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

# Inside The Fishbowl

## Official Newsletter of NTEU 280

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## **Table of Contents**

Letters to the Editor

### **MEDITATION TOPICS FROM GREIDER'S *THE SOUL OF CAPITALISM***

NTEU Withdraws Two FOIA Appeals Regarding Office of Civil Rights Documents

Office of the Administrator Officials Allegedly Missing Two Key Agency Documents  
- One from Administrator Leavitt to Ray Spears and the Other From Spears to Chief  
of Staff Thomas Gibson

EPA Attorney Pleads Guilty to Criminal Contempt of Court

### **FROM THE PRESIDENT**

•Dr. Marsha Coleman-Adebayo Wins Again - AFGE Local 3331 Unit  
Clarification Action Successful

•Rafael DeLeon vs. The First Amendment

•Report on the National Partnership Council and the "Scurrilous" Debate

•Crystal City Consolidation - Virginia Employees to be Banished to the  
Frontier of Crystal City

•Union Leaders Awarded Bronze Medal by Office of Administrator

•Managers Plus

-Stephen Johnson and David O'Connor

•Manager Minus

-Rafael DeLeon.

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## Letters to the Editor

"Although it is encouraging to read that an open dialogue is ensuing between OCR [Office of Civil Rights] and NTEU, I question the wisdom of placing Karen Higginbotham in the "Mangers Plus" column. It seems pretty obvious that she is engaging in stonewalling by (1) not providing NTEU with a draft copy of the new discipline procedures for managers and (2) refusing NTEU's offer to review and comment on such draft."

[Name withheld upon request]

"As usual, another great newsletter. Here are a few observations that may be of interest. No doubt you know all this already.

EPA has a history of keeping important documents in draft form. I believe that occurs due to a mistaken legal opinion that draft documents are not discoverable, FOIAable and cannot be cited. Of course, we all know that when a draft exists for years and has been followed for years, it is really a final document for all practical purposes.

EPA management hates when wrongdoing is documented and tries to get the union reps to use face to face discussions instead of e-mail as much as possible. While there is some truth to the position that e-mails escalate matters and can be hostile, the more important truth is that e-mails put management on notice of illegal and improper activities on the part of management. Where such documentation exists and the illegal or improper activity continues, one might argue the agency managers are engaged in criminal actions at times. They are knowingly and willfully continuing to violate laws and the e-mail is the proof they were made aware of the illegal nature of their actions.

Although I do not know your contract, I can tell you that management frequently maligns AFGE bargaining unit members and management frequently makes "scurrilous" remarks concerning employees. When we have cited such management remarks in our grievances, we rarely receive any real response. It appears that, as in so many other areas, there is a double standard at work and it allows management to say what it wants to say but remarks by employees and their representatives are viewed as improper under almost any circumstance."

[Name withheld upon request]

### **MEDITATION TOPICS FROM GREIDER'S *THE SOUL OF CAPITALISM*, Book Review by James J. Murphy**

William Greider's book, *The soul of capitalism/ opening paths to a moral economy*, was reviewed in an earlier edition of this newsletter. The book touched on certain topics and themes in a particularly thought-provoking way. Some are revisited here.

## **Happy Moment of Extinction**

One of the problems with being a member of a team, which the news media commented on during the Watergate era in Washington when a number of White House staff went to jail, was that the system in which they worked expected total loyalty upward toward the President, the boss, but loyalty downward was little in evidence. Something analogous has been happening in the private sector, as workers build up a company, only to have the need for more capital for growth force the viable, successful small company "...to seek bigness or perish or to pursue that happy moment of extinction when the owners get rich by being swallowed by a larger enterprise." The owners, who may have mismanaged the company into the porcelain convenience often do very well at the "happy moment" of the company's extinction. Not so happy for the workers who created the wealth and built up the company and its good reputation.

## **We All Live in the Same House**

Firms that minimize ecological and social damage have been shown to be better managed and more profitable than wanton polluters. A financial advisory firm called Innovest created an "Eco-Value" rating system to take into account corporate liabilities from past pollution, current hazardous-waste-disposal protocols, energy efficiency, corporate governance and employee training. It turns out that the top companies in Eco-Value scores are also more profitable than the bottom-rung companies on this measure. The good guys can win. Think of it as a matter of corporate *feng shui*.

## **The Future Belongs to the "Can-Do"**

As Greider said: "The [US] auto industry cashed in on the Clean Car Initiative, a similar research consortium formed by the Clinton administration to encourage the Big Three auto companies to develop a 'new generation of vehicles.' Ford, GM, and Chrysler took the money, more than \$2 billion, but thus far have succeeded in not producing any 'clean cars.' More efficient, smaller, pollution-free automobiles would, as previously explained, upset their profit strategies, so they fiddled around with the research funds while selling still larger, less efficient vehicles. Despite Detroit's sly resistance, the public subsidy may have obliquely advanced the cause of environmental innovation, because Japan took the U.S. effort seriously as a competitive threat and responded aggressively.... The Japanese accelerated their own clean car efforts, determined to steal the lead, and they have."

## **NTEU Withdraws Two FOIA Appeals Regarding Office of Civil Rights Documents**

After discussions with Karen Higginbotham, Director of EPA's Office of Civil Rights, regarding NTEU's FOIA requests for copies of her 1999 - 2003 redelegations of the Administrator's EEO settlement authority, we are pleased to report that the documents were provided to us. This time the names of the Agency officials to whom the settlement authority had been given were no longer redacted and now we know that in 2001 there were six redelegations of that authority to Bridget Shea, formerly with the Office of General Counsel.

As you might recall, Ms. Shea is reported to have sent an e-mail to Chapter 280 President Dwight Welch claiming that OGC attorneys receive the Administrator's EEO settlement authority in non-written ways, such as when the EEO case file is forwarded to a specific OGC attorney. The existence of these six written redelegations was not mentioned in her e-mail to Dwight, at a time when all six redelegations were in existence. A review of the 2002 and 2003 redelegations shows that David Guerrero, Assistant General Counsel for the Employment Law Practice Group, OGC, who replaced Bridget Shea in that OGC job, was authorized twice in 2002, and five times in 2003 to exercise that settlement authority. So if OGC attorneys can receive this settlement authority by having the EEO case file forwarded to them, why is the Office of Civil Rights now making them in writing? Perhaps it's because the non-written way is not authorized by EPA's delegation manual or by EPA policy.

## Office of the Administrator Officials Allegedly Missing Two Key Agency Documents - One from Administrator Leavitt to Ray Spears and the Other From Spears to Chief of Staff Thomas Gibson

In what some might describe as highly unusual and suspect, two key documents are missing from the Office of the Administrator. One is purported to be a document from Administrator Leavitt to his Deputy Chief of Staff, Ray Spears, directing Mr. Spears to redelegate the Administrator's EEO decision authority for a particular case to an appropriate official. The reason giving for such redelegation is that allegations are made against Mr. Spears in the specific complaint. The other missing document is purported to be from Mr. Spears redelegating that authority to Thomas Gibson, the Administrator's Chief of Staff, for that EEO complaint. The reason given in that "missing" document for redelegating to Mr. Gibson is that allegations are made against Mr. Spears in that complaint. Both missing documents would have been attachments to the same EEO complaint.

The missing documents came to light when the EEO complainant asked for a copy of the document referenced in the Agency's opposition appeal brief. That brief stated that "The redelegation of authority in the instant case from Mr. Spears to Mr. Gibson was accomplished by a written memorandum signed by Mr. Spears." However, the brief did not include a copy of that document. Consequently, the EEO complainant requested from the OGC attorney a signed and dated copy of such redelegation. In response, the OGC attorney provided unsigned and undated electronic copies of **two apparently draft documents**, one from Administrator Leavitt to Ray Spears, directing Mr. Spears to redelegate his complaint decision authority to another agency official, and the other from Ray Spears purporting to redelegate such authority to Mr. Gibson.

When pressed that such representation in the brief might be a material misrepresentation, the OGC attorney, on June 22, 2004, filed with the EEOC a supplemental submission, with an affidavit from Ray Spears, in which Mr. Spears swears that he signed a redelegation to Thomas Gibson and that the last time he saw it, it was being carried to Mr. Gibson. However, there's nothing in that affidavit that explains why Mr. Spears does not have a signed and dated copy of the "missing" Administrator Leavitt document that would have been attached to the complaint that Mr. Spears referred to Mr. Gibson for decision.

We understand that the OGC attorney has refused to inform the EEOC of the missing Leavitt document, deeming it not relevant because Mr. Spears allegedly was relying on an earlier general non-case specific memorandum from Administrator Leavitt. In response, we understand that complainant pointed out that the missing Leavitt memo is relevant in that it represents a subsequent directive by the Administrator to Mr. Spears as to how Ray Spears is to handle the case at issue, and that for a signed and dated copy of such memo to be "missing" suggests that it was never signed and is supportive of the allegation that Ray Spears did not sign the redelegation memo discussed in his affidavit.

Stay tuned as we monitor this situation.

## EPA Attorney Pleads Guilty to Criminal Contempt of Court

Should your supervisor ask you to create and then backdate an EPA document, please contact NTEU ASAP as you might be putting yourself at risk of committing a CRIME. You should also notify EPA's Office of Inspector General. It goes without saying, but we'll say it anyway, giving false testimony is a crime and if you do, even if directed by your supervisor, you may very well be indicted.

The text below is from an EPA Inspector General Accomplishments Report

"On June, 27, 2000, Marc M. Radell, an attorney with the EPA Office of Regional Counsel plead guilty to a misdemeanor charge of contempt of court for testifying falsely in a court ordered deposition. Radell was indicted in August 1999, in U.S. District Court on **charges of conspiracy, obstruction of justice, and perjury** [emphasis added].

According to court documents, the Menominee Indian Tribe (Menominee), Oneida Tribe of Indians of Wisconsin (Oneida), and Lac du Flambeau Band of Lake Superior Chippewa Indians (Lac du Flambeau), sought Treatment as State (TAS) status to develop a water quality standards program to determine the quality of surface waters within their respective reservations. EPA granted the Menominee, the Oneida, and the Lac du Flambeau TAS in 1996 under the Clean Water Act. The State of Wisconsin challenged EPA's decision and filed civil lawsuits in Federal District courts.

The 1999 indictment of the EPA attorney charged that during the TAS litigation the defendant **created and backdated EPA documents** (factual analysis of substantial effects of non-Indian activities within each applicant's reservation). Further, the indictment charged that the defendant **falsely stated in affidavits and depositions that the documents were created in January 1996 and were relied upon by EPA to make decisions when, in fact, the defendant created these documents in May 1996, after the lawsuits challenging the EPA decisions were filed.** The TAS lawsuits were subsequently dismissed and EPA was ordered to pay approximately \$369,000 in attorneys' fees and court costs [emphasis added]."

We have a copy of the referenced IG Accomplishment Report and can make it available to you. For a copy, just e-mail our editor, Seth Low.

## **FROM THE PRESIDENT by Dwight Welch**

### **Dr. Marsha Coleman-Adebayo Wins Again - AFGE Local 3331 Unit Clarification Action Successful**

As previously reported in *Inside the Fishbowl*, whistle-blower Dr. Marsha Coleman-Adebayo, who was the driving force behind the 2002 NO FEAR Act, claims retaliation against her for testifying to Congress and turning the NO FEAR bill into law. According to Marsha, the Agency not only transferred her to a different assignment in which she has no expertise in their attempts to retaliate against her, denied her reasonable accommodation over the strenuous objection of three doctors, but they excluded her from being a member of her Union. While the alleged job assignment retaliation is still pending in court, a unit clarification action by AFGE Local 3331 was submitted by Theresa Fleming Blue, to the Federal Labor Relations Authority. The Agency restored Dr. Coleman-Adebayo back to the bargaining unit and subsequently, AFGE 3331 withdrew its petition. The transparency of this alleged retaliation is patently evident - Dr. Coleman-Adebayo is neither a manager nor does she make significant policy decisions in her new assignment, rather this was allegedly a means to leave her unprotected by her Union.

Hopefully, Dr. Coleman-Adebayo's win on June 3, 2004 is a foreshadowing of her future success on her reassignment retaliation and denial of reasonable accommodation allegations case. Many eyes are on Marsha's case. A win for Marsha would send a clear message that whistle-blowers can win against Agency actions allegedly taken in retaliation for protected whistle-blower activities. A win for Marsha, would making interesting reading in EPA's NO FEAR Act Report to Congress as the Agency explains what action the Agency took against the Agency officials who where found to have retaliated against her.

### **Rafael DeLeon vs. The First Amendment**

Unions are allowed to criticize management and the law, in theory, protects them from reprisal when they do so. Case law goes so far as to protect unions in the use of language which might be considered unflattering and even vulgar without reprisal. While racial epithets are not protected by this case-law, the use of terms like "scab" (and I won't go on) are. Further, so long as the union believes their statements to be true, as long as they don't knowingly lie, even false information may be protected from reprisal.

Despite these liberties, *Inside the Fishbowl* has always tried to refrain from the use of vulgar language and has always tried to check and double check the authenticity of its stories. Where a statement is merely alleged, we will use the term "alleged.". However, as indicated in recent stories in *Inside the Fishbowl*, as well as in this edition, NTEU Chapter 280 believes that we are under attack, that our First Amendment freedom and our Collective Bargaining Agreement rights are under attack, under the direction of certain management officials, led, I believe, by OHR Director Rafael DeLeon. Mr. DeLeon has engaged in a number of forays against our First Amendment rights, previously reported in *Inside the Fishbowl*, and some are highlighted below.

Mr. DeLeon, through Andrew (Drew) Moran, accused us of Collective Bargaining Agreement violations. This issue was covered in the May issue of *Inside the Fishbowl* under the title "Crackdown on Freedom of the Press?" To date, neither Mr. DeLeon nor Mr. Moran has responded to our reply to their charges.

Mr. DeLeon's latest assault on NTEU 280's First Amendment and Collective Bargaining Agreement rights happened at the National Partnership Council meeting and is captured below. Mr. DeLeon acts like I am out to get him. To the contrary, I am out to make him succeed despite himself. I have given Rafael abundant suggestions and hints as to how to move from the Management Minus column to the Management Plus column. It would be easy. As OHR Director, he wields both great power and influence. He can allow people to suffer a cold system which beats them into the ground over many months and years, or he could intervene with some interest based bargaining.

Unfortunately, the Agency continues to hide behind the "privacy" cop-out. So this is the challenge I offer to Mr. DeLeon and other senior managers-let's work together to find solutions to get to "yes." This would be a whole lot more productive than complaining about allegations that the *Fishbowl* violated the Collective Bargaining Agreement.

## Report on the National Partnership Council and the "Scurrilous" Debate

A meeting between senior EPA management and the Presidents (or their designates) of EPA's nearly one score of union locals happens once a year. This year's meeting went fairly smoothly, however, a debate over "Union Communications" became fairly heated in the afternoon session. I will save the best for last.

The Union leaders met for an informal meeting the evening before the NPC meeting. Many of the Presidents and officers of EPA's other locals commented positively on *Inside the Fishbowl*, indeed, some asked if there was a way they could insert news stories from their bargaining units in it. (I indicated that we would welcome such submissions.) But the big buzz was the agenda item to be introduced by Rafael DeLeon - "Union Communications." Needless to say I endured a number of humorous jabs from my fellow union leaders.

The meeting went very well and I complimented Management Chair David O'Connor and Union Chair Mark Coryell for the professional manner in which they conducted the meeting. Below is a listing, by agenda item, with brief descriptions of each:

### **PDI (Pre-Decisional Involvement) Handbook/Training Plan**

This training plan would train both management and the unions on the use of PDI to discuss issues impacting employee working conditions as a worthwhile supplement to conventional bargaining. The handbook and plan are complete and the next step is to "train the trainers," that is to certify Bill Carson from Labor Relations and a Union Representative chosen by the council (I fear it might be me) to travel around the country training both management and labor to use PDI. The only comment was that some union officers felt that the National Union logos ought to appear on the manual along with the EPA logo. Management did not seem to have a major



objection to this but wanted to check with legal counsel first. (I didn't comment but personally was OK with only the EPA logo; after all aren't we just one big happy family!)

### **Performance Management System Discussion**

OMB wants EPA to change from Pass/Fail back to a step-wise (e.g. 5 or 3 tier) performance evaluation system. After much discussion, it appeared that management and the unions were on the same page. It was felt that rather than invest in overhauling the performance review system, resources might be better allocated to pay for management training for supervisors to use the current system to more effectively stimulate and encourage higher performance by employees.

### **Buy Outs/Early Outs**

While EPA has early-out authority until September 2005, our buy-out authority ended January 2004. Early-outs and especially buy-outs seem unlikely for 2004. In order to do another buy-out, EPA needs to outline its skill needs against its current skill inventory and then justify reducing its numbers. Many union officers thought that in future buy-outs, GS-13s and lower should be eligible. I suggested, near the end of the discussion, that EPA inventory its needs against what is in-house and present buy-out opportunities for those in job classifications in excess and deny them for job classifications which are in short supply. Management indicated that this is what OMB would prefer, however, the last buy-out was made more general.

Late breaking news: rumors citing good sources, continue to abound that the Agency will seek buy-out authority in 2004. Mike Causey indicates that OMB will be streamlining its buy-out procedures to make it easier for agencies. The buy-out is not expected to exceed \$25,000. Also, don't expect a 5/5/5 plan (5 years of service, 5 years of age, and \$5,000). These are a thing of the distant past.

### **NO FEAR Act**

Mr. Ron Ballard was scheduled to present this issue, I presume he is a manager in EPA's Office of Civil Rights (OCR). Instead a staffer was sent who presented not much more than what could be gleaned from the EPA intranet site. When asked questions, the staffer often could not answer them. While I felt the spiritual presence of my friend Marsha Coleman in the room with me, I largely kept a lid on it, except to express my disappointment that the OCR Director could not be there. At this time, I pitched the Unions being active in settling the EEO case backlog by working in partnership rather than in perceived adversity with OCR. I related our productive meeting with the OCR Director Karen Higginbotham as reported in the May issue of *Inside the Fishbowl*.

Supplemental to this, John O'Grady, President of AFGE Local 704, Region 5, pointed out case-law of Unions being involved in EEO settlements. AFGE 704 has filed an Unfair Labor Practice (ULP) in this regard. Management in this case clearly stated they disagreed with the case law on this, however, I continue to hold out hope that there is some way management and the unions can work together to expedite settlements. Management did seem receptive to the latter idea.

## **Competitive Sourcing**

This was presented by Barbara Stearrett, Office of Competitive Sourcing. Management and labor both seemed to be in harmony in their aversion to contracting out. (Note: In an April 21, 2004 letter to NTEU President Colleen M. Kelley, Ms. Stearrett denied a challenge by NTEU to EPA's 2003 FAIR Act list. See [www.nteu.org](http://www.nteu.org) for more info.)

## **Budget**

No surprise here, the budget will get worse. Payroll and benefits are unlikely to be affected. A Reduction-in-Force is not anticipated. Rather cuts will be in training, travel, and awards.

## **PeoplePlus**

Frank discussion revealed that management was even more annoyed by PeoplePlus, a/k/a/ PeopleMinus, than the Unions were. The managers felt first-line supervisors were already overloaded with work to have these additional problems heaped on them. Comptroller Joe Dillon was unable to make the meeting, so he sent Zandra Kern in to take the heat. I asked whether they would run a confidential employee feedback survey prior to "going live." The response was that there would be a survey AFTER "going live."

## **Scientific Integrity**

Mike Moore informed the council that he had run into problems with getting an affordable contractor, so this project is somewhat delayed.

## **Union Communications**

As indicated above, Mr. Rafael DeLeon introduced this item to the agenda. According to Mr. DeLeon, the problems were two fold. One problem, he claims, is Union officials asking senior managers to intervene on behalf of an employee. Because of "privacy issues", the employee may have an ongoing grievance, EEO complaint, or court case, the manager cannot intervene. (Not really true, a case can be settled even if it has gotten to court or before an arbitrator.) When the manager does not answer, scathing e-mails erupt criticizing the manager.

Problem two, according to Mr. DeLeon, were e-mails and newsletters allegedly attacking managers and their integrity.

One would think that I would have jumped right on that, but instead, I sat back and let my fellow Union officers take it on. Leading the charge was AFGE 704 President John O'Grady (who was on top of many issues). Mr. O'Grady began reading to Mr. DeLeon case law on the subject, but Rafael, several times, interrupted, at one point telling John, "I've already been read that by my attorney." (So why doesn't he take that attorney's advice?)

Towards the end, I finally jumped in. To "problem" one I indicated, "Well if senior managers cannot respond due to privacy issues, wouldn't the proper course be to write or call the Union

official instead of ignoring them? To just say nothing only causes the union officer to get more concerned." The managers seemed to nod in agreement.

As to issue two, I indicated that *Inside the Fishbowl* articles are well researched. As a hypothetical example, I stated that if a grievant charges that Manager So-And-So did such and such, the statement "A grievant alleges that the manager did that," is essentially a true statement. The merits of the case are a separate matter.

But I didn't stop there. I informed the council of my complaints of several years ago to the HQ Partnership Council of being falsely charged of felonious conduct in chain e-mails sent all the way to the Administrator, despite an investigation and eye witnesses testifying to the charges being patently false. I was told at the time that there was nothing that could be done. I was, after all a public figure, and thus it came with the turf. So if this was OK for me to just suck it in, why was Rafael still whining about this?

With things getting pretty hot, Mr. O'Connor intervened indicating that the Unions need to be sensitive with the language they use. Well now if only management could be sensitive to the agony they often cause or ignore, reciprocity would be in order. I have seen many fine, even award winning, employees ground into the dirt. Over time, despair sets in and they feel that their lives are ruined, as their case drags on for years. Justice delayed is justice denied, and if Mr. DeLeon were to work with me to expedite the system, I would be more than happy to extol his help in every month's Manager Plus column.

## Crystal City Consolidation - Virginia Employees to be Banished to the Frontier of Crystal City

The big buzz this month is the consolidation of EPA's Crystal City, Virginia offices to the southern edge of Crystal City. Least impacted are those in Crystal Station, already on the southern-most fringes of the developing area of Crystal City. These employees are already used to a long hike to the subway, poor selection of choices for lunch, etc. Most impacted are the Crystal Mall 2 and Crystal Gateway employees who are used to close proximity to the subway, abundant lunch and shopping choices, as well as the availability of parking. The Unions as well as Labor Relations and others were blind-sided by this future move until the story was first broken in the Washington Post.

The move has behind it the Congress and the government's landlord, GSA. A few lucky employees in CM-2 still enjoy the quality of work-life that a semi-private office provides. Those days are numbered. You may look forward to vast bays filled with a 21st century honeycomb of cubicles. The noise level is likely to have you inviting in the cicadas to create some white-noise. If you want to get an idea of what it will be like, visit the Ronald Reagan building, except envision much larger bays.

The new building will, however, have 9 foot ceilings as opposed to the 8 foot ceilings as found in the R-R building. And facilities management promises a gym, although you may not need it hiking to and from the subway. (They tell us it is a mere 0.7 miles, but we haven't checked it out yet.) They also plan to invite restaurants and shopping to fill the first floor, so hopefully

employees won't have to settle for something similar to the limited selection of the snack bar in Crystal Station.

The NTEU has requested bargaining on behalf of our bargaining unit employees. As President, I requested a meeting between the Union's Executive Board and Rich Lemley and David Lloyd. We met with them on June 8<sup>th</sup>, the meeting was fairly productive, and they promised to work with us on issues important to employees.

## Union Leaders Awarded Bronze Medal by Office of Administrator

Congrats to Selwyn Cox, Vice President for Civil Rights, AFGE Local 3331, and our own Jack Kooyoomjian, Steward, NTEU Chapter 280. Both were awarded EPA's Bronze Medal for their work on the Quality of Worklife Committee.

## Union Meets with OMB Deputy Director Clay Johnson Regarding Outsourcing

Thanks to the spirit of partnership, on the part of both Acting Deputy Administrator Stephen Johnson and Acting OARM Assistant Administrator David O'Connor, both AFGE and NTEU Chapter 280 were invited to meet with the Deputy Director of OMB regarding outsourcing of EPA jobs. Originally, the meeting was scheduled only for senior EPA managers, however, Stephen Johnson thought, and Mr. O'Connor agreed, that OMB should also hear from labor.

OMB's Mr. Johnson summarized his position as follows:

1. It is about agencies focusing on results
2. It is about fiscal discipline
3. About one quarter of government employees do jobs which could be commercialized
4. Employees are entitled to better management.

OMB's Mr. Johnson indicated that in 89% of cases, work is won by the inside group (government employees).

NTEU Chapter 280 was represented by Dr. James Goodyear, Steward, and Ms. Melissa Hatfield, an NTEU National negotiator, and myself. Our positions are summarized below:

1. Science is inherently governmental. OMB's Mr. Johnson kept saying that it was on the "borderline." I pointed out that based on EPA's mission and the need for scientific integrity to support, for example, its regulatory actions, that the correct answer is that "science at EPA is inherently governmental."

2. We discussed confidential business information is being handled by outsiders. (OMB thought that was OK.)

3. We discussed whistle-blower and other Civil Service protections protecting the objectivity of scientific review over contractors who might be more prone to bend to the prevailing political winds. Which I pointed out to Mr. Johnson, might at times go his way, but might during other Administrations blow the other way.

4. Melissa Hatfield suggested using pre-decisional involvement on A-76 contracts. Mr. O'Connor committed to doing so.

The group also briefly discussed Performance Evaluation systems (2 tier vs. 5 tier). Mr. O'Connor asked me to summarize the National Partnership Council discussion for OMB's Mr. Johnson. While still supporting multi-tier over Pass/Fail, Clay Johnson also indicated he agreed that the important part was the interaction between employee and first-line supervisor.

At the end of the meeting EPA's Mr. Johnson thanked our Union for coming to the meeting. We thanked him for the opportunity.

## Management +/-

### Managers Plus

Stephen Johnson and David O'Connor. As indicated in the above article, Mr. Johnson and Mr. O'Connor get this month's nod for Manager Plus. When it comes to partnering with the Unions, both Stephen and David get it.

### Manager Minus

Rafael DeLeon. Mr. DeLeon once again gets a thumbs down for his continuing attack on NTEU 280's First Amendment rights. When it comes to partnering with the Unions, Mr. DeLeon still doesn't get it.