13 cases and said that 10 out of 13 were health neutral. I think that is one of the issues we're going to have to deal with. If you have across the board labels on all carpets, that provides warning, which in the case of 10 out of 13 may be health neutral, I think the argument we would hear from the carpet industry is that that's unfair."

Mr. Sanders: "Excuse me. Wait a minute. (What) did I hear you say? To me, hearing that 3 out of 13 may have health hazards seems to me rather shocking. You are talking about 20 percent of the carpet she's tested. What am I missing here? To me that would be an indication that you would want some kind of broad warning."

Mr. Greenwood: "Well, I think the point is, what we want to try to give is warnings to people about the products that might be likely to affect them and hurt them, and I think the difficulty we're having is finding ways of distinguishing, as she indicated, what are the problem carpet situations from the non-problems."

EPA and CPSC representatives went on to say that they are trying to understand Dr. Anderson's and Dr. Alarie's results. In the interim they will do nothing to piss off the carpet industry.

It is too bad that Mr. Sanders did not inquire as to Mr. Greenwood's threshold for warnings on products causing injuries: 50%? 90%? 100%? And when is a ban the appropriate remedy?

MAJOR NEWS STORIES ON TOXIC CARPET

On October 29 CBS Evening News and CBS "Street Stories" did pieces on toxic carpet. You were notified by the Union and management of the up-coming broadcasts, so we assume you saw them. (For any who missed the shows, if there is demand, the Union will schedule a showing of the tapes - please call 260-2383).

The "Street Stories" producer told the Union that CBS got more call-ins about that show than any other "Street Stories" - "hundreds" called in. CBS referred callers to the Union for more (truthful) information, and to CPSC and EPA for the Government story. The Union has been sending out a chronology of its involvement with the issue, the TSCA petition, a summary of Volumes I and IV of the EPA Building/Health Study, excerpts from the Crabb and VanErt publication fingering 4-PC and carpet as toxicants, EPA's purchasing policy re: no 4-PC carpet for Headquarters, the Society for Risk Analysis paper co-authored by Bill Hirzy and Rufus Morison, and guidance on ways to get more information on medical problems incurred from carpeting. Several dozen callers have contacted the Union, some with complaints of children having seizures or asthmatic attacks following carpet installation.

EPA's Hotline response to callers is still to the effect, "We have no information about carpet being risky".

Maybe next year it will be less embarrassing to say you work for EPA.

APHA HOLD SESSION ON MCS A session on multiple chemical sensitivity was held during the recent Washington Meeting of the American Public Health Association, chaired by former EPA employee, Joanne Bahura. Drs. Nicholas Ashford, Grace Zeim, Gunnar Heuser and James Cone spoke and participated with the audience in a discussion of diagnosis and treatment of the condition. Dr. Heuser, specializing in neuro- and immunotoxicology, reported a promising diagnostic protocol, and Dr. Zeim reported on her work with MCS patients in the Washington-Baltimore area. Audio tapes of the session will be available soon through APHA. Contact the Union or APHA for information on how to get a copy.

CONGRESS APPROPRIATES FUNDS FOR MCS REGISTRY AND RESEARCH As part of the 1993 budget for the Agency for Toxic Substances and Disease Registry, Congress appropriated \$250,000 to establish a registry and begin research into multiple chemical sensitivity. The work will be done through the National center for Environmental Health Strategies (NCEHS) and is a culmination of years of dedicated work by NCEHS founder, Mary Lamielle. NCEHS will hold workshops, develop research protocols and establish the registry. Commenting on the program, Ms. Lamielle said, "The increasing incidence of chemical sensitivity in the general population affects the health and productivity of our workforce and our children. The registry will provide the first glimpse at the magnitude of this public health problem and its implications for the entire population."

MCS VICTIMS IN THE FEDERAL WORKPLACE ORGANIZE Ms. Bonnye Matthews, a former employee of the Corps of Engineers in Seattle, WA. was driven from her job by multiple chemical sensitivity acquired from carpeting and other IAQ problems several years ago. She has been subsequently fighting for Workmens Compensation benefits from the Department of Labor. Her trials and tribulations are grim and of long duration and too complex to relate here in detail.

She has been very active with Congress on the issue of the failure of the Federal Employees Workmens Compensation program and is looking to organize a "critical mass" of Federal workers who have been abused by the present program as she has in order to get a full scale Congressional investigation going. All EPA employees who have been injured in the workplace and acquired MCS should contact Bonnye if they are interested in helping force improvements and in shining some light on why the Administration has so dismally failed.

Those interested in joining her should send a brief description of their experience with the Workmens Comp program along with name, address and phone number to:

Bonnye Matthews
17402 Sixth Ave. S.W.
Seattle, WA 98166

Ms. Matthews has a new book on MCS that was published this month by McFarland & Co. Its titled: "Chemical Sensitivity - A Guide to Coping with Hypersensitivity Syndrome and Other Environmental Illnesses" with a foreword by Robert J. Sinaiko, M.D.

The 320 page book, with glossary and appendices, sells for \$29.95 and can be ordered from McFarland & Co., Inc., Publishers, P.O. Box 611, Jefferson, NC 28640. Phone: 919-246-4460.

AEROSOL FLAMMABILITY UPDATE by *Dwight Welch* According to a trade newsletter, France has recently implemented new regulations for aerosols containing extremely flammable propellants such as propane, butane, isobutane, and dimethyl ether. With the exceptions of certain products which would "pass" the drum test, such as aqueous foams like shaving cream, all aerosol products containing these propellants would be required to bear a flammability symbol.

Meanwhile, EPA's Aerosol Flammability Taskforce, from which I have been barred, is slowly bringing to a conclusion some sort of precautionary labeling for total release insecticide foggers (TRIFs) only. TRIFs represent only a small fraction of the 4 billion per year U.S. output of aerosol products. At their present pace (more than 14 years to develop warnings for foggers only) EPA and Consumer Product Safety Commission (CPSC) regulations regarding flammable aerosols ought to catch up with the regulations of Japan, France, and other countries by the 23rd century.

ENVIRONMENTAL EQUITY/INIQUITY

ENVIRONMENTAL INEQUITY by *Tyrone Aiken* The Environmental Equity Office is a response by the Administration to the environmental concerns of minorities and other disadvantaged citizens. The scientifically illiterate public is showered with data about the risk of toxic chemicals and metals in minority communities. The data used to conduct risk assessments for the average American family can be dangerous to minorities and poor-white families. Imposing toxic chemical and metal standards in air and water that are questionable and contrary to existing research is unethical. This is tantamount to poisoning your neighbors kids and pretending you are doing them a favor. The standards set for toxic chemicals and metals in air and drinking water is a life quality issue.

Mexico City has a ravaged environment full of residues of lead and pesticides in the air and water. The National Institute of Perinatology reported that by 18 months, 71 percent of babies in Mexico City had blood lead levels above 10 ug/dL. U.S. studies show that this amount of lead can cause a loss of eight IQ points or 8 percent of the average person's potential. What does this mean to children living in high risk areas of the United States?

The U.S. standard for lead in drinking water is 15 ppb. Mexico City's tests show lower levels may be harmful. Diets and living conditions change the risk of exposure to toxic chemicals and subsequent effects. Mental retardation can be caused by lead consumption. Cancer, TB, Black Lung and Polio were once thought to be diseases of the poor and spread out to the entire nation. Toxic chemicals cause the immune systems of humans to deteriorate causing diseases; the contagious diseases will not stay in poor communities or within certain races. This is why we should all be concerned about environmental equity. The quality of the Agency's science is another concern. If science is skewed to provide political remedies for the agency, where will it stop? How much damage will be done to the reputation of our Agency? Will you and your family believe the Agency is protecting the environmental quality of your community or will you have doubts?

NFFE MEETS WITH ENVIRONMENTAL EQUITY OFFICE DIRECTOR GAYLORD by Tyrone Aiken Bill Coniglio, Dwight Welch and I met with Dr. Clarice Gaylord, Director of the Environmental Equity Office on Wednesday, November 4, 1992 and discussed the effects of lead in water.

At issue is whether standards set for protection of the majority - who generally don't live in severely environmentally degraded communities - are good enough to protect the minority who do live in those kinds of communities. People who live in environmentally degraded communities often, if not always, have higher levels of various toxicants already in their bodies and can't deal with extra loads of them as well as people who don't carry those heavy "baseline" body burdens of toxic chemicals. Is it proper and scientifically ethical to ignore the "baseline burdens" when setting standards?

Dr. Gaylord agreed that NFFE had a legitimate concern but stopped short of responding to our request for action. Dr. Gaylord stated that the office she directed did not have any power to take action.

The Environmental Equity Office is a false front for addressing minority environmental concerns as it is now structured. The Environmental Equity Office does not have the power to correct minority problems of environmental inequity. According to Dr. Gaylord the real power to make decisions is in the Offices that set environmental standards.

The environmental equity Task Force, setup to study the problems of Environmental Equity, was from the beginning suspected of being just a "front" by some of it's own members. NFFE exposed a sham report on environmental equity that the Agency attempted to issue several months ago, and Congress subjected Agency officials to harsh questioning about it. A new Administration is on the way and we hope that environmental equity issues will shortly be a true top priority.

All families deserve an equal chance to survive. We believe that environmental quality standards for air, water and land

pollution must be set to protect people living in environmentally high-risk neighborhoods.

CITIZENS SCORE A "WIN" AGAINST WTI-HUNGER STRIKE ENDED by Dwight Welch

Last month I reported on the WTI toxic waste incinerator, the issues involved, and the frustration of the citizens in getting EPA to enforce its own regulations. This is an update.

Local 2050 has obtained copies of the documents which the citizens wanted Mr. Reilly and Mr. Adamkus (Region V Administrator) to sign. It also obtained a copy of a letter sent to Lewis Crampton (liaison between EPA and the citizens group) in advance of the meeting outlining the illegalities involved in the issuance of the permit.

There are 3 documents, only one of which the citizens wanted the Administrator Reilly and Regional Administrator Adamkus (at their option) to sign. Two were letters from the EPA to the citizens of East Liverpool Ohio; one letter said that WTI was found to be in possession of a valid and legally enforceable permit, the second that WTI was found to be in possession of an invalid permit and that it will be revoked and that reissuance proceedings must begin. The third option was that EPA put the start up of WTI on hold until EPA had fully communicated to the citizens what actions the agency would take in regard to the illegalities of the WTI permit.

Agency officials refused to accede to any of the options. What are we to make of a situation where the Agency refuses to say the permit is legal, refuses to say it is illegal, and refuses to even meet again to discuss a possible solution? In the face of this irrationality, the citizens decided to refuse to leave the 12th Floor. (To some it may seem a bit extreme to get yourself arrested in order to make your point, but people like Martin Luther King, Jr. and Mahatma Gandhi thought civil disobedience a useful tactic.)

The citizens have won part of their battle. In an August 28, 1992 letter from Valdus V. Adamkus to the President of Von Roll, Inc. (one of several WTI "owners"), the Regional Administrator ordered a hold on operations: "...until these issues of ownership and operational control are resolved to my satisfaction, you cannot receive hazardous waste on-site at the WTI Facility and no shake-down burning can take place." This essentially was what the citizens were asking for in the third option mentioned above.

Mr. Adamkus' letter ends with "I understand your frustration with these delays; however, given the importance (emphasis added) of the ownership and operational control issues, I know you will agree that operations should not proceed until these outstanding questions have been answered." This is a most interesting turn of events: on the "Night Line" program, Mr. Adamkus tried to characterize the illegalities as unimportant, minor bureaucratic errors, but now they have become important! The issues of who the permittee is and who owns the land are, indeed, quite important issues. These regulations were promulgated for the express purpose

of preventing permittees from escaping liability (as has happened in the past) should an accident occur.

According to reliable sources, WTI bought the land for the incinerator site from the Columbiana County Port Authority. The Authority, although being listed as the land owner in the initial permit, refused to sign the permit application as the land owner. The permit was issued anyway, without a landowner signature.

With the news that EPA ordered a halt to the startup until the issues get resolved, the protesters abandoned their month-and-a-half long hunger strike. Why should it take three mass arrests, a hunger strike, and tons of publicity to compel EPA to enforce its own regulations? (Next issue - testing of East Liverpool school children show dangerous levels of lead before the WTI incinerator even begins operating.)

LATE BREAKING NEWS: Federal judge allows WTI to start up, indicating that the certainty of large financial loses by WTI outweighs the potential for risk to the community. Mass demonstrations/mass arrests are planned in the East Liverpool area.

WTI PROTESTERS TO RALLY AT EPA NOVEMBER 24 Citizens demonstrating for environmental justice and protesting the construction, siting and operation of the WTI incinerator will hold a rally and informational picket at the West Tower entrance to Waterside Mall at 4:00 p.m. on Wednesday November 24. The rally will then move to the North Plaza area where speakers and music will be presented. Sponsors of the activity are URBAN EARTH, Essential /information and Montgomery County Waste Prevention Coalition.

FOR YOUR INFORMATION

UNION TRANSITION TEAM FORMS AND BEGINS WORK Local 2050's transition team met for the first time on November 12 to scope out its agenda and plan future meetings. The Union plans to confer early and often with the in-coming Administration regarding working conditions here - past, present and future.

Our participation in the coalition that advised the "Environmental President" four years ago was instructive, and we hope to be even more pleased with the outcome of our transition efforts this time around.

Please contact the Union at 260-2383 and lets us know what you are thinking. We plan to expand the transition team, and if you are interested in participating, let us know. We expect this to be a fun exercise.

NFFE CONVENTION NEWS: A NEW NATIONAL PRESIDENT - AND MORE Bob Keener was elected as President of NFFE at the biennial convention in Miami on September 16. He replaces Sheila Velazco, who served one two-year term, in an extremely close race requiring three ballots. Considering there were only two candidates, that is

close! The first two ballots were ties. Local 2050 delegates Tyrone Aiken, Dwight Welch and Bill Hirzy backed Sheila all the way, but extended their congratulations to Bob and offered to help make the National Union an even better organization. Keener recognized Local 2050 for its flagship role in representing professional employees in Washington and said he would call on us for lots of help in dealing with this under-represented group of Federal workers.

In addition to the drama of a close presidential election, the convention set the course for the Union's efforts on behalf of Federal workers for the next two years. This was done through debate and adoption of nearly 200 resolutions over the convention's last two days and nights. (NFFE's are working conventions - 2050's delegates didn't even get out of the hotel from check-in on September 13 to check-out on the 18th.)

The resolutions set the Union's lobbying agenda on Capitol Hill for the next two years. Some of the resolutions passed that affect EPA employees include: work toward a family leave program, a bereavement leave program, and a program to allow donation of sick leave as well as annual leave to coworkers in need; to improve the Federal medical insurance program and work toward universal health care; and to allow retirement credit for unused leave under FERS as is now the case for CSRS. More information on the resolutions passed at the convention will be published in the next issue.

AFGE, LOCAL 3331 PRESIDENT AMY BROOKS-JONES RESIGNS by Dwight Welch

The President of our sister union at EPA Headquarters has recently resigned her post as President of AFGE Local 3331. Citing internal differences of opinion, Ms. Brooks-Jones has stepped down and been replaced by Deborah Allen for a short term. The local will be holding new elections in the near future for a complete slate of officers.

One of Amy's principle contributions was to establish better relations with NFFE Local 2050 in a series of solidarity meetings. Amy also put out a newsletter during the period.

I, for one, am sorry to see Amy step down. Her leadership during her tenure of office was a break from the past: displaying solidarity with NFFE instead of with EPA management and dispelling the "in bed with management" image she felt her local had developed over the years. And although Amy has stepped down, her vision of solidarity between the EPA Unions continues to grow as cooperation and joint ventures between the two Union locals increases.

Local 2050 has expressed its willingness to help the new officers in any way we legally can.

AFGE LOCAL 3331 PUTS ON A "KNOW YOUR RIGHTS" SERIES On October 13, 1992, our sister union presented the first in a four part series on knowing your rights as an employee and as a member of a unionized bargaining group. Part One was the "EEO PROCESS" and featured Dan J. Rondeau, the new director of the Office of Civil Rights. The

two hour seminar also featured EEO Counselor Spencer Duffy and former NFFE Local 2050 Vice President Dr. James Walker. Mr. Rondeau give his views as the Civil Rights Chief, Mr. Duffy as a EEO counselor, and Dr. Walker as a victim. A most interesting presentation was given by Health and Safety VP Kirby Biggs. In an interesting twist on the issue of Environmental Inequity, Kirby indicated that many in the AFGE bargaining unit were suffering to a greater degree than the professionals. While the professionals, severely slimed by toxic carpet, bad indoor air and such could be relocated to alternative work space or work at home, such options were unavailable to those in jobs such as receptionist and secretary, where one has to remain in the toxic space. A substantial part of the audience were members of NFFE Local 2050. When's the next one? AFGE Local 3331 said they would tell us so that we can alert employees in INSIDE THE FISHBOWL.

EPA CO-OP PROGRAM UNFAIR TO MINORITY STUDENTS by Tyrone Aiken Co-op Students at the EPA are not getting a fair shake. The Co-op program is mandated by federal law. The program started in the early 1900s to provide a program for getting college graduates into the federal service. The Co-op program provides students a chance to gain valuable experience in the their field of study. The Agency has a responsibility to keep the program in line with the Equal Employment Laws. The results of interviews by NFFE with Carolyn Johnson, Pat Jackson and others running the program indicates the program may be mismanaged and is not treating minorities fairly. The Union requested information under FOIA on how much tuition was being paid to students in the Co-op program by race, job title and national origin. The Agency claims there are no records that show how much money for tuition has been paid, or how many students received award in place of tuition, using the above descriptors.

The issue surfaced when a Co-op student from Howard University questioned the Agency about its practices of tuition payments. The student is minority and has gotten some of his tuition paid. She then came to NFFE and we began an investigation.

The data, below, given to NFFE shows a great disparity in the hiring of minorities through the Co-op program. (As stated above, the Agency says it has no records on payment of tuition by race, national origin or job title, so hiring practice in the program was used as a surrogate in this study.)

Total Percent and Number of EPA Coop-Students Hired
1982-1991

	<u>Black</u>	<u>White</u>	<u>Nat Amer</u>	<u>Hispanic</u>	<u>Pacific</u>
<u>Percent:</u>	12.03	78.3	0.3	4.13	5.24
<u>Number:</u>	188	1455	6	77	101

NFFE continues its investigation of the Co-op program and will publish it's finding in the next issues. NFFE has submitted a proposal to Christian Holmes suggesting that a minimum amount be set aside for all Co-op students with the need. Current regulations make tuition payments a matter of discretion for the supervisor. It took passage of laws to get fair hiring for minorities, and we think that tuition will not be made equitably available to minority students at EPA without clear signals from the Administrator.

What better way of recruiting scientists than encouraging young students to stay at EPA after graduation. Other federal agencies like the DOD have better Co-op programs than EPA and take the best students. The intent of the Co-op Program is to provide the students a chance to get valuable experience and the manager an opportunity to evaluate an employee before hiring. If the Agency hired "78%" non minorities in the past eight years, the hiring patterns are discriminatory.

ELEVENTH HOUR SLEAZE In the waning days of this lame-duck administration, it would not be surprising to see last minute manoeuvres to circumvent environmental laws, rules, and regulations or to otherwise subvert our mission. Know of some eleventh hour sleaze? Report it to the Union at 260-2383 or in writing to UN-200. Here is what has been reported so far.

Raping the Last Wilderness According to the Washington Post, in a thinly veiled pre-election bid for Alaska's 3 electoral votes (talk about desperate), the EPA under direction of the White House is exempting Alaska's wetlands from some of the requirements normally imposed before developing wetlands. Nearly half of the largest state is wetlands. The President who promised "no net loss of wetlands" may very well have set the stage for the largest loss of wetlands in the history of the nation. Oh well, who wants a pristine coastal marsh when you can have something nice like a parking lot instead?

AFSEEE--A THREE PART SERIES by Rob Denny This is the first of a three part series concerning the Association of Forest Service Employees for Environmental Ethics. Although not a labor union, the focus of AFSEEE is similar to that of NFFE Local 2050 regarding the importance of ethical science in government service and the protection of "whistle-blowers" who come forth to expose wrong doing and unethical science.

THE BIRTH OF AFSEEE (Reprinted with Permission)

In 1989, Jeff DeBonis was a timber sale planner on the Willamette National Forest in Oregon. He had joined the USDA Forest Service idealistically twelve years earlier, because he loved the woods. But he had grown disillusioned by the agency's bias toward timber extraction and had realized that many

decisions were based not on sound forestry or biology, but on politics.

While most Americans think that the Forest Service is made up of overgrown Boy Scouts and fire-fearing, talking bears, the agency is actually a "tree selling army" liquidating your public lands for corporate profit. On many national forests, all that's left are remnants of once majestic forests, wetlands, clear streams, and prairies. Employees who speak out against the destruction face demotion, lay-offs, and often harassment. In fact, promotions within the agency are based on a worker's ability to "get out the cut".

DeBonis had reached a point where he could no longer watch silently as Oregon's tremendous ancient forests were clearcut. The agency he had once believed in had become a misguided bureaucracy, whose major mission seemed to be to support resource exploiters at the public's expense--breaking the national environmental laws, ignoring its own mission, abandoning the public trust, and demoralizing the lower echelons of its environmentally-conscious workforce.

After 12 years of growing frustration, DeBonis finally found his voice of resistance and outrage. Sick at heart and confused, yet determined, he began organizing fellow employees to start speaking out against the agency they'd joined and naively believed in, but in which they had lost faith. To his surprise, he discovered there were hundreds, even thousands of others within the agency who felt as he did. It was the beginning of what was to become the Association of Forest Service Employees for Environmental Ethics (AFSEEE) -- a group with a vision to forge a socially responsible value system for the Forest Service based on a land ethic which ensures ecologically and economically sustainable management.

In June of 1989, he published the first issue of Inner Voice, AFSEEE's newspaper. The response of employees and non-employees alike was tremendous! As an advocacy group which promotes a new vision and resource ethic for the Forest Service from within the Forest Service, AFSEEE adds a new dimension to the debated over federal lands management.

AFSEEE had grown to include more the 12,000 members representing current, former, and retired Forest Service employees, other federal and state employees, concerned citizens, educators, and public interest organizations. With a national office based in Eugene, Oregon and local chapters throughout the country, AFSEEE continues to pursue its goal of revitalizing the Forest Service value system by encouraging freedom of expression, providing a support system for employees, advocating for professional integrity, and educating individuals about the condition of public lands.

To contact AFSEEE, please write P.O. Box 11615, Eugene, OR 97440 or call (503) 484-2692,

CONTRARIAN'S CORNER

CHRISTIAN HOLMES SHOULD BE RETAINED by Dwight Welch I am neither a Republican nor a Democrat, but an independent and proud of it. Once upon a time I was a Republican-leaning independent, but the last 12 years have certainly changed all of that. This past election I was a strong supporter of the Clinton-Gore ticket. The Clinton-Gore landslide has made hanging in here the last 12 years (hopefully) all worth it.

I look forward to the transition and the big housecleaning-- in my mind mental images of a building being fumigated for cockroaches. I believe the big sweep should purge from the system not only the political appointees, but those civil servants who have knowingly and willfully violated and circumvented the environmental laws of the land, the will of the people, and the principles of sound science. The latter I will reserve for a future editorial. What concerns me now is an appointee who very well may have been a mistake, a person, against whom other political appointees have conspired to get rid of--as the title of this editorial would suggest, that person is Christian Holmes.

Mr. Clinton said (in essence) in his victory speech, that he would seek out the best and most committed to good government. He further went on to say that this group might well include the expected Democrats, but also independents, and yes, even some Republicans. Mr. Holmes is certainly such a Republican.

Chris Holmes is a person of such high integrity and personal sense of responsibility, that his political affiliation seems almost irrelevant. During his short stint as Assistant Administrator, Mr. Holmes has acted to reverse the rampant abuse of contracting out and had begun to make inroads in such areas as cultural diversity, environmental equity, career ladders for scientists, management accountability, and in making EPA an agency where creativity, hard work, and guts are rewarded rather than retaliated against. Mr. Holmes helped the Union to survive, and has supported an effective Chief of Headquarters Environmental Health and Safety (Dennis Bushta), and most recently an honest and ethical head of the Office of Civil Rights (Dan Rondeau). Due to the influence of Mr. Holmes, some arrogant personalities in Personnel suddenly became more accommodating to employees and more willing to enforce rather than to subvert rules and regulations. My views on this subject are not likely to make me popular, but that has never been a consideration preventing me from calling it like I see it. I believe Mr. Christian Holmes should be kept on and have an important role in the "new" EPA.

ROACHEZ" NOT ETHNIC PUT-DOWN, BUT INSPIRED BY "THE CHAMP" an
(Editorial Reply by Dwight Welch, Creator of "Roachez") Yvette Perez-Hellyer, Chairperson of the HQ Hispanic Advisory Council, writes, "Dear

Fishbowl, I find your series "Roachez" insulting as an Hispanic EPA Biologist". From a German-American colleague, this, "I thought the Roachez were German, Germans pronounce their 's' like 'z'; and after all the world's predominant cockroach species is Blatella germanica, the German Cockroach." (The name for this species was given by a French Entomologist who was not particularly found of Germans.) In addition to the Germanic languages, the "z" sound also seems to be prevalent (judging from Polish names) among the Slavic languages. Still other folks pronounce the name of the strip "Row Shay", "chez" being French for "house" or "house of". This would be an interesting concept, EPA being the house of roaches, however, in proper French this would be "Chez Roaches". Finally, I did not attend the same grammar school as Dan Quayle.

The idea for "Roachez" came from a comment that the indoor environment at EPA was so toxic that only roaches could survive it without health problems. Rather than being based upon any Nationality or Race, the Roachez, being insects, lack these human hangups and are quite puzzled by racism and other human behavior. I also chose the idea of cockroaches as the main characters, because cockroaches are one of the few things I can draw. As for the name of the strip, "Roaches" was too bland, so to jazz it up a bit, I named them "Roachez", after the pronunciation of the bugs' name in an insecticide commercial by "The Champ", Mohammed Ali, a person I admire (not as a pugilist but as a public personality). Specifically, the name comes from Ali's line in the commercial, "I don't want you livin' with roachez". So to all those looking for some hidden racial, ethnic, or cultural meaning: forget it, there is none. (P.S. "Thanks" to the many others who say they enjoy the cartoon.)

THANKSTHANKS***THANKS***THANKS

Local 2050 held a social luncheon on Tuesday November 18 featuring, among other happy things, a host of door prizes that were donated by Waterside Mall merchants. We thank these generous proprietors for their support of the Union, Julie's Card and Gift Shop, the Negril Bakery, Hector's and Fabulous Fashion Center. Thanks are also due members who made the event happen: Pat Hilgard, Bill Coniglio, Otto Gutenson, Don Rodier, Becky Jones, Charlie Plost, Daljit Sawhney, and mystery visitor/guest/member emeritus, Bob Carton. Since we were so close to press at the time of this event, we will run in next months issue half page advertisements in grateful appreciation of these contributions. Thanks again, folks.---Editor.

ROACHES

Now, look at those Electoral votes; for a couple of "Bozogs" "Slick Willie" and "Ozone" sure did a good job!



Hey don't worry about it---we can still poke fun at certain civil servants who sold out to the anti-environment gang.



I'm depressed----who can we make fun of now?

I mean Dan Quayle, Charlie Grizzle, William Reilly, John Martin; these guys are a barrel of laughs.

And with Mr. Gore, perhaps we really will have someone committed to the Environment this time.



You mean like-----

Shhhh, let's keep them guessing for a while.

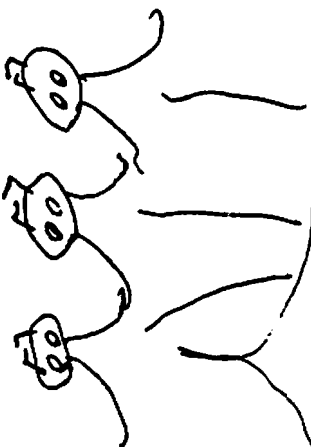


This could add centuries until the extinction of the humans.



CONGRATULATIONS BILL AND AL.

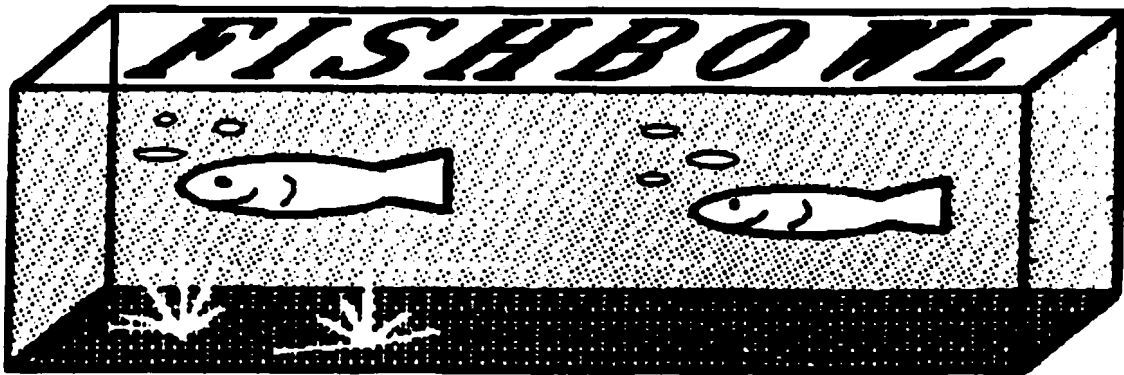
Good luck, you'll need it with this bunch.



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INSIDE THE



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

NFFE LOCAL 2050 -- JOIN TODAY

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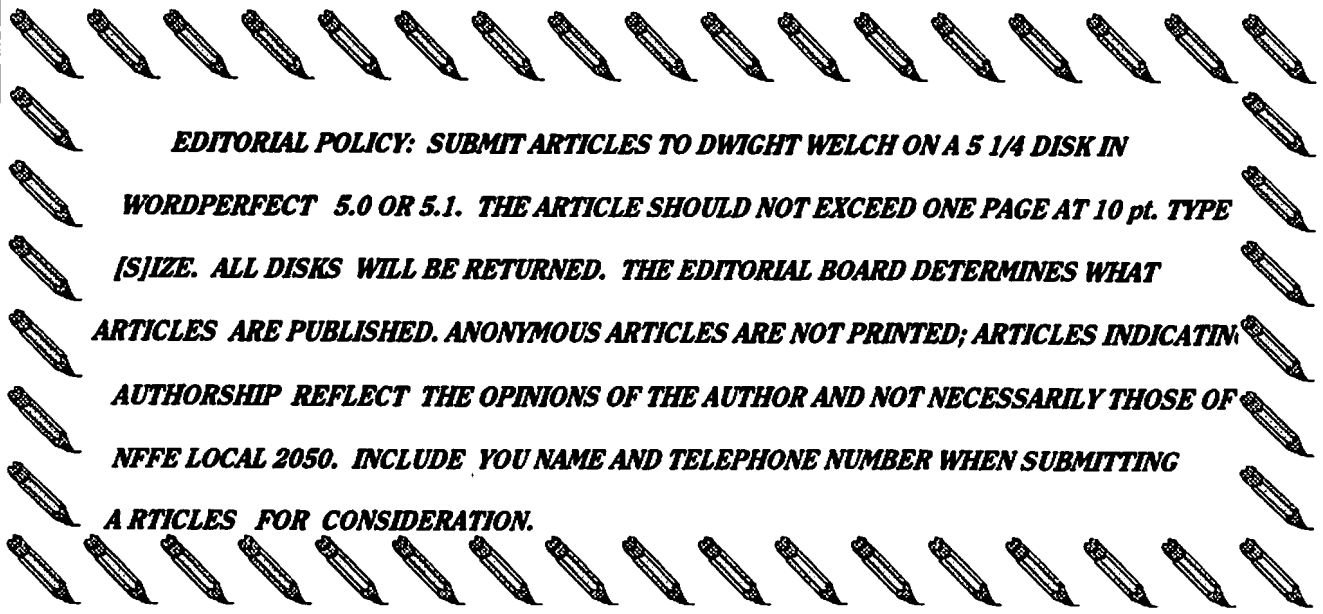
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THE WIZARD OF EPA *The day after the election quite a few political appointees were walking around with some pretty glum faces. Not everyone was so unhappy. Throughout the day, from an office at Waterside Mall, were heard strains of a tune from the Wizard of Oz, "Ding-dong the witch is dead...the wicked witch is dead....."*



STEWARDSHIP ACTIVITIES

YOUR RIGHTS UNDER MOVE OR REORGANIZATION PROPOSALS BY MANAGEMENT *Under the Civil Service Reform Act, which governs the relationships among management, unions and employees, management has broad authority to assign work, to prescribe the technology to be used in performing work, to set the mission of the organization and its staffing patterns, and to providing a location in which the work will be done. But management's rights are not unlimited. Employees do have some say in how management exercises its rights. In Federal workplaces where unions exist, as here, employees through their union representatives can bargain with management over any proposed change in working conditions, including moves and reorganizations. If employees are adversely affected by a proposed change in working conditions, they can bargain over appropriate arrangements to ameliorate the adverse effect. Employees can bargain over procedures that management will use in exercising its authority.*

Local 2050 was elected by EPA professionals in 1984 to carry out these sorts of representational activities, and that is its reason for being.

Management is, or should be, aware of these statutory mandates, but some supervisors are not as well versed as others, or do not care about them. If you feel that your management is not as well informed as it should be, or is otherwise not complying with these mandates in dealing with you, give the Union a call at 260-2383. That's what we're here for¹.

1. The Union does other sorts of representational work too, e.g., assistance in grieving performance appraisals, working for a safe and healthful workplace, and responding to inquiries from Congress, the press and the public about working conditions.

OPPT REORGANIZATION TAKES EFFECT AFTER MANAGEMENT REFUSES TO BARGAIN - UNION FILES UNFAIR LABOR PRACTICE CHARGE *The long awaited reorganization of the Office of Pollution Prevention and Toxics took effect on Monday, October 5, following a refusal of OPPT and Labor Relations management to bargain over employee concerns.*

In February, the Union asked to be included in Quality Action Teams then being formed to study issues related to OPPT operations and the contemplated reorganization. Management refused to seat the Union on any QAT, saying that there was no obligation to do so under any contractual agreement. (Labor Relations, meanwhile, had been refusing to go to the bargaining table to secure an agreement on TQM, claiming that, "TQM isn't being implemented anywhere in Headquarters yet". Sound a little Catch-22ish?) Office Director Greenwood assured the Union, however, that after management made "proposals that might change working conditions", the Union "would have an opportunity for involvement in the process".

This is a report on what management thinks constitutes "involvement in the process", and what the Union is doing in response. (OPPT professionals have already received copies of relevant correspondence through October 5 on the subject.)

First, when the final reorganization package came round for Union sign-off on August 25, we sent a letter to all OPPT professionals on September 3 informing them that the last chance for bargaining with management in a legal context was here, and that they should send comments to the Union by September 8. A group of employees sent the Union a letter detailing their problems with the reorganization and the process by which it was done.

The Union sent notice to Director Greenwood and Leigh Diggs of Labor Relations on September 9 that we had received these employees' comments. We also sent comments dealing with worries over contracting out professional work in a major new organization² in which there were only two people on the staffing pattern list, and we asked to set ground rules for the upcoming bargaining. Management asked for a meeting on September 11 to see what was on our mind; we went and told them, saying, in a spirit of cooperation, that we didn't see any problem with the reorganization going into effect on October 5 as planned. That comment was based on an assumption that good faith bargaining would occur. The Union then met with all the disaffected employees and hammered out specific proposals that would accommodate their concerns, and these were sent in to management, as requested, on September 22. They dealt with 1) supervisory employees having a chance to stay in supervisory positions if they wanted, elsewhere in Headquarters, 2) a "window" of frequent discussions between employees and bosses about how new assignments were working out and facilitating transfers or details where indicated, 3) providing appropriate training for the new jobs, 4) providing a chance for employees to have an equal say

[i.e. equal to employees in the "receiving" organizations] in planning moves to new offices, and 5) contracting out would be done only in accord with regulation, i.e. no legitimate government work would be contracted out

The OPPT Director, Division Directors, Leigh Diggs, and three Union reps met on September 24 to talk over the proposals (management having refused to set ground rules as requested by the Union, negotiations had not formally begun), all of which management said were non-negotiable, except the one dealing with moves.

Management said that they would arrange frequent discussions about the new jobs as a matter of course, but wouldn't agree to facilitated moving of employees into other jobs; that training money was short; and that no government work would be given away. They also said a written response would be forthcoming. We waited 11 days for the written reply, which arrived on the day the reorganization took effect, October 5. In the written reply, contrary to what was asserted at the September 24 meeting, management indicated that, in fact, four proposals were, at least in part or with re-wording, negotiable.

The Union sent another memo on October 5 asking for resumption of bargaining, at least on the "partially" negotiable items. Management replied, "Go Fish". So much for cooperation. Failure to bargain in good faith and to reduce agreements to writing is illegal under 5 USC Chapter 71, so the Union has filed an Unfair Labor Practice charge with the Federal Labor Relations Authority, seeking status quo ante relief.

EMPLOYEES CALL IN FOR ELECTROMAGNETIC READINGS IN THEIR WORK AREAS

About a dozen employees have requested evaluation of the electromagnetic radiation in their work areas in response to the article in the "SUMMER ISSUE" of INSIDE THE FISHBOWL advertising free electromagnetic radiation testing by the Union. We again emphasize that the data on this subject are conflicting and, while we do not wish to raise any alarm, prudent avoidance is probably the best course of action.

Some employee areas tested needed no modification whatsoever; most others merely called for minor changes such as moving a PC farther away from where the employee was sitting. In a few situations, high levels were recorded as a result of the back-end of other people's PCs pointing toward their area. Again, however, it is a

² Design for Environment Staff, whose Functional Statement contains [15] detailed and highly technical task, reading rather more impressively than most of the OPPT Division Functional Statements.

simple matter of moving the equipment. We have also found an amplification/transmission effect of metal cabinetry around equipment - high levels near the cabinet but some distance away from the electronic equipment.

This is an ongoing program. If you want an assessment of your area, please call Dwight Welch at 260-2383. You do not have to be in the bargaining unit; this testing is available free to all employees as a service by NFFE Local 2050.

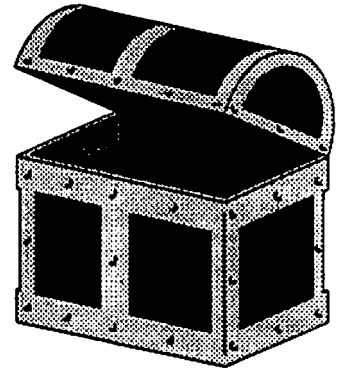
AWARDS FOR...WHAT? WHO? WHY? On October 21, 1992, a memo from Dr. Stephanie Irene, Deputy Director of Registration Division (RD), OPP, was distributed to the branches in RD. This memo was an appeal to the RD Branch Chiefs to participate in a Quality Awards program and to disseminate to their staffs this idea of rewarding top-performing staffers in RD and OPP. The award was stated to be "comparable to a Bronze Metal." A guidance memo was attached from Program Management and Support Division Director Allan Abramson, with the qualifications and categories for the recipients. Awards would be given based on the number of "votes" or "nominations" the various nominees received.

Nominators were to remain anonymous. The award categories were: Performers, Managers and Champions. Each person nominated was supposed to have exhibited some TQM quality in the discharging of their respective jobs. (Since TQM is only given lip service in RD, that was going to be hard to do.)

The program has several major faults: (1) NFFE Local 2050 was not informed about the formation of this new awards program and given a chance to bargain over it. Since the new program affects the terms and conditions of employment of professionals and solicits the participation of professionals in the awardee selection process, it is an unfair labor practice to deny employee representatives the right to bargain over it. (2) The information distributed to my (Antimicrobial Program) Branch was inaccurate. Contrary to what the Abramson memo stated, awards cannot be given to contractors, such as AARP employees. Awards cannot be given to managers from staff personnel. These actions violate Ethics Laws.

But the real outrage occurred on November 2, when a second memo from Dr. Irene was distributed to RD branches. This one stated that the first vote was thrown out, and it was necessary to repeat the vote. Why? What went wrong? How many votes were cast? Who won? No explanation was given.

For the repeat vote, the ballots were to be returned to the branch chiefs rather than placed in a wooden box outside of Dr. Irene's office. After carefully looking over the balloting sheet, I noticed a number in bottom right-hand corner (123 for me). Didn't this start out as a "secret" ballot? Why all the changes? If you believe this number on the ballot



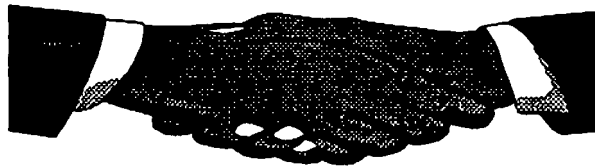
makes it secret, We have a bridge that we can sell you in London.

If ballot box stuffing was the concern, collecting un-numbered ballots, using the technique the Union (and numerous professional societies) uses in its elections, would fix that, but it smells to us like somebody who management didn't want to get an award was a big winner.

THE "WHAT WAS HE THINKING ABOUT" AWARD goes to Assistant Administrator Herbert Tate. Seems Mr. Tate hired a new special assistant just a couple of weeks before the election. American politics being what they are, this is hardly worth raising an eyebrow about, except.....not only was a new special assistant installed, but riding roughshod over employee bargaining rights, Mr. Tate ordered new carpeting installed in the special assistant's office without an employee carpet vote. A majority of the employees, occupying the same bay and served by the same air handing system as the carpeted space, have complained about headaches and irritation of the mouth, nose and nasal passages. The supervisor, Jon Jacobs, has been very cooperative with the Union investigation as well as being very supportive and sympathetic toward the affected employees. Mr. Jacobs indicates, however, that personally he was not very able to judge the impact for himself since he suffers from daily headaches and sore throat which he attributes to the already bad air in the area. Sort of like the old joke about having an accident with a police car saving the necessity for calling a cop, the Award goes to Mr. Tate for the following reason.

You see, the slimed employees are toxics litigation attorneys! Way to go Herb!

**OFFICE OF CIVIL
NEW DIRECTOR
DIRECTION** by
October 27, 1992
Tyrone Aiken and



**RIGHTS GETS A
AND A NEW
Dwight Welch** On
Local 2050 President
Vice Presidents Bill

Coniglio and I had our first official meeting the new OCR Director Dan Rondeau. Mr. Rondeau says he intends to enforce the rules in an unbiased manner, which is a management style nearly foreign to EPA. In an Agency where preselection for hiring and promotions are the rule rather than the exception, and where the previous management of OCR and Personnel offices have routinely conspired with errant managers to circumvent complaints from employees, Mr. Rondeau's avowed style is certainly a breath of fresh air.

But make no mistake about it, Mr. Rondeau is not an advocate for the employee (he will tell you this himself); he is a manager, a direct agent of the Administrator. However, he intends to enforce the law and regulations in an unbiased fashion. Equal

enforcement of the rules, not any sort of special privilege, is all the Union asks.

Mr. Rondeau immediately impressed us with his honesty. He indicated that some members of his staff and others specifically advised him not to meet with the Union. He indicated that there was a list of people not to meet with and that Aiken and Welch were at the top of that list. We've known for ages that such gossip mongering goes on, but Mr. Rondeau is the first manager we've ever met with the honesty to come out and tell it like it is. Mr. Rondeau went on to state that because of their agendas, the Office of Civil Rights and the Unions are natural allies and at worst, there should at least be a continuing dialogue between the two. The director backed that up with offers to meet on a regular basis to discuss employee problems.

Director Rondeau discussed a number of major ideas he intends to implement. To begin with, he intends to comply with basic rules, followed in other Agencies but seriously neglected at EPA. Did you know for instance that pictures and names of EEO counselors need to be posted where employees can see who their counselors are? Expect to see these soon says Mr. Rondeau. Did you know that filing an EEO complaint can be done during work hours and that you do not need your manager's permission to go and file one? We asked a specific question in that regard, "Can an employee who goes to OCR to file a complaint without their manager's permission be charged AWOL." "Absolutely not," said Mr. Rondeau with intense conviction; "that (filing an EEO complaint) is a protected activity and charging AWOL is considered retaliation and is illegal." (Such retaliations in the past have been ardently supported as legal by OHRM.) Freedom from retaliation against counselors and complainants is another rule which Mr. Rondeau intends to strictly enforce.

The new Director also outlined the need for management accountability, equal enforcement of the "EPA Conduct and Discipline Manual", and the need to resolve complaints in a "common sense" manner rather than turning them into dug-in, manager vs. employee confrontations. Mr. Rondeau also discussed the new EEO rules, which give agencies 180 days to resolve a case, after which the Equal Employment Opportunity Commission takes over the case.

Honesty, integrity, equal enforcement of the rules--where did they get this guy? This is perhaps further evidence of Assistant Administrator Chris Holmes intentions of changing the EPA Culture to one which brings out the best in people, rather than the worst. Based upon what we've seen so far, Dan J. Rondeau has NFFE Local 2050's enthusiastic support.

HEALTH AND SAFETY NEWS



SOME DAY CARE SAFETY PROBLEMS FIXED: THEN A SEWER BREAK AND OTHER PROBLEMS

In the September issue we reported a number of safety problems in the Early Environments Child Development Center at EPA. We are happy to report that these problems were taken care of rapidly. On a reinspection all of the problems including the wiring of a new outlet for the ice machine were taken care of. The make-shift extension cord through the ceiling, though now disconnected, was still hanging from the ceiling tiles. This was promptly removed. Although cleared of the stanchions blocking the emergency egress to the Day Care Center, a "No Parking" area of the pavement awaits painting.

On Wednesday, November 4, a truck backed into and ruptured a sewer line beneath one of the classrooms. Then, without notifying the teachers, power saws and drills were engaged to repair the break. This profoundly terrified one little boy who happened to be sitting on one of the potties, trying his best to learn toilet training. Aside from the terror induced in the little boy, who still enters the Center each day saying, "The noisy drills are all finished now, aren't they?" the safety implications of using an electrically powered tool on steel soil pipe while a human is connected to the system by bare skin are unsettling. The Facilities and Services Management Division was notified of this health and safety violation and asked for an accounting of the situation, but to date, none has been forthcoming.

VENTILATION COMPLAINTS ON THE SECOND FLOOR OF THE WEST TOWER

Complaints of particles coming out of the ventilators on the second floor of the West Tower were registered by several employees. One employee even had a porous piece of white (packing) paper taped over the outlet. When advised that employees were not supposed to block ventilation outlets, the employee informed the team that the paper was not a "block" but a filter used to filter out particles being discharged from the ventilation system. Dennis Bushta said he would look into the situation.

FIRE OR FALSE ALARM IN CM-2? *On September 23rd employees called the Union to report a fire in the elevator shaft of CM-2. According to the reports, the alarm system had been turned off and without an alarm some employees evacuated while others didn't. A unit of the Arlington Fire Department showed up to fight the fire. A memo from Jeff Kempter, Alternate Building Monitor sheds some light (or maybe some smoke?) on the issue. According to the memo, smoke from pipe sweating (soldering) got into the air handling system of the building and dispersed throughout the building. A Charles E. Smith employee, according to the memo, called Arlington FD to report a "false alarm" situation, then turned off the alarm, but then apparently told no one else. The ensuing situation created by this chain of events led to panic and confusion clogging up the*

guard phones with calls and leading to a partial evacuation. An Arlington FD unit not informed of the "false alarm" situation, but called on the 911 line, showed up for the fire/false alarm. We are all glad that a serious fire did not happen during the interval that the fire alarm system was turned off. Local 2050 Senior VP Dwight Welch will be exploring the situation and solutions for a better handling of fire evacuations in future Health and Safety meetings.

MULTIPLE CHEMICAL SENSITIVITY - TOXIC CARPET, ETC.

SENATE HEARINGS ON TOXIC CARPET On October 1 Senator Joseph Lieberman (D-CT) held a hearing on recent developments in the on-going saga of toxic carpets. The hearing aimed specifically at what the implications are of Dr. Rosalind Anderson's work (See Inside the Fishbowl, Summer 1992), in which she has killed mice in tests of carpet and with low concentrations of pure 4-phenylcyclohexene, when this work is considered alongside the large number of reports of adverse effects among people.

Testimony was taken from Mrs. Linda Sands, a Vermont housewife and mother of four (who along with her children became very sick after exposure to new carpet), Dr. Anderson, and Kristen Rand of Consumers Union. Also testifying were Victor Kimm and Mark Greenwood of EPA, Eric Peterson of CPSC, Ron VanGelderens of the Carpet and Rug Institute (CRI) and Professor Alan Hedge of Cornell University, who is a consultant and sometime speaker for and to CRI. Rona Brown testified on behalf of the New York Attorney General's Office, and Representatives Bernard Sanders (D-VT) and Mike Synar (D-OK) also gave testimony. Rep. Sanders also participated in questioning witnesses.

Mrs. Sands recounted the incident in which she and her family were subjected to toxic emissions from carpeting for about three weeks and the subsequent struggles to regain health and obtain justice. She spoke of her previously healthy and active children becoming chronically ill with headaches, overwhelming fatigue, body aches and infections, then developing - as she herself did - multiple chemical sensitivity. She described their life since 1989 as "six years of living hell".

Dr. Anderson recounted her work in testing a variety of household products for adverse affects in indoor environments; she has run 3000-4000 such tests, including tests on 32 "complaint" carpets received from around the country. Her testing of carpets and 4-PC involves repeat one-hour exposures to body-temperature air blown across the carpet or container of 4-PC. In all her previous 3000-4000 tests on non-carpet products, she said that she killed 2 mice; with the 32 carpets she has killed 30 mice. She also tested 13 sample of carpet that she purchased at random, and 10 of these were "health neutral", while three showed "very serious" health problems (paralysis, abnormal gait, hypo- and hyper-activity). Her work has been duplicated by Dr. Yves Alarie at the University of Pittsburgh; Dr. Alarie is the developer of the mouse

pulmonary assay which Dr. Anderson is using in modified form in this research.

Dr. Anderson also reported that she has killed mice with two 1-hour exposures to pure 4-PC at concentrations of 0.4 ppm. (That's about ten-fold higher concentration than what EPA employees were exposed to at Waterside Mall, according to EPA documents. And we got more than two doses³. She also tested a sample of the "EPA carpet", provided by Sen. Lieberman's office, and found the five year-old carpet to cause severe neurological and respiratory problems in mice.) Dr. Anderson notes that the mice exposed to 4-PC died with little sign of sensory irritation, and that pulmonary damage was less in these mice than in those that died after exposure to complaint carpet, indicating that another agent in addition to 4-PC could be at work in at least some toxic carpets. 4-PC appears to be a potent neurotoxicant under Dr. Anderson's test conditions.

Dr. Anderson noted that a typical pattern in the four-mice set that she uses in these tests is for one to die, one to be paralyzed, one to be "very unhappy" and one to be apparently unaffected. The animals vocalize oddly and seem to fear touching during exposures. In private communication, she has also noted that the thymus glands of dead mice are enlarged and red, and that there is evidence of restricted blood flow to kidneys and extremities. With this variation in response among genetically similar animals and with other signs she describes the mice displaying, it seems that she may have discovered an animal model for MCS. Her work cries out for expansion and support. EPA said that it would not fund more work in Dr. Anderson's lab; such is the Agency's recognition of a significant contribution to public health research.

Following the testimony of Ms. Sands, Dr. Anderson and Kristen Rand, a Consumers Union representative who reported on a validation visit to Dr. Anderson's laboratory by her organization, the Subcommittee asked EPA and CPSC why they continue to refuse to require labeling of carpet to warn of the product's hazards. The exchange between Rep. Sanders and Mark Greenwood, Director of OPPT, is enlightening on this subject. (Testimony and questions just prior to the Sanders-Greenwood exchange established that there are probably thousands of cases of people suffering ill effects from carpeting, based on cases known to CPSC and at least 26 states' attorneys general.)

Mr Sanders: "You think, that based on the fact that we may have many thousands of people who are suffering problems -some of them severe - you do not have the regulatory authority to publish warning labels and signs in stores? Is that what you're saying?"

Mr. Greenwood: "One of the points I would point to in Dr. Anderson's data, she talked about testing some 13 cases and said that 10 out of 13 were health neutral. I think that is one of the issues we're going to have to deal with. If you

have across the board labels on all carpets, that provides warning, which in the case of 10 out of 13 may be health neutral, I think the argument we would hear from the carpet industry is that that's unfair."

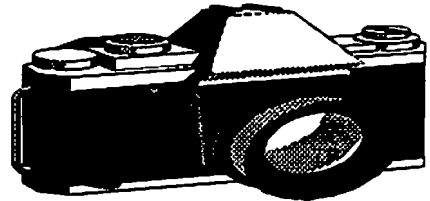
Mr. Sanders: "Excuse me. Wait a minute. (What) did I hear you say? To me, hearing that 3 out of 13 may have health hazards seems to me rather shocking. You are talking about 20 percent of the carpet she's tested. What am I missing here? To me that would be an indication that you would want some kind of broad warning."

Mr. Greenwood: "Well, I think the point is, what we want to try to give is warnings to people about the products that might be likely to affect them and hurt them, and I think the difficulty we're having is finding ways of distinguishing, as she indicated, what are the problem carpet situations from the non-problems."

It is too bad that Mr. Sanders did not inquire as to Mr. Greenwood's threshold for warnings on products causing injuries: 50%? 90%? 100%? And when is a ban the appropriate remedy? EPA and CPSC representatives went on to say that they are trying to understand Dr. Anderson's and Dr. Alarie's results. In the interim they will do nothing to piss off the carpet industry.

MAJOR NEWS **STORIES ON TOXIC**

CARPET On October 29 CBS Evening News and CBS "Street Stories" did pieces on toxic carpet. You were notified by the Union and management of the upcoming broadcasts, so we assume you saw them. (For any who missed the shows, if there is demand, the Union will schedule a showing of the tapes - please call 260-2383).



The "Street Stories" producer told the Union that CBS got more call-ins about that show than any other "Street Stories" - "hundreds" called in. CBS referred callers to the Union for more (truthful) information, and to CPSC and EPA for the Government story. The Union has been sending out a chronology of its involvement with the issue, the TSCA petition, a summary of Volumes I and IV of the EPA Building/Health Study, excerpts from the Crabb and VanErt publication fingering 4-PC and carpet as toxicants, EPA's purchasing policy re: no 4-PC carpet for Headquarters, the Society for Risk Analysis paper co-authored by Bill Hirzy and Rufus Morison, and guidance on ways to get more information on medical problems incurred from carpeting. Several dozen callers have contacted the Union, some with complaints of children having seizures or asthmatic attacks following carpet installation.

EPA's Hotline response to callers is still to the effect, "We have no information

about carpet being risky".

Maybe next year it will be less embarrassing to say you work for EPA.

APHA HOLD SESSION ON MCS A session on multiple chemical sensitivity was held during the recent Washington Meeting of the American Public Health Association, chaired by former EPA employee, Joanne Bahura. Drs. Nicholas Ashford, Grace Zeim, Gunnar Heuser and James Cone spoke and participated with the audience in a discussion of diagnosis and treatment of the condition. Dr. Heuser, specializing in neuro- and immunotoxicology, reported a promising diagnostic protocol, and Dr. Zeim reported on her work with MCS patients in the Washington-Baltimore area. Audio tapes of the session will be available soon through APHA. Contact the Union or APHA for information on how to get a copy.

CONGRESS APPROPRIATES FUNDS FOR MCS REGISTRY AND RESEARCH

As part of the 1993 budget for the Agency for Toxic Substances and Disease Registry, Congress appropriated \$250,000 to establish a registry and begin research into multiple chemical sensitivity. The work will be done through the National center for Environmental Health Strategies (NCEHS) and is a culmination of years of dedicated work by NCEHS founder, Mary Lamielle. NCEHS will hold workshops, develop research protocols and establish the registry. Commenting on the program, Ms. Lamielle said, "The increasing incidence of chemical sensitivity in the general population affects the health and productivity of our workforce and our children. The registry will provide the first glimpse at the magnitude of this public health problem and its implications for the entire population."

MCS VICTIMS IN THE FEDERAL WORKPLACE ORGANIZE Ms. Bonnye Matthews, a former employee of the Corps of Engineers in Seattle, WA. was driven from her job by multiple chemical sensitivity acquired from carpeting and other IAQ problems several years ago. She has been subsequently fighting for Workmens Compensation benefits from the Department of Labor. Her trials and tribulations are grim and of long duration and too complex to relate here in detail.

She has been very active with Congress on the issue of the failure of the Federal Employees Workmens Compensation program and is looking to organize a "critical mass" of Federal workers who have been abused by the present program as she has in order to get a full scale Congressional investigation going. All EPA employees who have been injured in the workplace and acquired MCS should contact Bonnye if they are interested in helping force improvements and in shining some light on why the Administration has so dismally failed.

Those interested in joining her should send a brief description of their experience with

the Workmens Comp program along with name, address and phone number to:

Bonnye Matthews
17402 Sixth Ave. S.W.
Seattle, WA 98166

Ms. Matthews has a new book on MCS that was published this month by McFarland & Co. Its titled: "Chemical Sensitivity - A Guide to Coping with Hypersensitivity Syndrome and Other Environmental Illnesses" with a foreword by Robert J. Sinaiko, M.D.

The 320 page book, with glossary and appendices, sells for \$29.95 and can be ordered from McFarland & Co., Inc., Publishers, P.O. Box 611, Jefferson, NC 28640. Phone: 919-246-4460.

AEROSOL FLAMMABILITY UPDATE by Dwight Welch According to a trade newsletter, France has recently implemented new regulations for aerosols containing extremely flammable propellants such as propane, butane, isobutane, and dimethyl ether. With the exceptions of certain products which would "pass" the drum test, such as aqueous foams like shaving cream, all aerosol products containing these propellants would be required to bear a flammability symbol.

Meanwhile, EPA's Aerosol Flammability Taskforce, from which I have been barred, is slowly bringing to a conclusion some sort of precautionary labeling for total release insecticide foggers (TRIFs) only. TRIFs represent only a small fraction of the 4 billion per year U.S. output of aerosol products. At their present pace (more than 14 years to develop warnings for foggers only) EPA and Consumer Product Safety Commission (CPSC) regulations regarding flammable aerosols ought to catch up with the regulations of Japan, France, and other countries by the 23rd century.

ENVIRONMENTAL EQUITY / INEQUITY

ENVIRONMENTAL INEQUITY by Tyrone Aiken The Environmental Equity Office is a response by the Administration to the environmental concerns of minorities and other disadvantaged citizens. The scientifically illiterate public is showered with data about the risk of toxic chemicals and metals in minority communities. The data used to conduct risk assessments for the average American family can be dangerous to minorities and poor-white families. Imposing toxic chemical and metal standards in air and water that are questionable and contrary to existing research is unethical. This is tantamount to poisoning your neighbors kids and pretending you are doing them a favor. The standards set for toxic chemicals and metals in air and drinking water is a life quality issue. Mexico City has a ravaged environment full of residues of lead and

pesticides in the air and water. The National Institute of Perinatology reported that by 18 months, 71 percent of babies in Mexico City had blood lead levels above 10 ug/dL. U.S. studies show that this amount of lead can cause a loss of eight IQ points or 8 percent of the average person's potential. What does this mean to children living in high risk areas of the United States? The U.S. standard for lead in drinking water is 15 ppb. Mexico City's tests show lower levels may be harmful. Diets and living conditions change the risk of exposure to toxic chemicals and subsequent effects. Mental retardation can be caused by lead consumption. Cancer, TB, Black Lung and Polio were once thought to be diseases of the poor and spread out to the entire nation. Toxic chemicals cause the immune systems of humans to deteriorate causing diseases; the contagious diseases will not stay in poor communities or within certain races. This is why we should all be concerned about environmental equity. The quality of the Agency's science is another concern. If science is skewed to provide political remedies for the agency, where will it stop? How much damage will be done to the reputation of our Agency? Will you and your family believe the Agency is protecting the environmental quality of your community or will you have doubts?



NFFE MEETS WITH ENVIRONMENTAL EQUITY OFFICE DIRECTOR GAYLORD by **Tyrone Aiken** Bill Coniglio, Dwight Welch and I met with Dr. Clarice Gaylord, Director of the Environmental Equity Office on Wednesday, November 4, 1992 and discussed the effects of lead in water.

At issue is whether standards set for protection of the majority - who generally don't live in severely environmentally degraded communities - are good enough to protect the minority who do live in those kinds of communities. People who live in environmentally degraded communities often, if not always, have higher levels of various toxicants already in their bodies and can't deal with extra loads of them as well as people who don't carry those heavy "baseline" body burdens of toxic chemicals. Is it proper and scientifically ethical to ignore the "baseline burdens" when setting standards?

Dr. Gaylord agreed that NFFE had a legitimate concern but stopped short of

responding to our request for action. Dr. Gaylord stated that the office she directed did not have any power to take action.

The Environmental Equity Office is a false front for addressing minority environmental concerns as it is now structured. The Environmental Equity Office does not have the power to correct minority problems of environmental inequity. According to Dr. Gaylord the real power to make decisions is in the Offices that set environmental standards.

The environmental equity Task Force, setup to study the problems of Environmental Equity, was from the beginning suspected of being just a "front" by some of it's own members. NFFE exposed a sham report on environmental equity that the Agency attempted to issue several months ago, and Congress subjected Agency officials to harsh questioning about it. A new Administration is on the way and we hope that environmental equity issues will shortly be a true top priority.

All families deserve an equal chance to survive. We believe that environmental quality standards for air, water and land pollution must be set to protect people living in environmentally high-risk neighborhoods.

CITIZENS SCORE A "WIN" AGAINST WTI--HUNGER STRIKE ENDED by Dwight Welch Last month I reported on the WTI toxic waste incinerator, the issues involved, and the frustration of the citizens in getting EPA to enforce its own regulations. This is an update. Local 2050 has obtained copies of the documents which the citizens wanted Mr. Reilly and Mr. Adamkus (Region V Administrator) to sign. It also obtained a copy of a letter sent to Lewis Crampton (liaison between EPA and the citizens group) in advance of the meeting outlining the illegalities involved in the issuance of the permit.

There are 3 documents, only one of which the citizens wanted the Administrator Reilly and Regional Administrator Adamkus (at their option) to sign. Two were letters from the EPA to the citizens of East Liverpool Ohio; one letter said that WTI was found to be in possession of a valid and legally enforceable permit, the second that WTI was found to be in possession of an invalid permit and that it will be revoked and that reissuance proceedings must begin. The third option was that EPA put the start up of WTI on hold until EPA had fully communicated to the citizens what actions the agency would take in regard to the illegalities of the WTI permit.

Agency officials refused to accede to any of the options. What are we to make of a situation where the Agency refuses to say the permit is legal, refuses to say it is illegal, and refuses to even meet again to discuss a possible solution? In the face of this irrationality, the citizens decided to refuse to leave the 12th Floor. (To some it may seem a bit extreme to get yourself arrested in order to make your point, but people like Martin Luther King, Jr. and Mahatma Gandhi thought civil disobedience a useful tactic.)

The citizens have won part of their battle. In an August 28, 1992 letter from Valdis V. Adamkus to the President of Von Roll, Inc. (one of several WTI "owners"), the Regional Administrator ordered a hold on operations: "...until these issues of ownership and operational control are resolved to my satisfaction, you cannot receive hazardous waste on-site at the WTI Facility and no shake-down burning can take place." This essentially was what the citizens were asking for in the third option mentioned above.

Mr. Adamkus' letter ends with "I understand your frustration with these delays; however, given the importance (emphasis added) of the ownership and operational control issues, I know you will agree that operations should not proceed until these outstanding questions have been answered." This is a most interesting turn of events: on the "Night Line" program, Mr. Adamkus tried to characterize the illegalities as unimportant, minor bureaucratic errors, but now they have become important! The issues of who the permittee is and who owns the land are, indeed, quite important issues. These regulations were promulgated for the express purpose of preventing permittees from escaping liability (as has happened in the past) should an accident occur.

According to reliable sources, WTI bought the land for the incinerator site from the Colombian County Port Authority. The Authority, although being listed as the land owner in the initial permit, refused to sign the permit application as the land owner. The permit was issued anyway, without a landowner signature.

With the news that EPA ordered a halt to the startup until the issues get resolved, the protesters abandoned their month-and-a-half long hunger strike. (Next issue - testing of East Liverpool school children show dangerous levels of lead before the WTI incinerator even begins operating.)

***LATE BREAKING NEWS:** Federal judge allows WTI to start up, indicating that the certainty of large financial losses by WTI outweighs the potential for risk to the community. Mass demonstrations/mass arrests are planned in the East Liverpool area.*

***WTI PROTESTERS TO RALLY AT EPA NOVEMBER 24** Citizens demonstrating for environmental justice and protesting the construction, siting and operation of the WTI incinerator will hold a rally and informational picket at the West Tower entrance to Waterside Mall at 4:00 p.m. on Wednesday November 24. The rally will then move to the North Plaza area where speakers and music will be presented. Sponsors of the activity are URBAN EARTH, Essential Information and Montgomery County Waste Prevention Coalition.*

FOR YOUR INFORMATION

UNION TRANSITION TEAM FORMS AND BEGINS WORK Local 2050's transition team met for the first time on November 12 to scope out its agenda and plan future meetings. The Union plans to confer early and often with the in-coming Administration regarding working conditions here - past, present and future.

Our participation in the coalition that advised the "Environmental President" four years ago was instructive, and we hope to be even more pleased with the outcome of our transition efforts this time around.

Please contact the Union at 260-2383 and let us know what you are thinking. We plan to expand the transition team, and if you are interested in participating, let us know. We expect this to be a fun exercise.

NFFE CONVENTION NEWS: A NEW NATIONAL PRESIDENT - AND MORE

Bob Keener was elected as President of NFFE at the biennial convention in Miami on September 16. He replaces Sheila Velazco, who served one two-year term, in an extremely close race requiring three ballots. Considering there were only two candidates, that is close! The first two ballots were ties. Local 2050 delegates Tyrone Aiken, Dwight Welch and Bill Hirzy backed Sheila all the way, but extended their congratulations to Bob and offered to help make the National Union an even better organization. Keener recognized Local 2050 for its flagship role in representing professional employees in Washington and said he would call on us for lots of help in dealing with this under-represented group of Federal workers.

In addition to the drama of a close presidential election, the convention set the course for the Union's efforts on behalf of Federal workers for the next two years. This was done through debate and adoption of nearly 200 resolutions over the convention's last two days and nights. (NFFE's are working conventions - 2050's delegates didn't even get out of the hotel from check-in on September 13 to check-out on the 18th.)

The resolutions set the Union's lobbying agenda on Capitol Hill for the next two years. Some of the resolutions passed that affect EPA employees include: work toward a family leave program, a bereavement leave program, and a program to allow donation of sick leave as well as annual leave to coworkers in need; to improve the Federal medical insurance program and work toward universal health care; and to allow retirement credit for unused leave under FERS as is now the case for CSRS. More information on the resolutions passed at the convention will be published in the next issue.

AFGE, LOCAL 3331 PRESIDENT AMY BROOKS-JONES RESIGNS by Dwight Welch

The President of our sister union at EPA Headquarters has recently resigned her post as President of AFGE Local 3331. Citing internal differences of opinion, Ms. Brooks-Jones has stepped down and been replaced by Deborah Allen for a short term. The local will be holding new elections in the near future for a complete slate of officers.

One of Amy's principle contributions was to establish better relations with NFFE Local 2050 in a series of solidarity meetings. Amy also put out a newsletter during the period.

We are sorry to see Amy step down. Her leadership during her tenure of office was a break from the past: displaying solidarity with NFFE instead of with EPA management and dispelling the "in bed with management" image she felt her local had developed over the years. And although Amy has stepped down, her vision of solidarity between the EPA Unions continues to grow as cooperation and joint ventures between the two Union locals increases.

Local 2050 has expressed its willingness to help the new officers in any way we legally can.

AFGE LOCAL 3331 PUTS ON A "KNOW YOUR RIGHTS" SERIES On October 13, 1992,

our sister union presented the first in a four part series on knowing your rights as an employee and as a member of a unionized bargaining group. Part One was the "EEO PROCESS" and featured Dan J. Rondeau, the new director of the Office of Civil Rights. The two hour seminar also featured EEO Counselor Spencer Duffy and former NFFE Local 2050 Vice President Dr. James Walker. Mr. Rondeau give his views as the Civil Rights Chief, Mr. Duffy as a EEO counselor, and Dr. Walker as a victim. A most interesting presentation was given by Health and Safety VP Kirby Biggs. In an interesting twist on the issue of Environmental Inequity, Kirby indicated that many in the AFGE bargaining unit were suffering to a greater degree than the professionals. While the professionals, severely slimed by toxic carpet, bad indoor air and such could be relocated to alternative work space or work at home, such options were unavailable to those in jobs such as receptionist and secretary, where one has to remain in the toxic space. A substantial part of the audience were members of NFFE Local 2050. When's the next one? AFGE Local 3331 said they would tell us so that we can alert employees in INSIDE THE FISHBOWL if possible.

EPA CO-OP PROGRAM UNFAIR TO MINORITY STUDENTS by Tyrone Aiken

Co-op Students at the EPA are not getting a fair shake. The Co-op program is mandated by federal law. The program started in the early 1900s to provide a program for getting college graduates into the federal service. The Co-op program provides students a chance to gain valuable experience in the their field of study. The Agency has a responsibility to keep the program in line with the Equal Employment Laws. The results of interviews by NFFE with Carolyn Johnson, Pat Jackson and others running

the program indicates the program may be mismanaged and is not treating minorities fairly. The Union requested information under FOIA on how much tuition was being paid to students in the Co-op program by race, job title and national origin. The Agency claims there are no records that show how much money for tuition has been paid, or how many students received award in place of tuition, using the above descriptors.

The issue surfaced when a Co-op student from Howard University questioned the Agency about its practices of tuition payments. The student is minority and has gotten some of her tuition paid. She then came to NFFE and we began an investigation.

The data, below, given to NFFE shows a great disparity in the hiring of minorities through the Co-op program. (As stated above, the Agency says it has no records on payment of tuition by race, national origin or job title, so hiring practice in the program was used as a surrogate in this study.)

**Total Percent and Number of EPA Coop-Students Hired
1982-1991**

	<u>Black</u>	<u>White</u>	<u>Nat Amer</u>	<u>Hispanic</u>	<u>Pacific</u>
<u>Percent:</u>	12.03	78.3	0.3	4.13	5.24
<u>Number:</u>	188	1455	6	77	101

NFFE continues its investigation of the Co-op program and will publish it's finding in the next issues. NFFE has submitted a proposal to Christian Holmes suggesting that a minimum amount be set aside for all Co-op students with the need. Current regulations make tuition payments a matter of discretion for the supervisor. It took passage of laws to get fair hiring for minorities, and we think that tuition will not be made equitably available to minority students at EPA without clear signals from the Administrator.

What better way of recruiting scientists than encouraging young students to stay at EPA after graduation. Other federal agencies, like the DOD, have better Co-op programs than EPA and take the best students. The intent of the Co-op Program is to provide the students a chance to get valuable experience and the manager an opportunity to evaluate an employee before hiring. If the Agency hired "78%" non minorities in the past eight years, the hiring patterns are discriminatory.

ELEVENTH HOUR SLEAZE *In the waning days of this lame-duck administration, it would not be surprising to see last minute maneuvers to circumvent environmental laws, rules, and regulations or to otherwise subvert our mission. Know of some eleventh hour sleaze? Report it to the Union at 260-2383 or in writing to UN-200. Here is what has been reported so far.*

Raping the Last Wilderness *According to the Washington Post, in a thinly veiled pre-election bid for Alaska's 3 electoral votes (talk about desperate), the EPA under direction of the White House is exempting Alaska's wetlands from some of the requirements normally imposed before developing wetlands. Nearly half of the largest state is wetlands. The President who promised "no net loss of wetlands" may very well have set the stage for the largest loss of wetlands in the history of the nation. Oh well, who wants a pristine coastal marsh when you can have something nice like a parking lot instead?*

AFSEEE--A THREE PART SERIES by Rob Denny *This is the first of a three part series concerning the Association of Forest Service Employees for Environmental Ethics. Although not a labor union, the focus of AFSEEE is similar to that of NFFE Local 2050 regarding the importance of ethical science in government service and the protection of "whistle-blowers" who come forth to expose wrong doing and unethical science.*

THE BIRTH OF AFSEEE *(Reprinted with Permission)*

In 1989, Jeff DeBonis was a timber sale planner on the Willamette National Forest in Oregon. He had joined the USDA Forest Service idealistically twelve years earlier, because he loved the woods. But he had grown disillusioned by the agency's bias toward timber extraction and had realized that many decisions were based not on sound forestry or biology, but on politics.

While most Americans think that the Forest Service is made up of overgrown Boy Scouts and fire-fearing, talking bears, the agency is actually a "tree selling army" liquidating your public lands for corporate profit. On many national forests, all that's left are remnants of once majestic forests, wetlands, clear streams, and prairies. Employees who speak out against the destruction face demotion, lay-offs, and often harassment. In fact, promotions within the agency are based on a worker's ability to "get out the cut".

DeBonis had reached a point where he could no longer watch silently as Oregon's tremendous ancient forests were clear-cut. The agency he had once believed in had become a misguided bureaucracy, whose major mission seemed to be to support resource exploiters at the public's expense--breaking the national environmental laws, ignoring its own mission, abandoning the public trust, and demoralizing the lower echelons of its environmentally-conscious workforce.

After 12 years of growing frustration, DeBonis finally found his voice of resistance and outrage. Sick at heart and confused, yet determined, he began organizing fellow

employees to start speaking out against the agency they'd joined and naively believed in, but in which they had lost faith. To his surprise, he discovered there were hundreds, even thousands of others within the agency who felt as he did. It was the beginning of what was to become the Association of Forest Service Employees for Environmental Ethics (AFSEEE) -- a group with a vision to forge a socially responsible value system for the Forest Service based on a land ethic which ensures ecologically and economically sustainable management.

In June of 1989, he published the first issue of Inner Voice, AFSEEE's newspaper. The response of employees and non-employees alike was tremendous! As an advocacy group which promotes a new vision and resource ethic for the Forest Service from within the Forest Service, AFSEEE adds a new dimension to the debated over federal lands management.

AFSEEE had grown to include more the 12,000 members representing current, former, and retired Forest Service employees, other federal and state employees, concerned citizens, educators, and public interest organizations. With a national office based in Eugene, Oregon and local chapters throughout the country, AFSEEE continues to pursue its goal of revitalizing the Forest Service value system by encouraging freedom of expression, providing a support system for employees, advocating for professional integrity, and educating individuals about the condition of public lands.

To contact AFSEEE, please write P.O. Box 11615, Eugene, OR 97440 or call (503) 484-2692,

CONTRARIAN'S CORNER

CHRISTIAN HOLMES SHOULD BE RETAINED by Dwight Welch I am neither a Republican nor a Democrat, but an independent and proud of it. Once upon a time I was a Republican-leaning independent, but the last 12 years have certainly changed all of that. This past election I was a strong supporter of the Clinton-Gore ticket. The Clinton-Gore landslide has made hanging in here the last 12 years (hopefully) all worth it.

I look forward to the transition and the big housecleaning--in my mind mental images of a building being fumigated for cockroaches. I believe the big sweep should purge from the system not only the political appointees, but those civil servants who have knowingly and willfully violated and circumvented the environmental laws of the land, the will of the people, and the principles of sound science. The latter I will reserve for a future editorial. What concerns me now is an appointee who very well may have been a mistake, a person, against whom other political appointees have conspired to get rid of--as the title of this editorial would suggest, that person is Christian Holmes.

Mr. Clinton said (in essence) in his victory speech, that he would seek out the best

and most committed to good government. He further went on to say that this group might well include the expected Democrats, but also independents, and yes, even some Republicans. Mr. Holmes is certainly such a Republican.

Chris Holmes is a person of such high integrity and personal sense of responsibility, that his political affiliation seems almost irrelevant. During his short stint as Assistant Administrator, Mr. Holmes has acted to reverse the rampant abuse of contracting out and had begun to make inroads in such areas as cultural diversity, environmental equity, career ladders for scientists, management accountability, and in making EPA an agency where creativity, hard work, and guts are rewarded rather than retaliated against. Mr. Holmes helped the Union to survive, and has supported an effective Chief of Headquarters Environmental Health and Safety (Dennis Bushta), and most recently an honest and ethical head of the Office of Civil Rights (Dan Rondeau). Due to the influence of Mr. Holmes, some arrogant personalities in Personnel suddenly became more accommodating to employees and more willing to enforce rather than to subvert rules and regulations.

My views on this subject are not likely to make me popular, but that has never been a consideration preventing me from calling it like I see it. I believe Mr. Christian Holmes should be kept on and have an important role in the "new" EPA.

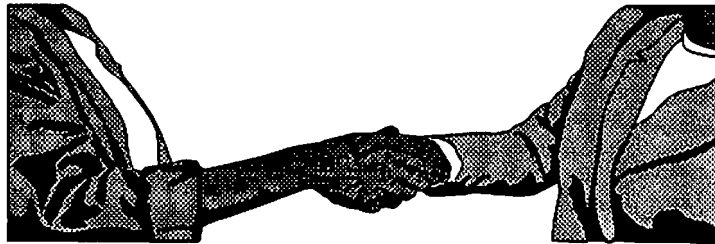
ROACHEZ" NOT ETHNIC PUT-DOWN, BUT INSPIRED BY "THE CHAMP" an (Editorial Reply by Dwight Welch, Creator of "Roachez") Yvette Perez-Hellyer, Chairperson of the HQ Hispanic Advisory Council, writes, "Dear Fishbowl, I find your series "Roachez" insulting as an Hispanic EPA Biologist". From a German-American colleague, this, "I thought the Roachez were German, Germans pronounce their 's' like 'z'; and after all the world's predominant cockroach species is Blatella germanica, the German Cockroach." (The name for this species was given by a French Entomologist who was not particularly fond of Germans.) Other folks pronounce the name of the strip "Row Shay", "chez" being French for "house" or "house of". This would be an interesting concept, EPA being the house of roaches; however, in proper French this would be "Chez Roaches". Finally, I did not attend the same grammar school as Dan Quayle.

The idea for "Roachez" came from a comment that the indoor environment at EPA was so toxic that only roaches could survive it without health problems. Rather than being based upon any Nationality or Race, the Roachez, being insects, lack these human hang-ups and are quite puzzled by racism and other human behavior. I also chose the idea of cockroaches as the main characters, because cockroaches are one

of the few things I can draw. As for the name of the strip, "Roaches" was too bland, so to jazz it up a bit, I named them "Roachez", after the pronunciation of the bugs' name in an insecticide commercial by "The Champ", Mohammed Ali, a person I admire (not as a pugilist but as a public personality). Specifically, the name comes from Ali's line in the commercial, "I don't want you livin' with roachez". So to all those looking for some hidden racial, ethnic, or cultural meaning: forget it, there is none. (P.S. "Thanks" to the many others who say they enjoy the cartoon.)

*****THANKS***THANKS***THANKS***THANKS**

Local 2050 held a social luncheon on Tuesday November 18 featuring, among other happy things, a host of door prizes that were donated by Waterside Mall merchants. We thank these generous proprietors for their support of the Union, Julie's Card and Gift Shop, the Negril Bakery, Hector's and Fabulous Fashion Center. Since we were so close to press at the time of this event, we will run in next months issue half page advertisements in grateful appreciation of these contributions. Thanks again, folks.--Editor.



THIS IS A NEW FORMAT. LET US KNOW IF YOU LIKE IT.

ROACHES

Wow, look at those Electoral votes; for a couple of "Bozos" "Slick Willie" and "Ozone" sure did a good job!



Hey don't worry about it---we can still poke fun at certain civil servants who sold out to the anti-environment gang.



I'm depressed----who can we make fun of now?

I mean Dan Quayle, Charlie Grizzle, William Rellily, John Martin; these guys are a barrel of laughs.

And with Mr. Gore, perhaps we really will have someone committed to the Environment this time.



You mean like-----

Shhhh, let's keep them guessing for a while.



This could add centuries until the extinction of the humans.



CONGRATULATIONS BILL AND AL.

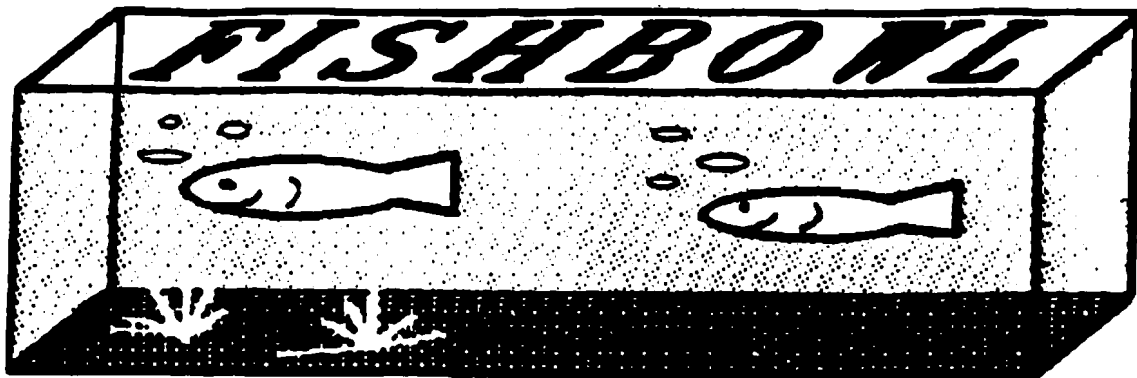
Good luck, you'll need it with this bunch.



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INSIDE THE



NATIONAL FEDERATION OF FEDERAL EMPLOYEES LOCAL 2050

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

NFFE LOCAL 2050 -- JOIN TODAY

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*** AUDUBON NATURALIST ***	

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MAJOR NEWS STORIES

BIG VICTORY FOR BILL MARCUS AND THE UNION In a decision dated December 3, Department of Labor Administrative Law Judge David A. Clarke, Jr. found the reasons EPA cited for firing Dr. William Marcus last May "were a pretext and that his employment was terminated because he publicly questioned and opposed EPA's fluoride policy."

Dr. Marcus, a board-certified toxicologist and 20-year veteran of Government service, is an official of Local 2050 of the National Federation of Federal Employees. He was defended by the Union and the law firm of Kohn, Kohn and Colapinto, P.C. of Washington, DC.

Judge Clarke ordered EPA to reinstate Dr. Marcus in his position as GS-15 Toxicologist and Senior Science Advisor in the Criteria and Standards Division, Office of Drinking Water. Dr. Marcus is to receive back pay, including interest, lost fringe benefits, attorneys' fees and expenses, and \$50,000 compensatory damages. EPA is prohibited from taking adverse action against him in

future except for good cause shown, and EPA is to post notice of the judge's decision and order in a prominent place at Headquarters for at least thirty days. The Secretary of Labor must approve the Judge's Decision and Order before enforcement.

The Agency had contended that Dr. Marcus was guilty of using official information for private gain, engaging in business activities that were or appeared to be a conflict of interest, failing to follow leave procedures, and failing to gain approval for outside employment.

In his decision, Judge Clarke accepted Dr. Marcus's refutation of specifications of the all charges except for several times when he spoke inappropriately about his work at EPA when he appeared as an expert witness at toxic tort trials. Judge Clarke found that firing was much too severe a sanction for such mistakes, citing several cases where equal or worse infractions were met with a few days suspension, but never dismissals. The Judge said that Marcus was really fired for expressing his professional opinion which disagreed with Agency policy regarding a drinking water standard for fluoride.

Judge Clarke took particular notice of the Office of Inspector General's shredding of evidentiary notes, contrary to law and regulation. He unfortunately did not mention witness tampering by management (one witness said that he had been threatened with dire consequences if gave testimony which helped Dr. Marcus's case) nor what appear to be, based on testimony by a knowledgeable labor lawyer, management forgeries of time cards used to entrap Dr. Marcus.

Justice is now half done. Now those management officials who lied, conspired and exercised power arrogantly to cause pain and temporary humiliation to Dr. Marcus, a huge work load for the Union, and embarrassment and expense to the Agency must be shown the same door that Dr. Marcus was shown in May.

These officials include Inspector General John Martin and his staffer Francis Kiley, Margaret Stasikowski, Dr. Marcus's supervisor in the Criteria and Standards Division, and Tudor Davies, Director of the Office of Science and Technology and the man who fired Dr. Marcus. These people were the chief instrumentalities of the conspiracy against Dr. Marcus within EPA.

The Union intends to work with the incoming Administration to investigate fully the conspiracy to fire Dr. Marcus - including witness tampering and timecard forgeries - and will do its best to see that EPA and the rest of government is rid of all such embarrassments as Martin, Stasikowski, Davies and Kiley.

The Union reminds EPA employees and the public that in its exhaustive defense of Dr. Marcus, the Union presented to Administrator William K. Reilly, Deputy Administrator F. Henry Habicht and Assistant Administrator for Water Lajuana S. Wilcher the same evidence that Judge Clarke found so compelling, and asked for their intervention on Dr. Marcus's behalf.

Reilly, Habicht and Wilcher all consented to and are in fact the parties responsible for the injustice done to Dr. Marcus.

Copies of the Judge's Decision and Order are available upon request .

UNION TRANSITION ACTIVITIES

LETTER TO TRANSITION TEAM HEAD GUS SPETH Local 2050 sent a letter to the Clinton/Gore Transition Team on December 7, basing a good bit of the substance on the results of the bargaining unit survey recently completed, as well as the experiences of Local 2050 executive board members. The text of the letter from Local President, Tyrone Aiken to Gus Speth, Cluster

Director for Natural Resources and Environment, follows.

"I am writing on behalf of the executive board of Local 2050 of the National Federation of Federal Employees and the professional workers at the Headquarters of the U.S. Environmental Protection Agency whom we represent.

"The Union, established in 1983, was formed early in the Reagan-Bush Administration to protect employees from an Administration openly hostile to the environmental movement and to the Civil Service. Our struggle has taken many forms and continues to this moment. (The attachments tell more of our history and activities.) We welcome the new Administration and would like to offer some broad suggestions, developed from a survey of our membership, for getting EPA back into the business of environmental protection.

"Restore Credibility to the Agency by Rebuilding the Professional Integrity of the Management Chain

"Over the past twelve years EPA's credibility has eroded. EPA is now viewed with skepticism if not outright hostility by the environmental community and much of the public, while it has developed a cozy relationship with polluters. More fundamentally, EPA employees view the Agency's management with distrust and fear. EPA professionals have been forced by supervisors to avoid or delay actions that would have protected the environment and public health, and have seen their recommendations ignored and their scientific findings distorted or suppressed. We have seen EPA managers wilfully ignore Congressional mandates and place private gain ahead of the public interest. Before EPA's credibility can be restored, its employees must have confidence in the Agency's management.

"Restoration of employee confidence will require more than replacement of political appointees. Many professionals, particularly scientists, are now directly supervised by persons not qualified to review and interpret their work. Nor are these supervisors bound by the professional ethics of those whose work they criticize and change. A prime reason for loss of public confidence in EPA is that unqualified supervisors have distorted and falsified the work of professionals. This must be stopped.

"The work of professional employees should be appraised by persons in their profession or one very closely related. For example, scientific work should be reviewed for merit only by qualified scientists. Supervisors and staff both must operate under high standards of professional ethics.

"Management must be held accountable for retaliation against employees who have sought to follow the path of ethical conduct. In recent years the Offices of Inspector General, Civil Rights and Personnel have all supported managers who have undertaken such retaliation.

"Similarly, managers must be required to follow the rules on hiring, promotions and awards. Pre-selection for job openings is the rule and not the exception at EPA. Merit, qualifications and hard work must once again become the sole bases for filling jobs, making promotions and granting awards.

"Insure the Integrity of the Decision-Making Process

"EPA has developed too cozy a relationship with the industries it regulates. To regain public and employee confidence, the integrity of decision-making processes must be restored. Ex parte contacts between EPA decision-makers and parties to enforcement and rulemaking should be prohibited, and these contacts should be replaced by open public meetings where all interested persons can participate.

"Move EPA Out of its Sick Building"

"In addition to an adversarial relationship with management, EPA employees have been struggling against environmental adversity in their workplace. Many employees, particularly at Waterside Mall, have suffered serious and permanent health effects from poor air quality in the building. After years of employee pressure and management denial, some efforts to improve conditions have been made, but these have been of limited help. An early move to a safe location where good indoor air quality is a design priority would improve productivity, set a "can do" tone for the new Administration, and help solidify employee loyalty.

"We Would Welcome a Meeting During the Transition Period"

"We are anxious to help you rebuild EPA and restore both public and employee confidence in the Agency and to do so in a way that makes permanent the ameliorative changes required. We would welcome the opportunity to meet with you and provide further insights from our unique perspective and present documentation of our concerns. Please feel free to contact me to arrange a meeting to discuss the matters raised here or any other topics. I can be reached at 703-308-7031 or 202-260-2383. We look forward to working with you to create an EPA that once again lives up to its name.

Attach: Environmental Law Reporter Vol. XX No. 2, February 1990

Inside the Fishbowl Vol. 8 No. 6, October/November 1992"

UNION REQUESTS REPRESENTATIVE AT SOME AGENCY TRANSITION

BRIEFINGS The Union has also asked to be present when the Agency briefs the Transition Team on labor relations; the new building; total quality management; health and safety issues, including the alternate workspace program and security; the indoor air program; ethics, including the Ethics in Government Act, its implementing regulations and Agency interpretations, and professional ethics; professional development programs; hiring practices, including the student co-op program; cultural diversity; the pesticide program, specifically aerosol fogger labeling and pesticide registration policies and practices; drinking water standards, including the fluoride standard; Environmental Equity; whistleblower activities and protection; Inspector General operations re: whistleblowers; and carpet toxicity.

We will report on developments. Meanwhile, if you have anything that needs to come to the attention of the Transition Team and you want to act in confidence, contact the Union. If you are aware of suspicious or unauthorized destruction of documents, sudden appearances in your office of "new, career civil service" people who used to be politicals, or any other moves that don't smell right, let us know.

"BURROWING IN?" We received a copy of a job announcements bulletin dated December 14 that had some interesting characteristics. All five of the jobs are GM-14/15: Criminal Investigator, Equal Employment Manager, and 3 Supervisory Environmental Protection Specialists. Closing dates are all January 14, 1993. It will be interesting to see who makes the Certs for these jobs and who finally lands in them. We're sure Senator Pryor, with his avowed interest in "burrowing in", will be watching along with Local 2050.

On the same note, Local 2050 has sent an FOIA request for names of Schedule C's (and some others) hired at EPA since 1984. EPA Personnel manager Mike Hamlin says he'll give us the information for a mere \$1000 search/copy fee. The Union is appealing the proposed fee, with

a copy to Senator Pryor. Could EPA/Hamlin have something to hide? We'll see.

MORE NEWS AROUND HEADQUARTERS

LOCAL 2050 RETREAT CHARTS 1993 DIRECTIONS Officers and stewards of Local 2050 met on December 2 and 3 to review a recent survey of the professional bargaining unit and plan next year's programs around the results. The survey showed that the top ten concerns of EPA professionals are for the Union to:

1. continue to focus on working on and negotiating improvements in health and safety;
2. continue representing workers in conflicts with managers;
3. continue to hold management accountable for observing employee rights and making judgements based on documented facts;
4. negotiate a transit subsidy program;
5. work toward a redesign of performance evaluations, de-emphasizing bean-counting;
6. attempt to negotiate parenting leave;
7. work to rectify biases and prejudices in hiring and promotion;
8. negotiate improvements in individual workspace size;
9. negotiate hiring and promotion policies for professionals and managers that engage working-level peers in the processes;
10. provide a forum for professional debate to ensure that management does not abuse professional judgement and ethics in its decisions.

It was gratifying to get this feed-back because many of these items have been the backbone of Union operations for the past several years, and now we have quantitative support for this direction.

After getting these marching orders, the Union established a list for various negotiations, and we are moving immediately on some of them. Making progress on other negotiations will require input and help from bargaining unit members.

The Gay and Lesbian Alliance has come forward to propose negotiating protection from bias and prejudice in hiring, promotions, job assignments and benefits policies based on sexual orientation, and the executive board has appointed a negotiating team to work on this subject. If you have suggestions for components of the proposal we will put on the table, or otherwise want to help, contact the Union at 260-2383.

Work was begun several months ago on a transportation subsidy program, and the Agency owes us a response on this matter.

The National office of NFFE, following the mandate of the 1992 Convention will be working toward getting legislation on parenting and bereavement leave.

Other items either already on the table or set for early presentation are a TQM agreement and professional ethics protection (both long stalled by the outgoing Administration), training and other aspects of professional development, modifications of the award system, and Flexiplace for all Headquarters employees. Also on the list for bargaining are changes in hiring practices and performance evaluations, work space improvements, and various health and safety matters.

If you want to help to bring these programs under contractual protection, i.e. make them

a permanent part of EPA working conditions, call the Union and we will put you to work. You need not use leave for this work. Our official time agreement with the Agency gives us a bank of official time hours that you may draw on for this type of work.

Out of approximately 1200 survey questionnaires sent, 270 were returned, 63 with written comments. A more detailed analysis of the survey results than given here is being prepared by Steward Barbara Pringle and is planned for next month's INSIDE THE FISHBOWL. The Executive Board thanks stewards Barbara Pringle, Maria Rodriguez, and Mario Sanchez, as well as VP Bernie Schneider for their hard work in drafting, mailing, compiling and analysis in connection with this survey.

UNION MEETINGS SET FOR JANUARY, FEBRUARY, MARCH Local 2050 will hold open meetings for the next three months in North Conference Room 13: Friday January 15 at 12:30; Wednesday February 10 at 12 Noon; Wednesday March 10 at 12 Noon. All EPA professionals are welcome. Agenda topics will include relations with the new Administration, follow through on the bargaining unit survey, items under negotiations, and matters arising.

LOCAL 2050 NOVEMBER SOCIAL, WITH SURPRISE VISITORS, A GREAT SUCCESS

The November 17 luncheon was a great success. For a mere dollar members and their invited guests received not only a good lunch but a better than 50/50 chance of winning a door prize. Prizes were donated by Julie's Card and Gift Shop, the Negril Bakery, Hector's and Fabulous Fashion. (See their ads elsewhere in this issue. The Union encourages you to support these generous contributors.) Prizes were also donated by Charlie Plost and Bill Coniglio.

Surprise visitors to the gathering were National President Bob Keener, National Secretary/Treasurer Don Reichert, and NFFE staff person Lisa Harris Kelly. Due to the last minute invitation to these folks, there wasn't time to notify members that they were coming. This resulted in a realistic assessment by the visitors of the camaraderie, friendliness and enthusiasm of Local 2050 members. Mr. Keener said he was very impressed with our Local, its enthusiasm and its cultural diversity.

Mr. Keener indicated that he would like to attend future functions of Local 2050, and he and other National officers will be invited. Next time, however, we will give advance notice so that Local 2050 members will have a chance to meet the National President.

UNION CONTINUES TO HANDLE CALLS ABOUT CARPET PROBLEMS

Since the October 29 "Street Stories" broadcast on toxic carpet the Union office has handled calls from 55 people on the subject. Callers range from parents with children sick from newly installed carpet to physicians and journalists seeking information. Callers are referred to EPA for the "official" story (they've often already called EPA, and many chuckle at the disclaimer that the Union and EPA have a profound disagreement over the issue) and are sent (at cost) the information package described in last month's newsletter.

STEWARDING ACTIVITIES

In connection with responding to the bargaining unit survey and its revelation that employees want the Union to emphasize representation of workers in their conflicts with management, we are attempting to report more of the work we have always been doing in this arena.

The principal reason for not having had as much in Inside the Fishbowl on these activities is not that they haven't been going on, but that the representational work itself is very intense and time-consuming. This means that the stewards, who are the most knowledgeable about and most capable of writing articles on it, are simply overwhelmed, and they often don't have a chance to write up their activities for the newsletter. We are going to exert ourselves (stewards and Inside the Fishbowl staff) to try to remedy this situation and to give you a better flavor for the day-to-day slugging that goes on between the workers' representatives and managers.

UNION FIGHTS FOR PROMOTION LONG-DELAYED BY OPP DIRECTOR

In October 1991, Brian Dementi's supervisors, up to Division Director level, recommended his promotion to GS-14, following a desk audit completed in June of 1991. For over a year Douglas Campt, Director of the Office of Pesticide Programs has been "sitting" on Brian's promotion. Brian asked the Union to get formally involved last month, and Chief Steward Rufus Morison made many unreturned phone calls to Campt over the next several weeks.

Finally, a few days ago, Campt returned the calls, and has promised action - in the form of a meeting with Brian's Division Director, Penelope Fenner-Crisp to "look into the situation". We trust that Brian's promotion will soon be a fact. There is no further room for delay. (Note: This smells like retaliation against Brian for his forthright analysis of Malathion issues.)

OPPT EMPLOYEE DENIED PROMOTION: UNION TAKES ACTION

A professional employee, who wishes to remain anonymous for the present, has come to the Union seeking help in her attempts to get a promotion for which she has been eligible for three years. Her performance appraisals numbers have been 350 or better for the past several years, but management has refused to promote her from her GS-11 grade level. The Union is seeking data, under provisions of the Civil Service Reform Act, on other promotions in her Division and in OPPT to determine whether discrimination has been at work against her. We suspect discrimination based on the promotion denials and other "jerking around" management has perpetrated on her over the past few years. Stay tuned.

OPPT INTERIM MOVES UNDER NEGOTIATION Proposed interim moves of seven Office of Pollution Prevention and Toxics (OPPT) professionals is being negotiated by Jeff Beaubier and Bill Hirzy with OPPT and Personnel management. Jeff is working closely with the employees involved to make sure the Union is representing them properly. The interim moves are related to the OPPT reorganization implemented in October over the objections of the Union. Union objections were over management's failure to complete bargaining, and there is an active Unfair Labor Practice charge pending on the matter with the Federal Labor Relations Authority.

Two of the seven employees have asked to be moved right away, and the Union negotiators

have cleared these moves for immediate implementation by management. There are concerns over the other five proposed moves, principally that the interim moves will be followed by one or more additional interim moves of these same employees. This, because the final decision among OPPT Division Directors as to where the various Divisions are going to settle in the Great East Tower Shuffle and Power Game now underway.

The Union has asked that no other employees be moved until the senior managers get their act together and decide which floors the sundry, reorganized OPPT Divisions are going to occupy.

Management has proposed that space assignments be by "function" only, i.e. Division Directors, Branch Chiefs and Section Heads get decreasing amounts of space, but more than staff, and that all the rest of staff settle for 80 ft² apiece. The Union is opposing this and asking that space allotments be as close to GSA guidelines for grade-level as possible. The Union has also proposed that priority for space assignments be on the basis of 1) grade level, 2) time-in-grade, 3) seniority at EPA, and 4) seniority in Federal service. The Union has also proposed that if reconfiguration of space is desired by management, that the affected employees vote on the proposed reconfigurations to be sure that equitable spaces are built. Management is resisting this proposal.

Negotiations are in abeyance until January. If you have any questions about moves, whether you are in OPPT or another Office, call the Union at 260-2383.

PROFILE OF A COURAGEOUS STEWARD: BARBARA PRINGLE by Rufus

Morison About a year and a half year ago Barbara Pringle, Biologist (and now NFFE Local 2050 Steward) in the Antimicrobial Program Branch of the Registration Division of OPP, called the Union for help with a problem.

In 1988 Barbara was badly and permanently injured in an automobile accident. The aftermath of this accident was long-term physical therapy to ameliorate her medical condition and allow her to continue to work. The therapy and hospitalization resulting from the accident used all of her accumulated sick leave, and she was forced to request advanced sick leave from then section head, Walter Francis, in order to continue her therapy.

Francis and Branch Chief Juanita Wills apparently saw this as an opportunity to attempt to exert (and abuse) their authority over Barbara. Ms. Wills apparently instructed Francis and his successor (he was promoted to Deputy Branch Chief), Ms. Ruth Douglas, to deny Barbara's requests for advanced sick leave. Barbara then came to the Union and we helped her contact Congressman Jack Brooks' office (Barbara was a former constituent of Mr. Brooks).

The issue began to abate, but management egos had been ruffled, at least in part through the Personnel Office's actions. As a result, there have been many minor and some major reprisals against her by OPT management, including denial of promotion, on-going harassment over sick leave, refusal to grant leave for voting, and refusal to handle time reports. But Barbara has stood her ground and refused to allow management to dictate to her or to threaten her, in spite of management's demeaning and degrading treatment. She has filed two EEO complaints against Wills, Francis and Douglas over the harassment, and these complaints are in process.

Barbara Pringle, Biologist and Steward is a proud, courageous, black woman trade unionist/professional who daily demonstrates her mettle and her character. Ms. Wills and Ms. Douglas are black female management officials and Francis is a white male.

(Editor's Note: There are several other intense representational activities going on, involving delayed/denied promotions, reprisals, etc., which for the sake of time and space will not be covered in this issue. We will report on them next month.)

HEALTH AND SAFETY NEWS

GRIEVANCE SETTLED Last issue we reported painting and carpet installation in NE-102A which made people ill. This renovation work, done in a special assistant to Assistant Administrator Herbert Tate's office, bypassed the rights of the employees and the Unions to bargain over changes in working conditions. A grievance was filed. The settlement agreement, negotiated with Richard Lemley, enables any employee needing alternative workspace to contact Mr. Lemley, who will take all steps necessary to obtain it. The agreement also calls for labor-management cooperation in solving ventilation problems in NE-102A.

SEWAGE DOESN'T FLOW UPHILL This basic rule of plumbing was one apparently missed by a contractor working for Town Center Management. There was a leaking plastic line in the parking garage at Watercside Mall. The pipe appeared to be an air conditioning (A/C) drainage line which was hooked up to a sewage drain line. The hookup was a right-angle joint between the two lines, forcing the drainage to go uphill, resulting in back pressure and a leak. Cars parked in the area were doused with a questionable liquid. The joint has since been fixed with a straight, downhill drainage junction.

HEALTH AND SAFETY PROBLEMS—EVEN THE TWELFTH FLOOR IS NOT EXEMPT The weekly walk through of the Union-Management Health and Safety Committee found a number of problems in the Offices of the Administrator, Deputy Administrator, and Assistant Administrator Christian Holmes' office. These problems included the absence of fire extinguishers and a wire tripping hazard.

HEALTH AND SAFETY CHIEF NIXES PRESSURE TREATED DECK IN DAYCARE PLAYGROUND In a December 9, 1992 memo to Barbara Bonofiglio, Safety Chief Dennis Bushta recommended against the use of pressure treated lumber in the EPA daycare play yard. Writes Bushta, "Because of the chemicals used in the pressure treating of lumber materials and the type of use and contact it may be subjected to by children, I would suggest we strongly consider non-treated construction materials." Mr. Bushta has suggested the use of pressure treated timbers for the structural support and a material such as redwood for the actual decking where children will be making contact with the deck. The area should be set up so that children are unable to make contact with the supporting timbers. Termite-proof structural support is needed, otherwise the reduced danger from lower chemical absorption is offset by the danger of collapse from insect and rot damage.

Meanwhile, the children have been without an outside play area for over a month and are going a bit stir crazy (along with the teachers).

IS M-3103 SLIDING INTO THE POTOMAC? In Room 3103 of Waterside Mall there is a crack running down the wall, extending across the concrete floor slab and up the opposite wall. According to workers in the area, before carpeting was added, the crack was so bad that they could talk to people on the second floor. The room, from the crack out, is also sloping. The rumblings of the subway, which cause the room to vibrate, don't ease the minds of nervous workers much. We wonder if, like California - which is slowly sliding into the Pacific, 3103 may be slowly sliding into the Potomac.

HEALTH AND SAFETY TIPS FOR YOUR WORK AREA In the weekly walk through of the building the NFFE/Health and Safety Team has discovered some common hazards which can easily be avoided. Take a few minutes to check your work area for these hazards to enjoy a safer work area.

Wire Tripping Hazards In many work areas people have wires running across the floor. These wires pose a tripping and electric shock hazard. Either reroute the wires so they do not cross walk spaces, or get a wire protector from the supply office and install the wire in this protector.

Boxes on Top of File Cabinets We are all pressed for space, but we also need to maintain an 18" clearance below sprinkler heads so the sprinkler system may work properly. Boxes can generally be stacked on top of a file cabinet when the cabinet is along a wall. But stacking them on file cabinets or bookshelves in the middle of a bay may interfere with the proper dispersal of sprinkler water in the event of a fire.

Heavy Objects Stored High Up Avoid storing heavy objects high up. The Health and Safety team has found heavy items such as computers and monitors stored on top of coat stands. A coat stand is too flimsy to support heavy objects, and these objects could be knocked off the stand and hit someone.

Fans Located High Up We commonly see fans placed on top of file cabinets, etc. It is best to locate them lower. An oscillating fan may eventually vibrate off an elevated perch and hit someone.

Overloaded Electrical Outlets The total wattage/ampage of appliances should not exceed 1500 watts/12 amps (120v) on any given circuit. If you have a microwave (500-650 watts), refrigerator (800-1400 watts), and coffee maker (400-600 watts) all on the same circuit, you are asking for trouble. Relocate one or more of these high wattage appliances so that the total falls below the 1500 watt/12 amp value. Check the instruction booklet or the electrical plate on the appliance for the electrical consumption values. Contact Facilities at 260-2030 for advice on circuitry in your area.

Personal Space Heaters Technically, these are contraband at EPA.

ENVIRONMENTAL EQUITY

HISPANIC ADVISORY COUNCIL CHARGES PRESELECTION IN STAFFING OF ENVIRONMENTAL EQUITY OFFICE/CLUSTER

In a November 27, 1992 memo to EPA Administrator William K. Reilly, EPA's Hispanic Advisory Council said they, "whole-heartedly and enthusiastically" welcomed the Administrator's Environmental Equity Initiative, and were "pleased to witness the formation of an Office of Environmental Equity and an Environmental Equity Cluster". However, they also wrote that they are, "outraged about the way individuals were selected for the staff and intern positions and...disappointed in the final racial/ethnic composition of these influential entities."

The memo went on to say: "All the staff/intern positions in the newly created Office and staff positions associated with the Cluster have been filled through pre-selected appointments. To not conduct an open competitive selection process for these positions denied many talented and committed professionals from all racial/ethnic backgrounds the opportunity to apply/compete for these limited positions. This complete disregard for fair employment practices does not speak well for the Agency's civil rights record."

"The absence of Latino, Asian Pacific, and Native American staff or interns in formal decision-making, outreach, or analytical capacities refuses leadership roles for our communities and it reflects a narrow definition of diversity."

The committee asked that these, "traditionally un- and under-represented racial/ethnic groups", be represented in these organizations. The memo ended with an offer to suggest qualified candidates for leadership positions.

JUDGE RULES AGAINST WEST VIRGINIA, WTI FIRES UP, 125 ARRESTED IN EAST LIVERPOOL, AL GORE TO THE RESCUE, CANDLELIGHT VIGIL AT EPA

In a November 12th ruling, U.S. District Court Judge Frederick Stamp rejected a request by the state of West Virginia for an injunction to prevent the start-up of the WTI toxic waste incinerator. West Virginia termed the ill-placed incinerator a public nuisance, because of likely toxic emissions and dangers from accidents or flooding, and strongly criticized EPA's risk assessment of the plant. Judge Stamp rejected the arguments of the state's key witness, indicating that the witness was "totally opposed to all hazardous waste incinerators..." The judge relied heavily on EPA testimony in support of the incinerator. Stamp said that the West Virginia request to halt the start-up amounted to "irreparable damage" to WTI (losing \$115,000) which "decidedly" outweighed any damage claimed by West Virginia, i.e. lead poisoning of children and widespread environmental contamination of at least three states. WTI immediately started bringing toxic waste on site and fired up the incinerator for a 4 week shakedown burn.

The start-up of WTI precipitated mass demonstrations the following week. These demonstrations have so far resulted in 125 arrests in this small Ohio town.

Meanwhile, on November 24 at EPA Headquarters, local environmental activists staged a

candlelight vigil and rally in support of the folks in East Liverpool. Apparently still smarting from the citizen takeover of the Administrator's office last summer, EPA officials locked the doors of the West Tower where the protest began. The rally was attended by some 60 people. Folk singers and speakers, including an EPA attorney and Local 2050 VP Dwight Welch, entertained. Mr. Welch indicated that the citizens were right in criticizing EPA for the WTI decision, and he defended the reputations of EPA professionals. He noted that the repressive atmosphere at EPA discouraged many ethical scientists from speaking out and cited instances of retaliation against ethical scientists at EPA by program managers, the Office of Inspector General, and Personnel. Welch ended his talk with the hope that the sordid 12 year era of cozying up to polluters to the detriment of citizens and the environment would soon be over.

According to a story in The Washington Post of December 7, Vice-President Elect Al Gore has indicated that the incoming administration would not grant a final stage testing permit for the incinerator. He and several other legislators have asked the General Accounting Office (GAO) to investigate the licensing of the facility. Gore said matters relating to the legality of the plant's permit, ownership of the corporation involved, the health effects of lead and mercury emissions, construction standards and location of the facility "have consistently been downplayed or ignored by the Environmental Protection Agency."

In a related story, INSIDE THE FISHBOWL has learned that Lew Crampton, self-proclaimed "people's advocate" assigned to act as "community liaison" between EPA and the citizens concerned about WTI, left EPA on October 5, 1992 for a job at Waste Management Inc.

OTHER NEWS AND VIEWS

READER FEEDBACK AND REPLY by Dwight Welch The last issue of INSIDE THE FISHBOWL generated many comments. Here is some reader feedback.

We are usually criticized by readers for being too hard on managers. Last month's comments were in an opposite vein. One caller criticized me for praising "criminals like Christian Holmes and Dennis Bushta who were continuing to poison employees." Two other callers added "...for years you have accused the other Union of being in bed with EPA management. Your articles praising Christian Holmes, Dennis Bushta and Dan Rondeau prove that 2050 is in bed with management."

Hardly. Although we still have a long way to go, hopefully you can at least grant me that EPA Environmental Health and Safety under Bushta and Holmes is quite a bit better than it was under Charles Grizzle. Thus far both Mr. Holmes and Mr. Bushta have played a pretty square hand. We think it is just as important to compliment managers when they do something good as it is to criticize wrong doing.

As for Mr. Rondeau, last month's article was a first impression piece. We will be anxiously waiting to see if Mr. Rondeau carries out his promises, and we will report the results.

I also received quite a number of comments about my piece last month on Chris Holmes from both managers and employees, including hard-core Union members, who also believe Chris Holmes should stay on.

It is a major goal of INSIDE THE FISHBOWL to encourage debate and offer varying points of view on issues which affect EPA employees. In an Agency which exercises the heavy hand of

ensorship, it is such a policy which seems to have made INSIDE THE FISHBOWL so popular. You don't read articles like this in EPA INSIGHT! So keep those comments coming or better yet write us an article.

INTERNATIONAL SOCIETY FOR REGULATORY TOXICOLOGY AND PHARMACOLOGY (IS RTP) MEETING ON MULTIPLE CHEMICAL SENSITIVITY: A CASE OF FALSE ADVERTISING - by

Bill Hirzy The November 19 and 20 IS RTP meeting was billed as a "State of the Science" symposium on multiple chemical sensitivity (MCS); what is was was a colloquium among defendants and defense expert witnesses in toxic tort trials.

I attended as a Union representative (no cost to the Union or EPA) expecting to hear the latest research findings in the field, rather on the model of the American Public Health Association session on the same topic earlier in November. Instead, there were only reports of several psychiatrists and others attributing MCS exclusively to psychiatric origins. The one exception to this parade of closed minds was a presentation by Dr. Howard Kipen, an occupational physician at the Robert Wood Johnson Medical School, who reported on a controlled evaluation of MCS patients he has seen. He noted that respiratory and psychological symptoms were the most prevalent complaints in his patients. And he noted, significantly, that many of his patients reported having productive and happy lives prior to onset of the condition following some specific toxic exposure. (Rather like the EPA employees' cases we are familiar with.) He called for generation of data on prevalence of MCS in the population (something that Local 2050 sought in its TSCA section 21 petition three years ago) and for more research into the condition.

The capstone of the "State of the Science" meeting was the consensus panel session held during the final hour of the meeting. Dr. Kipen was notable by his absence. In a real state of the science meeting one would expect to hear a consensus panel discuss the significance of new research data, further research needs, funding requirements, etc. What took place, however, was an hour long discussion aimed exclusively at "defining" MCS.

William Waddell, a toxicologist at the University of Louisville, set the tone by stating, "It's a figment of the imagination". Linda Tollefson of FDA declared, "Giving it a formal definition is likely to legitimize it." And Herman Staudenmayer, a Colorado psychiatrist added, "It's very hard to talk about something we've never seen. What will space people look like?" The consensus panel declined to include in their definition that a specific toxic exposure is often the precipitating event in the onset of the condition, preferring to keep to their pre-formed attitudes that all MCS people are loonies, and that one day they simply wake up and decide that they are chemically sensitive.

After listening for a day and a half to this remarkable litany that was passed off as a symposium on the state of the science regarding MCS, I rose to ask where the researchers in the field were, i.e. Nicholas Ashford, Claudia Miller, James Cone, Gunnar Heuser, Rosalind Anderson, and to suggest a more accurate name for the meeting: Colloquium of Toxic Tort Defendants and Defendant Expert Witnesses.

Abba Terr, another panelist and noted defense expert witness in MCS trials, agreed that the "symposium" was really just one side of the story.

There was no discussion of recent blood or neurological studies following challenge exposures, nor of brain physiology as it relates to possible mechanisms of MCS induction and expression, nor of other recent neurological studies among MCS patients. The panelists did not want to discuss the possibility that Rosalind Anderson may have discovered an animal model for MCS in her mouse studies of 4-phenylcyclohexene and toxic carpets. Not until her work is published, they said. Any scientist who has attended Gordon Conferences or similar meetings knows that at real state-of-the-science meetings scientists are always eager to explore implications of hot, new findings well before publication. To the contrary, this meeting's leading lights, Gots, Waddell, Terr, Staudenmayer, Tollefson and Black were much more into poking fun at MCS patients, their physicians and real researchers in the field.

So it seems this ISTRP "symposium" was just a cover for producing a definition that defense attorneys can trot out at toxic tort trials involving MCS. I wonder if all ISRTP activities are as big a fraud as this one was.

ASSOCIATION OF FOREST SERVICE EMPLOYEES FOR ENVIRONMENTAL ETHICS (AFSEEE)--PART TWO OF A THREE PART SERIES by CHERI BROOKS

AFSEEE's Accomplishments AFSEEE has focused its efforts on three general program objectives:

1. To redefine timber and other commodity-oriented targets so that they are not the goal, but rather the outcome of land management objectives, and that they ensure ecosystem integrity as the highest priority;
2. To protect and promote free speech rights of government employees; and
3. To champion the role of intact native ecosystems as blueprints for reconstructing damaged lands, protecting native diversity, and restoring resource productivity.

One way AFSEEE has tried to accomplish these goals is through the establishment of chapters. There are now 5 official AFSEEE chapters, with others in various stages of development on national forests throughout the country. We also publish a bimonthly journal, Inner voice, as an update on public lands issues for those inside and outside the Forest Service. Another major part of our program has been to support ethical resource managers and to be an advocate for the protection of their First Amendment rights.

As AFSEEE has grown in size, membership, and media visibility, the potential for changing employee-agency relationships, and thus on-the-ground management of public lands, is also growing. Top agency management is "extremely concerned" by such a rash of employees speaking out for environmental ethics. AFSEEE has captured the ear of concerned members of Congress and instigated hearings on flagrant abuses of professional integrity and the free speech rights of employees.

Some of AFSEEE's current projects include:

-Organizing campaigns in the Northern Rockies and the Southeastern United States: As logging is slowed in the western coastal states due to protection for the northern spotted owl, emphasis has shifted to the northern Rocky Mountains and Southeastern ecosystems, which are experiencing increased pressure from the timber industry. AFSEEE has organizers on board who are travelling through these "combat zones" trying to help repressed biologists and silenced ethical managers.

-Whistleblower protection with the Government Accountability Project: Using a new partnership with GAP, AFSEEE has an on-board lawyer who can really help Forest Service whistleblowers who speak out for ethical reasons. AFSEEE also cosponsored, with GAP, the first Protecting Integrity and Ethics Conference which brought together whistleblowers from all sectors of the government.

-Public education: Through Inner Voice, the "AFSEEE Activist" newsletter, and other publications, AFSEEE is keeping Congress, the media, and members of the public informed about relevant issues on national forests. Executive Director, Jeff DeBonis speaks all around the country and has roused support for the growing national movement for integrity and ethics within the government.

-Monitoring of Forest Service Activities: AFSEEE's newest project is on-the-ground monitoring of Forest Service management or mismanagement. Using teams of skilled professional scientists, foresters, and grassroots activists, AFSEEE will be carefully observing the implementation of planned logging and so-called ecological restoration to learn if the agency will keep its promises to the American people.

To contact AFSEEE, please write P.O. Box 11615, Eugene, OR 97440 or call (503) 484-2692.

BOOK REVIEW of "EARTH IN THE BALANCE" Jim Murphy Before getting involved in national politics and getting himself elected Vice-President of the United States, Senator Al Gore of Tennessee wrote a book about the environment: Earth in the balance, subtitled Ecology and the human spirit (Houghton-Mifflin, 1992, \$22.95 - Library of Congress # GF41.G67 - Dewey # 363.7 or 304.2, depending on the library).

Some have called it a new-age book, a holy book, prophetic, brilliantly written, honest. Indeed, some said that it is so candid that a person knowingly seeking the Presidency could not have written it.

The title for Sen. Gore's book, Earth in the balance, was inspired by an illustration in a brochure that President George Bush gave to delegates at his 1990 White House Conference on the global environment. The illustration shows the earth sitting on one side of a scale, balanced by six bars of gold on the other side. Don't just think of the world, think of the cost.

A chapter is devoted to false economics, by which pollution and the depletion of natural resources appear in our accounting systems as credits rather than debits. One example was that of the Exxon Valdez oil spill and resulting clean-up efforts, which were calculated to increase our GNP. Citing Colin Clark, "Much of apparent economic growth may in fact be an illusion based on a failure to account for reduction in natural capital."

Sen. Gore describes "strategic" threats to the environment, including depletion of the

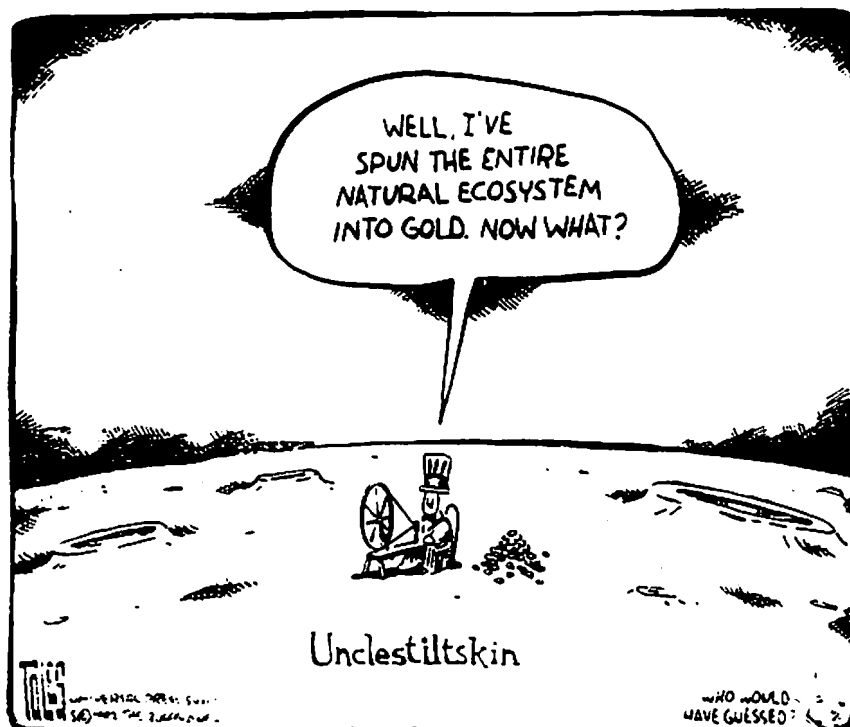
ozone layer and global warming, which affect the entire planet. He does not score a knockout on global warming, but he seems to be ahead on points on the subject by the end of the book. One difficulty in accepting global warming is created by his sweeping history of climatic cycles: are we in a trend or a cycle? Global consensus is that it is a trend, which we ignore at our peril - and everybody else's.

Environmental equity is mentioned: who bears the greatest burden of pollution? Also mentioned is "inter-generational equity": today's policies will have a major effect on succeeding generations. The Iroquois nation requires that the tribal council consider the impact over the next seven generations, approximately 150 years, of any policy that it adopts today. Washington could learn from that, Gore implies.

The United States has long consumed a disproportionately large share of the world's resources, in relation to its share of the world's population. Gore compares the urge to consume to an addiction, fed by a lack of meaning in our lives. He also offers words of caution about genetic engineering, warning that "...we might dare to exercise godlike powers unaccompanied by godlike wisdom."

An interesting tour de force in Gore's book is his summary of western philosophy as it bears on humans' role in the world and the duty of stewardship. One philosophical school not mentioned in Gore's book is existentialism, which points out that deferring a decision is in reality also a decision. (Incidentally, MTV touched on this with its election-year banner: "Choose or lose.")

For those of us called to protect and preserve the environmental integrity of our planet, the next four years, under the tutelage of this author, will be an opportunity for realizing our callings' - and the author's - highest hopes.



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ROACHES

Some interesting news at EPA.

Yea, like Bill Riley now claiming he was not part of the Whitehouse in-crowd. How he stood up against the Anti-Environment President.



Will Stasikowski pay part of it for lying?

Will Kiley pay part of it for ordering the illegal shredding?



Humm, kind of a "Rebel Without a Clue."



No! The taxpayers will pay twice. Once by not being protected from bad regulation, twice when they pay the \$50,000.



And how about the Marcus case? \$50,000 in damages! Wow, that will teach EPA.

How's that?



And how many more decades will it be before the truth is well known about the toxic industrial waste getting dumped into our water supply?



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