

Inside The Fishbowl

P.O. Box 76082
Washington, DC 20013



EPA Headquarters Professionals

Local 2050
(202) 382-2327

May 1988

Vol.4 No.1

IN THIS ISSUE

- ◆ Report on the "Carpet Crisis"
- ◆ Compressed Work Week
- ◆ The Union At Work For Employees--Report of the Grievance Committee
- ◆ Union Testifies on EPA Budget
- ◆ Election of Local Officers
- ◆ Volunteers (of America?)--Social Solidarity at EPA
- ◆ Other News of Local 2050 in Action
- ◆ Editor's Notes--Environmentalism in the EPA Workplace: Professional Ethics Makes it Possible

REPORT ON THE "CARPET CRISIS"

Those of you who were there know that on April 27 a truly stormy session of the Facilities Advisory Council was held. Or you may know about it from the Washington Times article that followed. In any event, Nelson Hallman, Deputy Director of the Facilities and Services Management Division, chaired the meeting and stoutly held that installation of new carpeting was not proved to be a health hazard for EPA employees. Many at the meeting, mostly non-management employees and their Union representatives, just as stoutly held that installation should be stopped until the matter could be more completely studied. The Unions took that position because the coincidence of employee illness with carpet installation is one element of the strong evidence for that connection.

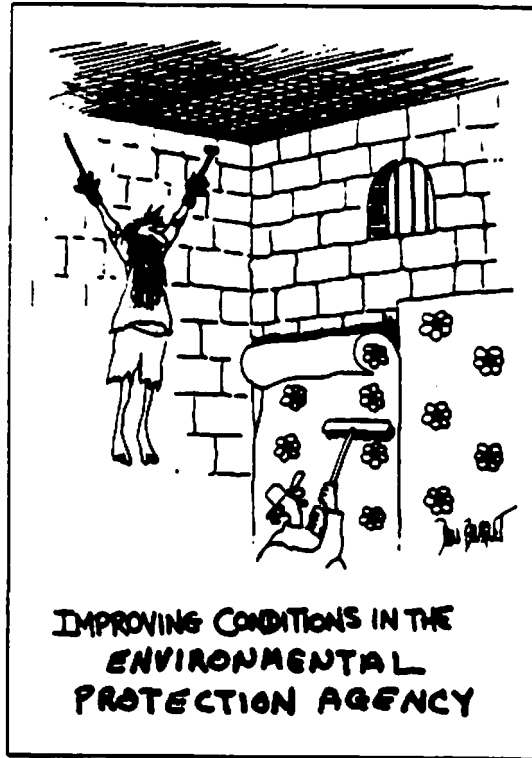
Information from OTS professionals (NFFE Local 2050 members), obtained from the "FYI" file of information submitted under TSCA, points

a finger at 4-phenylcyclohexene (4-PC) as a possible causative agent not previously suspected. This information was provided to the EPA Emergency Response Team professionals who have been called in by management to work on the problem. (For the molecule freaks among you, 4-PC is a Diels-Alder condensation by-product of butadiene-styrene rubber manufacture, the rubber being used as carpet backing, and 4-PC being identified as "essence of new carpet" by the University of Arizona researchers who discovered it.)

Following the meeting, at which it was obvious that Mr. Hallman would not halt installation of new carpet on his own initiative, Union President Bill Coniglio sent a letter to Assistant Administrator Charles Grizzle asking him to halt the work and to meet with him. On Friday, April 29, Mr. Grizzle told the Union that he was stopping installation of new carpeting and that he would meet with us (and a very large contingent of management officials, as it turned out) on Monday, May 2. At that meeting the Union laid out its position that, in order for the contract between the Unions and EPA to be complied with, four questions must be addressed: 1) Should the carpeting in the warehouse ever be installed under any circumstances? 2) Should any carpeting already installed be removed? 3) If new flooring materials are to be installed, what should they be? and 4) What steps must be taken to provide for the medical needs and compensation rights of affected employees?

Mr. Grizzle created a Steering Committee to address the "crisis," but it is not yet clear whether management recognizes the need to specifically confront the questions that Local 2050 has laid before it. The Steering Committee met on Friday, May 6, to begin its work, and a technical sub-group was put together to get down to problem solving.

The technical group, which held its first meeting Monday, May 9, consists of Jim Rapace, an indoor air quality expert; Bill Hirzy, a senior scientist in OTS with long industrial experience; Dave Weizman,



EPA Health and Safety Director and Sheldon Rabinovitz of his staff; Kevin Teischman and Bob Axelrad, indoor air quality experts from ORD; Bob Carton, risk assessment expert; Mark Antell, Union ventilation expert; and Tim Fields, Emergency Response Team engineer. While the Agency cut Myra Cypser out of the action, the Union has asked her to join it as a "consultant" on this project because of her highly regarded experience in this problem. Tim Fields reported that air monitoring in the carpet storage warehouse had discovered 4-PC at unquantified levels. The Union presented a project outline for approaching the problem, and agreement was reached to begin identifying and testing carpeting components, to test air quality and survey employees (starting in "high risk" areas) and to identify medical personnel to consult on the problem. (An earlier agreement reached among NFFE 2050, AFGE 3331 and EPA to survey all Headquarters GS employees will also be implemented.)

Another sub-group was created to look into medical and compensation rights of affected employees. Thorne Chambers, Chief of the Labor Relations Branch, and Bill Hirzy of the Union are to head this group. They expect to hold an open meeting for employees so that questions and authoritative and knowledgeable answers can be freely exchanged. The Labor Relations Branch, NFFE National Office and Department of Labor will be represented at the meeting. No date has been set as yet.

The Steering Committee met again on May 13. Air Office experts reported that 4-PC had been identified in the new carpeting itself, but quantification was not yet possible. The Union invited the Steering Committee co-chairs to sign a letter it is sending to the Director of OTS asking that the Office's Testing Priority Committee review 4-PC and begin inhalational toxicity tests as well as sensitization/irritancy and synergism studies. The Union's letter also suggests that 4-PC be considered for nomination as an NTP Priority Test Chemical by EPA.

Several people at the meeting noted that the eyes of the nation are or soon will be on EPA as it addresses this situation. We are embarking on research and problem mitigation work that has never been done before, and the example we set will be important for the Agency's indoor air program and for our own reputations as professionals in the field of environmental and public health protection. How the professional staff and Agency management work together on this issue is under wide scrutiny -- this is a Fishbowl operation in the truest sense.

We will keep you informed of developments.

COMPRESSED WORK WEEK FOR HEADQUARTERS?

A couple of weeks ago the OSWER Human Resources Council resurrected a proposal that the Union had raised two years ago during contract negotiations--a "compressed" work week, but only for OSWER employees. The proposal has not yet officially come to the Union for sign-off under terms of the contract. Local 2050, however, immediately put the issue on the bargaining table (again) for the whole of EPA Headquarters.

"Compressed" work week means that an employee works the required 80 hours of a pay period in fewer than 10 days and gets some time off. This system can provide a day off, which the employee might elect to take at week ends, or in the middle of a week, or put "in the bank" to add to vacation time.

What the OSWER ERC is about to propose is a "5-4/9" system, with heavy management control. If a boss thought an employee's performance was "acceptable," and the employee's reasons for wanting to go on the system were justified, and if the phase of the moon was right, then the boss could, at his/her discretion, permit the employee to go on the system for a limited period, selecting a fixed Monday or Friday off.

The Union's proposal provides two additional options--"10-4" (four 10-hour days and one day off per week) and "credit hours" (you and the boss agree on any 80 hours of work per pay period). It also puts limits on the boss's ability to play favorites and harass others, permits days other than Mondays and Fridays to be taken off, keeps core hours as they are and lays out a longevity-based system for deciding who in a work group gets priority in selecting days off in case of staffing conflicts.

The Union tried to get management to announce the open meeting that the Union needs to solicit employee opinions, but were turned down--seems that EPA management doesn't want to over-tax the public address system, what with the heavy use it gets announcing Public Employee Week events, other organizations' meetings and such. Doesn't EPA management want EPA employees to get together in a large group to talk about the subject?

In spite of communications difficulties, about fifty employees attended the open meeting on May 12. Strong support for a flexible system that allows all three options was expressed, with preference for the 5-4/9 system if only one option were available. Many other employees contacted Union representatives by phone to also express support for the compressed work week. There was very strong resistance to permitting a "pilot" plan in OSWER; the Regions and the Inspector General's Office have been "piloting" for a long time, and no more such delays are acceptable to the workers. Likewise, the workers said that

supervisors should keep track of employee time and attendance as they do now under flex-time--not with any new "paper time-clock" procedures.

THE UNION WORKING FOR EMPLOYEES--GRIEVANCE COMMITTEE REPORT

The Union's grievance committee, headed by Chief Steward Rufus Morison and Marc "The Surgeon" Turgeon, has compiled an outstanding record of successes for EPA employees, and it's time for recognition of their fine work in this forum.

Depending on criteria for counting, 30-35 grievances and other less formal complaints by EPA employees have been handled by Rufus and Marc, with an occasional assist from other Executive Board members. Thirty-two of these have been resolved in the employees' favor. This is a truly remarkable record, and at least in part, it is the result of constructive argument and open communications between the Union and Personnel and a problem-solving attitude on both our parts. Kudos to the Committee!

UNION TESTIFIES ON EPA BUDGET

Using a penetrating analysis of EPA staffing resources done by Bill Coniglio, NFFE National Office's Marie Winslow and Bill Hirzy appeared on the Hill April 28 and May 9 to apprise Congress of the shortage of senior grade professionals at Headquarters and of the impact of that shortage on the Agency's ability to accomplish its mission. The testimony was before House and Senate appropriations committees. The relationship between EPA's present organization and the staff shortages in crucial job categories such as ecology, oceanography and plant physiology was also presented, along with a call for Congress to pay special attention to these factors in its oversight and budget approval roles. The Union pointed out in response to questions by Rep. Green (R-NY) that the Union is also working with public interest groups to see that these matters are part of the environmental agenda for the new Administration when it takes office in January; the Union is not relying solely on the Congress to help alleviate staffing and organizational problems at EPA.

NFFE LOCAL 2050 ELECTIONS

Election of Local 2050 officers for the next year is set for the May 26 meeting of the Local. Ballots and statements of the three candidates for President-Elect will soon be mailed to dues-paying members of the Local. President-Elect candidates are: Sal Biscardi, Bob Carton and Rufus Morison. Eleanor Zimmerman is unopposed for Chief Steward, as is Daljit Sawhney for treasurer. Bob Carton and Rufus Morison are also candidates for Secretary. There are six candidates for the six Vice-

President slots: David Ritter, Ray Locke, Jim Murphy, Mark Antell, Charles Garlow and Lois Dicker.

VOLUNTEERS (OF AMERICA?)--SOCIAL SOLIDARITY

Forty EPA professionals, many of whom are not (yet?) Union members, responded to the Local's solicitation for volunteers for pro bono work. The solicitation was in preparation for an outreach program of social solidarity that Local 2050 wants to undertake to broaden support for the Civil Service and our unit of it in particular. Eight lawyers, 14 engineers, 5 chemists and 5 environmental scientists comprise the largest numbers of volunteers, who along with biologists, geologists, toxicologists, mathematicians and other environmentally trained fill out the ranks, so far.

We are working with the Blueprint for the Environment Coalition as it develops the environmental agenda for the next Administration, with the Agency's Partners in Education project at Bertie Backus Junior High School, and with labor unions and Congress. Contact Bill Hirzy if you would like to join up.

OTHER NEWS OF LOCAL 2050 IN ACTION

Curbside Recycling: Charlie Garlow, long a leader on this issue, testified last month on behalf of Local 2050 in favor of the curbside recycling bill in the District. You will recall that Charlie spearheaded support for the "Bottle Bill" referendum last fall that was defeated by the bottling industry's massive infusion of money into the campaign. Bottle Bill opponents, including elements of the District Government, claimed that some other form of recycling was better than the defeated referendum, so Charlie and other environmentally conscious people, along with NFFE 2050, have called the bluff--if it is one.

"I'm Walkin', Yes Indeed--" Five Local 2050 members carried the Union colors into the 3K Fun Walk Race on May 13. Lois Dicker, Charlie Garlow, Bob Heckelman, Pat Hilgard, Pam Hurley and Dave Lynch joined hundreds of other Federal workers in the Federal Fitness Day event which took place around the Reflecting Pool. Our intrepid squad finished a lucky 11th. Good going, folks!

EDITOR'S NOTES--PROFESSIONAL ETHICS & ENVIRONMENTALISM AT EPA
by Bill Hirzy

How can we professionals who consider ourselves "environmentalists," and work who for the people through EPA, do an effective, ethical job in this most demanding of workplaces? This may be the most critical

question our Union will ever confront. It is an issue that has been high on the Union's agenda from the beginning.

The central and often excruciating dilemma for EPA's "environmentalists" is that our line authority runs through the Executive, while we administer laws to protect the environment passed by the Legislature. How can we do our jobs effectively and ethically (both of which terms connote enduring values) in the face of exigencies of biennial and quadrennial elections? This is the overriding issue for our professional community.

Do we blindly follow orders from the President's appointees, even when those orders seem to contravene Congressional intent? Or do we resist our supervisors' wishes when they do not conform with our understanding of EPA's mission as expressed in the laws we administer?

These are very tough questions, and we confront them all the time. Upon the answers we make everyday hang whether we keep our job, whether we get promotions and awards or meaningless jobs, whether we get our colleagues' respect or disdain, whether the public and the Congress perceive EPA as the most beneficial governmental creation of "The Sixties" or its biggest governmental mistake.

I intend a large portion of my time in office as Union President to be devoted to this problem. If EPA Headquarters is to regain the status it once had as the place to work in Washington for professionals of integrity who take environmentalism in the public interest seriously, then this question must be met head on. A workplace community like this can only exist if competent, respected professionals populate it. Such professionals will only work where ethical standards of the highest order--and a clear understanding of the organization's mission--are the enforceable rule.

Without an enforceable code of environmental professional ethics, one that goes beyond financial wrongdoing, we will never break out of the dilemma. We must each have a clear understanding of the letter and spirit of the laws our respective programs administer. We must be free of political--in the broadest sense--influence in our professional work. We must be able to "blow the whistle" on distortion of our professional work and on coverups and theft of intellectual property. We must present our credentials honestly when seeking jobs, and managers must evaluate them honestly.

Under our system of democratic government, the elected Executive has the right and the duty to "faithfully execute the laws", and the Civil Service must comply with the Executive's orders. But we do not leave our

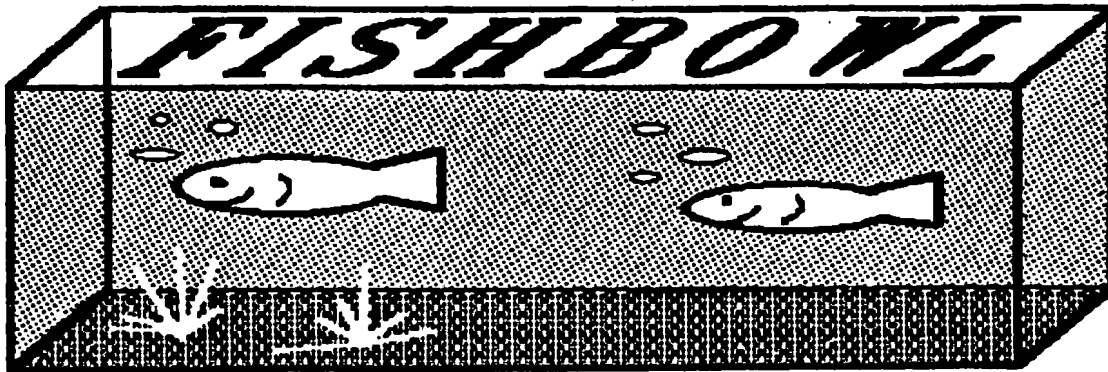
consciences, our ethics, or our right of free speech outside the door at EPA. If the political appointees of the Executive choose to ignore or distort the law, that is their business, and the electorate has the job of correcting such behavior. But if the political types choose to ignore or distort our professional work, that is our business. It is our duty to inform our fellow citizens when that happens, so that they may take the necessary corrective action. We must also inform our professional colleagues, so that our reputations are not besmirched.

We can steer a course through our dilemma, but only with the aid of the compass that an enforceable code of environmental professional ethics provides.

For those of you who missed Barry Commoner's January 12 speech, "The Failure of the Environmental Effort," it is reprinted in the May 1988 issue of Harper's Magazine.

Guest Editor of this Newsletter: Bill Hirzy

INSIDE THE



NATIONAL FEDERATION OF FEDERAL EMPLOYEES
P. O. BOX 76082
WASHINGTON, DC 20013

NFFE

EPA HEADQUARTERS PROFESSIONALS

LOCAL 2050
(202) 382-2327

JULY 1988

VOLUME 4 No. 2

INSIDE THIS ISSUE

- OPEN LETTER TO THE ADMINISTRATOR
- CARPETING AND VENTILATION NEWS
- COMPRESSED WORK WEEK UPDATE
- FLRA FILES COMPLAINT AGAINST EPA
- INSTALLATION OF NEW NFFE OFFICERS

- IS A UNION FOR PROFESSIONALS REALLY NECESSARY?

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

FISHBOWL STAFF

EDITOR--RAYMOND K. LOCKE

PUBLICATION--NFFE LOCAL 2050 EXECUTIVE BOARD

MAILING LABELS--DAVID RITTER

REPORTERS FOR THIS ISSUE:

J. WILLIAM HIRZY
JAMES MURPHY
ELEANOR ZIMMERMAN
RAYMOND LOCKE



OPEN LETTER TO THE ADMINISTRATOR

This is an open letter to Lee Thomas. The last time the Union sent an open letter to him was in 1985, when 128 OTS employees signed the letter as a statement of displeasure over OMB's apparent surreptitious attempts to "kill" rules aimed at asbestos risks. Those were dangerous times....for the notice-and-comment rulemaking process. NFFE believes that we have entered into a new dangerous period....for the heretofore cooperative, problem-solving relationship between the Union and the Agency.

Dear Mr. Thomas:

We don't often trouble you with direct communications about the state of working conditions here and how they affect our ability to do the public's business. But we must do so now.

Environmental issues are once again becoming a major agenda item, for the Nation and for the world. Degradation of the atmosphere, waste disposal, energy generation, immunologic diseases, and indoor air pollution demand immediate high quality scientific attention. More importantly, they demand attention to the process of social decision-making. Regardless of the knowledge, dedication or good intentions that well meaning individuals might bring to these problems, they can only be successfully addressed in a social decision-making, problem-solving context.

We applaud the efforts that you and Jim Barnes have made to establish a problem-solving, cooperative relationship between your administration and the Unions (NFFE and AFGE). The work that we did together on establishing a child care center, on a clean-air policy, on implementing Human Resources Council recommendations, and on over thirty personnel problems testifies to the benefits such a relationship can bring. Management's key representatives

FISHBOWL--PAGE 3

during these highly successful operations were Earl Price and Gerald Bryant.

They are no longer on your team. New players have entered "the game" for management, players who have told us during negotiations that they were "going to teach a lesson" in labor relations to the unions.

Instead of continuing to build on the mutually respectful relationship that Earl and Gerry had with us, the new management team is, indeed, apparently bent on "teaching us a lesson". The lesson plan so far includes filing numerous petty grievances against the Union, some on matters already resolved, delaying information transfers vital to negotiations on matters of wide interest, breaking commitments to consult on various aspects of the "carpet problem", threatening to ignore other Union rights as a challenge to enter into prolonged, resource-consuming fights, and on and on.

Given the long-standing reputation you richly deserve as an administrator sensitive to employee needs and concerns, the Union cannot believe that you are aware of the depth of degradation of labor relations under this management team. Furthermore, EPA employees have grown accustomed to the cooperative relationship that existed under Earl and Gerry's leadership, and are now utterly confused over the present situation. That is why this open letter is necessary--to alert you and inform employees.

Out of necessity, Local 2050 has recently had to take steps that ought not to have been needed--filed a grievance with you, formally complained to the Department of Labor, and asked for an Inspector General investigation--all related to the carpet matter and forced on us by the intransigence of the Labor Relations Branch and the Office of Administration. The Union tried, in a recent meeting of the Labor-Management Committee to induce the management team to consider mediation and conciliation, but we were rebuffed with, "It's all a matter of interpretation of the law, and mediators aren't going to help with that."

We are at a loss for options to restore what once was a productive and mutually beneficial relationship between EPA and its employee representatives.

If our Agency is to be able to chart a course, through the difficult waters of social contention, to the solutions of complex environmental problems, it will have to bring innovative and open minded conflict resolution techniques to bear and set appropriate examples. What worse example can we set than a bitter labor relations fight among ourselves? What better example than healing this rift and restoring mutual respect and confidence?

We now turn to you for leadership and counsel.

Sincerely yours,

J. William Hirzy, Ph.D.
President, Local 2050
National Federation of Federal Employees



CARPETING AND VENTILATION NEWS

This is a report on the "carpet" situation, covering both the Union's activities and management's.

If a grade were given for management's performance so far, it would be a "C" on the technical side of the problem, and an "F" on the employee relations side.

When last this newsletter published on the matter, we were optimistic about a cooperative labor-management approach to dealing with the following questions: Should any of the existing stocks of this particular lot of carpet be used? Should any of the already laid carpet be removed? What should future flooring materials be at Headquarters? That optimism was ill-founded, as the reader will see.

But first, the good news. The technical people addressing the immediate problem of air quality—at Waterside Mall only—Tim Fields and his Emergency Response Team, Kevin Teischman and Bob Axelrad, have begun to get at the problems of air contaminant identity and levels and of poor ventilation at WSM. Dave Weitzman and crew are soon to get a health survey out to Headquarters employees. So much for the good news from management. There is good news on the technical side that is a result of NFFE activity, however, news that has strangely never been passed on in management's communications to employees. On Local 2050's recommendation, OTS has begun to investigate the carpet problem, looking first into the toxicity of 4-phenylcyclohexene (4-PC). Back to management's "activities".

The Task Force created by Charles Grizzle to work on the problem is headed by John Chamberlin and John McGraw, and it continues to ignore the unions (NFFE and AFGE) and their interests regarding protection of EPA staff. Under Mr. Chamberlin's direction, the Task Force is still bent on saving the carpet in storage and resuming its installation. This is an outrageous misuse of public funds—to fix a defective product that has caused the incapacitation of seven of your co-workers and has made over one hundred others sick in varying degree. It is also a continuing threat to the health of Headquarters employees. That is, the unions have repeatedly asked management's technical people, "At what point can you say that 'airing out' is now complete, and the carpet will not cause employees any damage?" There are always blank stares and shrugged shoulders..."We don't have an answer", they say. However, management assures us in their latest bulletin that measured levels of 4-PC at Waterside Mall are safe—apparently creating "safe level" determinations by management fiat.

Attempts so far to bring the matter up in collective bargaining with

FISHBOWL--PAGE 5

Labor Relations Branch have had these results:

• Management tells us that, "The non-professionals (support staff, Environmental Protection Specialists, Policy Analysts, etc.) are not covered by the Clean Air contract (with NFFE) and, therefore, are not entitled to protection under it". "Previous management was wrong in letting AFGE sign that contract," they say. They further note that attempts to aid our sister union (AFGE) and its members gain the contract's protection will be met by action against NFFE--and, in fact, a grievance has already been filed against us for trying to help Steve Shapiro, one of the "The Seven" employees most severely affected by this carpet situation.

• Management tells us that by inviting the unions to attend Task Force meetings, the Agency is fully discharging its duty under the Clean Air contract and the labor law--it has no obligation to consult on matters such as scheduling briefings on Workman's Compensation benefits or on technical aspects of the carpet problem.

• When we were made a part of the planning effort for the first Workman's Compensation briefing, management told us that the unions would have a chance to review and comment on it. They then ignored this promise to consult the unions and scheduled the briefings inside WSM, where the people most needing the information could not enter

• Management tells us that whether the Agency decides to use the defective lot of carpet or not is non-negotiable, and all the unions can do is negotiate over moving people into newly carpeted space..the Clean Air contract notwithstanding!

These attitudes are at the heart of the poor performance of management on the human relations side of this issue. We should not be surprised at this, however, given the posted motto of the Labor Relations Branch, which reads:

"KILL 'EM ALL--LET GOD SORT 'EM OUT"

Senator George J. Mitchell (Dem.-Maine), sponsor of the indoor air quality bill S-1629, wrote to Lee Thomas for an explanation of the situation at WSM. Mr Thomas' reply included verbatim language from one of Mr. Chamberlin's recent memos to employees, saying that EPA is studying "...the best means of airing out these materials prior to installation to minimize (emphasis added)..." health impacts on employees. Apparently Mr. Thomas has been persuaded by someone that management can "air out" the carpet for a while, put some employees into the newly carpeted space, see if anybody gets sick--or only "minimally" sick--and that will be okay!

The Union believes this position, in addition to being a morally repugnant experiment on humans, is a violation of the Clean Air contract which calls for "a healthful work environment", not one of "minimized health impacts". The Union has filed a grievance with Mr. Thomas on this point, and we hope to bring the matter quickly to a head. Of course, under the

FISHBOWL-PAGE 6

philosophy exhibited by management, those of you not in a professional job classification can still be subjected to whatever health impacts EPA wants to impose on you, minimal or otherwise, because you are not covered by the Clean Air contract. However, be assured that Local 2050 will continue to work with your own Union (AFGE) to fight for your health regardless of threats by the Labor Relations Branch.

In addition to filing a complaint with the Secretary of Labor on July 5, asking for the authority of the Occupational Safety and Health Act (OSHA) to be brought to bear to prevent further use of the defective carpet and the subsequent experiments on you that management proposes, we have also written a critique of Mr. Thomas' reply to Sen. Mitchell (available on request) that points out many other shortcomings of the Thomas reply.

- Local 2050 has joined with Trial Lawyers for Public Justice (the organization that won a large settlement in the Woburn, Mass., leukemia suit against W. R. Grace) in studying remedies for injured EPA employees. A meeting for employees who have experienced problems is set for Noon, Friday, July 15, in the Training Center Auditorium.

- Local 2050, recognizing that two duties face it—one to EPA employees and one to the public—has written an environmental management plan for addressing this situation. It may be negotiable or non-negotiable, as the Labor Relations Branch holds, but the labor movement, the Hill, and the general public are going to see this document. It deals with making our injured co-workers whole, to the extent possible, and it deals with a national-scale problem of toxic carpeting.

Contacts with the public since our situation made national news have been eye-opening and dramatic. Here are a few examples:

- "Three years ago, I became ill after re-carpeting our home and my life has changed... I am now an environmental illness victim. Don't give up the fight which is in the best interest of your members' health..." Mrs. M., Maryville, TN.

- "...we had five rooms (of) new carpet put in our home...I have been under Drs. care since...I can't even do my laundry as the detergents still burn my lungs...So keep fighting for your health!" Mrs. Q., Springfield, MO.

- "The very first day we noticed the pungent odor of the new carpet...by August we had difficulty concentrating...we began to experience headaches and nausea...we attempted to alleviate the problem by shampooing...within two days the fumes returned and caused the same health problems...we were hypersensitive...overburdened by continuous, cumulative, offending chemicals...from the carpet..." Mr. B., Cincinnati, OH.

Many other such reports have come to our attention, convincing us that new carpet plays a central role in a heretofore unrecognized public health problem. What can EPA Management and the Unions, working together, do about it?

FISHBOWL--PAGE 7

The technical solution to this and the many other environmental problems facing governments will be relatively simple compared to the social decision-making aspects of these problems. EPA's Unions and Management **must** set an example in this case by developing a cooperative approach to solving these kinds of problems. If the Agency continues, in this case, to set an example of contention and arrogant exercise of power, what hope can we hold out to American citizens that EPA can successfully deal with ozone depletion, the green-house effect, or toxic wastes?

NFFE, Local 2050, is ready—and more than willing—to join management to set the right example!

Bill Hirzy, President
NFFE, Local 2050

P. S. Our thanks to Ed Bergin, Steward of AFGE, Local 12, Department of Labor, for his generous and wise counsel to our injured co-workers on how **really** to get Workman's Compensation claims handled.

**EPA OFFICIALS CHARGED BY THE FEDERAL LABOR RELATIONS
AUTHORITY**

On June 30, 1988, the Federal Labor Relations Authority (FLRA) filed a complaint and notice of hearing to EPA regarding Union negotiations on employee security. The complaint alleges that EPA officials failed to furnish the Union with contract files for all EPA security-related contracts and with an EPA memorandum dated April 3, 1986, on Nationwide (EPA facilities) security. EPA officials have until July 25, 1988, to admit, deny or explain the allegations in the complaint.

The complaint was issued after NFFE Local 2050 filed charges on March 29, 1988, with the FLRA which alleged that EPA officials withheld documents pertinent to the negotiations and interfered with Union negotiators. The FLRA issued their complaint after investigating the Union's allegations.

The Union also filed additional charges with the FLRA on May 24, 1988, against EPA officials for refusing to negotiate on any issues related to employee security at a time when crimes to EPA employees are on the increase. The FLRA is expected to begin investigations into these new charges within a week. Union officials believe EPA is violating Federal Law by not negotiating on issues clearly impacting the safety and security of EPA employees.

Crimes to EPA employees have reached levels which caused the Federal Protection and Safety Division of the General Services Administration to be called in. EPA posted Security Alerts in January, March and April of 1988, which discuss the increase in crimes to EPA employees and their property.

The Union is especially sensitive to employee concerns because of the murder of an EPA employee in her office in Crystal City in November of 1985 and the abduction of another employee from the Waterside Mall garage in March of 1986.

WEEK
COMPRESSED WORK WEEK UPDATE

EPA Headquarters employees are expecting a compressed work week program, and expecting it this summer. Rumors suggest that the Union is somehow to blame for holding things up. This is untrue. Below is a comparison of what management and the Union each have in mind for you—decide for yourself who is holding things up.

COMPRESSED WORK WEEK PLANS COMPARISON

	<u>Agency Plan</u>	<u>Union Plan</u>
<u>COVERAGE</u>	OSWER only	All Headquarters
<u>OPTIONS</u>	5-4/9 only	5-4/9, 10-4 & credit hours
<u>CORE HOURS</u>	8:30-3:30	9:30-3:00
<u>TRAVEL/TRAINING & HOLIDAY CHANGES</u>	Complex rules	Simple, flexible guidelines
<u>SIGN-UP</u>	Each pay period	Once; again only if changed
<u>APPROVAL</u>	Boss must accept your <u>personal</u> needs as valid; and performance as OK	Automatic unless boss shows work unit will be disrupted
<u>SCHEDULE CONFLICTS</u>	Boss decides who gets priority	Seniority governs
<u>EFFECTIVE PERIOD</u>	6-Month pilot (OSWER only); management's option to renew	6-Month pilot (Agency-wide); renewal negotiable

The Agency says that it cannot get all its senior management to agree to the compressed work week. Employees tell the Union that all Headquarters should be on compressed work week. Management cannot get its act together and is not negotiating in good faith, trying to break up the bargaining unit. The Union's bargaining unit consists of all Headquarters

FISHBOWL-PAGE 9

professionals, not fragmented units of professionals contained within each Assistant Administrator's administrative unit.

THE UNION IS READY TO SIGN AN AGREEMENT TOMORROW-
IF MANAGEMENT MAKES A HEADQUARTERS-WIDE PLAN AVAILABLE ;

IS A UNION FOR PROFESSIONALS REALLY NECESSARY?

Many of us working at EPA have advanced degrees or extensive experience and training in a particular specialized area (for example: chemistry, law, accounting, biology, statistics, or toxicology, to name a few). As professionals, we have tended to believe that our training and backgrounds somehow insulated us from the concerns addressed by unions. In fact, professionals have generally tended to look with disdain on union activities, believing that their professional status made them somewhat indispensable and immune from the mundane concerns addressed by unions.

NFFE suggests that these professionals consider the plight of highly experienced chemists, for example, who have found themselves without jobs and little pre-termination notice, when an industrial concern decided to eliminate their functions in a budget-tightening measure in response to a decline of the value of the company's stock on the New York Stock Exchange. The Professional Relations Division of the American Chemical Society hears such complaints on almost a daily basis—and publishes the "scorecard" for companies conducting reductions-in-force with respect to observance of ACS-developed guidelines for such layoffs. Some of the "scores" are dismally low, indeed!

The situation for professionals in the academic community is also far less stable than it used to be. Tenure is becoming increasingly rare, and the non-tenured position (from which one may be dismissed at any time) is becoming increasingly the norm. It is no wonder, then, that professional educators at both the university and secondary and lower levels have formed unions to represent their concerns.

With respect to the Federal Government, NFFE believes that the Civil Service Reform Act of recent past heralded a new era of instability with respect to the position of professionals within the Federal workforce. Essentially, all of the "Aces" were placed in Management's hand—save for one: the legal right for Federal employees to be represented by unions.

NFFE, Local 2050, is a very recent addition to the scene at EPA, but has effectively represented the interests of EPA professionals on many fronts. NFFE has worked together with EPA management on such issues as day-time child care, for example. On the other hand, on issues such as the carpeting-ventilation problem, NFFE has been compelled to take a stand opposite to that of EPA management—and in a very effective way. NFFE recognizes and, in many cases, lauds the activities of many other EPA groups (Women in Science and Engineering, Blacks in Government, Human Resource Councils, and the Committee of Poisoned Employees, for example), but there is a

FISHBOWL—PAGE 10

distinct legal difference between these EPA groups and the two unions at EPA (AFGE and NFFE): the unions are the only groups with which EPA management is legally bound to negotiate with under the terms of the union contracts. Management may entertain or disregard the suggestions of other EPA groups at its pleasure, but it must negotiate with the unions on matters falling within the scope of the union contracts.

One of the functions of unions is to act as a lobbying force in representing the interests of their members. One does not need to reflect for long to recall professional groups which have found the need for such a voice: the American Medical Association, the American Bar Association, the National Educational Association, for example, certainly fulfill this function for their constituents.

Returning to the question forming the title of this article, NFFE believes that professionals at EPA should carefully consider the consequences of having—or not having—an effective union representing professionals working at EPA. Contrary to some perceptions, NFFE is decidedly not simply a bunch a disgruntled, lazy employees bent on disrupting Agency activities. On the contrary, an examination of NFFE's membership list will reveal a goodly number of employees with "Outstanding Performance Appraisals" who are recognized by their peers as having a passionate and enduring interest in the welfare of the environment and human health.

To be an even more effective force at EPA, NFFE will require the same two necessities which undergird all worthwhile projects: more time (in terms of professionals lending their aid to Union projects) and more money (as a result of more dues-paying members). NFFE dues are minimal, but they are vital to maintaining an effective voice for professionals within EPA. Union membership is but a phone call away—see the list of the current NFFE officers and their telephone numbers to make that very important call!

CURRENT NFFE LOCAL 2050 OFFICERS

PRESIDENT:

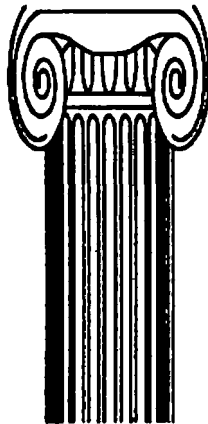
PRESIDENT-ELECT:

VICE-PRESIDENTS:

SECRETARY:

TREASURER:

CHIEF STEWARD:



BILL HRZY 382-2327

BOB CARTON 382-2325

RUFUS MORISON 382-4273

MARK ANTELL 382-2878

RAY LOCKE 475-7106

JIM MURPHY 382-7591

DAVID RITTER 557-7375

CHARLE GARLOW 475-7088

LOIS DICKER 382-3496

DALJIT SAWHNEY 382-4289

ELEANOR 475-7181

ZIMMERMAN

NFFE LOCAL 2050 INSTALLS NEW OFFICERS AT AWARDS LUNCHEON

EPA professional employees were invited to a buffet luncheon held on June 2, after which the new officers of NFFE Local 2050 were sworn in, and service awards and door prizes were presented. Outgoing Local 2050 president, Bill Coniglio, who is leaving for a year on an IPA in New Jersey, administered the oath of office and recalled the growth in membership and activity of the professionals' union at EPA during the past year.

NFFE's new officers and their telephone numbers are listed within a box in this issue of The Fishbowl, which may conveniently be cut out for the reader's future reference.

Lois Dicker agreed to fill a vacant position as Secretary for Local 2050. Charlie Garlow was appointed Vice-President by Bill Hirzy, the newly elected President, to fill the position that Lois Dicker vacated.

The NFFE Local 2050 Walking Team, which participated in a recent Federal fitness celebration, was honored with shoe-key purses: Pat Hilgard, Bob Heckelman, Charlie Garlow, Pam Hurley, Lois Dicker, and Dave Lynch received these awards.

Special awards were presented to Becky Jones, a coffee-mug for faithful service on the election committee; to Krystyna Locke, a coffee-mug for past Executive-Board service; to Bob Carton, ethics committee, a set of colored index cards; and to past Treasurer, Morris Blumenfeld, an EPA key-ring.

Also, to Sal Biscardi, past Executive Board member and past editor of The Fishbowl, an EPA key-ring; to Charlie Garlow, a coffee-mug for his efforts on behalf of the DC bottle recycling initiative and for organizing EPA's environmental film festival; to Mark Antell, an EPA cap for work on ventilation at EPA Headquarters; to Dave Gould, an EPA cap to remember us by as he retires; and to Bill Coniglio, an EPA sweatshirt and our best wishes in his new assignment.

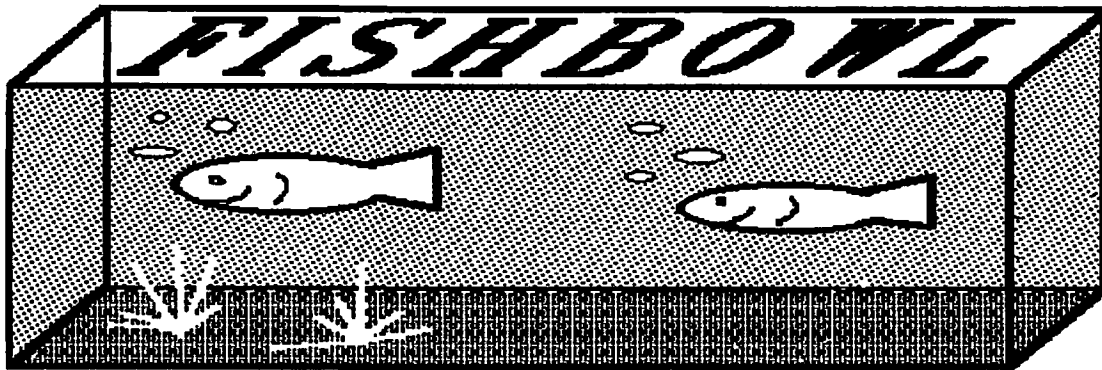
Door prizes were won by Lois Dicker (roses) and by Phil Sayre (a bottle of champagne).



**READ THE NEWS
THAT EPA IS
APPARENTLY
AFRAID TO
DELIVER !**



INSIDE THE



NATIONAL FEDERATION OF FEDERAL EMPLOYEES

P. O. BOX 76082
WASHINGTON, DC 20013

NFFE

LOCAL 2050
(202) 382-2327

EPA HEADQUARTERS PROFESSIONALS

AUGUST, 1988

VOLUME 4 No. 3

INSIDE THIS ISSUE

- * UNION-SUPPORTED PETITION FOR COMPRESSED WORK WEEK
- * UNION PROPOSES COMPROMISE PLAN FOR OSWER PROFESSIONALS TO JOIN "COMPRESSED WORK WEEK" PROGRAM
- * COMPRESSED WORK WEEK MEETING
- * CARPET GRIEVANCE AGAINST THOMAS CONTINUED
- * SAT REVIEWS 4-PHENYLCYCLOHEXENE
- * WHY A DIFFERENT AGENCY STANDARD FOR EPA EMPLOYEES ?
- * EPA DENIES FLRA CHARGES
- * REORGANIZATIONS
- * A DEPARTMENT OF ENVIRONMENTAL PROTECTION ?
- * BATTLE OF THE BULLETIN BOARDS
- * NFFE PURCHASES COMPUTER SYSTEM

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



CARPET NEWS

CARPET GRIEVANCE AGAINST THOMAS CONTINUED

On July 5, 1988, NFFE filed a grievance against Administrator Lee Thomas regarding the use of the lot of carpeting which has elicited very adverse health effects in numerous Agency professional employees. On July 20, 1988, the Union received a memorandum from Charles Grizzle stating that the grievance had been improperly filed.

The Union has responded with a memorandum to Lee Thomas indicating that it would refile its grievance with John Chamberlin, but not relinquishing NFFE's right to an ultimate appeal to the Administrator. NFFE pointed out that, by issuing his statement to Senator Mitchell proposing the use of "aired out" carpeting from the lot which has caused adverse health effects in EPA employees, Thomas has assumed ultimate responsibility for the action, even though it was Mr. Chamberlin who originally proposed to use that carpeting.

NFFE intends to continue pursuing the grievance process in this matter until EPA management responds in the appropriate manner: 1) agrees to install no more of this lot of carpeting; and 2) agrees to remove the carpeting from this lot which has already been installed.

SAT REVIEWS 4-PHENYLCYCLOHEXENE

After learning that 4-phenylcyclohexene was a component of the lot of carpeting which has caused severe adverse health effects in a number of EPA employees, NFFE requested the Testing Priority Committee to investigate referring this chemical to Test Rules Development Branch, Existing Chemical Assessment Division, for possible development of a test rule under section 4 of the Toxic Substances Control Act (TSCA). An assessment of this chemical was requested of EPA's Structure-Activity Team (SAT), which regularly reviews the potential risks posed to the environment and human health of new substances proposed for manufacture in, import into, or processing in the United States for which Premanufacture Notices (PMN's) must be submitted to the Agency under section 5 of TSCA. SAT bases its assessments upon existing data on the chemical and upon data on analogues which are structurally related to the chemical.

SAT's assessment of 4-phenylcyclohexene is contained in a memorandum (dated July 22, 1988) from Pauline Wagner, SAT Chairperson, Toxic Effects Branch, Health and Environmental Review Division, to C. C.

FISHBOWL--PAGE 4

Lee, Senior Science Advisor, Health and Environmental Review Division. Interested readers may obtain this document from NFFE for a complete report on SAT's assessment.

Overall, the SAT had moderate concerns for the adverse health effects which might be elicited by 4-phenylcyclohexene. Concerns were expressed for neurotoxicity, gene and chromosomal damage, and skin and eye irritation. Some concerns were also expressed for carcinogenicity and, following inhalation exposure, irritation of the respiratory tract. SAT also expressed a high concern for the aquatic toxicity of this substance, but noted that volatilization from aquatic media may mitigate toxicity to some extent.

NFFE notes that 4-phenylcyclohexene has, in fact, been detected in the particular lot of carpet that has elicited adverse health effects in several EPA employees. Given the SAT's concerns for mutagenic and carcinogenic effects, NFFE believes that no level of this substance should be regarded, at this time, as "safe".

NFFE also notes that no mention was made in the SAT's report on 4-phenylcyclohexene for potential effects on the immunological system, although this mode of action is thought by some physicians and health experts to be the most probable with respect to the acute, readily apparent adverse effects observed in several EPA employees exposed to this particular lot of carpeting. This is most likely due to the fact that no data are currently available with respect to effects of 4-phenylcyclohexene or its structural analogues on the immunological system.

WHY A DIFFERENT AGENCY STANDARD FOR EPA EMPLOYEES ?

EPA employees may be justly proud of an EPA standard which has existed since the inception of the Agency in 1970: namely, that when doubt exists as to the risks posed by a chemical substance to the environment or human health, the Agency chooses to err on the side of the protection. In fact, this standard is fully consistent with many of the laws which the Agency administers. For example, in administering the Toxic Substances Control Act (TSCA), the Agency requires under section 5 of TSCA that a new chemical (defined as one not listed on the TSCA Inventory of Chemical Substances) must have a Premanufacture Notice (PMN) submitted to the Agency for review at least 90 days before manufacture (including importation) or processing in the United States. Generally, the Agency will require further testing of a substance, under section 5(e) of TSCA, if it finds that the substance may pose an unreasonable risk to human health or the environment. If it finds that it will pose an unreasonable risk, manufacture or processing can be immediately prohibited under section 5(f) of TSCA.

NFFE believes that the "may pose an unreasonable risk" criterion has been clearly met by this particular lot of carpeting which has been causing adverse health effects in numerous EPA employees. By circumstantial evidence, if nothing else, the installation of this particular lot of carpeting has resulted in numerous health effects complaints, which have not resulted from the installation of other carpet lots in EPA. Management may claim that the individuals affected are "super-sensitive"; however, the Office of Toxic Substances has always interpreted the "significant" part of the "significant and

FISHBOWL--PAGE 5

substantial human exposure" portion of section 4 of TSCA to include especially susceptible portions of the population. Thus, the Agency's stated position of allowing "aired out" carpeting from this lot to be used in EPA Headquarters would seem to NFFE to be quite contrary to the standard which the Agency employs with respect to regulated industry and the general public. If EPA's own Structure-Activity Team (SAT) is concerned about the potential mutagenic and/or carcinogenic effects of 4-phenylcyclohexene (4-PC), a component of the carpet in question, then NFFE does not consider any level of this substance to be acceptable with respect to the health of EPA's employees (see the separate article in this issue concerning the SAT's evaluation of this substance). If the EPA chooses to impose the standard which it has now proclaimed for this lot of carpet with respect to EPA's employees, then one cannot but conclude that the Agency has one standard for regulated industry and the general public and a different standard for EPA's own employees.

NFFE believes that: 1) no installation of the present lot of carpeting should continue; 2) all carpet installed from this lot should be removed; 3) no carpet containing 4-phenylcyclohexene should be installed; and 4) all new carpeting should be installed using non-adhesive methods, which are readily available. To do otherwise will surely indicate that EPA has one standard for the regulated industry and the general public and another for its own employees.

In a memorandum to all EPA Headquarters employees, dated August 5, 1988, Charles L. Grizzle, Assistant Administrator for Administration and Resources Management, indicated the decisions made by EPA management with respect to the indoor air quality problem and its carpeting aspect. In general, NFFE supports the decisions made, and would point out that it was only after NFFE's intervention in the matter, that management agreed to halt the installation of the carpet in question. Likewise, through its appeal to the media, NFFE exerted a very constructive force for all EPA employees in aiding management in its deliberations about the carpet question. NFFE does not agree with the following management decision, and intends to pursue the grievance process and other measures to reverse that decision: "To leave the carpeting which has already been laid undisturbed since levels of 4-PC have decreased to approximately 1 part per billion (ppb) or below and to avoid increasing the levels of 4-PC and other pollutants (e.g., dust) in the air in the removal process." In addition, Grizzle's memorandum does not address the issue of non-adhesive methods of installation for any new carpeting to be installed. NFFE believes that only non-adhesive methods should be used to protect employees from aromatic solvents in glues which might be employed.

Management itself has indicated on page five of Mr. Grizzle's memorandum that "...no one can say with certainty that levels of 4-PC in the 1 ppb range are absolutely 'safe'...". To the contrary, EPA's own SAT has indicated some concerns for the carcinogenic and/or mutagenic potential of 4-PC. To NFFE's knowledge, no scientific body or Federal agency has ever stated that a "safe" or "threshold" level exists for a mutagen or carcinogen. On the basis of the widely held "one-hit model of mutagenicity and carcinogenicity", it is thought that interaction of one molecule of the causative agent with genetic material is enough to elicit the effect. For that reason, it is generally accepted that no exposure level of a suspected mutagen or carcinogen is to be regarded as "safe." In the absence of scientific data to

the contrary, NFFE believes that, in the interests of employee safety, 4-PC should be regarded as a suspect mutagen and/or carcinogen, and the already installed carpeting from this particular lot of carpet should be removed.

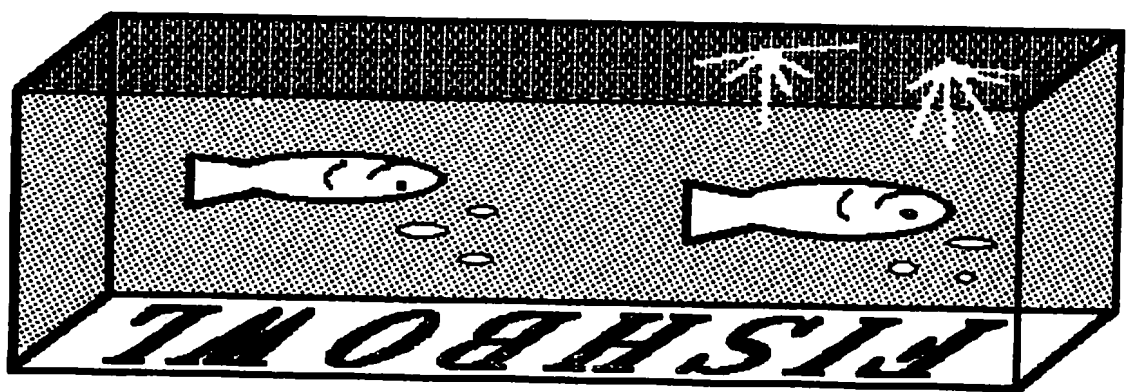
With respect to management's argument that removal would increase the levels of 4-PC and "dust", NFFE believes that appropriate removal methods currently exist which could be accomplished during off-duty hours. Clearly, leaving the carpeting installed will result in very long-term low-level exposures of EPA employees to 4-PC, which NFFE considers of greater toxicological significance than any short-term, acute exposure to 4-PC and "dust" which might occur due to removal.

It may be argued that Federal agencies employ, in some cases, a risk-benefit approach in allowing certain exposure levels of carcinogens to exist. For example, the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), which EPA administers, does allow such a risk-benefit consideration with respect to allowing the use of carcinogenic pesticides. However, the benefit in this case is a necessary social one: the production of food, the lack of which could lead to starvation and death to certain populations. With respect to the carpeting situation at EPA, NFFE believes that the only "benefit" to be gained from the non-removal of the already installed carpeting which has elicited adverse health effects in EPA employees is a savings of money and time that removal would incur. Thus, contrary to the statement found on page five of Mr. Grizzle's memorandum, NFFE believes that non-removal of the already installed carpet would indicate that costs carried a higher weight than health risks in management's evaluation of the options available in this situation.

In summary, NFFE believes that the already installed carpeting from the lot which has elicited adverse health effects in EPA employees should be removed. At worst, this represents the conservative approach of which EPA can be justly proud: erring, in the face of doubt with respect to adverse effects on the environment and human health, on the side of protection. At best, such removal may result in eliminating long-term low-level exposures of EPA employees to a substance which may later be shown to be a carcinogen or mutagen. Can EPA credibly afford to proclaim one standard for the regulated industry and the general public and another for its own employees? NFFE thinks not.

With respect to management's sale of the lot of carpeting which has caused adverse health effects in EPA employees to another buyer for use, NFFE certainly acknowledges management's right to complete such a sale. The Union hopes that the "...full disclosure of all information available (on the carpet) to potential users.", described on page five of Mr. Grizzle's memorandum, will include the Agency's own Structure-Activity Team's report on 4-phenylcyclohexene. \$200,000 is admittedly a lot of money. However, how much credibility will that sum buy these days? It seems a bit ludicrous to NFFE, and, perhaps, it also reflects the ACTUAL weights given to costs and health risks utilized in management's deliberations on this entire subject.

INSIDE THE FISHBOWL



NATIONAL FEDERATION OF FEDERAL EMPLOYEES

P. O. BOX 76082
 WASHINGTON, DC 20013
 OFFICE: ROOM 302 NE MALL
NFFE
 EPA HEADQUARTERS' PROFESSIONALS
 LOCAL 2050
 (202) 382-2327 or
 (202) 382-2383
 VOLUME 4 No. 4

INSIDE THIS ISSUE

- * MONTHLY OPEN NFFE MEETINGS
- * COMPRESSED WORK WEEK NEGOTIATIONS - RALLY PLANNED FOR OCT. 5TH
- * CARPET GRIEVANCE AGAINST EPA CONTINUED
- * WORKMENS COMPENSATION BENEFITS APPROVED FOR ONE EPA CARPET VICTIM
- * AVAILABILITY OF CARPET-RELATED DOCUMENTS
- * UNION ANALYZES CARPET RISKS - AN EPA "RISK ASSESSMENT" OF 4-PC ?
- * EPA - THE "PLUM" AGENCY
- * NFFES FALL FESTIVAL - OPEN MEETING - LIGHT REFRESHMENTS
- * EPA REFUSES TO DELIVER FISHBOWL
- * EPA RELAXES SECURITY AT FAIRCHILD - UNION FILES CHARGES
- * FLRA FILES MORE CHARGES AGAINST EPA
- * GUEST EDITORIAL - "GRASSROOTS SOLIDARITY"
- * FOOD FOR THOUGHT - ARE YOU A PROFESSIONAL OR A BUREAUCRAT ?
- * NFFE "HOTLINES"

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

FISHBOWL STAFF

EDITOR--RAYMOND K. LOCKE

PUBLICATION--NFFE LOCAL 2050 EXECUTIVE BOARD

MAILING LABELS--DAVID RITTER

REPORTERS FOR THIS ISSUE :

BILL HIRZY
RAYMOND LOCKE
ELEANOR CARNEY
ROBERT CARTON
JIM MURPHY
MARK ANTELL



MONTHLY OPEN NFFE MEETINGS

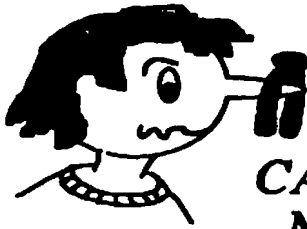
NFFE is emphasizing publicity to improve attendance at monthly open meetings during which the Union's activities are discussed and suggestions for future projects are solicited from members of the bargaining unit. These meetings are held at Waterside Mall (usually in a room in the Washington Information Center or in the EPA Education Center) on the first Thursday of each month. At Crystal Mall, the meetings are held on the third Thursday of each month (generally in one of the conference rooms in Crystal Mall #2). All meetings are held from 12 noon until 1 p.m. Since NFFE has been unable to gain access to the majority of the locked bulletin boards or utilize the public address system to announce meetings, watch for flyers (which may soon disappear) or call the Union officers (listed in this issue) or the Union office's HOTLINE to ascertain the location of the meetings. The meeting for October 6th has been scheduled in Room #13 of the North Conference Center next to the Washington Information Center (WIC).

COMPRESSED WORK WEEK NEGOTIATIONS

NFFE Local 2050 has developed and presented to Agency negotiators a voluntary Compressed Work Week (CWW) plan for all professionals at Headquarters. The Union is ready to sign off on the agreement and is awaiting final Agency review.

The plan establishes a Headquarters-wide CWW program with the "5/4-9" option, leaving individual AA's the discretion to adopt additional options (e.g., "10-4" and "credit hours"). The program would be phased in within 3 months of ratification of the agreement.

The Union has worked long and hard to obtain this option for all offices at Headquarters. Now it is up to the Agency to act. A rally is planned for October 5th in support of CWW in the plaza adjacent to the EPA Education Center, which is to begin at 12 noon.



CARPET NEWS

CARPET GRIEVANCE CONTINUED

On August 29th, NFFE sent a memorandum to Charles Grizzle, Assistant Administrator, Office of Administration and Resources Management, appealing the denial of a grievance filed by NFFE, initially with the Administrator and subsequently with John Chamberlin, concerning the new carpeting at EPA Headquarters. This carpet has elicited severe adverse health effects in several EPA employees. In summary, NFFE is continuing to insist that the already installed portions of the new carpeting be removed to avoid long-term, low level exposures of Agency employees to 4-phenylcyclohexene (or other unknown toxicants contained in this particular lot of carpeting). The Union maintains that leaving the already installed portions of the carpeting in place constitutes a violation of the Collective Bargaining Agreement between EPA and NFFE which states that: "...the level of air-borne pollutants in these buildings is kept sufficiently low to provide a healthful work environment."

WORKMEN'S COMPENSATION BENEFITS APPROVED FOR ONE EPA CARPET VICTIM



The Department of Labor (DOL) has approved the application of Ms. Bobbi Lively-Diebold, an EPA employee who charged that the new carpeting installed at the Waterside Mall complex earlier this year contained chemicals which made her severely ill, for limited workmen's compensation benefits. The DOL has begun to reimburse this employee for medical expenses. It is not clear when the DOL will begin compensating her for a percentage of her annual salary. In addition, if the DOL determines that her illness is permanent, she may receive disability benefits (which are tax-free) for the rest of her life.

NFFE is pleased that this EPA employee is being helped to some extent financially in this manner. But such compensation cannot accomplish what NFFE believes to be a primary desire on the part of Ms. Lively-Diebold and other adversely affected Agency employees: a return to work at EPA in a healthful environment. NFFE is greatly concerned that the Agency has decided to leave the already installed portion (apparently representing over one-half of the entire lot purchased by EPA) of the carpeting which has elicited adverse health effects in many EPA employees in place. Such a decision, NFFE believes, reflects poorly upon an agency that is supposedly health-conscious, and indicates a poor understanding of the potential adverse toxicological consequences to other EPA employees resulting from long-term, low-level exposures to this lot of carpeting.

The reader is referred to the Federal Times of August 22, 1988, for a more detailed report on this issue. NFFE is actively pursuing all avenues at its disposal to accomplish the removal of all of this lot of carpeting from EPA Headquarters. Meanwhile, the Union urges employees who feel that they have been adversely affected by this situation to contact Union officers for assistance.

AVAILABILITY OF CARPET-RELATED DOCUMENTS

As mentioned in Volume 4, No. 3 of Inside the Fishbowl (August, 1988), NFFE will supply any EPA employee with the Structure-Activity Team's (SAT's) report on 4-phenylcyclohexene, a component of the newly installed carpeting which has elicited adverse health effects in EPA employees. The SAT attempts to predict the potential adverse effects which a substance may have upon human health or the environment by using data which may be available on the substance itself or data available for structural analogues.

In addition, NFFE will supply any EPA employee who wishes with a photocopy of a document prepared for EPA by the Syracuse Research Corporation entitled, "4-Phenylcyclohexene Screening," a report on the production and properties of this substance. This document also contains estimates of the potential exposure of humans to this substance. Although it is not at all certain that 4-phenylcyclohexene is totally responsible for the adverse health effects elicited in EPA employees, this substance has been demonstrated to be present in this lot.

To obtain either of these carpet-related documents, call any of NFFE Local 2050's officers, whose telephone numbers are listed elsewhere in this issue. These documents may also be obtained by calling either of NFFE's "Hotlines", which are listed elsewhere in this issue, and leaving a message describing the documents requested and the requestor's EPA mail code.

UNION ANALYZES CARPET RISKS



Union risk assessment experts have used some of the very limited data provided by EPA management on the carpet situation to conduct a preliminary risk analysis and an exposure level-setting exercise. As more complete data are received, if they are received, a more complete analysis will be done. The Union had to file Unfair Labor Practice (ULP) charges against EPA to get what little data we have so far received.

In the absence of any other objective exposure standard for the chief suspect chemical, 4-phenylcyclohexene (4-PC), the Union used a modification of EPA's own straight-forward "Reference Dose, (RfD)" approach to standard setting. In simple terms, the RfD, which is similar to the "Acceptable Daily Intake" (ADI), represents that calculated dose level of a chemical substance to which humans may be safely exposed in the long term. Based on EPA's monitoring and on Dr. Mark Van Ert's statements at a July seminar, exposure levels of about 5-30 ppb of 4-PC were probably responsible for the expressions of toxicity seen among EPA workers since last Fall. Taking a conservative approach, the Union assumes, at present, that 5 ppb was the Lowest Observed Adverse Effect Level (LOAEL; the lowest concentration level of 4-PC at which adverse effects were observed). The RfD methodology calls for application of an uncertainty factor of 100 to a human LOAEL when a good data base exists. The Union does not believe that the data base in this case is "good", either from the standpoint of exposure measurements or clinical data, so NFFE believes that an uncertainty factor of 300 to 500 should be used, to account for data quality and the severity of the hypersensitization response. This application of EPA's own rational assessment/standard-setting criteria leads to a calculated "RfD exposure level" for 4-PC of well below 1 ppb, the dose level predicted to remain indefinitely in areas in which the new carpeting is

installed.

A parallel analysis proceeds from management's implied assumption, with which the Union does not agree, that current levels of 4-PC of about 1 ppb represent a No Observed Adverse Effect Level (NOAEL; the concentration level of 4-PC at which no adverse effects are observed). With a good data base on human effects, an uncertainty factor of 10 would be applied in EPA's methodology for setting a RfD from a NOAEL. Given the limitations of the data and the severity of the hypersensitization endpoint, NFFE believes that a safety factor of 30 to 90 is more appropriate in this case. This analysis also leads to a "RfD exposure level" for 4-PC which is well below 1 ppb.

Dr. Van Ert's work and the physical properties of 4-PC and its latex residence site in the carpet backing indicate that the level of 4-PC in our carpeted space is likely to remain at about 1 ppb for the indefinite future. Off-gassing experiments with the carpet conducted at Research Triangle Park and the history of ventilation problems at Waterside Mall suggest that we cannot expect levels of 4-PC in carpeted spaces to be driven down much below that value by the ventilation system.

Thus, the application of a slightly modified version of EPA's own RfD approach to standard-setting--for acute effects only--leads to the conclusion that expected levels of 4-PC at Waterside Mall will be substantially above the calculated "RfD exposure level" if the carpet remains in place.

The Structure-Activity Team (SAT) of the Office of Toxic Substances, which reviews new chemicals for potential adverse effects on the environment and/or human health under the premanufacturing notification (PMN) program contained in section 5 of the Toxic Substances Control Act, has expressed "moderate" concern for the toxic potential of 4-PC to humans. SAT's chief concern was for neurotoxicity, and the symptoms reported by some of those made ill include neurological deficits. SAT also expressed some concern over the carcinogenic and mutagenic potentials of 4-PC. When a chemical in the PMN process receives a "moderate" rating from SAT for these latter two health endpoints, that chemical is subjected to a more detailed review. If that review sustains the SAT's concerns, the chemical is either banned from production, or a zero exposure standard is applied until testing is completed and eliminates the SAT's concerns. The Union believes that such conservative risk management should be applied by the Agency to protect EPA's own workers, just as they are to protect industrial workers. This means, at minimum, that a detailed review of 4-PC's genotoxic potential is called for.

In addition to refusing to provide underlying data until ULP charges were filed, the Agency refuses to provide a copy of its risk analysis used to support the decision to keep the newly installed carpeting in place. However, the Union did obtain a copy of what is purported to be that assessment, and its six handwritten pages have been reduced in size and are reproduced on the following page for the reader's edification. This document contains neither a detailed follow-up analysis of genotoxic potential nor any analysis whatsoever to develop an exposure standard for 4-PC, using any type of EPA criteria. It is literally, and in the worst sense, a "back-of-the-envelope" "risk assessment".

Until Agency management proves otherwise by producing solid evidence and a peer-reviewed risk analysis, the Union thinks EPA workers are

justified in suspecting management of making a purely economics-based decision to keep the carpet in place at the risk of our health.

IS THIS EPA'S "RISK ASSESSMENT" FOR 4-PC?

Hazard

- a) 5 VOC's
- b) 4-PC
- c) ?

Exposure

1) assume # in exposed area is constant under all options

{ # of people (const)
 { substance(s) variable
 { levels " "

Problem: Define lot etc for all 3 options

- 2) Data Available
 - a) ENSL 4000 indoor air VOC levels & controls
 - b) assuming ventilation will improve current data is "worst case"

Hazard

2) VOC's don't have known hazards at measured levels - same in non-complaint areas

3) Best Guess is 4-PC or ? (albeit those may interact 2 VOC's)

4) Are there clear correlations of ? with problem? (no).

note

Adjusted VOC's (more cheap) may cause problems in sensitive (account for transient high levels of VOC's)

B) Rank options by potential levels of 4-PC & VOC level

- Options
- I. a) Tear out existing suspect carpet
 - b) replace with alternative flooring
 - c) All subsequent renovations use the alternative flooring
 - II. a) Leave existing Carpet
 - b) rip out and use suspect carpet for all subsequent renovations.
 - III. a) Leave existing Carpet
 - b) All Subsequent renovations use alternative flooring

Risk of emissions from carpet backing during rip out

Are there biologics involved? - unlikely but possible.

Toxicity (4-PC)

Animals

- 1) Technical quality is only anecdotal
- 2) Animal data say it is a possible strong irritant but must have inhalation test (to know more)

Weight (all assume increased ventilation)

Option	VOC (from renovation)	4-PC high	?	dust etc (low)	psychologic disease (high)
I	4	1 (assume no problem with it)	?	4	1
II	2	3		2	4
III	2	2		2	2

EPA--THE "PLUM" AGENCY

EPA is widely known among the cognoscenti as the Federal Government's quintessential "plum" agency. That is, we career Civil Service types share this workplace with more political appointees than any other agency in town. Not just the Administrator and Assistant Administrators, but way, way down into what you would consider to be normal, everyday career Civil Service jobs--special assistants, policy analysts, communications specialists, etc.

Some of our career Civil Service colleagues in the Office of Public Affairs (OPA) have just brought the latest example of the "plum" principle at EPA to our attention. In a not-all-that-rare case of moving a political type into a secure hiding place in the career Civil Service, a 14-level job slot was recently created in that Office for one of Mr. Thomas' special assistants, and now, to supervise this one individual, a 15-level job has been synthesized. Meanwhile, our colleagues who have been faithfully and competently toiling in the vineyard for many years at maximum grades of 12, have been "shafted."

Our career colleagues at the 11- and 12-levels have been told that OPA is "overstaffed by two or three people," and that staff who have recently left cannot be replaced, shifting work burdens onto our career colleagues' backs. In addition, they've been told that "OPA is over-graded," so no promotions are possible.

Enter the PLUM-PICKERS. No problem finding slots for them! No problem creating high-graded-jobs for them to hide in!

The Union is requesting information from management on the number of Schedule C (political) employees who have been hired into the career Civil Service over the past year and on the level of opportunity that career people had to compete for those jobs. With that information in hand, we will take appropriate action--stay tuned.

NFFE'S FALL FESTIVAL---
TUESDAY, OCTOBER 25TH

OPEN MEETING--

11:30 A.M. TO 1:00 P.M.
ROOM 103---N. E. MALL

(ALL EPA EMPLOYEES WELCOME!)

Light Refreshments!





EPA REFUSES TO DELIVER FISHBOWL

Many members of NFFE's bargaining unit received copies of the July edition (Volume 4, No.2) of the Union's official newsletter, Inside the Fishbowl, by first-class U. S. mail at their home addresses. The reason for the mailing and its tardiness was explained in an insert which was attached to mailed newsletters: in short, EPA unilaterally decided not to deliver this issue of the newsletter to bargaining unit members by Agency mail service, even though it had previously delivered the same issue via Agency mail to NFFE members.

After one week of non-delivery, and no word from EPA, NFFE called EPA mailroom officials and were told that the cause of failure to deliver was that the Agency considered this issue to be a "recruitment communication", as defined in the Collective Bargaining Agreement between NFFE Local 2050 and EPA. The Agreement states that, "The Union shall be allowed the use of inter-office mail for the purpose of advising professionals of Union meetings and for communicating with Agency management and other non-recruitment communication." Apparently EPA objected to one paragraph in an article entitled, "Is a Union for Professionals Really Necessary?," which examined the whole rationale for the existence of unions of professionals, in general, and in the Federal Government, in particular, and did suggest a method for the reader to join NFFE, should he or she desire to do so. NFFE does not regard this single sentence in this issue of its newsletter sufficient grounds to determine that the entire issue represented a "recruitment communication." The Union has filed a grievance on this matter. There are also matters of precedent to be considered: 1) this same issue was delivered by inter-office mail to NFFE members; and 2) the official NFFE newsletter has been delivered by inter-office mail to bargaining unit members in the past and has contained similar single-sentence "recruitment information" in several issues.

A further distressing point is that the Agency apparently wishes to "censor" each issue prior to distribution by inter-office mail to ensure that no "recruitment communications" are contained in it. No such prior viewing by EPA before distribution in inter-office mail is at all mentioned in the Collective Bargaining Agreement! Furthermore, should EPA wish to grieve or take other action against the Union regarding any specific issue after delivery of the newsletter (an appropriate Agency official would receive an issue at the same time others did by inter-office mail), the means to take such action are in place. It is unlikely that the newsletters of other EPA groups are "censored" prior to distribution. In any case, NFFE intends to pursue all means at its disposal to ensure the timely delivery of its official newsletter via inter-office mail without prior censorship or Agency "approval". NFFE is also distributing its newsletter to environmental groups, interested Members of Congress, and other Federal agencies.

EPA RELAXES SECURITY AT FAIRCHILD - UNION FILES CHARGES

On August 30th, Vincette Goerl, the new Facilities Management and Services Director, announced in a memorandum to all employees at the Fairchild Building (formerly known as the Marfair Building) that stairwells were



SECURITY?

being unlocked on the 2nd, 3rd, 5th, and 8th floors from 6:30 a.m. to 5:30 p.m., Monday through Friday. She stated, "Employees will now be able to move freely between these floors via the stairwells, thus reducing the waiting time for elevators."

Union officials believe EPA management is acting irresponsibly by relaxing security at a time when the murder rates in the District of Columbia are the highest ever. Also, the Security Survey Report of the Fairchild Building completed by the Federal Protective Service in May of 1987 concluded that, "The Marfair Building is vulnerable to surreptitious entry by an unauthorized individual following employees with access cards into the office space." The Union notes that personnel entering the first floor lobby are not challenged by anyone because of the multi-use character of the building. Now EPA management has made the RUSCO System the only defense against intruders on some of these floors by unlocking the stairwells. The Union observed on September 9th, after the relaxation of security, that the RUSCO-protected door on the 8th floor was not functioning because the door was not closing leaving employees extremely vulnerable. Just one month earlier, someone had tried to pry the RUSCO-card "readers" off the wall on the 7th floor of this building and damaged both the walls and the "readers."

"EPA management is apparently unaware of the risk they are imposing on employees by their irresponsible actions," Eleanor Carney, Chief Steward of NFFE Local 2050, stated relative to this latest relaxation of security. "I think the biggest danger facing employees relates to the lack of formal security training by EPA management in the Office of Administration; their actions continually amaze me," Mrs. Carney stated.

The Union has charged EPA with Unfair Labor Practices on September 7th because the Agency has relaxed security in the building without negotiating such changes with the Union. Previous charges on this issue are pending against EPA by the Federal Labor Relations Authority (FLRA). The FLRA is expected to investigate the charge filed by the Union within six weeks.

FLRA FILES MORE CHARGES AGAINST EPA

On August 31st, the Federal Labor Relations Authority (FLRA) charged EPA officials with Unfair Labor Practices for failing and refusing to negotiate in good faith with NFFE Local 2050 over employee security at EPA Headquarters. This is the second charge filed against EPA by the FLRA within the last three months.

On June 30th, the FLRA charged EPA with committing an Unfair Labor Practice by failing to turn over to Union representatives information on security in several buildings. NFFE requested files on all EPA security-related contracts along with a memorandum dealing with security in EPA buildings.

EPA claims employee security is not negotiable. However, Union representatives and the FLRA do not agree with EPA's assessment. EPA has until September 26th to reply to the latest charge. A hearing has been scheduled on both of these two charges on November 29th before an administrative law judge of the FLRA. Further details on this hearing will be published for interested EPA employees in the upcoming issues of Inside the Fishbowl.

GUEST EDITORIAL

* Views expressed in Guest Editorials are those of the authors; they do not necessarily represent those of NFFE Local 2050 or its members.



By Lois Marie Gibbs

Just a little over 10 years ago, I didn't even know what EPA was, never mind know any people who worked for EPA. Those were the good old days when I was just trying to raise my two kids in peace and quiet in a little working-class neighborhood in Niagara Falls called Love Canal.

A lot has changed in these past ten years. I know what EPA is now and I surely have met a lot of people who work for EPA: At Love Canal, there were many EPA workers who were trying to do an honest job. Some, especially those that did not honest a job, don't work for the Agency anymore. Others became good friends and important sources of information after the Reagan Administration took over.

After the efforts of my neighbors and I got us relocated from Love Canal, I came down to Washington to start the kind of environmental organization I wished I could have called on at Love Canal, the Citizens Clearinghouse for Hazardous Wastes (CCHW). It was a lot like Love Canal, in that I had to start from scratch and labor against strong odds. Today, we're serving over 3500 grassroots-citizens' groups around the country, many of them fighting the same sort of struggle I had at Love Canal. We've even come so far that for the first time this year, we've overcome objections from the Office of Management and Budget and have become a recognized national charity in this year's Combined Federal Campaign.

A small but growing part of the community we serve are government workers dealing with toxic hazards. For example, I'm pleased that our general counsel and our staff have been able to advise EPA Headquarters' workers on dealing with an insensitive management over toxic hazards that make your new office space unhealthy. At least EPA management is consistent in the same way they tell residents living next to some of the worst Superfund sites that "there's no cause for alarm," that hazards pose "an acceptable risk" and that they're addressing the situation with "state-of-the-art technology," such is the case with their response to NFFE's health and safety grievances.

What we learned at Love Canal is what the thousands of other grassroots citizens' groups fighting toxic hazards have learned. It's also what I think that you're learning, too, in your struggles with management. That's the sorry fact that environmental policy has little to do with science, or health, or even with what's fair or right. Instead, environmental policy is pulled and tugged by economic and political considerations. Notorious toxic polluters sit at table with the highest powers in government. Armand Hammer, head of Occidental Petroleum (chief polluter at Love Canal) served throughout the Reagan Administration as the head of the President's advisory council on cancer prevention. Peter Grace, head of W. R. Grace whose pollution caused the leukemia deaths of more than 15 children in Woburn, Mass., has been a key Reagan advisor for the past eight years on government

management.

These facts of life are not likely to change drastically, no matter who the new President will be. People of money and influence will always have far more power than is what is rightly theirs. But we've also learned over these past ten years that public policy can be changed, even in these dark years, when people organize to fight for what is right and just. That's why I'm proud of the part we've played in fostering a new Grassroots Movement against toxics. And that's why I appreciate CCHW's friendship with NFFE and the organized workers of EPA.

ABOUT THE AUTHOR - - -

Lois Marie Gibbs is the Executive Director of the Citizens Clearinghouse for Hazardous Wastes, Inc., a non-profit, tax-exempt, non-partisan organization founded in 1981 by Love Canal "veterans" dedicated to helping citizen groups use old-fashioned grassroots democracy to fight for environmental justice.

FOOD
FOR
THOUGHT - - -

ARE YOU A
PROFESSIONAL
OR A BUREAUCRAT ?



"In a bureaucratic machine the most important cog is the official. He gives little thought to the needs of the people or the lower levels of the population, although he probably rose from these himself. Above all, he is concerned with his own career, his own position and the material advantages and rewards that it brings. He is not particularly interested in doing his job but rather in keeping it, along with his privileges, his authority over subordinates, and the approval of his superiors. For this reason a bureaucrat more often than not carries out his duties in a perfunctory manner without getting down to essentials, conducting his business by shuffling papers at a desk...

Bureaucracy has many faces. An official who tries to make everyone subordinate, takes too much power into his own hands, decides everything himself and brooks no opposition -- such a man is a bureaucrat. But a functionary who avoids responsibility, takes no independent decisions and tries not to interfere even in matters that most require action on his part -- he too is a typical bureaucrat."

Roy A. Medvedev. "On Socialist Democracy"
A. A. Knopf, N. Y. (1975, page 292)
Contributed by: Mark Antell



NFFE HOTLINES



Because EPA has not allowed NFFE to announce its monthly meetings via the public address system and has allowed the Union only very limited access to bulletin boards, NFFE has installed telephone answering machines at both the Union Office's number (382-2383) and the President's number (382-2327) to allow bargaining unit members recorded information on NFFE's meetings and the opportunity to leave a message, to which NFFE will respond.

DON'T FORGET FEEA !!!

Remember to designate FEEA (the Federal Employee Education and Assistance Fund) as your designated beneficiary in the Combined Federal Campaign (CFC). Write in "0415" on your CFC pledge card! FEEA represents Federal employees helping Federal employees!

CURRENT NFFE LOCAL 2050 OFFICERS

PRESIDENT:

PRESIDENT-ELECT:

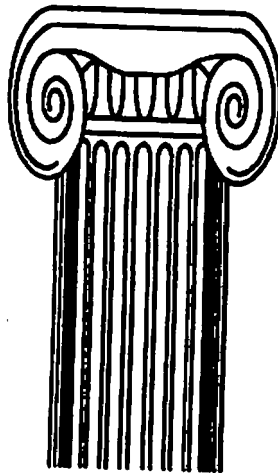
VICE-PRESIDENTS:

NFFE - HOTLINES
382-2327
and
382-2383

SECRETARY:

TREASURER:

CHIEF STEWARD:



BILL HRZY 382-2327

BOB CARTON 382-2325

RUFUS MORISON 382-4273

MARK ANTELL 382-2878

RAY LOCKE 475-7106

JIM MURPHY 382-7591

DAVID RITTER 557-7375

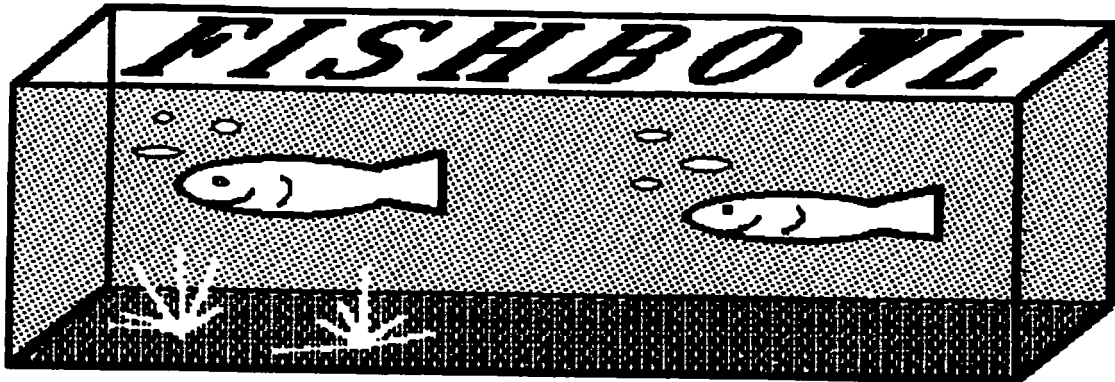
CHARLIE CARLOW 475-7088

LOIS DICKER 382-3496

DALJIT SAMNEY 382-4289

ELEANOR CARNEY 475-7181

INSIDE THE



NATIONAL FEDERATION OF FEDERAL EMPLOYEES

P. O. BOX 76082

WASHINGTON, DC 20013

OFFICE: ROOM 302 NE MALL

OCTOBER, 1988

NFFE

EPA HEADQUARTERS' PROFESSIONALS

LOCAL 2050

(202) 382-2327 or

(202) 382-2383

VOLUME 4 No. 5

INSIDE THIS ISSUE

- * LATEST UPDATE ON THE NEW EPA HEADQUARTERS BUILDING
- * ARE YOU A VICTIM OF AN UNFAIR LABOR PRACTICE ?
- * FLRA CASES PENDING AGAINST EPA BY LOCAL 2050
- * COMPRESSED WORK WEEK IMPLEMENTATION STALLED BY AGENCY INACTION
- * COMPRESSED WORK WEEK RALLY
- * LATEST DEVELOPMENTS ON COMPRESSED WORK WEEK--
NFFE CALLS IN MEDIATOR, CIRCULATES CWV PLAN TO AA'S

**EXERCISE YOUR RIGHT TO EXPRESS YOUR OPINION ON
THIS ISSUE---**

SEE PAGES 6 - 7 !

- * NFFE MEMBER RETIRES AFTER 41 YEARS OF FEDERAL SERVICE
- * NFFE TESTIFIES AT SYNAR HEARING
- * ABOARD A "FLEEING" CARPET ?
- * REPLAY OF MacNEIL/LEHRER NEWS HOUR SEGMENT
- * FRESH AIR MEASUREMENTS
- * OPEN MEETING --- NOVEMBER 3RD, ROOM 103 NE MALL, 12 NOON TO 1 P.M.
- * A HEALTHFUL CHILD CARE CENTER ?
- * THE YET-TO-BE CONDUCTED HEALTH SURVEY
- * D.C. RECYCLING BILL BATTLE APPROACHES
- * GUEST EDITORIAL - "ON THE MOUSE LIVER"
- * NEWS FROM NFFE'S NATIONAL CONVENTION
- * CONTRARIAN'S CORNER - "'SAFE' - WITH REFERENCE TO WHAT ?"

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

FISHBOWL STAFF

EDITOR--RAYMOND K. LOCKE

PUBLICATION--NFFE LOCAL 2050 EXECUTIVE BOARD

MAILING LABELS--DAVID RITTER

REPORTERS FOR THIS ISSUE :

DAVE RITTER
BILL HIRZY
RAYMOND LOCKE
ELEANOR CARNEY
CHARLIE GARLOW
MYRA CYPSEK



LATEST UPDATE ON THE NEW EPA HEADQUARTERS BUILDING

NFFE Local 2050 has been re-invited to sit in on the discussions with Nelson Hallman, the New Building Task Force Coordinator for the Agency. Dave Ritter, the Union's representative in this area, has provided the following report, which is certain to be of great interest to all EPA employees. After reviewing the "Pre-Design Master Study," a document that details what the Agency wants in the new facility, the Local came up with some comments which were forwarded to Mr. Hallman. These included:

1. We are fully aware that site selection will be the biggest issue with the new facility, and that the final selection will not be made by EPA but by the Congress. The building must not be located in a high crime area (a discussions of the security issues of concern to the Local was attached to the submitted comments); must be on an operating Metro station; must be easily accessible to major highways; and must have abundant parking space (available from the private sector and subsidized by the Agency).
2. Stairwells should readily accommodate three abreast, and should permit the use of wheel chairs and other handicapped devices, such as crutches, canes and artificial limbs. Separate or emergency lighting must be available in inside hallways, offices and stairwells. Doorways to stairwells should have fireproof glass windows.
3. All hallway doors, e.g., those used for security purposes, should be equipped with similar windows.
4. Heating, Ventilation and Air Conditioning (HVAC) systems should be designed to permit circulation of fresh, clean air (10% from outside) to all habitable parts of the building of at least 20 CFM (cubic meters per minute) per person.
5. No asbestos-containing building materials of any kind should be permitted

in the structure.

6. If smoking is to be permitted in the building at all, whether in special areas or in lounges, such spaces must have separate HVAC systems to prevent pollution of other airspace with tobacco smoke and its toxins. Each floor should have at least one non-smoking lounge or kitchenette where employees may install coffee-makers, refrigerators and microwaves.
7. Specifications for carpets should be written so as to preclude the use of toxic or sensitizing solvents, cements, glues, adhesives, dyes, or other components that may "off-gas" and produce injury, illness or other discomfort to the people who have to work in the areas where such carpets may be installed.
8. The concept of "open space" work areas for professionals is totally unacceptable. This permits too much noise and no privacy. The minimum private office space for a professional should be no less than 10' x 10'.
9. Security must be "built" into the building, with access to the interior controlled at all times by qualified GSA guards. This means a single entry/exit for all employees, visitors, service personnel, etc.
10. In order to provide more room for offices, we believe that the exercise facilities should not be included in the allotted space; rather, there should be a requirement that the builder will provide these services from the private sector.
11. At least one office/meeting area should be designed for exclusive NFFE use and should be equipped with a public address system and outlets to provide for the use of computers and other electronic hardware; as the Agency grows, the Union will also grow.
12. Ladies' lounges/rest rooms must be equipped with couches.

NFFE has avoided the issue of site selection, although this is an important consideration. The poll which the Union conducted last year indicates about an even split as to whether the new building should be located in the District, Virginia or Maryland. Consequently, the Union has taken no position on this issue, and the matter will be decided by the politicians in any event. It should be noted, however, that recent legislation makes it easier for agencies to move to the suburbs.

ARE YOU A VICTIM OF AN UNFAIR LABOR PRACTICE ?

Because of a 1988 shift in management's policy, NFFE Local 2050 has been forced to implement a policy of filing, without hesitation, Unfair Labor Practice (ULP) charges against EPA officials in cases where it is warranted. Employees are encouraged to notify any Union officer (listed in the masthead of this newsletter) regarding incidents such as those listed on the next page, which represents a summary of cases pending with the Federal Labor Relations Authority (FLRA) against EPA officials.

The Union has had a remarkable success rate in having the FLRA issue complaints against EPA officials. To date, in all cases where the FLRA investigator has rendered a decision on the merits of the case, a complaint against EPA has been issued by the FLRA and a hearing date has been set.

FISHBOWL--PAGE 4

Review the list of questions below with respect to any incident, and if you believe that an Unfair Labor Practice has been committed--**CALL US !**

IS THIS PROBLEM AN UNFAIR LABOR PRACTICE ?

- Did the event occur within the last six months?
- Is this a case where a union officer or employee is being harassed for union activities?
- Has an employee been disciplined for union activities?
- Has management made anti-union statements or otherwise tried to interfere with the employees' right to join or assist the union?
- Has management changed a policy without giving the union the right to request bargaining?
- Has management delayed negotiations?
- Has management declared a union proposal non-negotiable?
- Has management refused to provide the union with information necessary to negotiate or process a grievance?
- Has management enforced a regulation from EPA Headquarters which is dated after the Collective Bargaining Agreement and which conflicts with the Agreement?

If a problem which you are having or about which you have first-hand information meets any of these criteria--**CALL US !**

FLRA CASES PENDING AGAINST EPA BY NFFE LOCAL 2050

CASE NUMBER	SUBJECT	DATE FILED	DATE OF FLRA COMPLAINT
3-CA-80326	Withholding security contract information	March 29	June 30
3-CA-80408	EPA refuses to negotiate employee security	May 24	August 31
3-CA-80495	EPA withholds information and delays release of carpet impact information	July 12	Sept. 30



FISHBOWL - PAGE 5

3-CA-80612	EPA relaxes security at Fairchild Building	Sept. 7	Under Investigation
3-CA-80606	EPA refuses to negotiate on biotechnology conflict of interest policy	Sept. 7	Under Investigation
3-CA-80624	EPA refuses to negotiate on bulletin boards	Sept. 20	Under Investigation
3-CA-80625	EPA failed to provide risk assessment on carpeting impacts	Sept. 20	Under Investigation
3-CA-80631	EPA moved employees without notifying the Union	Sept. 22	Under Investigation
3-CA-80630	EPA fails to provide car-pool and van-pool information for compressed work week	Sept. 22	Under Investigation
3-CA-_____	EPA moved employees without notifying the Union	Oct. 4	Pending Investigation



COMPRESSED WORK WEEK IMPLEMENTATION STALLED BY AGENCY INACTION

After several months of negotiations, NFFE and Agency negotiators tentatively agreed in early September upon a headquarters-wide Compressed Work Week (CWW) plan for EPA headquarters. Under the agreement, the Agency negotiator was to meet individually with all Assistant Administrators (AA's) shortly thereafter and to bring back to the bargaining table any objections raised by the AA's. As of September 29th, however, the Agency negotiator had not met with half of the AA's or even scheduled meetings with them. Moreover, he was totally unwilling to commit to any time frame within which those meetings would be held. In addition, he would not reveal with whom he had spoken or whether any objections to the Union plan had been raised. In the meantime, several individual Offices, growing impatient with the lack of a headquarters-wide plan, are proceeding with their own individual CWW plans. As a result, dozens of established car-pools have been, or are about to be, disrupted by the piecemeal implementation of CWW.

NFFE, its sister union [American Federation of Government Employees (AFGE)], and the over one thousand EPA employees who have signed the CWW Petition call upon the Administrator for immediate answers to the following questions:

* Why is the duly authorized Agency negotiator on CWW issues unable to obtain ratification of an agreement reached over a month ago?

FISHBOWL--PAGE 6

- Why is the Agency denying employees at headquarters a benefit which nearly all Regional office employees have enjoyed, some for as long as 10 years?
- Why is the CWW plan at headquarters permitted to languish because of the apparent opposition of two unnamed AA's?
- Why is the Agency risking severe disruptions to established car-pools by allowing fragmented adoption of CWW by individual Offices?
- Since when has it been appropriate for major personnel policy decisions to be made by 10 different Offices?

COMPRESSED WORK WEEK RALLY



On October 5th, a compressed work week (CWW) rally supported both by NFFE and by its sister union (AFGE; American Federation of Government Employees) was held at Waterside Mall. After speeches by Lois Dicker, Dayton Eckerson, and Bill Hirzy of NFFE, as well as Loree Murray, Acting President of AFGE, assembled EPA employees presented Mr. Craig DeRemer, Executive Assistant to the Administrator, with petitions containing over 1,000 signatures of EPA employees requesting that the compressed work week option be made available to all employees at EPA Headquarters.

Although Mr. DeRemer indicated that the compressed work week option was, indeed, desirable and might well attract competent individuals desiring such flexibility to EPA as employees, Bill Hirzy (President, NFFE Local 2050) pointed out that EPA's negotiator on this issue has been slow in responding to NFFE's CWW proposal which would allow all employees at headquarters access to this option. The assembled EPA employees, as well as representatives of both unions, respectfully requested Mr. DeRemer to ask the Administrator to look into this matter and speed a headquarters-wide agreement.

LATEST DEVELOPMENTS ON COMPRESSED WORK WEEK—
NFFE CALLS IN MEDIATOR. CIRCULATES CWW PLAN TO AA'S

On October 19th, after the Labor Relations Branch (LRB) unilaterally cancelled the weekly negotiating session, the Union formally requested the Federal Mediation and Conciliation Service to send a mediator to assist it in the CWW negotiations. At the same time, NFFE delivered a copy of the tentative agreement reached with LRB in September - the agreement LRB agreed to circulate, but never did - to every Assistant Administrator. NFFE is also beginning to make presentations to every Human Resource Council with which such arrangements can be made to explain its position.

We expect the mediator will be available to meet with Union and management negotiators during the first week in November. Since we already have a negotiated plan for operating CWW, the Union believes that the only issue to be negotiated is: when will all professionals at Headquarters (HQ) go on this CWW plan? The Union has proposed that the Agency provide, within 30 days, a timetable that schedules implementation of the negotiated plan for all HQ by the end of February. The Union sees the probability that AA-ships with CWW already in place, like OSWER and OPPE (and, rumor has it, LRB's own OARM), could go on the negotiated plan immediately.

FISHBOWL--PAGE 7

Given the history of deception and foot-dragging by the LRB, however, we should be prepared for more of the same. With this in mind, and with the possibility that LRB will try to continue the fractious approach of shoving plans at us on a one-AA-ship-at-a-time basis, with no coordination or other logic than "this is it--take it or leave it," the Union wants to get a sense of the bargaining unit's opinion on the following question:

Which of the following options do you prefer; please rank them #1-1st choice, #2-2nd choice, and #3-3rd choice:

Option 1: Union holds to the single plan it negotiated in September, but agrees that different AA-ships can go on CWW at different times as they are ready within a reasonable period of time.

Option 2: Union negotiates a new single plan to take all AA's comments into consideration, but agrees that different AA-ships can go on CWW at different times as they are ready within a reasonable period of time.

Option 3: Union negotiates each AA's plan separately, and agrees that different AA-ships can go on CWW at different times as they are ready within a reasonable period of time.

Option 4: Union negotiates each AA's plan separately without any time frame for submission of plans.

The Union is most comfortable with either Option 1 or 2. Option 3 is fraught with problems, not the least of which is the possibility of completely different plans from Office to Office, with confusion and car-pool mix-ups inevitably following. Option 4 is even more unacceptable, since Congress has actually mandated the CWW program and management can only deny employees access under the most rigorous criteria.

Please send your vote, along with your name, so that we may determine the Union membership's opinion (which governs), to "CWW Ballot, UN-200." Do not fail to vote, if you are not a NFFE member— we are interested in the opinion of NFFE's entire bargaining unit on this vital question! If you received this newsletter through EPA's office mail, you are a member of the bargaining unit. A formal ratification vote by the Union membership will follow any agreement reach through mediation.

Please note this: NFFE is a legally constituted body with which management has a legal obligation to negotiate. Express your opinions to NFFE--don't let EPA's management "con" you into giving this desirable option up!

NFFE MEMBER RETIRES AFTER 41 YEARS OF FEDERAL SERVICE

Morris Blumenfeld, a long-time member of NFFE Local 2050 and its former Treasurer, is retiring after 41 years of Federal service. An accountant in EPA's Financial Management Division, Morris will soon be occupied with managing retirement accounts, after having watched over Uncle Sam's accounts for 41 years! Affectionately known to co-workers as "Account Numbers Blumenthal," Morris will be greatly missed. NFFE wishes Morris the best of health and happiness in retirement, while recognizing that it has lost a stalwart friend and worker.

DONT FORGET FEBA ! !

Write in "0415" on your CFC pledge card!



CARPET NEWS

NFFE TESTIFIES AT SYNAR HEARING

On October 3rd, Bill Hirzy, President of NFFE Local 2050, testified before the oversight hearing being conducted by Representative Michael L.

Synar (Dem.-OK), chairman of the Environment, Energy, and Natural Resources Subcommittee of the U. S. House of Representatives, in connection with the Toxic Substances Control Act. Hirzy was invited to testify about the carpet problem at EPA Headquarters and also about the national scope of similar problems and on the methods by which the Toxic Substances Control Act (TSCA) could be used to address them. He credited Bob Axelrad with developing a reasonable start toward solving EPA Headquarters' indoor air problems, but took the Agency to task of refusing to take employees' illnesses caused by the carpeting seriously. NFFE's President described the plight of nearly 200 EPA employees who have suffered adverse health effects from exposure to newly installed carpeting in EPA headquarters. Although NFFE has requested that all portions of this particular lot of carpeting be removed to protect Agency employees from the potential effects due to long-term, low-level exposure, EPA has thus far refused to initiate removal. As more fully described in a recent issue of The Washington Times (Tuesday, October 4, 1988, page B5), Hirzy's testimony lead Representative Synar to comment: "It appears they can't even protect their own building." A comprehensive discussion of the Union's testimony was also published in the Federal Times of October 17, 1988 (Vol. 24, No. 35, page 3).

ABOARD A "FLEEING" CARPET ?

On Tuesday, October 4th, Hirzy, Bob Carton, Rufus Morison, and Myra Cypser were to present a Union analysis of the existing data, couched in the terms of EPA's "Reference Dose" methodology (as described in Volume 4, No. 4 of Inside the Fishbowl), to technical advisors to Assistant Administrator Charles Grizzle. However, when the Union representatives entered the briefing room on the 11th floor of the West Tower, a management official insisted that Myra Cypser leave the room or go on annual leave or leave-without-pay status, notwithstanding the fact that NFFE had identified Myra as a Union member having expertise in the area of indoor air pollution whom the Union wished to be present at the meeting. This latest outrage of the Labor Relations Branch against the spirit of cooperation that used to exist between EPA and NFFE caused the Union representatives to leave in disgust. The Union representatives went to the 12th Floor to seek mediation help from the Administrator's staff (but to no avail), and remained ready on the 11th floor to resume the meeting. Management must have utilized a "fleeing carpet," since the meeting was never resumed. NFFE intends to take appropriate action with respect to this "non-meeting."

At the Labor Management Committee meeting on October 5th, the Union attempted to inform the Labor Relations Branch about an employee at EPA Headquarters who became ill from carpet fumes while visiting EPA's Philadelphia offices. The Union, however, was warned by management against raising this matter because the employee in question is not in the professional bargaining unit. Management also refused to re-schedule the "non-meeting" of the previous day.

It is becoming more and more difficult to comprehend the mentality of EPA's management on this issue. In May, there were six employees at Headquarters who could not work normally at Waterside Mall--now there are sixteen! How large does the number have to get before management acknowledges that there is a continuing disease-inducing process at work here? People are now getting sick in rooms where the 4-PC concentration is 1 ppb or less. The Union has received some criticism of its use of a modified "Reference Dose" approach to the problem, but management has used no techniques at all to study the appearance of disease concurrent with the installation of this particular lot of carpeting! At least, there has been no such assessment made public.

On what scientific basis does Mr. Grizzle make the judgement that leaving the source of toxicity in place is a safe course of action? This is the question which all EPA employees are asking. NFFE suggests that a "fleeing carpet" is not the answer to this question--a "disappearing carpet" (removal of all portions of the carpeting from EPA Headquarters) is.

REPLAY OF MacNEIL/LEHRER NEWS HOUR SEGMENT

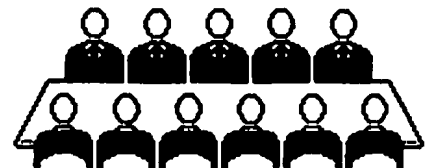
On October 14th, EPA employees were afforded the opportunity to view a previously broadcast news segment dealing with indoor air pollution, in general, and with EPA's carpeting problem, in particular. Myra Cypser and Charlie Garlow, both members of NFFE, were instrumental in providing this NFFE-sponsored opportunity for EPA employees who may have missed the live airing of this news segment. Employees viewing this news segment could well understand NFFE's position that all portions of the particular lot of carpeting which has made nearly 200 EPA employees ill should be removed from EPA headquarters!

FRESH AIR MEASUREMENTS

At the Facilities meeting on September 28th, David Weitzman, Director of the Environmental Health and Safety Division (EHSD), Office of Administration and Resources Management, said that a study of 28 air handling units (AHU's) had been funded. However, it is likely that this study, like the previous smaller studies of AHU's, will not give us the answers we need. Mr. Weitzman's comments at the meeting indicate that there will be no attempt to measure air flow under representative conditions and the study will not determine how the air intake dampers should be set to give us the minimum required amount of fresh air. Some of us, as members of NFFE or other organizations or as individuals, have been asking questions about fresh air for more than three years, and the prospect of even more delays is discouraging.

OPEN MEETING ---

Thursday, November 3rd
Room 103 Northeast Mall
12 Noon to 1 P.M.



A HEALTHFUL CHILD CARE CENTER ?

In June, 1988, OSWER's Environmental Response Team reported that volatile organic compound (VOC) levels in the child care center were higher than any other part of the building sampled and six times the ambient levels. There was no follow-up to determine what caused these levels or if they presented a health hazard to the children. There may also be a problem with the playground for the child care center. It is adjacent to the cooling towers for the ventilation system which are routinely treated with sporicidin, a pesticide used to control mold and bacteria. Pesticide-laden mist from the towers "rains" on the playground. At the September 28th Facilities meeting, David Weitzman said he had a report showing that there is no contamination of the playground and agreed to make this report available to employees. We have yet to see this report!

THE YET-TO-BE-CONDUCTED HEALTH SURVEY

At the September 28th Facilities meeting, employees were told that it is possible that the health survey that was scheduled for early 1989 may be cancelled if the Office of Management and Budget (OMB) finds that the survey does not meet the requirements of the Paperwork Reduction Act. Employees first asked a health survey more than two years ago and this survey has been delayed over and over again. NFFE may well conduct its own health survey--unencumbered by the Paperwork Reduction Act!

D.C. RECYLING BILL BATTLE APPROACHES

On October 26, 1988, the Washington, D.C., mandatory curbside recycling bill will go to "mark-up" and be voted on in the Public Works Committee of the D.C. Government. Nadine Winter, sponsor of this forward-looking proposal, is also Chairperson of the Committee. It is expected that the bill will sail out of Committee and be voted on by the whole D.C. City Council on November 8th or 22th, 1988.

NFFE Local 2050 has testified at public hearings last spring in favor of this bill and urges all concerned residents of the District to write to City Council or call your member of Council at 724-8000, now, before the vote. Remember that Dave Clark, John Ray, Betty Ann Kane, Carol Schwartz, and Hilda Mason are Councilmembers-at-large, and represent you no matter in which Ward you reside.

NFFE Local 2050 supported the DC Bottle Bill, recently defeated in a citywide election. In the wake of the defeat of the Bottle Bill initiative, NFFE is supporting the mandatory curbside recycling bill which will soon be voted on in the D.C. City Council. Recycling of paper, glass, metal and composting of yard waste is seen as the only "win-win" solution to this problem.



GUEST EDITORIAL *

* Views expressed in Guest Editorials are those of the authors; they do not necessarily represent those of NFFE Local 2050 or its members.

ON THE MOUSE LIVER

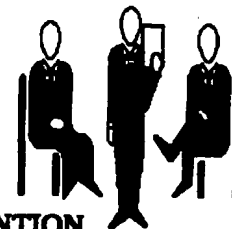
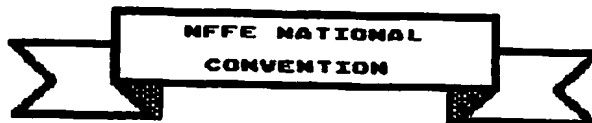
There seems to be an eternally continuous discussion on the validity of the mouse liver to predict tumorigenicity in other species, including man. It appears to some that whatever is fed to the mouse, the mouse always appears to wind up with liver tumors. This discussion appears never to end, and always centers around the incidence of mouse liver tumors and never on the cause. We need to remember (and remind others) that the nutrients and chemicals absorbed from the intestinal tract first arrive at the liver. In the case of man, the nutrients or chemicals are absorbed from the intestinal tract, which is about 21 feet long. For humans, it takes about 24 hours to completely digest a meal, but it takes the rat about 4 hours, and the mouse even less. Again, all that is absorbed first goes through the liver. It would, therefore, be justified to think that, if a chemical is a carcinogen, that the first opportunity for the expression of this potential would be in the liver. Perhaps, this is why so many tumors are observed in animal livers. If the carcinogen forms a stable adduct with liver DNA, the availability of these molecules of oncogenic material may not be available to react with the DNA of other organ systems where, again, the DNA adduct may be formed as a precursor to oncogenicity elsewhere in the body. It might be stated that the liver exists as a screening organ to protect all of the other organ systems from materials which may be abusive or outright toxic.

The rationale that wishes to do away with the meaning of oncogenicity in the mouse liver will also do away with the oncogenic effects which a substance may have on other organ systems. It would be difficult to imagine what effects a carcinogen would have on a whole host of other organs, if the liver did not intercede as a target organ. The discussion of the validity of the mouse liver to predict oncogenicity avoids any discussion on the consequences a chemical might have on other organ systems. It is true, not every bit of a given chemical will be stopped in its tracks at the liver, but since the liver is one of the larger organs in the body, it stands to reason that what gets through the liver may not be enough to create an observable effect in an animal that lives only two years, in contrast to man, who lives about 70 years.

We should not have our present views artfully pushed aside unless answers are forthcoming about what the consequences would be if chemicals were shunted around the liver. At this point in time, surgically developing a portal-caval shunt would be hard to do, either in a mouse or in a rat. How about the dog? What is required is some answers to these questions before doing away with the significance of mouse liver tumors! EPA, as a regulatory agency, should take a conservative approach and regard mouse liver tumors as significant with respect to human health until such time as scientific evidence fully supports a contrary view.

ABOUT THE AUTHOR --

Salvatore Biscardi is a Pharmacologist working within the Oncology Branch of the Health and Environmental Review Division, Office of Toxic Substances.



NEWS FROM NFFE'S BIENNIAL NATIONAL CONVENTION

NFFE's biennial national convention was held in St. Louis, Missouri, from September 11th through 16th. Local 2050 sent three delegates: Bob Carton, Rufus Morison, and Bill Hirzy. Bob and Bill served on the Resolutions Subcommittee on Civil Service With Merit and Professionalism, while Rufus served on the Subcommittee on Labor Relations.

The first part of the week was spent on keynote speeches, electioneering for National union offices and training in negotiations, grievance handling, and Federal Labor Relations Authority operations. Our delegates had the opportunity to meet with many other NFFE people from around the country, to learn of their problems, and to inform them of ours. There is widespread awareness of the indoor air problems here at EPA Headquarters; a Pennsylvania Local introduced a resolution instructing the National union's staff to seek legislation to require removal of toxics from the Federal workplace and compensation for those already injured by them. Needless to say, Local 2050 spoke strongly in favor of this resolution, which passed unanimously.

Other legislative initiatives ordered by the Convention included: sabbaticals for professionals; pay comparability with the private sector; improvements in the retirement system; minimizing management's ability to intimidate employees; recognition of professionals' work as intellectual property subject to legal protection; Hatch Act reform; a minimum corporate income tax; the right to strike; and the right to refuse to provide union services to non-members. The Convention also adopted resolutions: condemning this Administration's actions aimed at weakening the Civil Service; condemning random drug and polygraph testing as well as contracting out; endorsing the Equal Rights Amendment and the right to reproductive freedom. Convention resolutions are the "marching orders" which the rank-and-file of the Union deliver to the National Office every two years.

Among resolutions defeated were those endorsing the Dukakis candidacy and establishing a progressive dues structure. The latter, however, is to be the subject of a National Executive Council study to be reported out to the next Convention in 1990.

Jim Peirce was re-elected National NFFE President in a close race with Bob Keener, head of the national council in the Bureau of Indian Affairs. Abe Orlofsky retired as Secretary-Treasurer after 12 years on that office, and his successor, Ron Kipke, was elected in a race that required three run-offs.

The Convention entailed a lot of work. Resolution Committee reports went on until 9 p.m. on Friday, September 16th, and, on weekdays, the subcommittees often worked until 9 or 10 p.m. Socializing was also possible, though, and the Wednesday evening banquet featured a speech by Representative Frank Horton (R.-NY) as well as good food and conversation. The 1990 Convention will meet in Little Rock, Arkansas.

CONTRARIAN'S CORNER *

"SAFE" - WITH REFERENCE TO WHAT ?

By Rufus Morison

Recently, the thought struck several of us in the professional community that the process of technical analysis in EPA may be comparable to those pronouncements of the Red Queen in Lewis Carroll's "Alice in Wonderland." A case in point: In a recent analysis of the risks posed by ductile iron pipe, an assessor of human health risks is being required to defend the risks of ductile iron pipe on the basis of a comparison to asbestos cement pipe. The risk posed by asbestos contained in just about anything is almost certainly cancer, and the latency period for effects due to asbestos exposure is generally reckoned to be about 20-25 years. Assessing the relative risks of ductile iron pipe with respect to asbestos cement pipe is a bit ludicrous, to say the least. It would appear that "reverse English" is being applied here to assert the relative "safety" of ductile iron pipe when compared to asbestos-containing pipe, whose risk is well known and of no real scientific doubt. Why, after all of the scientific studies indicating the risk posed by asbestos, are we scientists being asked to spend our time on the issue? Perhaps industry is preparing to suggest that asbestos cement pipe is, indeed, "safe," and that we scientists have misinterpreted the many documents condemning it.

One wonders what kind of rationale is driving the Agency, when professional, responsible adults are asked to lend their personal credibility to such "reverse English analyses!"

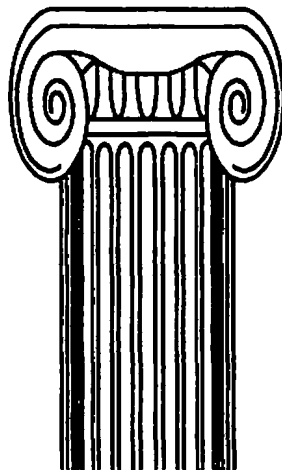
* Contrarian's views are by definition individualistic---they do not *necessarily* represent those of NFFE Local 2050 or its other members.

CURRENT NFFE LOCAL 2050 OFFICERS

PRESIDENT:
PRESIDENT-ELECT:
VICE-PRESIDENTS

NFFE - HOTLINES
382-2327
and
382-2383

SECRETARY:
TREASURER:
CHIEF STEWARD:



BILL HIRZY 382-2327
BOB CARTON 382-2325
RUFUS MORISON 382-4273
MARK ANTELL 382-2878
RAY LOCKE 475-7106
JIM MURPHY 382-7591
DAVID RITTER 557-7375
CHARLIE CARLOW 475-7088

LOIS DICKER 382-3563
DALJIT SAWHNEY 382-4289
ELEANOR CARNEY 475-7181



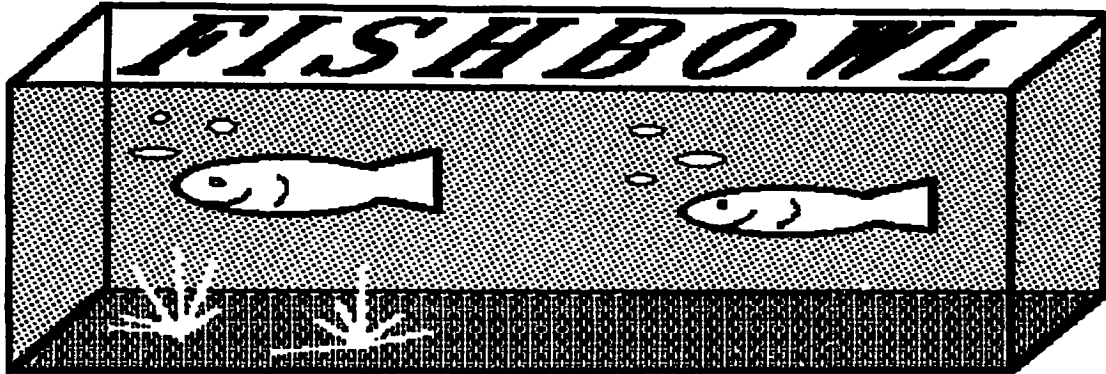
REMEMBER TO *VOTE !!*

Many in Today's World *Do Not*
Have This Privilege---

Exercizing This Hard-Won Right
Is Truly a *CIVIC DUTY !*



INSIDE THE



NATIONAL FEDERATION OF FEDERAL EMPLOYEES

P. O. BOX 76082
WASHINGTON, DC 20013
OFFICE: ROOM 302 NE MALL

NFFE

LOCAL 2050
(202) 382-2327 or
(202) 382-2383

NOVEMBER--1988

EPA HEADQUARTERS' PROFESSIONALS

VOLUME 4--No. 6

INSIDE THIS ISSUE

- * UNION VIEWS GO TO NEW ADMINISTRATION
- * NFFE WINS AGREEMENT ON COMPRESSED WORK WEEK AFTER LONG, UPHILL BATTLE !
- * COMPRESSED WORK WEEK PLAN SUMMARY
- * DEMOCRACY, PROFESSIONALISM, AND SOLIDARITY: COMMENTS ON THE COMPRESSED WORK WEEK VICTORY
- * RESULTS OF BALLOTING ON CWW APPROACHES FROM OCTOBER FISHBOWL
- * UNION FILES SEVEN MORE UNFAIR LABOR PRACTICE CHARGES AGAINST EPA
- * GREIVANCE PROCESS IS IN JEOPARDY
- * ILLUSORY POLLUTANT INVENTORY
- * PROGRESS IN THE STRUGGLE TO IMPROVE EPA'S INDOOR AIR QUALITY
- * EPA'S "RISK ASSESSMENT" OF THE CARPET PROBLEM
- * REPORT ON CARPET-DISABLED EMPLOYEES
- * PUBLIC PRESS COVERAGE OF EPA'S TOXIC CARPET PROBLEM
- * AGENCY TO USE "TOXIC" CARPET AT RTP
- * CONTRARIAN'S CORNER - "ACTUAL OR PSEUDO-SOLUTIONS ?"
- * OPEN NFFE MEETING - DECEMBER 1st; ROOM 103 NE MALL; NOON TO 1 PM
- * NFFE'S FALL FESTIVAL AND AWARDS CEREMONY
- * EPA FACILITIES MEETING - NOVEMBER 30th; 10 TO 11 AM; CONFERENCE RM. #2 (NEAR THE WIC)



NFFE NEGOTIATES CWW PLAN !

See Pages 3 to 7 for Details !



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

FISHBOWL STAFF

EDITOR--RAYMOND K. LOCKE

PUBLICATION--NFFE LOCAL 2050 EXECUTIVE BOARD

MAILING LABELS--DAVID RITTER

REPORTERS FOR THIS ISSUE :

BILL HIRZY
RAYMOND LOCKE
ELEANOR CARNEY
MYRA CYPSEK



UNION VIEWS GO TO NEW ADMINISTRATION

Local 2050 has been working with the Blueprint for the Environment coalition preparing an environmental agenda for the new Administration. During the past two weeks, inputs from members of the coalition have been collected into the final package that will go to new cabinet officers and others.

The Union has been focussing its attention on matters of professionalism and EPA's operation/organization, the idea being that environmental programs--however meritorious--cannot be effectively dealt with unless improvements in those areas are made. This idea is not new. The National Academy of Public Administrators issued a report in 1984 entitled, "Steps Toward a Stable Future--An Assessment of the Budget and Personnel Processes of the Environmental Protection Agency," covering much of this ground. Here is a list of the Union's recommendations:

Provide training for managers and professionals in the law administered by their program office.

Establish quality circles or other participatory management systems, at least on a trial basis.

Negotiate a professional development program to include: dual career tracks for all professions, sabbaticals, a real continuing education program, encouragement to publish, and peer-reviewed awards.

Create a program to recruit, develop, and maintain experts on chemicals of environmental concern.

Negotiate an enforceable code of professional ethics as a shield against various abuses.

Encourage direct access to professionals by the Congress and the public.

Create an "office of ombudsman" for professional matters.

We hope that the new Administration will be receptive to these ideas that have evolved through storm and struggle over the last decade-and-a-half. In addition, we will continue to work with our allies to make sure these ideas stay visible with EPA's constituency.



NFFE WINS AGREEMENT ON COMPRESSED WORK WEEK
AFTER LONG UPHILL BATTLE !

After facing months of stalemate on compressed work week (CWW) negotiations, due to a failure of management to truly negotiate, NFFE sought the aid of a mediator from the Federal Mediation and Conciliation Service in concluding a union-developed CWW plan for all professionals at EPA Headquarters.

NFFE is pleased to announce that an agreement has been reached with EPA management on a CWW plan. At this time, the Offices of Solid Waste and Emergency Response; Water; Policy, Planning and Evaluation; Enforcement and Compliance Monitoring; and Administration and Resources Management will participate immediately, with the Offices of General Counsel; Pesticides and Toxic Substances; Air and Radiation; Research and Development; and External Affairs to be given the opportunity to come on the plan shortly.

Dr. Lois Dicker and Mr. Dayton Eckerson of NFFE completed negotiations on November 7th with Agency representatives. The Union-developed plan was then sent to NFFE's membership for ratification, which was completed successfully on November 10th, at which time the agreement was signed.

The Assistant Administrators of Offices not immediately going on CWW have received copies of the November 10th agreement, and they will be asked to either join the plan or present reasons in writing why their particular Offices cannot. If any of these Offices raise objections to the plan, the Union will make every effort to get to the bottom of those objections and get the Office(s) on the plan as quickly as possible.

NFFE's Executive Board has unanimously endorsed the agreement that Lois and Dayton reached with Jim Jackson and Marita Llaverias. This agreement contains the following significant features which the Union insisted upon: 1) this is not a "pilot plan", but a full-fledged program to run indefinitely; 2) there is no "acceptable performance" criterion for an employee to be eligible to participate; 3) there is no "time-clock" provision; 4) AA's who wish can implement plans other than "5-4/9"; 5) there is no requirement to take an hour of annual leave if your compressed day off falls on a holiday; 6) with your supervisor's concurrence, you may elect any day in the pay period as your day off, i.e., you are not restricted to Mondays or Fridays; 7) with your supervisor's concurrence, your duty hours may extend beyond 6:00 p.m. (up to 7:00 p.m.) to accommodate a starting time later than 8:30 a.m.

FISHBOWL--PAGE 4

NFFE believes that this Union-developed CWW plan is a good one, which will benefit both the Agency and its employees, and that the remaining Offices within EPA not yet covered by the plan will find it simple, convenient, and in their best interest to come quickly on to the CWW plan with the rest of Headquarters.

NFFE thanks Bob Knox and the OSWER Human Resources Council for OSWER's early work on CWW that provided the basis for the Union plan. Also, the Union thanks Bill Whittington and the OW Human Resources Council for coming in with a very progressive CWW plan, one virtually identical to the Union's plan. The OW plan's existence made final negotiations on NFFE's plan go smoothly. NFFE says, "Thanks, folks!"



COMPRESSED WORK WEEK PLAN SUMMARY

The following represents a summary of the compressed work week agreement reached between NFFE and EPA on November 10, 1988.

ELIGIBLE EMPLOYEES: All bargaining unit employees (full-time, part-time, and temporary if greater than 90 days)

WORK SCHEDULE BOUNDARIES: 6:00 AM to 6:00 PM (extended hours can be granted by supervisor)

CORE HOURS: 9:30 AM to 3:30 PM

COMPRESSED DAY OFF: Any day agreeable to employee and supervisor

HOLIDAYS: Employee credited with 8 or 9 hours holiday leave, as scheduled, and receive an "in lieu of" day

LEAVE: Employee charged with hours of leave scheduled as work hours for that leave day

SCHEDULE MODIFICATION FOR TRAINING, TRAVEL, ETC.: Schedules adjusted on a case-by-case basis

APPROVAL/DENIAL CRITERIA: None, but denials must be in writing, along with grounds for denial--denials are appealable

APPEAL OF DENIALS: Appeals will be handled through the grievance process

REQUESTS FOR SCHEDULE CHANGES: For temporary changes: handled on a "mutually agreeable" basis, case-by-case; for permanent changes: submit request for change one pay period in advance

DISCONTINUANCE OF PROGRAM: An Assistant Administrator (AA) or any subunit of an AA-ship may discontinue the plan at any time, but only if the showing of cause legally required at Title 5 Chapter 61.31 of the U. S. Code is adequately met

FISHBOWL--PAGE 5

STATUS AND DURATION OF PLAN: Reviewed annually; however, any problems arising are to be brought to the immediate attention of the Labor-Management Committee for remedy, if possible

CWW OPTIONS: All AA-ships are to offer "5-4/9"; may also offer "10-4" and "credit hours"

NFFE, particularly Dr. Lois Dicker and Mr. Dayton Eckerson who negotiated for NFFE in this matter, has worked long and hard against strong opposition (which required the Union to call for a mediator from the Federal Mediation and Conciliation Service) to win this benefit for EPA's professional employees. The Union is extremely pleased at the agreement which it has reached with the Agency on the CWW issue, and anticipates that the other units within EPA which are not immediately covered by this CWW plan will soon be able to participate in the plan.

DEMOCRACY, PROFESSIONALISM, AND SOLIDARITY: COMMENTS ON THE COMPRESSED WORK WEEK VICTORY--by Bill Hirzy

Lois Dicker, Dayton Eckerson and Hale Vandermer deserve the thanks of us all for their hard and successful work on compressed work week (CWW). While it may take a few weeks for the rest of Headquarters to come on to the program, we have a genuine cause for celebration among professionals. Managers and "non-professional" employees can also thank these Local 2050 negotiators, for it is hard to see how the less desirable, temporary plans now governing management and AFGE can remain in effect, when we have a more flexible, permanent one. There is a lesson here.

The Union invites those who complained about being "denied access to CWW by the union" to reflect seriously on what it means to have a measure of democracy, professional advocacy, and employee solidarity in this work place, on what it takes to make those abstractions come alive, and on the price of "instant gratification for me".

Many of us have little or no experience in this sort of labor struggle, while others have had disappointments. But this recent CWW exercise shows that success can be achieved when hard work and adherence to principle are combined with patience, democratic process, and a legal hammer.

Unlike any other official "group" at EPA, the Union is a non-exclusive, 100 percent worker-controlled, and completely democratic organization, with which management must, by law, bargain over working conditions. (Even some managers and "non-professionals", who are outside the legally described bargaining unit, also belong to the Union because they support professionalism and democracy in the work place.) Right now, somewhat fewer than 20 percent of Headquarters' professionals are dues-paying, voting members of the Union. And a hard-working, dedicated fraction of these are investing their personal time to turn the abstractions of "work place democracy" and "solidarity" and "professional advocacy" into concrete, employee-interest programs like CWW, Blueprint for the Environment, child care, and clean air.

The Congress has found (in the Civil Service Reform Act) that it is in the public interest for Federal employees to organize and bargain collectively, and it established procedures for making this possible. In 1981, given the times, a few of us decided that taking advantage of those procedures made a

lot of sense. But we were/are chemists, biologists, engineers, and environmental scientists of various stripes, not experienced labor organizers, though some of us have backgrounds in populist advocacy work. So we created a "non-traditional" labor organization, and we built it on the rocks of professionalism and democracy and solidarity. Those rocks, and the Union built upon them, will endure--what could possibly sweep them away except indifference--a concept alien to the EPA professional?

As Ely Wiesel said in a TV program recently commemorating Krystal Nacht, "The opposite of love is not hate, it is indifference; the opposite of truth is not the lie, it is indifference to the truth...". Indifference to professionalism destroys careers. Indifference to democracy invites despotism. Indifference to solidarity breeds exploitation.

Sure, this is a difficult place to work much of the time. But when you feel indifference creeping up on you--over your professional work as valued by EPA, or over employee influence on working conditions (such as CWW), or over whether anybody else gives a damn--be secure in the knowledge that indifference will never be victorious here at EPA as long as NFFE Local 2050 lives and breathes.

*Thanks are also due to the Human Resources Councils of OSWER (for giving NFFE a basis upon which to build a Union CWW plan) and OW (for bringing forth a superb plan that conformed almost to the letter to the Union's own plan, paving the way for smooth negotiations). NFFE says, "Thanks, colleagues!"

RESULTS OF BALLOTING ON CWW APPROACHES FROM OCTOBER
FISHBOWL

While it may be a meaningless exercise now that a compressed work week program has been agreed to, this is a report on the balloting that was conducted through last month's issue of the Fishbowl. For an issue with as much visibility and interest as CWW, surprisingly few ballots were returned. Only 36 valid ballots (i.e., with names) and 4 invalid ballots were returned by November 15th. Scores were assigned by giving four points to a first choice, 3 points to a second choice, etc.; some people cast "no" votes, and these were also tabulated. Here is a reminder of what the Options were: Option 1--Keep to the plan agreed to on 9/8/88, letting AA's go on under a reasonable schedule; Option 2--negotiate a new plan, letting AA's go on as above; Option 3--negotiate separate plans, with AA's going on as above; Option 4--negotiate separate plans with no requirement for AA's to go on under any schedule.

<u>COUNTING BASIS</u>	<u>POINTS FOR</u>			
	<u>OPTION 1</u>	<u>OPTION 2</u>	<u>OPTION 3</u>	<u>OPTION 4</u>
All ballots	73	75	57, 3 no	36, 5 no
Union ballots	29	24	8, 2 no	9, 4 no

In addition to the ballot, another source of employee views that we received was a petition from 30 OPPE people asking NFFE to let them go on

FISHBOWL--PAGE 7

the OPPE plan. The Union responded by personal letter to each petitioner with an update on negotiations. Of course, we're happy that the petition is now moot and that those employees today have a much better, Union-negotiated plan to live under than the one they asked the Union to "rubber stamp."

UNION FILES SEVEN MORE UNFAIR LABOR PRACTICE CHARGES AGAINST EPA



On October 25th and November 7th, NFFE Local 2050 filed a total of seven more Unfair Labor Practice charges against EPA with the Federal Labor Relations Authority (FLRA). This now represents a total of 17 charges pending against EPA officials. A summary of new charges are shown in the Table below. In conversations with the FLRA attorneys, NFFE's opinion on what can be done to reverse the tide of charges has been solicited by the FLRA. NFFE has recommended significant changes in management's approach to labor-management relations.

Three cases for which the FLRA has issued complaints are scheduled to go before an Administrative Law Judge on November 29th. These cases involve EPA's withholding security contract files, EPA's refusing to negotiate on employee security, and EPA's withholding health reports on carpet impacts.

The FLRA attorney handling the case has informed the Union that EPA is now willing to negotiate employee security. However, EPA has not yet agreed to provide the security contract files to the Union. Subpoenas are being issued by the FLRA to EPA for the files and for testimony by certain individuals involved in the employee security negotiations.

CASE NO.	SUBJECT	DATE FILED	STATUS OF FLRA COMPLAINT
3-CA-90034	EPA refuses and fails to negotiate on Human Resource Council (HRC) proposals	October 25	Under Investigation
3-CA-_____	EPA fails to establish Step 3 Resolution Panels and fails to negotiate in good faith over clarifying procedures for Step 3 in the grievance process	November 7	Pending Investigation
3-CA-_____	EPA fails to provide information requested for compressed work week negotiations	November 7	Pending Investigation
3-CA-_____	EPA fails to provide information on HRC's and mini-councils	November 7	Pending Investigation

3-CA-_____	EPA fails to provide information requested in compressed work week negotiations	November 7	Pending Investigation
3-CA-_____	EPA management official interferes with Union representation through lies to Union Chief Steward	November 7	Pending Investigation
3-CA-_____	EPA management official threatens employee engaged in grievance proceeding	November 7	Pending Investigation



GRIEVANCE PROCESS IS IN JEOPARDY

The Union believes the negotiated grievance process at EPA is in jeopardy because of recent EPA actions which would destroy the system which has worked so well over the years. On October 27th, EPA proposed abolishing Step 3 Resolution Panels. EPA has also changed a long-standing policy of allowing grievants to meet with their management officials after grievances have been filed in an effort to resolve their differences. In one case, a grievant was actually denied the right to speak to a supervisor about a grievance she had filed. The Union intended to pursue this unilateral change by EPA through the grievance process until EPA management made it clear that this new policy of no meetings between grievants and managers on formal grievances had been reversed. However, EPA has failed to state this in writing, and an Unfair Labor Practice charge has been filed in this case against an EPA official for lying to the Chief Steward in this regard.

The Chief Steward, Eleanor Carney, stated recently that "Management's recent actions are counterintuitive for encouraging dispute resolution. Their actions are also contrary to the intent of the Collective Bargaining Agreement, which encourages informal dispute resolution. Since management is not abiding by their own agreement with the Union, we are informing employees of this situation. Employees filing grievances should be prepared to take their cases to arbitration because EPA management appears disinterested in resolving disputes at lower levels. Arbitration can be an expensive proposition for everyone involved. Other avenues which look more promising are Unfair Labor Practice charges, which are in vogue right now because of the poor relationship between EPA and the Union, and the use of private attorneys, which some employees are hiring with the endorsement of the Union."

The latest EPA proposal occurred at the Labor Management Committee meeting on October 27th, when EPA proposed that Step 3 Resolution Panels of the grievance process be abolished. The following are excerpts from a memorandum from the Chief Steward of NFFE Local 2050 to the Chief of the EPA Labor-Management Staff, dated Nov. 7th, in response to the proposal:



"Since over a year has been spent on negotiations for clarifying Step 3 procedures, and since EPA has failed to establish Step 3 Resolution Panels on a number of occasions, supposedly because of the lack of procedures, we are interpreting these actions, along with your new proposal to abolish the Resolution Panel, now to mean that EPA has been or is bargaining in bad faith. It is our view that bargaining over an EPA proposal which has already been unilaterally implemented by EPA is bargaining in bad faith. We also believe that further negotiations on this issue under the circumstances would be meaningless."

"Consequently, on November 7th, we submitted an Unfair Labor Practice (ULP) charge against EPA for failure to establish Step 3 Resolution Panels and for failure to negotiate in good faith over clarifying procedures for these panels which are required under the Collective Bargaining Agreement."

"We are very sorry to see that the Labor-Management relationship at EPA is now to the point where EPA is now knowingly and willingly breaching the terms of the Collective Bargaining Agreement."



**CARPET
AND
VENTILATION
NEWS**

ILLUSORY POLLUTANT INVENTORY

In an August 5th memorandum to all Headquarters' employees, Charles Grizzle, Assistant Administrator for Administration and Resources Management, said that the Agency would identify pollution sources and pollutants within the building. However, at the September 28th Facilities meeting, David Weitzman said that he had no plans as to when he would begin conducting this inventory. It is vitally important to have the inventory completed to determine which pollution sources need to be controlled or eliminated. It is particularly important to have this inventory completed before any further monitoring studies are done. In general, the monitoring studies conducted earlier this year were done without first evaluating what pollutants were likely to be in the building.

PROGRESS IN THE STRUGGLE TO IMPROVE EPA'S INDOOR AIR QUALITY

NFFE is pleased to report that some progress has been made to investigate and improve the quality of the indoor air in EPA's Headquarters. For example: 1) Facilities Management and Service Division (FMSD) has spent \$250,000 to repair and rebalance the existing ventilation system; 2) FMSD has an integrated pest management plan for our buildings to control the use of toxic pesticides; 3) FMSD, the Environmental Health and Safety Division (EHSD), and NFFE Local 2050 conduct monthly inspections of the air intake dampers; 4) EHSD takes monthly carbon dioxide readings in the buildings; 5) NFFE has negotiated and the Agency has implemented a smoking policy for EPA's buildings; 6) FMSD and EHSD hold monthly "Facilities Meetings" for employees to discuss building problems; and 7) NFFE has negotiated a contract with the Agency requiring a safe and healthful working environment for employees, although enforcement has been difficult.

Over the years, we have been cheered by the good will shown by many members of OARM. Also, we have been amazed by the outstanding efforts of

dozens of employees working on ventilation, members of NFFE and others, each one making a very special contribution. We have certainly not yet attained our goal of good indoor air quality for EPA's employees, but there have been some very positive accomplishments in this area.

EPA'S "RISK ASSESSMENT" OF THE CARPET PROBLEM

On October 27th, the Agency released a document entitled "Waterside Mall Air Quality, Decision Analysis for Proceeding with Space Renovations," dated July, 1988. This document was apparently produced in response to NFFE's request for a risk assessment on the toxic carpet.

This document is not a risk assessment using the Agency's own established procedures and does not mention the health data gathered by EPA's Environmental Health and Safety Division (EHSD) while the carpet epidemic was at its peak last Spring. It is simply an explanation of why the Office of Administration and Resources Management (OARM) decided to leave the toxic carpet in the building. After reading this document, it is clear that the overriding consideration in the decision to keep the toxic carpet in place is economics rather than science. For an Agency that, in general, places greater weight on scientific rather than economic issues in regulating toxic chemicals, this decision indicates that it has one standard for industry's employees but quite a different standard for the Agency's own employees!

NFFE scientists will soon present their own risk assessment with regard to this situation.

REPORT ON CARPET-DISABLED EMPLOYEES

Two of the original members of the Committee of Poisoned Employees (COPE) have now left the Agency. According to NFFE Local 2050, there are a total of 18 people who cannot work full-time in EPA's buildings because of sick-building symptoms. The Office of Administration and Resources Management (OARM) has talked about providing alternative workspace for these employees, but, so far, nothing has resulted in concrete terms from that talk!

REMEMBER THE HOMELESS AND NEEDY --

***During the Holiday Season --
And throughout the Winter
With your Contributions !***



**PUBLIC PRESS COVERAGE OF EPA'S TOXIC CARPET PROBLEM**

The Federal Times published an article on November 7, 1988, describing how some EPA employees have had to purchase respirators to wear on the job. The Washington Times also continues to follow this story.

To date, there have been at least 32 newspaper articles published in the public press concerning our ventilation problems at EPA since April, 1988. This story has appeared on at least four national TV shows and was reported by at least three weekly news magazines with international audiences. We know of some wire service newspaper articles, radio shows, and local TV shows which have covered this sad story. In addition, we have a report that scenes from the ventilation rally held at EPA in August, 1988, were shown on TV in Chile! Although NFFE does not, of course, know the full extent of the news coverage which this atrocious situation has had, the Union is pleased that the U. S. public will not go unaware of the problem. Perhaps, they, too, will conclude with Congressman Synar that it is truly a pity that EPA does not even seem capable of controlling indoor air pollution in its own buildings!

AGENCY TO USE "TOXIC" CARPET AT RTP


The Union has learned that OARM plans to install the carpet it found too toxic to use at Headquarters in the Environmental Research Center at Research Triangle Park, NC.

According to a memorandum of October 20th, EPA plans to spend more public money—with (the contractor) ELB Monitors of Chapel Hill, NC—on managing the impact of this toxic carpet on EPA employees. Other public funds may be used to conduct the one month of off-gassing in "the unoccupied warehouse" (it is not certain whether this is a government or private facility). In addition, EPA resources will be used in the review of ELB Monitors' data.

The arguments against using that carpet at Headquarters apply for RTP: What is the statistical basis for concluding that the results of off-gassing experiments conducted on 1 or 2 ft² of carpet can be used to determine safety for the proposed installation? What is the basis for concluding that 1 ppb is a safe level? What provisions are being made to accommodate employees who become ill from exposures to this material? Why is public money being spent to "fix" this problem material instead of seeking other relief?

The Union will now renew its request for the Inspector General to investigate the use of public money to "fix" this carpet that is otherwise unsuitable for use in EPA buildings.

The Union has also learned that Region 4 has "standard" contract language for purchase of renovation materials to the effect that any such material will be pre-tested in an environmental chamber for emission of toxic vapors, and that when such language was suggested for inclusion in Headquarters' purchase agreements, those making the suggestion "were laughed out of the room." What about it Mr. Chamberlin, is this true or not? Is this why the Union was denied access to the purchase agreement for this lot of carpet?



CONTRARIAN'S CORNER *

ACTUAL OR PSEUDO-SOLUTIONS ?

by Rufus Morison, Ph.D.
Ecologist

In EPA, as in every organization, the hierarchial structure necessary to the ordinary functioning of that organization is of a certain dimension that is probably dependent upon the complexity of function, the size of the hierarchy, and the competency of the members of the organization.

In EPA, the regulatory function is (or, at least, should be) primarily based on the quality and quantity of scientific and technical analyses. Obviously, other factors than purely scientific or technical ones legitimately enter into decision-making at EPA, but these other factors should be clearly identified as such, not being masked as "scientific considerations."

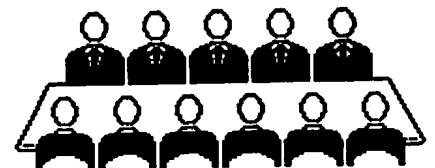
In actuality, many times the technical and scientific analyses seem to be overshadowed by economic and policy considerations that are almost mystical in their derivations and quite mysterious in the oftentimes apparently illogical manner in which they are pursued. A somewhat more refined definition of this problem is the manner in which solutions to problems are sought as bureaucratic relief but not as optimal solutions to specific problems. The resulting activity is all too familiar: it consists of agreeing to the less than optimal solution(s) to a problem to make it "disappear." Publishing this "solution" is then the defense against all possible criticism. The publication then becomes incorporated into the binding mortar of the regulatory monument. The amount of force required to dislodge this bulwark of less-than-optimal but "acceptable-by-default" solutions is nothing short of monumental.

As a case in point with respect to this process, I offer a recent example: the "risk analysis" by the Agency on EPA's indoor air quality and the injury to employees from exposure to noxious carpeting. The numbers of management officials involved in this exercise and the time spent by Messrs. Grizzle, Chamberlin, and Chambers and associates in attempting to delude the employees is, in terms of sheer waste, probably enough to cover the cost of the medical expenses of the injured and to provide for the costs which would be incurred with the removal of the carpeting, which represents an almost certain continuing risk to the health of exposed employees. EPA employees may obtain a copy of the Agency's "Risk Assessment" by calling either of NFFE's Hotlines, giving names and EPA Mail Codes.

* Contrarian's views are by definition individualistic---they do not *necessarily* represent those of NFFE Local 2050 or its other members.

OPEN MEETING ---

Thursday, December 1st
Room 103 Northeast Mall
12 Noon to 1 P.M.





NFFE'S FALL FESTIVAL AND AWARDS CEREMONY

The crunching of apples and cheese and crackers could be heard above the pleasant conversation at NFFE's annual Fall Festival held on October 25th in 103 NE Mall. NFFE members and friends who attended found it a relaxing social occasion.

NFFE Local 2050's President, Bill Hirzy, presented an update on the Local's involvement with two issues dear to the hearts of EPA Headquarters' employees: compressed work week and indoor air quality.

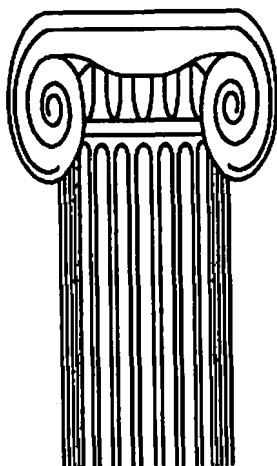
Lois Dicker, Secretary for Local 2050, presented special "Fall Festival" awards to several of the Local's members who have been doing extraordinary jobs in assisting EPA's professionals. Recipients of the "pumpkin awards", beautifully decorated small pumpkins, were: Raymond Locke (for his assistance in the production of Inside the Fishbowl); Myra Cypser (for her dogged pursuit of high-quality indoor air at EPA Headquarters); and Elly (Pit Bull) Carney (for her superior work as Chief Steward for the Local). A unique "Silver Spider Award" was presented to Dayton Eckerson for his persistence in eliminating management-imposed barriers to obtaining a compressed work week program for all professionals at EPA's Headquarters.

The fellowship of professional employees, and the united spirit of determination which pervaded this meeting, was an inspiration to all.

FACILITIES MEETING--

NFFE urges all EPA employees to attend EPA's Facilities Meeting which will be held on Wednesday, November 30th, at 10 AM in Conference Room #2, near the Agency's Washington Information Center (WIC). Obtain the latest information from the Agency, and let your views be known!

CURRENT NFFE LOCAL 2050 OFFICERS



PRESIDENT:
PRESIDENT-ELECT:
VICE-PRESIDENTS:

NFFE - HOT LINES
382-2327
and
382-2383

SECRETARY:
TREASURER:
CHIEF STEWARD:

BILL HIRZY 382-2327
BOB CARTON 382-2325
RUFUS MORISON 382-4273
MARK ANTELL 382-2878
RAY LOCKE 475-7106
JIM MURPHY 382-7591
DAVID RITTER 557-7375
CHARLIE CARLOW 475-7088

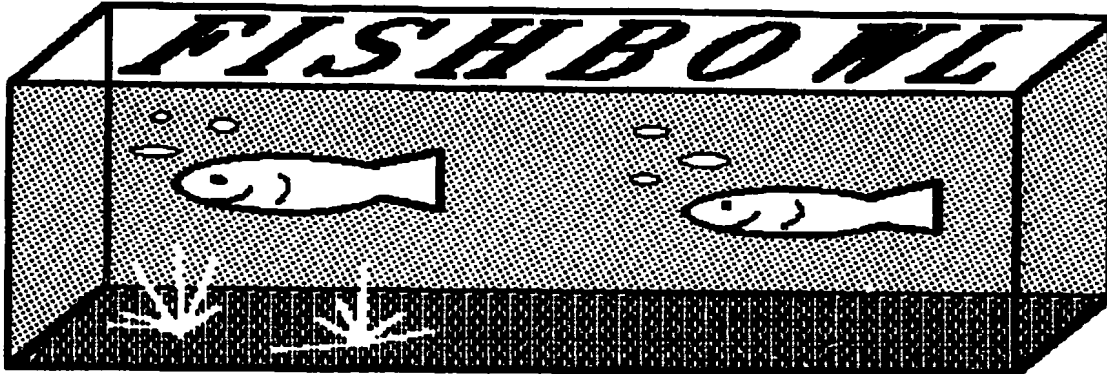
LOIS DICKER 382-3387
DALJIT SAWHNEY 382-4289
ELEANOR CARNEY 475-7181

***HAPPY
THANKSGIVING --***



**FROM
NFFE!**

INSIDE THE



NATIONAL FEDERATION OF FEDERAL EMPLOYEES

P. O. BOX 76082
WASHINGTON, DC 20013
OFFICE: ROOM 302 NE MALL

NFFE

LOCAL 2050
(202) 382-2327 or
(202) 382-2383

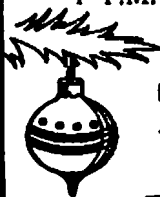
DECEMBER--1988

EPA HEADQUARTERS' PROFESSIONALS

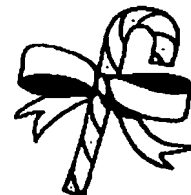
VOLUME 4--No. 7

INSIDE THIS ISSUE

- * FISHBOWL OBJECTIVES: PAST AND FUTURE
- * PRESIDENT'S MESSAGE: "WHITHER EPA? WITHERING EPA?"
- * NEWS FROM THE "CARPET WARS" FRONT
- * FLRA HEARING ON EMPLOYEE SECURITY POSTPONED PENDING SETTLEMENT
- * FISHBOWL HAS NEW EDITOR
- * JOURNALS CANCELLED IN FY88 COULD BE REORDERED IN FY89
- * NEWS ON COMPRESSED WORK WEEK
- * CONTRARIAN'S CORNER - "FIFRA LIGHT, FIFRA BRIGHT, DREADFUL STAR OF NUMBING BLIGHT" - DAVID RITTER
- * GUEST EDITORIAL - "REFLECTIONS ON 44 YEARS OF FEDERAL SERVICE" -
by MILDRED LASSMAN
- * OPEN MEETING - THURSDAY, JANUARY 5TH, ROOM 103 NE MALL, NOON TO
1 P.M.



Happy Holidays



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

FISHBOWL STAFF

EDITOR--KRYSTYNA K. LOCKE

PUBLICATION--NFFE LOCAL 2050 EXECUTIVE BOARD

MAILING LABELS--DAVID RITTER

REPORTERS FOR THIS ISSUE :

BILL HIRZY
JIM MURPHY
ELEANOR CARNEY



FISHBOWL OBJECTIVES: PAST AND FUTURE
by Raymond K. Locke

The NFFE newsletter, Inside the Fishbowl, has in the past been committed to several objectives. The first of these has been the communication to NFFE's bargaining unit of the Union's position on issues which are vital to all EPA employees. With respect to general news items, every effort has been made to present the facts as they are, with no bias. Individual opinions have been labelled as such, and they do not necessarily represent the position of NFFE as a whole, since the Union is composed of a broad spectrum of individuals, having political persuasions from ultra-conservative to ultra-liberal and having political affiliations ranging from Independent, to Republican, to Democratic. Official NFFE positions, having received a majority vote of the Executive Board or the Membership, have also been presented as such. The second, and perhaps most important objective of the newsletter, has been to serve as a voice for professionalism within the Agency. As past Editor of the newsletter, I have found the Agency's position on Labor-Management relations to be quite incomprehensible. In fact, one issue of the newsletter had to be sent by U.S. mail to statistically selected members of the bargaining unit because the Agency viewed one sentence of an article contained in that issue as a "recruitment communication." One can only hope that the new Administration will take a more realistic view of Labor-Management relations. I have every confidence that the new Editor of the newsletter will carry forward the traditions of professionalism and adherence to fact that I have attempted to establish.



PRESIDENT'S MESSAGE ---

WHITHER EPA? WITHERING EPA?

By Bill Hirzy and Buster

Last month, one of Johnny Hart's "B.C." comic strips showed a baby ant asking its daddy, "What's an example of environmental waste, Dad?" The reply was "The E.P.A."

Environmental organizations accuse EPA of "voodoo toxicology," of "failure of spirit," and of "bureaucratic senescence".

Richard M. Dowd's "Regulatory Focus" column in October's issue of Environmental Science & Technology complains that, "Political stalemates, institutional barriers and resource constraints have combined to make the environmental regulatory system unresponsive, even unworkable."

The new Administration faces a legacy of unprecedented debt and continuing massive budget deficits, and gets advice from an old friend of Federal workers, Donald Devine of the Heritage Foundation, to further politicize decision-making in government, implying a need to further eliminate career staff from such involvement.

An Acting Assistant Administrator was recently overheard complaining about having to deal with "a staff full of incompetents." In addition, a few days ago, I came across a contract that OTS has with The Cadmus Group that essentially contracts out every single function performed by staff in that Office...every single staff function!

What does all this mean for EPA's future? For the future of EPA's professional staff? Are we still the sacrosanct, untouchable agency that, having paid our dues in 1981-2, is thus secure from another round of Gorsuchian "reform?" The signs are ominous.

Political management, which holds all the decision-making cards at EPA, and its advisory group at Heritage, seems on a path of ducking responsibility for widely perceived failures of the environmental regulatory system and placing the blame instead on the career staff. Those who tell us that we can't regulate for this or that reason seem bent on making a profound and disastrous revolution at EPA.

That revolution reflects the apparent Heritage Foundation's belief that a Civil Service corps of professional scientists and engineers is unnecessary--nay, even counter-productive--to a "politically acceptable" execution of any Administration's environmental agenda. (Lawyers are another matter.)

I think the basis for this revolution lies in the lawyers' concept of professionalism, as opposed to the scientists' concept. (I do not intend this essay as a "put-down" of lawyers.) The lawyer's job--as explained by former Deputy Administrator and General Counsel Jim Barnes in a 1985 meeting that followed the Union's protests over OMB interference in the asbestos ban/phase down rulemaking--is "to get the client where he/she wants to go, under the

law." The scientist's job is to discover truth, publish it, and thereby advance humanity's knowledge of Nature. These are different, but not necessarily opposing concepts.

The OTS/Cadmus Group contract mentioned above is a microcosm of the revolutionary philosophy in action. It permits every single staff function (even staff lawyers' functions) to be contracted out--from health and environmental effects assessments and exposure assessments to development of risk control options. Carry this philosophy to its logical conclusion, and one has an EPA made up of political appointees (the decision-makers), their lawyers (the legal path-finders), and a small cadre of technically literate contract administrators. The appointees decide whether/when environmental risk control will be carried out; the lawyers arrange to get them to those goals; and any scientific/engineering assessments needed to justify the political decisions are purchased from the "private sector." on contract. The Gorsuchian "advantages" of this approach are practically endless! For example, one has: no pain-in-the-ass scientists or engineers in-house to make a fuss about the validity of the bought assessments or about the underlying test data or about other sources of risk that should be investigated; no international and national experts in-house to embarrass the politicians; no salary/benefits expenses for senior level scientific experts; more head-count room for Schedule C's, etc., etc.

If Congress wants the Nation's environmental programs to be run as a purely partisan political exercise, if the public thinks that "EPA as Environmental Waste" is a result of too much professionalism at work here, if environmental organizations prefer to trust political appointees, their legal advisors and contractors to restore the Agency's spirit and zeal, then by all means the Heritage Foundation's recommendations ought to be adopted.

If, on the other hand, Congress and the public want apolitical administration of environmental laws, if they want excellence in science and engineering to drive implementation of those laws, then EPA needs to turn its back on the Devine/Heritage philosophy and further, and more meaningfully involve staff in decision-making. Participatory management aimed in this direction should be studied, in pilot programs at least; development and maintenance of in-house expertise of national and international scope should be truly encouraged; senior managers dedicated to the goals underlying the laws they administer should be sought; and adequate training for all staff in the laws they administer--including Congressional intent--should be given. In addition, the Heritage Foundation's recommendations should wind up just where they belong--in a Subtitle C landfill!

Responses to this essay are welcomed.



**CARPET
AND
VENTILATION
NEWS**

**NEWS FROM THE "CARPET WARS"
FRONT**

Renewal of the Grievance. On November 10th, the Union was invited again by Charles Grizzle to present its

risk findings on carpet installed here which caused illnesses among EPA employees. The Union had tried to make that presentation to Mr. Grizzle's

FISHBOWL--PAGE 5

"technical advisors" on October 4th, but could not when the Agency refused to allow Myra Cypser to participate. Since the only purpose of the presentation is to prosecute the grievance aimed at removal of the carpet, and since the Agency's last word on removing the carpet was: "Take it to arbitration--," the Union asked if that position had changed. It had.

The grievance is once again before Mr. Grizzle for resolution. The Union will make the risk presentation this month in hopes of a good faith hearing by management. However, the Union does not believe a closed meeting to be the best forum for elucidating risk in this matter. A far better one would be an open meeting to which all EPA employees are invited, and at which the Agency presents its risk assessment, and the Union its own assessment. But since EPA has done no risk assessment that we can find, we see little hope of such a session. The last thing the Agency wants in this situation is for a host of technically sophisticated EPA employees to question management's "risk assessment" and compare it with the Union's in an open meeting--meaning open to the public in true "Ruckelshausian Fishbowl" style. After such a session, to which Mr. Grizzle's "technical advisors" would of course be invited, those advisors could make what recommendations they wish. Stay tuned.

Unfair Labor Practice (ULP) Charge Dropped. The Federal Labor Relations Authority issued a complaint against EPA for withholding information from the Union, to which it was entitled. Upon receiving the information--health complaint interview forms--the Union and FLRA dropped the charge. This information is helping firm up the Union's risk assessment.

Another ULP Considered. The Agency recently rented space in a nearby apartment building for use as "alternative" workspace for carpet-affected employees. Several employees were solicited for opinions about the suitability of the space, but the Union, which represents all of the affected employees (and those potentially affected in the future) was not. Negotiations on alternative work space policy were requested some time ago, and this unilateral action by the Agency seems to be one more example of either bad faith negotiating or simple malfeasance.

Outside and Related Interest in Our Problem. Over the past several days we have been contacted by Senator Levin's office on our air quality problems, by Air Toxics News on the status of our grievance, by citizens in Georgia and California with problems related to carpet and to a styrene-butadiene based adhesive (source of the suspected toxicant 4-phenylcyclohexene). In early December, reports surfaced of reproductive problems among women working in the Gannett Publishing Co. Building in Rosslyn, VA. New carpet, other renovation materials and video display terminals (VDTs) are suspect in the case, and the Union is looking into the situation for possible links with reports of reproductive difficulties among our own employees in newly carpeted OSWER space.

Our contacts in California report that the Social Security Administration has now recognized Environmental Illness, i.e., chemical hyper-sensitivity, as a disabling phenomenon and sets out medical evaluation criteria. We intend to use this information in representing sick EPA employees.

Bobby Lively-Diebold appeared on "Good Morning America" on December 12th and discussed her experiences with EPA and its carpet/ventilation and

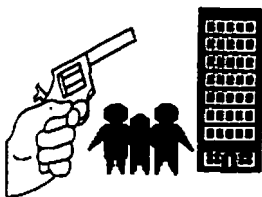
employee-relations problems. A tape of her appearance is available for viewing. Contact the Union at 382-2383.

Carpet Goes to RTP/Union Asks I.G. to Investigate. On November 21 st, the Union asked the Inspector General (IG) to resume an investigation of the use of public funds to "fix" the toxic carpet. The Union obtained a copy of a memo to EPA employees at RTP from the Office of Administration and Resources Management informing them that the carpet that had made Headquarters employees sick was to be installed in the ERC lobby--after an unstated amount of money would be spent to conduct "Off-gassing at the unoccupied warehouse with induced air movement for approximately 30 days" and on "Monitoring during this period by a monitoring firm such as ELB Monitors of Chapel Hill" and on "Review of the monitoring data" by EPA employees.

The Union's last correspondence with the IG on this case was in August when the IG reported that, since the Agency had decided "not to use any additional carpeting now in stock", "there will be no effort or money expended to fix the carpet", implying no need to investigate anything. Further the IG reported that "there were no defects in the carpet and no justification to take action against the manufacturer."

Now, if the carpet is not defective, why did OARM spend money on induced air-flow off-gassing, on monitoring, and on data evaluation. And if the carpet is defective to the point of needing off-gassing, etc., why is public money being spent? The Agency and the IG can't have it both ways.

Carpet Goes to Atlanta, Too?. In addition to use at RTP, some of the carpet may have been sent to Atlanta for installation in Region IV offices. New carpeting was installed there during early November, and we were informed that several people became sick because of the installation. As an expression of our solidarity with our brothers and sisters in Region IV, we took several steps. First, we put in a Freedom of Information Act request to determine where all the "HQ" carpet is, who has been contacted to take it off our hands, and what information has been exchanged related to possible sale. We also sent a letter to Mr. Grizzle stating that tests should be run on the carpet installed in Region IV, regardless of its source, to determine if 4-PC is present, and if it is, that the carpet should be removed. In addition, we urged that all other possible steps to safeguard employee health be taken.



SECURITY?

FLRA HEARING ON EMPLOYEE SECURITY POSTPONED PENDING SETTLEMENT



Minutes prior to the start of the hearing on November 29th, the Administrative Law Judge for the Federal Labor Relations Authority, Judge William Naimark, asked the two parties, EPA and NFFE Local 2050, if there was any possibility of settlement. The Judge then held intense closed-door discussions between the FLRA attorneys representing NFFE Local 2050 and EPA's attorneys, also including NFFE's Chief Steward, prior to starting the hearing. During the meeting, he pointed out that, once the hearing began, resolution of the matter could take a year or two. He urged settlement of the dispute. After numerous exchanges of arguments from both sides, a proposed settlement was prepared by the Union. The settlement involves access by Union negotiators to documents which are part of EPA's security contract files.

FISHBOWL--PAGE 7

By December 9th, EPA is to provide the following documents relative to security contracts with STAY, Inc. (Guards for Waterside Mall, Fairchild and Crystal City), Town Center Management (Perimeter guards at Waterside Mall) and Dynatrend (Security support services contract) as part of the proposed settlement:

1. All documents, between Nov. 29, 1985, and the present, relating to problems with the guard services and their performance, and any corrective actions taken relative to these problems.

2. All documents, between Nov. 29, 1985, and the present, relating to problems with the security support services contract and any corrective actions taken relative to these problems.

3. Qualifications, between Nov. 29, 1985, and the present, of the guards and supervisors and the security support services' contract personnel (without names of the individuals).

4. Documentation, between Nov. 29, 1985, and the present, on breaches of security, such as: loss of master keys to buildings, unlocked doors, or nonfunctioning doors or alarms, and any other security system problems.

5. A memorandum, dated April 3, 1986, on nation-wide security in EPA-occupied buildings.

6. Documentation on EPA's evaluation of guard and other security support services between November 29, 1985, and the present.

EPA's attorneys argued that the contract files contained information protected by the Privacy Act and, in some cases, the information was Confidential Business Information (CBI). The Union agreed to allow this information to be redacted from the documents in question. However, the Union will decide, after seeing the redacted documents, whether enough meaningful information has been provided to settle the case prior to the hearing.

Both parties were ordered to return to the FLRA Hearing Room on December 14th at 9:00 A.M. to determine whether the released documents will settle the case or whether the hearing should resume on that date.

In another related case, in which EPA management had refused to negotiate employee security, EPA agreed on November 21st (one week prior to the hearing date) to negotiate on employee security with the Union. These negotiations are now scheduled to begin on December 15, 1988. It should be noted that EPA's refusal to negotiate with the Union spanned from April to November of 1988. During that time, very little improvement in security measures at EPA has been noted. If anything, security has been relaxed. For example, at the Fairchild Building, EPA opened the stairwells without bargaining with the Union over the impacts to employees. [This is the subject of another Unfair Labor Practice (ULP) charge by the Union.] The FLRA is expected to issue a complaint against EPA in the near future on the unnegotiated relaxation of security at this building. In early December, NFFE Local 2050 will be announcing open meetings for EPA employees relative to employee security.

FISHBOWL--PAGE 8

A third case, which involved EPA's withholding carpeting information, was also settled prior to the hearing when EPA provided the Union with health reports on employees interviewed in regard to carpeting impacts. EPA removed Privacy Act information from the interview sheets prior to their release.

FISHBOWL HAS NEW EDITOR

Krystyna K. Locke, a NFFE member working as a Toxicologist within the Office of Pesticide Programs, has assumed the duties of Editor of NFFE's newsletter, Inside the Fishbowl. Raymond K. Locke, the former Editor of the newsletter and a Vice-President of NFFE, will soon assume the duties of the Section Chief of Section 4, Test Rules Development Branch, Existing Chemical Assessment Division. Raymond has resigned as a Vice-President of NFFE, but will remain active in the Union as an Associate Member. NFFE will soon take appropriate action to fill this vacancy. NFFE wishes Raymond well and looks forward to continuance of the acknowledged excellent editorial oversight of the Fishbowl under Krystyna's able leadership.



**CURRENTLY NOT
AVAILABLE!**

JOURNALS CANCELLED IN FY88 COULD BE REORDERED IN FY89

The Office of Toxic Substances' Library in the basement of the Northeast Mall is expected to have more funds in fiscal year 1989 for subscriptions to scientific journals than it had in fiscal year 1988, when 73 journal subscriptions were cancelled. Persons having an interest in any of these 73 journals, listed below, may wish to "lobby" the library's selection committee for reinstatement of their preferred journal(s). To conserve space, non-standard abbreviations have been used.

American Journal of Pathology
American Soc. for Information Sci.
JASA (J. Amer. Statistical Assoc.)
Annals of Statistics
Assoc. of Official Analyt. Chem. J.
Biometrika
Biotechnology Law Report
CMAJ
Cell
Chemical Times and Trends
Comp. Biochem. and Physiol., Part C
Copeia

Current Contents: Social & Behav. Sci.
Dangerous Prop. of Industr. Materials
Drug and Chemical Toxicology
Environ. Entomology

American Naturalist
ASM News
Analytical Chemistry
Asbestos Litigation Reporter
Biometrics
Derwent Biotechnol. Abstracts
British J. of Cancer
Can. J. of Microbiology
Chemical Substances Control
Chemtech
Computers and Chemistry
Current Adv. in Genetics
and Mol. Biol.
Cytogenetics and Cell Genetics
Developmental Genetics
Ecological Modelling
Environ. Health Letter

Environ. Monitoring and Assessment
Euro. J. of Cancer and Chem. Oncol.
Genetics
Immunopharmacology
Environ. Policy Alert
Internat. Pest Control
Agricultural and Food Chemistry
Clinical Endocrin. and Metabolism
Environ. Pathol. Toxicol. and Oncol.
Invertebrate Pathology
Organic Chemistry
J. of Physical and Chem. Ref. Data
J. of Clinical Toxicology
N. Amer. J. of Fisheries Management
Plant and Soil
Product Safety Letter
Risk Abstracts
Science
Statistics in Medicine
Trends in Analyt. Chemistry
Wildlife Review

Enzyme and Microbial Technol.
Euro. J. of Immunology
Hazardous Substances Advisor
Indust. and Eng. Chem. Res.
Internat. Biodeterioration
Japanese Cancer Research
Biological Chemistry
Economic Entomology
Hazardous Materials
Journal of Mammalogy
Journal of Pesticide Science
Journal of Physical Chemistry
Marine Chemistry
The Pharmacologist
Plant Physiology
Rev. of Chem. Intermediates
Russ. Pharmacol. and Toxicol.
The Sci. of the Total Environ.
Statistical Science
TIBS: Trends in Biochem. Sci.

Veterinary and Human Toxicology was the 74th journal to disappear from the Office of Toxic Substances' Library in FY88. It had been placed in the library as a gift, but had not been specifically ordered by the library. It stopped being sent to the library, apparently, when the benefactor left the Agency.

One good thing about rotational assignments in this Agency is that they enable EPA's staff to find useful books and journals owned by their colleagues, as a back-up library system. Certainly, when one views the list of the essential journals which were cancelled in FY88, one must conclude that the OTS facility is hardly a viable scientific library (which is most certainly not the fault of the library's staff). Scientists working without access to standard scientific journals is a bit akin to automobile mechanics working without appropriate tools. In both cases, what kind of a result can be expected?



**Non-participating AA-ships
Have Until December 15th to
Join the NFFE-EPA Negotiated
CWW Plan or to Present Reasons
Meeting the Legislative
Criteria as to Why They
Cannot Join ---**

Stay Tuned !



CONTRARIAN'S CORNER *

FIFRA LIGHT, FIFRA BRIGHT, DREADFUL STAR OF NUMBING BLIGHT

by David Ritter, Toxicologist

The Congress, in all its wisdom, has passed the so-called "FIFRA Light" legislation that will increase the Agency's regulatory burden for registering pesticides. The new law is to be administered by the Office of Pesticide Programs (OPP), located in Crystal City.

The legislation will require the hiring and training of many more scientists to re-review old data in order to re-register older pesticides as well as to review new data submitted in support of new pesticide registrations. These toxicologists, chemists, pharmacologists, etc., will have to come from somewhere; one wonders where they can be found.

Given OPP's dismal record for retaining the professionals already on board, the reputation OPP has as a professional's "dead end," the poor management policies, and the untrained and inexperienced managers to which the organization is addicted (not to mention the crowded office space and dreadful ventilation at Crystal Mall #2), I fear that new professionals will not stay long, even if they can be enticed into coming on board.

It is no secret in the world of scientific professionals that good people are leaving, either to enter the private sector, or by retirement. Older professionals (known as "Graybeards" among the managerial cognoscenti) await the passing of dreary years until they, too, can retire, while younger and more attractive people get the promotions and the good jobs (such as they are in OPP) and assignments.

My duty as a Union official, who has heard and seen it all at first hand, requires that I strongly recommend that professionals consider an OPP offer of employment very carefully, particularly if enticements, such as promotions, are concerned. OPP's record of following through on such offers commands scrutiny.

* Contrarian's views are by definition individualistic---they do not necessarily represent those of NFFE Local 2050 or its other members.

REMEMBER THE HOMELESS AND NEEDY --





GUEST EDITORIAL *

* Views expressed in Guest Editorials are those of the authors; they do not necessarily represent those of NFFE Local 2050 or its members.

REFLECTIONS ON 44 YEARS OF FEDERAL SERVICE

by Mildred Lassman

It doesn't seem possible that I have been working 43 years and 8 months for the Federal Government! Things have certainly changed over the years. Some changes have been for the better--others for the worse.

Beginning my career at locations outside the Washington area, the environment and atmosphere were different from those at Headquarters in the Nation's Capital. Regulations were rigid and were rigorously followed. We signed in and out at work, and we signed out when we went to lunch and when we returned. We were only allowed to use the telephone if we were asked to work late. Even then, we were only allowed to call home and let someone know that we would be working late. Women could not smoke in the offices, but men could. In addition, there were brass spittoons in each office for the men who chewed tobacco. It was in the regulations at that time! I had never seen a spittoon before, and didn't know what it was used for. We were given only 30 minutes for lunch. Since there was no cafeteria or any other eating facility on the grounds, arrangements were made for us to eat with the employees of the Carnegie Museum. It took us five minutes to walk to the Museum, but seven minutes to walk back to work, because it was very much an uphill return trip. Daily, we walked by the dinosaurs, and we ate very hurriedly. Yet, despite the strictness, people were warm and friendly, and they went out of their way to help in a crisis.

I also remember the years at the end of World War II, when we were still working a 48-hour week. We only got Christmas off. I can remember working on Thanksgiving Day and feeling like a martyr! That day, we were given one and one-half hours for lunch because the Museum was closed for the holiday.

I also recall that I originally intended to work only five years for the Government because, at that time, if you worked longer than five years, you were not refunded your own retirement contributions, which stayed with the Government until one eventually retired. However, it seemed that every five years the Government increased the time limit, so that nobody was, so far as I remember, adversely impacted.

I also remember one Thanksgiving when I had gone up to Lake Erie. I had left on Wednesday, and on Friday it started to snow and we had a real blizzard! The snow was piled up to the second story windows. One could not get out of either the front or the back doors of the house. On Sunday evening, I sent a Night Letter letting my supervisors know that I could not report to work Monday morning. There was no transportation of any kind. There was no one there at work to receive my Night Letter until late Tuesday. On Tuesday, there was finally train service, but one could not get across the river. Finally, on Wednesday, I was able to get a bus at 9:00 a.m. My mother packed my lunch. We sat on the highway and waited for

the snowplows and trucks with sand and ashes. The bus arrived in downtown Pittsburgh at 9:00 p.m.—after a 136-mile trip—and I managed to get a taxi. I had followed regulations in letting my supervisors know that I could not report to work, albeit there was nobody there to receive my Night Letter. However, I had to write a memo explaining why I was unable to report. Subsequently, I was granted two days of administrative leave, but was charged with 8 hours of annual leave for the Wednesday that I traveled back.

One big change which has occurred is that we Federal employees have lost the security that we once had working for the Federal Government. I am afraid that you will have more changes. Hopefully, they will not erode your security altogether!

I have really enjoyed working in Toxicology Branch, Office of Pesticide Programs. There have been some aspects that have not been the best, but, on the whole, the positive aspects of my job outweighed the bad, and I will miss many of the fine people with whom I've worked here at EPA.

ABOUT THE AUTHOR ---

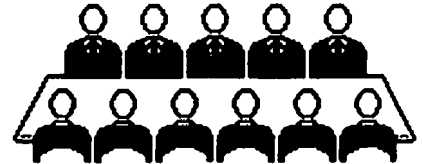
Mildred Lassman is a Statistical Assistant who retired from Toxicology Branch, Office of Pesticide Programs, on November 30th. The above guest editorial represents excerpts from her retirement luncheon speech. NFFE wishes Mildred a happy, healthy, and well-deserved retirement!

Hot Cider and Donuts

Served—

OPEN MEETING ---

Thursday, January 5th
Room 103 Northeast Mall
12 Noon to 1 P.M.

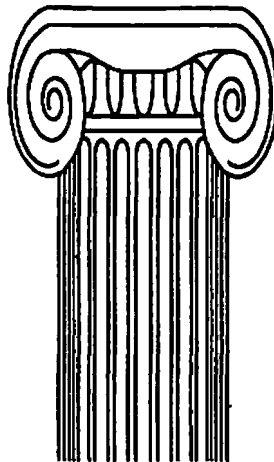


CURRENT NFFE LOCAL 2050 OFFICERS

PRESIDENT:
PRESIDENT-ELECT:
VICE-PRESIDENTS

NFFE - HOTLINES
382-2327
and
382-2383

SECRETARY:
TREASURER:
CHIEF STEWARD:



BILL HIRZY 382-2327
BOB CARTON 382-2325
RUFUS MORISON 382-4273
MARK ANTELL 382-2878
JIM MURPHY 382-7591
DAVID RITTER 557-7375
CHARLIE CARLOW 475-7088

LOIS DICKER 382-3387
DALJIT SAWHNEY 382-4289
ELEANOR CARNEY 475-7181

**MANAGEMENT SETS OUT TO STEAL COMPRESSED WORK WEEK BENEFITS
FROM OSWER PROFESSIONALS**

UNION VOWS TO FIGHT

Bob Knox, Chairperson of the Office of Solid Waste and Emergency Response Human Resources Council has decided to ignore provisions of law and contract and to attempt to coerce OSWER professionals to come under the "old" OSWER CWW plan.

Under the plan negotiated for professionals by the Union, when a holiday falls on an employee's workday, leave for the holiday is charged to "the appropriate category"--meaning, per 5 CFR 610.406, if the holiday falls on a scheduled 9-hour day the employees gets 9 hours holiday leave, and if the holiday falls on his/her 8-hour day the employees gets 8 hours holiday leave, "as scheduled".

OSWER would steal this benefit and is trying to force temporary changes in employees' schedules so that holidays during the workweek "automatically" become 8-hour days for that pay period.

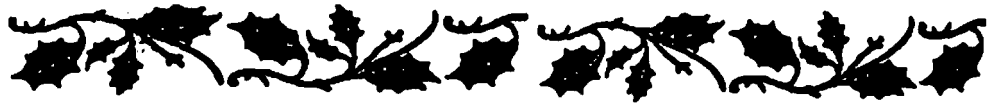
For example (which actually happened to one employee), an employee's regularly scheduled 8-hour day during the pay period that included Thanksgiving Day was Friday, November 25. When the employee put in a leave slip for 11/25 for the regularly scheduled 8 hours, it came back changed by management to "9 hours leave charged", and the explanation was "For this week, your 8 hour day is changed to 11/24, Thanksgiving Day".

OSWER claims that to give leave per the Union contract will cost extra, and therefore 5 CFR 610.121 gives management the right to nickel-and-dime the employees out of an hour of leave under these circumstances. OSWER simply denies the validity of 5 CFR 610.406, which states categorically:

"If a full-time employee is relieved or prevented from working on a day designated as a holiday by Federal statute or Executive order, the employee is entitled to basic pay for the number of hours of the compressed work schedule on that day."

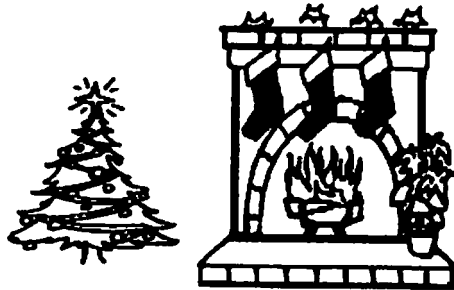
The Scrooge-like policy call by OSWER management is all the more egregious when one reads 5 CFR 610.121 in context. That section doesn't even deal with compressed work schedules, as does 5 CFR 610.406; furthermore it requires that "substantial" increases in cost must be the criterion in work scheduling decisions of this nature, and the differential of one hour of leave for so few is clearly not a "substantial" one.

The Union is taking action to enforce its contract with EPA on this matter.



Seasons
Greetings

From NFFE !



AND

BEST WISHES FOR THE

NEW YEAR !

