



INSIDE THE FISHBOWL

"We must conduct our affairs at EPA as if we worked inside a fishbowl ..."

— William Ruckelshaus, former Administrator, U.S. EPA

March 1999

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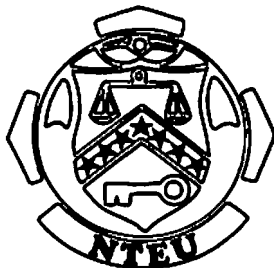
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Editorial Policy

Articles from any source are considered for publication by the Editorial Board. Items should be submitted on Disk to UN-200. Articles indicating authorship reflect the views of the author, not necessarily those of Chapter 280. We do not publish anonymously submitted articles, but when requested, may conceal the author's name.

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FROM THE EDITOR by Dwight Welch

Articles Needed, This is Your Union

I may be Executive Vice President and I may be editor of INSIDE THE FISHBOWL, but this is neither MY Union nor MY newsletter. This is YOUR Union and YOUR newsletter. Perhaps you are wondering why you haven't been seeing INSIDE THE FISHBOWL lately. This is because, other than President Murphy, no one has been submitting anything for publication. Therefore, I would like to renew my challenge to you. What are your thoughts? Do you have an issue important to you? Write it up and send it in. All members and non-members are welcome to submit article which concern the environment, labor issues, scientific or legal issues, issues of professional integrity or ethics, civil rights, etc.

INSIDE THE FISHBOWL Going Online

One of the recent cutbacks has been to progress to a paperless office by cutting down on copying costs. This trend will hopefully save taxpayer money as well as trees. Chapter 280 is going to do its part. From here on, the newsletter will be distributed in hard copy to members only. The Executive Board has authorized money for a Chapter 280 Website, and in the near future you will be able to access INSIDE THE FISHBOWL via the Internet. Until the Website is set up, we urge members to share their copies with non-members. Sharing a copy of the newsletter is a good way to enter into a discussion about joining the Union.

FROM THE CHAPTER PRESIDENT by Jim Murphy

There are a couple of kinds of insurance that the federal government does not offer to its employees, including long-term-care insurance and disability insurance, that need to be purchased separately. These may not seem to be priorities for a young person to spend money on, but the younger the subscriber, the cheaper the cost of the coverage is. Suze Orman's financial planning book, You've earned it, don't lose it, recognizes that many people ask why they should pay for long-term-care insurance when they may never use it. She notes that many of these people have fire insurance, used by one person in 1200, and automobile insurance, used by one in 240, whereas one person in three will use long-term-care insurance. She also notes that a lifetime of insurance premiums will usually be less than the cost of one year in a nursing home.

Group insurance rates tend to be significantly cheaper than going it alone. Group rate advantages are available through union membership. This may be the greatest unrecognized advantage of belonging to the Union. Those who do not take advantage of the opportunity are being penny wise and pound foolish. As Suze Orman says: "Buy now or pay (a lot more) later."

Let us also set aside a few moments daily this month to give thanks for the good works and good example of American heroines and heroes -- Washington and Lincoln, our parents and teachers, religious leaders and coaches, and the significant figures of past and recent Black History who have kept the faith and who have kept on keeping on. Let us think about where we are going, individually and together.

AWS Agreement Ratified by Membership

The Alternative Work Space Agreement was ratified by an overwhelming majority of the members voting. The AWS agreement allows employees who are unable for health reasons to work in EPA buildings to work at home instead. This agreement, unique to EPA, significantly lowers the burden of proof required to establish or maintain AWS status. Previously, a doctor's diagnosis of a specific problem such as Multiple Chemical Sensitivity was required in order to gain AWS status. Under the new system all that is needed is a doctor's recommendation regarding the short or long term needs of the employee to accommodate the employee's health needs. Another improvement to the program is that any licensed practitioner is allowed to make these recommendations, not just medical doctors.

Another highlight of the program is that it allows for an additional remedy in cases under dispute. Disputes as to the granting of AWS are forwarded to the AWS Oversight Committee. The committee consists of two managers (one from a program, one from OARM) and the Presidents of the Headquarters Union locals (James J. Murphy NTEU Chapter 280, Carolyn Lowe, AFGE Local 3331). This committee will consider disputes and make recommendations as to their disposition. The approving manager can then either accept or reject the committee's recommendations. If the dispute is not resolved at this level, then the normal grievance procedure can be invoked.

The Alternative Work Space Agreement was a product of the EPA Headquarters Partnership Council. The agreement was undertaken in response to Congressional investigations of EPA's AWS Program and to bring a measure of consistency to the granting of AWS status. This agreement has been a major accomplishment of the EPA HQ Partnership Council. If more information is needed contact Julie Simpson (260-7873). For a copy of the agreement, either call or drop by the Union office. (260-2383)

Business Cards

Last month GAO's Comptroller General's office said that it will not object to federal employees paying for business cards out of appropriated funds. This reverses a long-standing policy that business cards were personal expenses. The new rule does not apply to all federal employees but only those who need cards for dealing with the public or other agencies. For additional information contact Jim Murphy at 260-2987.

Federal Labor Relations Authority Rules that a Union Business Card Not "Flagrant Misconduct"

The Federal Labor Relations Authority recently ruled that a union official's business card did not constitute "flagrant misconduct" as a management official alleged. What was the alleged misconduct? In addition to the words "Union, Yes", was the sentence "I'm that son of a bitch from the Union!" (FLRA Nos. DE-CA-50006, 50324, and 50420, October 30, 1998)

Black History Month Web Sites

Interested in finding out more about Black History Month? Just type in "Black History Month" into the search engine Yahoo and you will get 46 topics and thousands of pages of information. Typing in "African American artists" on the search engine Excite will yield more than 2.3 million references on that subject. At the Website "<http://unc.edu/courses/eng8/brl/harlem.html>" you can reach a wealth of information on the writers of the Harlem Renaissance. At "<http://home.pacbell.net/yourear/index.html>" you can find Black poet Clyde Wray.

Luttner E-Mail Proposes No Flexiplace for OCFO/OPAA

In an all-office e-mail, dated January 28, 1999, Mark A. Luttner, the Deputy Director of the Office of Planning, Analysis, and Accountability, Office of the Chief Financial Officer, indicated the Office's intention to deny regular flexiplace to its employees. In an attachment to the e-mail employees are advised "Employees may apply but are advised that the management bias is against approving Regular Flexiplace..." The reasons given for this "management bias" (their term not ours) are as follows:

"OCFO mission success is dependent upon high customer service standards that require constant communications with program offices. This is best done by face-to-face discussion.

"Frequent meetings, internally and externally, require presence of staff and supervisors.

"Heavy reliance on the 'team approach' generally requires employees to be present in the workplace.

"Work is sometimes portable...but is unlikely to be regularly so.

"Resource limitations preclude providing equipment that is vital to OCFO mission success at home sites."

The Union believes it is a shame that OPAA has elected to enumerate a "management bias" before the application and approval process for Flexiplace has even been put in place. It is not yet known whether the OPAA "pre-disapproval" of Flexiplace for its employees will be dealt with as a group issue or on a case-by-case basis, but we can assure you that we will be taking issue with it.

Luttner Blasts Unions

In another all-OPAA employee e-mail, Deputy Director Mark Luttner took a cheap shot at EPA HQ's labor unions. In discussing a cube vacancy, Mr. Luttner writes, "Our efforts to obtain approvals from the unions on a generic move plan...have regrettably been ignored." To begin with Mr. Luttner ought to actually read the Generic Move Agreement before engaging his

keyboard. The Generic Move Agreement covers only group moves; voluntary moves of individuals are not covered by the agreement. The filing of an Unfair Labor Practice was given serious discussion, however Vickie Boothe, NTEU steward for OPAA Vickie Boothe managed to resolve the misunderstanding informally.

OPAA in recent months has been the scene of plummeting morale. There have been more than a half dozen grievances filed in this small, but high graded, high profile office. Several of these grievances have not been settled at either Step 1 or Step 2. Step 3 has gone to Chief Financial Officer Sallyanne Harper. Ms. Harper has assigned the Step 3 hearing to Comptroller Mike Ryan who is convening the 3 manager panel. We have reason to hope that the problems will be resolved at this level. In the past, Mr. Ryan has fairly and objectively resolved two Financial Management Division/OCFO grievances.

Chapter 280 Helps POPA

The Patent Office Professionals Association (POPA), an independent Union which represents Patent and Trademark professionals at the Patent and Trademark Office in Crystal City, is renegotiating its current collective bargaining agreement (CBA). Leaders of Chapter 280 and POPA became acquainted back in the early 1990s when the Charles E. Smith Co. engaged in a shoddy asbestos removal in Crystal Mall 2. POPA has requested and received a copy of the Chapter 280 CBA. Of primary interest to POPA are the Health and Safety provisions of our contract. POPA is also trying to get space allocations for employees as part of their CBA. Senior Vice President Bill Hirzy has been assisting POPA on this latter issue and may be called upon to testify at an impasse hearing now underway.

Executive Board Approves Mail Ballot

On February 16, 1999, the Executive Board of Chapter 280 unanimously approved a motion to conduct the upcoming election in our traditional manner of a mail ballot. This motion was necessary in that the Chapter Constitution does not explicitly address the issue, while the NTEU National By-Laws call for a membership meeting unless a mail ballot is specifically provided for by the Chapter. This was an interim measure taken to preserve continuity, consistency, and to ensure that members continue to be afforded the fullest possible opportunity to participate in the election process.

Tobias to Step Down

As noted on the Federal Page of the Washington Post February 17, 1999, NTEU National President Robert M. Tobias does not intend to run for reelection at the upcoming convention this summer. Mr. Tobias has been with NTEU for 31 years, and has been its President for the last 16. Bob Tobias has been a leading figure in elevating a small Union into the second largest union of federal employees, on that is the most eminently successful lobbying and litigation machine. Mr. Tobias has taken on U.S. Presidents with various law suits including President Richard M. Nixon

on back pay issues and President William J. Clinton on his use of a line-item veto. Both cases resulted in NTEU prevailing in the Supreme Court with positive outcomes for federal employees.

The NTEU chief, a soft spoken but very charismatic leader, was one of NTEU's biggest selling points. Although engaging in a busy daily schedule, Bob Tobias personally wooed NFFE 2050 to become an NTEU Chapter. Originally contacting then President Dwight Welch, Bob Tobias met with the then Local 2050 Executive Board, and ultimately with the membership at a special meeting to discuss the proposed change in affiliation of our local from NFFE to NTEU. After the landslide vote to affiliate with NTEU, Mr. Tobias also met with Quinn Anderson of the FLRA to ease the petition for change of affiliation through in record time.

Some find Mr. Tobias' leaving to be unsettling. Some recall the days of Jim Pierce and NFFE. For many years, under Mr. Pierce's strong leadership, NFFE was stable. Upon his retirement, NFFE fell into chaos. We believe we have far less to fear in this situation. In NFFE, the major power resided in the National Executive Council that routinely removed national presidents on flimsy and trumped up charges. In NTEU, however, the national president is the center of power in a more monolithic organization. Mr. Tobias has thrown his support as successor to Colleen Kelley, the current National Executive Vice President.

We leave you with a quote from Mr. Tobias' farewell letter to Chapter Presidents:

"From my first day at NTEU my goal has been to work with you to move us from helplessness and despair to dignity and respect; from being ignored to being recognized and included; and from acting alone to experiencing our power of collective action. We have come far."

Union Comments Mitigate Budget Cutbacks

While there have been many complaints regarding cutbacks in services due to EPA budget cuts, you should have seen them before the Unions became involved. Scheduled to be closed down was the EPA library. Management has now pledged to keep the library open and is looking into cutting the contractor and replacing them with in-house employees. Also subscriptions will be cut to bare necessities.

Many employee complaints have centered around shuttle bus cutbacks. The original plan called for shuttle buses running only during the core hours 9:30 AM to 3:30 PM. The Unions got these extended to the hours of 8:20 AM to 5:30 PM. Some employees complained, rightfully so, that they received inadequate warning. Employees felt that they should have been given at least a month in order to rearrange car pool schedules, etc.

While none of us are in favor of budget cutbacks, we can only work with what Congress gives us. Some hard choices had to be made. The cuts are certainly preferable to Reduction in Force or the cutback of popular programs such as Metro Transit Subsidy. Also, with each day without cuts, we get further and further into the hole. It was better to make moderate cutbacks in a timely

manner rather than to wait thereby necessitating more extreme cutbacks.

Union Files Fluoride Grievance

While most grievances are filed on complaints made by individuals, now and then the Union will file a grievance on behalf of groups or the entire bargaining unit. On November 24, 1998, NTEU Chapter 280 filed a grievance on behalf of the bargaining unit to protect it from a toxic industrial waste dumped into our water supply: hydrofluosilicic acid, a common source of the fluoride ion. In view of past and new data regarding the hazards associated with addition of fluoride to drinking water, including data which demonstrate increased cancer risk, decreased IQ and brain morphology changes, increased bone fractures, and dental and skeletal fluorosis, the Union has requested, as relief, that the Agency supply employees with bottled water. Although the grievance was filed with the Facilities Management Division which would be supplying the bottled water, the grievance was referred to the Office of Ground Water and Drinking Water for technical comment. A meeting between Union officials and OGWDW management and scientists was then scheduled. (See next story.)

Four Union Presidents Meet with OGWDW

On February 8, 1999 four Chapter 280 Union Presidents (past and present) met with OGWDW management to discuss the "Fluoride grievance". The presidents included current president Jim Murphy and past presidents Dwight Welch, Bill Hirzy, and Bob Carton (who now works for the Department of the Army). Dr. Hirzy led the discussion for the Union side. Dr. Hirzy indicated that because the fluoride ion causes actual changes in human physiology, it must be regarded as a drug. Pointing to a national rate of dental fluorosis of approximately 20% of America's children, Dr. Hirzy indicated that an overdose situation is obviously in evidence. Dr. Hirzy gave a brief overview of the body of data on the chemical ranging from the Manhattan Project experience to Phyllis Mullinex's paper on fluoride's induction of hyperactivity in rats.

The coverup of the shoddy science which supposedly supports water fluoridation started at the very beginning with the Manhattan Project. In order to separate Uranium 235 from 238, the uranium first had to be converted to uranium hexafluoride. The fluoride use to make the radioactive fuel for the first atomic bomb was processed in south New Jersey. In the area of the processing, numerous farm animals became crippled or died, not as a result of radioactive leaks but from fluoride poisoning. Crops were also adversely affected. Publications arising from the fuel processing project were cleverly deceptive. For instance, a health report indicated that the workers suffered from no tooth decay. What they didn't tell you was that there was no tooth decay because all the workers had lost most of their teeth!

But what of fluoride's alleged property of preventing dental caries? In the longest running study on the subject in Newburgh and Kingston, NY (Newburgh is fluoridated, Kingston is not), the unfluoridated city actually has a dental decay rate slightly below that of the fluoridated city! This study, which constitutes human experimentation, because resident were initially unaware that the

toxic industrial byproduct was added to their water supply, has been running since 1945.

Bob Carton who, prior to Bill Hirzy, was the Chapter's lead on the issue of fluoride in drinking water, discussed his work at Fort Dietrich, MD. Apparently the Army is considering fluoridating its drinking water supply for the Fort. At Bob's suggestion, a committee of experts both pro and con will be recruited to issue a report on the subject before the military brass decide whether or not to fluoridate the water. Hirzy and Carton suggested that perhaps EPA could take advantage of the results of this review.

Dwight Welch contributed his thoughts on the subject. Mr. Welch stated that a drug should not be administered on a population in such an uncontrolled manner. Sensitive populations might include infants, children, athletes, and diabetics who consume more water than average per capita and have been shown to suffer adverse effects from fluoride exposure at the levels normally placed in drinking water supplies. Indeed, city water is unsuitable for dialysis because of its fluoride content; people have been died as a result of fluoridated water being used for dialysis.

The meeting was very cordial and references and papers were exchanged between both parties.

The source of most fluoride is hydrofluosilicic acid which is obtained primarily from industrial scrubbers of industries such as artificial fertilizer manufacturing and aluminum smelting. This is a highly toxic waste which otherwise would have cost industry on the order of \$400 million per year to dispose of properly. By selling it to municipal water suppliers for approximately \$200 million per year, industry turns a large cost into a tidy profit. In addition this industrial effluent contains heavy metals, which OGWDW in the past contended occur at tolerable levels. We don't know what is considered a tolerable level, but we feel our daily dose of mercury and lead should be as close to zero as possible.

Reagan Building Safety Tip

As many who work at or have visited the Reagan building probably already know, there are emergency exit gates at the bottoms of stairwells. These gates are supposed to keep intruders out, but allow the escape of evacuees during a fire or other emergency. What many don't know is that the gates take 5 seconds to work. One has to apply pressure to the latch for a full five seconds before it opens. Not knowing this, one might be inclined to believe that, when the gate does not open immediately, it is jammed or otherwise not working. This could lead to panic in the event of an evacuation. If you ever find yourself in this situation, don't freak out, remain calm, keep the pressure on the latch, and it will open in five seconds.

Ethics Code Under Development

One of the principal reasons we professionals organized a labor union here at EPA Headquarters in the early 1980's was to defend our right to perform our work ethically, without having to fear retaliation from management for doing so. We have engaged in many fights with management

over this issue. The first of these started in 1985, was over EPA's flawed standard setting for fluoride in drinking water, and it continues to this day. Another was over indoor air quality and Multiple Chemical Sensitivity/Toxicant Induced Loss of Tolerance, originally focussing on toxic carpet that injured EPA employees and countless citizens across America.

During the time when toxic carpet crisis was at its peak in 1988, the union was also deep into negotiating a code of ethics with management. In retrospect, it appears that it was the pressures around the carpet situation that caused management to break off those negotiations after Draft #13 of a Code of Professional Ethics had been put on the table by the union. At that time management said they would not agree to any enforceable code of professional ethics, but if the union wanted to have one for its "own use", it should proceed.

Given the other issues we were then facing and our despair over so much wasted time on those negotiations, we did not pursue the matter further until about 1996. The Collective Bargaining Agreement that we ratified in July 1997 finally had a "Professionalism" Article in it that goes a long way toward establishing a code of ethics. But it falls short. That Article contains a provision for re-opening and re-negotiating this issue one time before the CBA lapses next year.

Over the past several months we have been dusting off the old Draft #13, working in our current "Professionalism" Article, conferring with other EPA unions and fine tuning a new, draft code of ethics. Our latest effort will shortly be circulated to Chapter 280 members and any other EPA employees who want to comment on it. When the comments are in, Chapter 280 will decide whether to ask to open new negotiations. Or we may simply adopt the code and challenge EPA to come into compliance with it as a set of ethical principles that is favored by its professional employees.

If you would like to comment on the draft, or have ideas for inclusion in it, please contact Bill Hirzy at 260-4683. Chapter members will automatically get a copy to comment on soon.

EDITORIALS

ENVIRONMENTAL INJUSTICE: Water Fluoridation Adversely Affects Minority Communities by Dwight Welch

Being that February is Black History Month, I feel it fitting to discuss an issue which adversely affects minority communities. As discussed above and in many previous issues of Inside the Fishbowl, the dumping of a toxic by-product of artificial fertilizer manufacture into municipal water supplies, most commonly known as "fluoridation," does less than nothing to prevent cavities, but is associated with numerous health risks including dental and skeletal fluorosis, a 7X increase in cancer (osteosarcoma) risk for adolescent males, a 3X increase in bone fractures in older people, and neurological changes adversely affecting the brain and pineal gland. And while the Environmental Protection Agency has dragged its feet on taking action to prevent the contamination of our drinking water supplies with this industrial pollutant, at least the Food and

Drug Administration was willing to act: it recently required that there be a health warning on fluoridated toothpaste. The warning advises that if the product is swallowed, to call a physician or poison control center immediately.

One of the arguments forwarded by the Fluoridistas (a term applied to the militant pro-fluoridationists) is that poor folks can't afford toothpaste, therefore, water fluoridation is of great benefit to the poor. I have quite the opposite take on the issue. In view of the 50 years plus Newburgh/Kingston study, it seems obvious that, aside from industry profit from being able to sell its toxic waste, other benefits are negligible, and I would contend that the risks are unacceptable. As time passes more and more people are realizing that the adverse consequences of water fluoridation are risks they do not wish to take. This has been a difficult learning process since opposition to water fluoridation is usually characterized by the pro-fluoridation forces as being associated with fringe-group paranoids. Furthermore, the issue is confused when comparing topical application of fluoride, as in brushing with fluoridated toothpaste, to the systemic intake of drinking fluoridated water. According to fluoride proponents the fluoride causes the tooth enamel to become harder and denser and thus make them more resistant to cavities. Some fluoride opponents contend that cavity reduction is a result of the bacteriocidal effect of fluoride. In either scenario, while topical application of toothpaste (1,000 to 2,000 ppm F) and dental gels (4,000 to 10,000 ppm F), may have some cariostatic effect, there seems to be no benefit, but increased health risk to the ingestion of fluoridated water.

Many who have learned of the hazards of this toxic ion have taken to drinking bottled water to minimize the risk to their health. Some have even gone so far as to seek out unfluoridated toothpaste. But bottled water costs money, these days more than a gallon of gas. Unfluoridated toothpaste is hard to find and generally more expensive, being generally found only in health food stores. In any event, a family too poor to buy toothpaste is certainly one too poor to afford bottled water for their family. This is especially critical when using city water to prepare baby formula.

The United States of America is about free choice. There may be some who believe fluoridated water is of some benefit. Others oppose this point of view. Whether to take this drug (and that is exactly what it is since it changes the body's chemistry) or not should be a personal choice. When it is put into your drinking water, this choice is taken away. An acceptable solution would be to supply fluoride drops for free to those who desire to fluoridate their own drinking water. It would cost cities less (no costly fluoridation equipment, 99% plus winds up in uses other than drinking), but unfortunately would cut into industry's profit margin. I would urge African-Americans and other minority groups to get behind this issue. Do not allow your community to have its water poisoned.

The Proposed New Information Management Office is Needed
by Bill Garetz

The issue of the Fishbowl published at the end of December contained an article by one of our

members (one who, like me, is also an officer) that expressed strong reservation about the planned new Information Management Office (IMO) here at Headquarters.

I felt a need to express my own, very different, point of view.

First, I would like to point out that the opinion previously expressed was that of the author only. It in no way reflected the position of NTEU Chapter 280 as an organization. Indeed, the Executive Board had decided just prior to that (in mid-December) not to take a position at that time on the creation of the IMO since we knew opinion within our membership on the subject to be mixed.

We do, however, have a strong policy within the Chapter supporting free speech on the part of our members on all issues of concern to us. As a result, the previous article was printed as submitted -- though I must admit that I cringed when I reviewed it, in my capacity as a member of the Fishbowl's Editorial Board, prior to it being published in the December Fishbowl.

Second, I would like to say that I myself strongly support the creation of the new Information Management Office. I believe it to be needed and, if anything, long overdue.

I am currently a staff member in the Center for Environmental Information and Statistics (CEIS) within the Office of Policy (OP). CEIS is one of the several Headquarters units planned to be included in the new IMO. As a staffer within CEIS, I am familiar with opinion here regarding the creation of the new office and I can share with you my strong impression that roughly half of the CEIS staff welcome the creation of the IMO. The other half are neutral on the subject -- my sense is that they've simply been through so many reorganizations that they go numb whenever a new one is proposed and just don't think about it much. My impression is that this second group of CEIS staffers truly have no opinion one way or the other.

I also know quite a few of the staff in the Office of Information Resources Management (OIRM), which is now part of the Office of Administration and Resources Management (OARM). OIRM is also to be incorporated into the new Information Management Office (IMO). Everyone I know in OIRM strongly supports creation of the IMO.

My acquaintance is much more limited with those who work on the Toxics Release Inventory (TRI) in the Office of Pollution Prevention, Pesticides and Toxic Substances (OPPTS). Their group is also to be merged into the IMO. Nevertheless, I do know one person there rather well, someone whose opinion I respect greatly. I learned (to my considerable surprise) that he strongly supports bringing the TRI function into the IMO "because TRI doesn't just support the TSCA Program, it supports all the program offices." This is admittedly a very small and possibly very unrepresentative sample of opinion among the TRI staff. But it does, at a minimum, show that opinion there is not uniformly opposed to incorporation of their group into the IMO.

I also know one person who works in the One-Stop group in the Office of Reinvention (OR).

These are the folks working on a set of procedures what will allow regulated industry to make one consolidated electronic report to the State (or to EPA) on its releases of pollution to the environment -- one report in place of the many separate reports to different programs now required. Since there are only three people in the One-Stop group, a sample of one in this case is not all that bad. The staffer I know originally had reservations about that function being incorporated into the IMO, but now supports it.

I haven't talked about the proposed IMO to anyone in what is now the Quality Assurance Division (QAD) in the Office of Research and Development (ORD). QAD is another group that is to be incorporated into the IMO. I have, however, had a lot of dealings with various QAD staff over the years, and, as a result, know that they have long felt that they do not belong in ORD and would be able to do their jobs better if located in an independent office. I therefore presume that they also welcome the proposed incorporation of their group into the IMO.

The Regulatory Information Division in the Office of Policy (OP) is also supposed to be incorporated into the IMO. They're the folks responsible for the Agency's Information Collection Budget (ICB) and for reviewing OMB Information Collection Requests (ICRs), which request approval for proposed new information collection activities that would place "time burdens" on the states, on industry or on the public. I'm not so sure how these staff feel about being brought into the IMO. My impression is that some of them have reservations about it. But their function is required by law be under the Agency's Chief Information Officer, which it now is not. (For more on this, see below.) Moving this group from OP into the IMO is the most obvious way to accomplish this.

I guess that's a fairly complete inventory of who is slated to go into the IMO. What it adds up to for me is that the large majority of those who would be affected want this to happen, and most of the others are neutral on the matter. Those who are opposed or who have reservations are relatively few.

As I said, I myself strongly support creation of the new office. I do so for a couple of different reasons. One of those reasons is that we need to create it to be in compliance with the statute that required the designation of a Chief Information Officer (CIO) in each cabinet department and in each major independent agency. That statute requires that certain functions be placed under the CIO in each of these departments and agencies. EPA is currently in violation of these requirements. If we don't fix this situation, it is inevitable that sooner or later we will get taken to court, and one or more important actions taken by the agency will be invalidated as a result. We need to fix this. Too much of what we do gets messed with in the courts as it is. If there's something reasonable and relatively straightforward we can do to keep that from happening once again, we should do it. There's no doubt in my mind that the proposed reorganization qualifies as something reasonable and relatively straightforward we can do to keep ourselves out of trouble.

But that's not the primary reason I support creation of the IMO. I support it mainly because I know that all of the separate groups proposed for inclusion in the IMO are already rapidly

converging in terms of their functions and products. There once was a time when it probably actually made sense for one set of HQ staff to be responsible for selecting hardware and software for (and operating) the Agency's central computers and Web site, for another to be responsible for overseeing the quality assurance of new data, for another to be responsible for doing coordinated (and, where possible, integrated) analyses of environmental data from different sources and putting it into a form easily understood by the general public, for another to take on the job of bringing order to the pollutant release reporting requirements placed on industry, for another to oversee the collection of data for (and preparation of) one specific consolidated multi-media report on pollution releases from industry (the annual TRI reports), and for another to respond to concerns about the total reporting burden being put on the states and industry.

But increasingly, those performing these separate functions are tripping all over each other and, in the process, driving themselves and the program offices crazy.

Here's one example: To prepare cross-media analyses of environmental data that the public can easily understand, we in CEIS must stay at the cutting edge of data management technology, data analysis technology and data display (graphics and mapping) technology, although doing so overlaps with a historic role of OIRM; we must be fully aware of and assess the quality of the data we are analyzing, which overlaps with the historic role of QAD; we are constantly encountering data gaps and have begun to work with the program offices to prepare systematic analyses of these gaps and proposals for how they might be filled, which impinges on the historic role of the Regulatory Information Division; and we put our results up on the EPA Web site, which dovetails with the Envirofacts activities of OIRM. Furthermore, we have done extensive work with the TRI data, which, of course, impinges on the role of the TRI staff in OPPTS.

So we in CEIS do things that overlap into the historic areas of activity of all these other groups, yet with all these other groups (actually it's all but one) located in other Assistant Administrator-level offices (AA-ships), coordination is difficult. Each unit's budget and plans are developed as part of the larger budgeting and planning activities with other units with very different missions in their current AA-ships. This guarantees major disconnects between us and these other groups with which we have overlapping information management roles. If we were all together, we in CEIS could engage in joint budgeting and planning with the other central information management units, which clearly makes more sense and is needed. By being able to do so, we could and would be more efficient in doing what needs to be done. We would as a result present a more coordinated and consistent face to the program offices and regions, place less total burden on them, and provide more service to them and to the public for the same amount of effort expended.

The above assessment, of course, applies equally to each of the units proposed for inclusion in the IMO. As a consequence, if the IMO is established, all of us slated to become part of it will find it easier to do our jobs. At the same time, those in the program offices and regions will find it easier to work with us. It sounds like a win-win situation to me. And, indeed, that's exactly what it is. In my humble opinion, anyway.

ROACHES

The Question:

Why did the chicken cross the road?

How some celebrities might answer:

Ms. Julia Jones (Kindergarten Teacher): To get to the other side.

Karl Marx: It was an historical inevitability.

Timothy Leary: Because that's the only trip the establishment would allow it to take.

Saddam Hussein: This was an unprovoked act of failing to recognize our sovereign territory, therefore, we are justified in dropping 50 tons of nerve gas on it.

Ronald Reagan: I forget.

Captain James T. Kirk: To boldly go where no chicken has gone before.

Moses: And the Lord said unto the chicken, "Cross the Road". Suddenly there occurred a large break in the traffic, the chicken crossed the road and there was much rejoicing.

Bill Gates: I have just released the new Chicken 2000 which will not only cross roads and lay eggs, it will file important documents and balance your checkbook also.

Charles Darwin: Chickens, over great periods of time and many generations, have been naturally selected in such a way that they are now genetically predisposed to cross roads.

Albert Einstein: This question is relative. Did the chicken actually cross the road or did the road move beneath the feet of the chicken?

Bill Clinton: I did not have sex with that chicken.

Bob Barr: The difference between me and the President is that I did not lie to a grand jury about the chicken.

Hillary Clinton: This is all part of a right wing conspiracy to embarrass the chicken.

Asa Hutchinson: Now some will tell you that the chicken crossing the road is circumstantial evidence. Others will tell you that the fact of the chicken crossing the road does not rise to the level of impeachment. Taken by itself, it does not rise to the level of impeachment. But observed as part of a larger pattern of perjury and obstruction of justice, the case is overwhelming.

Vernon Jordan: The President did ask me to help the chicken cross the road; I thought nothing of this request. In my time I have helped many chickens cross the road.

Ernest P. Whirl (from his upcoming movie Ernest Goes to Congress): I think the chicken was pushed, knowwhatI mean Vern?

Sid Blumenthal: The chicken had a reputation back at the hen house as being a stalker.

Henry Hyde: The House Managers cannot fulfill our Constitutional duty unless the chicken is brought to the floor of the Senate for questioning.

Charles Ruff:the managers case is based upon shifting pillars of sand. And now our last words to you, which are the words I began with: "The chicken did not cross the road to obstruct justice or commit perjury; the chicken crossed the road merely to get to the other side."

Jerry Falwell: The chicken was fleeing an illegal abortionist, Farmer Brown. Why only that morning the farmer had an omlett which resulted in the murder of more than half a dozen unborn chickens.

Monica Lewinsky: No one from the Whitehouse ever told the chicken to cross the road; no one told her not to cross the road either.

Matt Drudge: The chicken is carrying Bill Clinton's love egg.

Ken Starr: (Mr. Starr refused to comment, however, a leak from his office indicated that): Mr. Starr is expanding his investigation to include the chicken crossing the road. This will require only another \$20 million of taxpayer money to be spent.

Dale Bumpers: I think the chicken crossing the road was a despicable act. However, that road was full of traffic including tractor trailers. I believe that the chicken has suffered enough already.

Linda Tripp: The chicken crossed Army-Navy Drive to have lunch with me at Pentagon City.

James Carville: Once again this President is a victim of fowl play.

LUNCH AND LEARNS

MARCH 17 OPEN HOUSE AT NOON IN NTEU 280 UNION OFFICE

Chapter 280 of the National Treasury Employees Union invites members and friends to a multi-purpose open house at 12 noon on March 17 -- to wish everybody a Happy St. Patrick's Day, to share some light refreshments, and to acquaint folks with the Liberty Mutual Insurance

Company, the company selected by the NTEU National office to replace GEICO as the car insurance company that gives discounts to NTEU members.

Liberty Mutual's Ben Migliaccio ["mill-YACHT-show"] and Chad Adams ["ADD-ams"] will be here to supply information about the company and answer your questions. "Here" is the Chapter 280 office at Waterside Mall, in the Northeast Mall, ground floor, room 070, between Pursell's religious-articles store and the defunct medical clinic, just down the steps from Blimpie. (Big NTEU sign over the door.) RSVP to Jim Murphy, (202) 260-2987 or -2383, in the next week so that we can let Ben and Chad know what amount of promotional materials to bring.

MAKE A DIFFERENCE, BE A MENTOR

Washington Math Science Technology Public Charter High School (WMST) is developing a tutoring/mentoring program for students who could most benefit from additional academic and or career support and counseling. It is estimated that the time commitment will be something like 2 one hour sessions per week. Those interested will be expected to make a long term commitment to a specific student.

If you are interested in making a difference, please contact Douglas Bryant at WMST 202-488-1996, ext. 131 for further information. There is an Executive Order which enables employees to do this community service on government time. If you plan to participate in the program, please also contact Dwight Welch at 260-2261; Dwight is working on getting administrative time for this activity.



INSIDE THE FISHBOWL

"We must conduct our affairs at EPA as if we worked inside a fishbowl ..."

— William Ruckelshaus, former Administrator, U.S. EPA

April 1999

Volume 15, Number 2

Chapter 280 Executive Board

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- Dwight Welch, Executive Vice-President
- Rosezella Canty-Letsome, Chief Steward
- Bill Hirzy, Senior Vice President
- Arthur Chiu, Vice-President
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"Fishbowl"

Editorial Board

- Dwight Welch, Editor
- Bill Hirzy
- Bill Garetz
- Jeff Beaubier

Editorial Policy

Articles from any source are considered for publication by the Editorial Board. Items should be submitted on Disk to UN-200. Articles indicating authorship reflect the views of the author, not necessarily those of Chapter 280. We do not publish anonymously submitted articles, but when requested, may conceal the author's name.

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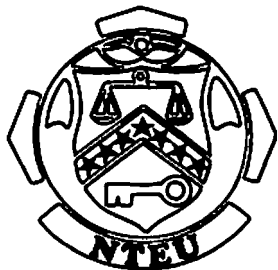
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Chapter 280

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FROM THE CHAPTER PRESIDENT

Bob Tobias gave members of Chapter 280 the benefit of his experience as National President of NTEU at the beginning of last month's national training conference in Rosslyn, Virginia. I consider his comments to be marching orders for the remainder of my term of office. His text was "Leadership in times of Change." Leadership, he noted, resides in actions.

Find out what workers need, said Tobias, understand their barriers and frustrations, understand what holds people back, articulate what the barriers are, and work with people to overcome the barriers. Work with people, not for them.

For this to work, I need your help. Please help me to see and describe what holds us back. Let us know early about your concerns, for a lot of reasons. One is that action to right a wrong has to be undertaken within the time limits established in our contract. Another reason is that the chapter can make this the subject of a planning exercise and do a more thorough job of problem solving. Let's work together.

Vice-President Gore Addresses NTEU Legislative Conference

Four members of Chapter 280 participated in this year's NTEU Legislative Conference in Washington, DC: Jim Goodyear, James Handley, Eric Jackson, and Jim Murphy. NTEU provided tips on public relations and on how to present issues to the Congress.

Vice-President Al Gore addressed the meeting for almost an hour on February 23, and recognized NTEU's effectiveness in turning out the vote in November. The Vice-President acknowledged receipt of a letter from an eight-year-old boy, describing Mr. Gore as "...the greatest Vice-President of my time." [NTEU-backed candidates won in 88% of their electoral contests.] Gore noted that the baby-boomers are the first generation to have more parents than children. He sees saving Social Security as the greatest challenge for government.

Current NTEU National Issues and News

Social Security reform is one of four key issues NTEU has identified for legislative action. NTEU supports use of the budget surplus to strengthen Social Security, and cautions that privately invested accounts introduce an unacceptable element of risk. NTEU suggests another look at the Windfall Elimination Provision for widows of government workers, who are hard hit.

Other NTEU issues are affordable child care for federal workers, pay comparability to the private sector, and preservation of collective bargaining rights. NTEU fought for an increase in the proposed federal pay raise from 4.4% to the 4.8%, that was approved for the military, and seem to have succeeded. The preservation of collective bargaining rights is a Customs Service concern, that Customs inspectors might be transferred anywhere in the country to fight the "war on drugs," without grievance and appeal rights. This precedent could lead to agency heads seeking to nullify contracts and unilaterally transfer workers in any agency. NTEU opposes it.

Other conference speakers included Cabinet Secretaries Robert Rubin (Treasury) and Bill Richardson (Energy), and Members of Congress Elijah Cummings (MD), the ranking Democratic member of the House Civil Service Committee who gave a rouser of a speech to open the conference, and Patrick Kennedy (RI), Chair of the Democratic Congressional Campaign Committee. Tom Davis, Chair of the Republican Congressional Campaign Committee addressed NTEU members by video.

On Monday evening, February 22, despite the cold weather, NTEU held its annual candlelight vigil at the National Law Enforcement Memorial, in memory of Customs Service officers who lost their lives.

On Tuesday, evening, NTEU held a reception for Members of Congress in the Rayburn Foyer of the Rayburn House Office Building, with great food and many legislative luminaries, including Tom Davis and Steny Hoyer. Chapter 280 also joined 350 other NTEU members in paying individual calls on our representatives, including Tom Davis, Jim Moran, Eleanor Holmes Norton, and Frank Wolf during the day at their offices on Capitol Hill.

Chapter 280 Stewards and Officers Attend NTEU National Training Conference

In the interest of providing effective representation, NTEU holds a half-dozen training conferences every year around the country for Stewards and elected officers. This year, eight members of Chapter 280 took advantage of the conference's being held locally, in Arlington (Rosslyn), Virginia. Training was conducted in four separate tracks, depending on the member's role in the union and degree of experience. Topics included know-how for making effective information requests, negotiations, media relations, handling grievances and civil-rights complaints, and partnership.

The NTEU approach combines written materials, brief lectures by experienced National staff members, and brainstorming on common problems. The attendees were intensely interested in Chapter 280's (and NFFE Local 2050's) achievements in delivering transit subsidies, the compressed work week, fitness and shower facilities, lactation rooms, alternative work space, and (pending ratification by our members this month) flexiplace. NTEU requested copies of some of our agreements on these topics for distribution to other Chapters, and these have been provided.

Chapter 280 Proposes Administrative Leave for April 23

On April 5, Chapter 280 proposed to Assistant Administrator Romulo Diaz that all the EPA staff in the Washington, DC, area should be given administrative leave on April 23, when the NATO anniversary celebration was to commence. This proposal was made on behalf of the bargaining unit of NTEU Chapter 280 (EPA headquarters professionals), but it would have been of interest to a larger audience at headquarters, because of expected traffic congestion and the interconnectedness of headquarters carpools. Chapter 280 asked also that persons whose

compressed day falls on April 23 be permitted to take a different compressed day, since those who were on leave on April 23, as was announced, would not have been charged leave for that day. EPA declined to try to extend the area in which offices would close, because the area had been defined by the White House and the Office of Personnel Management (OPM). EPA also declined to offer an "in-lieu-of" leave day, because the NATO event was considered an emergency shut-down, something analogous to a broken water pipe, rather than a federal holiday. (OPM, we understand, closed its own offices, even though they are on the outside of the boundary they drew. As George Orwell said, all of the animals are equal, but some are more equal than others.)

Booklets on NTEU's Long-Term Care Insurance Available in Chapter 280 Office

The initial supply of booklets describing NTEU's coverage for long-term care through the Mutual of Omaha insurance company found an eager audience and was quickly snapped up. On April 6, Chapter 280 received a new supply of these booklets from the NTEU national office. If you are interested in receiving a copy, please call Jim Murphy at (202) 260-2987 or -2383.

More News from NTEU National

The US House and Senate have passed their respective versions of the Federal budget for Fiscal Year 2000, which begins on October 1. The Senate version calls for a pay raise of 4.8% and comparability between military and civilian pay. The House version is silent on the issue of parity. NTEU is working to keep the Senate pay-parity language in the conference resolution. It would be a good idea to write to your Senator and Congressman in support of an initial 4.8% pay raise and parity. Chapter 280 can tell you who your representatives are and how to reach them, and even provide a sample letter. Sponsors of parity resolutions are Steny Hoyer (MD/House) and Paul Sarbanes (MD/Senate). Co-sponsors include Representatives Connie Morella, Eleanor Holmes Norton, Tom Davis, Jim Moran, Elijah Cummings, Frank Wolf (and others), and Senators Barbara Mikulski, John Warner, Chuck Robb, and Max Cleland. Call Chapter 280 (260-2383) for more information.

Once again, NTEU is your effective voice at the US Supreme Court. NTEU won the right for Federal Unions to initiate midterm bargaining by a vote of five to four. You may have seen this in the newspaper under the headline, "Supremes Sing NTEU's Tune."

An Arbitrator has ruled that federal unions have the right to bargain over "permissive" subjects, as well as those explicitly mentioned as bargainable under federal law. This strengthens and gives additional meaning to partnership agreements. The case arose in the Memphis IRS Service Center when the agency refused to take a stalled negotiation to the Federal Service Impasses Panel (FSIP). A related case is scheduled for a hearing on May 11 before the US Court of Appeals for the District of Columbia Circuit.

NTEU supports relaxation of the Government Pension Offset (GPO) for spouse's Social Security

benefits when a federal pension was also involved. HR 1217 has 117 original co-sponsors. provided to NTEU. [Just think what we could accomplish if we had your help.]

FROM THE EDITOR

By Dwight Welch

LETTERS TO THE EDITOR

Two articles which drew a lot of comment were the articles on the Deputy Office Director of OPAA (Office of Program Analysis and Accountability/Office of the Chief Financial Officer. Indeed, at a recent grievance meeting concerning an employee in OPAA, Program Director David Ziegele nervously joked about the editorial policy of INSIDE THE FISHBOWL and seriously enquired whether OPAA was to become a subject of future-articles. However, OPAA management seems to be getting the message. I hope to report a story of a more positive nature soon. Current meetings seem to be progressing in this direction.

The stories about OPAA and FMD also seem to have helped stimulate some reform in OCFO. On April 7, 1999 managers in OCFO were treated to Steve Sharfstein's excellent labor relations course. We are encouraged. When everyone plays by the same rules, it makes resolution of conflict much easier. I would like to take this as another opportunity to comment on the fine job Mr. Sharfstein is doing to educate and raise consciousness about the subject of labor relations within EPA.

Letter to Editor on "OPAA's Luttner Nixes Flexiplace"

In the most recent copy of "Inside the Fishbowl", I noted with interest Mr. Luttner's remarks concerning approval of regular flexiplace for employees within his division (program). It appears that Mr. Luttner views the work situations of all of his employees through the prism of his own work situation. No one would dispute that management employees would not be appropriate candidates for flexiplace. However, I am sure there are employees within his division that do not participate in frequent meetings, do not require daily face-to-face interaction with other employees, have work which is regularly portable and have sufficient equipment at home to accomplish any task assigned to them at the office. If a flexiplace policy is agreed to, I believe that each applicant's work situation must be judged independently to determine if the applicant is an appropriate candidate for flexiplace. Management should be required to provide reasons based on an objective evaluation of an employee's work circumstances for rejecting a flexiplace application.

The time for flexiplace has come. It will reduce traffic congestion, save time and energy and reduce pollution without adverse effects on productivity.

Frank H. Hund

Flexiplace Agreement Signed and Ratified

In February negotiators for Chapter 280 signed a flexiplace agreement with EPA Headquarters. Negotiating this agreement for the Union were Julie Simpson (Secretary), Freshteh Toghrol (VP), and Rosezella Canty-Letsome (Chief Steward). The plan then went to Assistant Administrator Romy Diaz for the final "Agency head" review and was approved by him. Chapter members voted on ratification of the agreement through a special mail ratification ballot. The final tally is 74 in favor, 2 not in favor, and one member did not mark his or her ballot either way.

Throughout the process the Union received complaints of the "Union holding up flexiplace." This simply was not true. EPA is served by several Unions. Those under the American Federation of Government Employees (AFGE) have a National Council (a confederation of all EPA AFGE locals) and a national contract. In negotiating items such as flexiplace, the Agency made the decision to bargain with the AFGE National Council first and the other Unions later. Thus, any claims made that the Union (NTEU Chapter 280) held anything up are simply false. With hopes of remedying this situation in the future, there have been some informal discussions of setting up an NTEU National Council between Executive Vice President Dwight Welch, Cincinnati President Jim Dryer, and NTEU National President Bob Tobias. A National Council has the advantage of wielding more bargaining clout, but has the disadvantage that a national contract may interfere somewhat with local autonomy and the specific needs of the members of individual chapters. The matter of sequential bargaining and other inequalities in administering labor relations among EPA's various unions is also a topic under consideration by the EPA National Partnership Council's Executive Board, on which Bill Hirzy serves as NTEU representative.

The NTEU Chapter 280 agreement is similar to the AFGE agreement. The chief difference is that the AFGE contract normally limits employees to 2 flexiplace days per week (4 per pay period), with the flexiplace days the same each week, while the NTEU Chapter 280 contract has somewhat looser language which would allow for supervisors and employees to individually negotiate 4 or more days per pay period.

HEALTH, SAFETY AND SECURITY CONCERNS

Security Report Intensifies EPA Employee Anxiety - The Real Scoop

An Article in the March 8, 1999 Washington Post indicated a number of vulnerabilities to terrorist attack on the Federal Triangle Buildings. This story based on an audit by a government contractor, seen in the light of turbulent current world events, has raised the anxiety and concern of many EPA employees, and rightfully so. High on the list of employee concerns is the vulnerability of the day care center at Federal Triangle. Indeed, these concerns escalated so rapidly, that Assistant Administrator Romulo L. Diaz issued an all EPA employee e-mail, the same day as the Post story, giving assurances of measures taken to minimize these risks. Also a number of meetings were conducted by Rich Lemley, Director of the Facility Management and Services Division which has under its purview, the EPA Security office. We have received assurances that

most of these problems have been dealt with. But have they?

Some major concerns remaining seem to be the close proximity of the EPA side of the Federal Triangle buildings to the street (other agencies have New Jersey walls to provide some protection from a suicide truck bombing, for instance) and the general crime situation particularly at Watercide Mall. Although I have as yet been unable to obtain a copy of the auditor's report on the Reagan Building, I did obtain the crime (theft) statistics for EPA's Headquarters Buildings in 1998. Watercide leads the pack with 56 thefts per 3560 employees. This is followed by 3 thefts for Crystal Station, two each for Crystal Mall and 501 Third Street, and 1 each for the remaining buildings. There were also 2 thefts at the Warehouse and 1 at ICC. At Watercide it was 1 theft for every 63.5 employees; at Crystal Station, 1 theft for every 100 employees; at Fairchild, 1 theft for every 200 employees, and the Reagan Building comes in as the safest with 1 theft for every 900 employees.

Another significant concern is the public mall area of Watercide in the near past. In the past, there have been disruptive youths in this area. In the recent incident, one of the youths actually pushed a guard from behind. Metro PD was called to disperse the trouble makers; however, as he was leaving, pointing his finger in imitation of shooting a hand gun, the youngster who had shoved the Security Officer also threatened the Metro policeman with, "I'm going to come back and smoke your (profanity deleted) too."

Another thing that is not widely known is dangers associated with the schools on the second floor of the mall. According to sources in the guard force, firearms have been seized by the Metropolitan Police from students on the second floor. EPA management acknowledges one such incident.

In an effort to counteract this crime threat, Director Lemley has informed me that EPA's portion of Admiral Security (which patrols the public areas of Watercide) will be replaced by off duty Metro Policemen which are available at a price competitive with what we are now paying for Admiral Security. Unfortunately, plans for a Metro Police substation fell through.

Our Union will continue to work closely with both Mr. Lemley and Mr. Diaz until all employee security concerns have been dealt with. If you have a particular security concern which you feel has not been addressed, please feel free to contact me at 260-2261 or by e-mail @ welch.dwight.

Security at Ronald Reagan by Charles Plost

I had not really thought about terrorists, gas and fires seemed to fully tax the RRB's response abilities sufficiently. But now that I think about terrorist type of activities, I want to share some observations and conclusions.

There appear to be two types of terror attacks: (1) those directed against structures and (2) those directed against individuals. I believe that GSA has emphasized the former threat, albeit poorly.

and given minimal thought to the second. So far the emphasis is on checking automobiles (possibly delivery trucks to) on entry to garaged space. That may prevent some types of bombing but not all. The attacks on US embassies have involved 'outside' Vs 'inside' explosions. On the State Department side of the building, there is a Jersey Wall which may impede a car bomber from getting closer to the building than the curb. On the EPA side of the building there is nothing similar. Also, the distance from the street to the building is much smaller on the EPA side than on the State side, which means that even with a curbside barrier, the mitigating effect of distance is more critical to EPA.

External explosions, if powerful, can damage the building and if less powerful certainly break glass thereby transforming our lovely windows into anti-personnel shrapnel. There are means of strengthening the window frames and there are protective coverings (clear plastic tape to fiberglass curtains) which absorb much of the explosive impact thus reducing the flying glass threat. Again State has protected its personnel by taking such measures, but EPA has not yet taken any of those steps.

Turning to the second type of terror attacks -- massacring individuals. Does our use of Freedom Plaza not expose all our employees to drive-by shooters? There we are on an exposed platform with no cover and very accessible streets surrounding the Plaza. A possible alternative might be to disperse the employees during a terror incident. That could be accomplished if there were sufficient transport available. I assume that our fleet of buses might be trained to respond to radio directives. We might even have an agreement with the police and transit company to dispatch / commandeer buses to assist. Or there might be cases when it would be better to just send people home thus letting them disperse themselves.

The public open areas (first floor, Wilson Library, food court, and meeting areas) offer unimpeded access to would-be terrorists. Doors can be monitored, metal detectors, sniffers and the like exist. No one objects to those devices in the Capitol, Library of Congress, or Airports. This seems a choice for GSA to make. For my part, I don't think it makes commercial use of the building less attractive to have positive steps being visibly taken to reduce potential terrorist problems. These measures will require additional fixed GSA troops to those roaming the building.

These are unsettling thoughts. I do not believe that EPA is really thinking about thwarting potential threats to its people, and not just relying on GSA to do it all. Your fellow employees are ill informed by the rather reactive (as distinct from proactive) memorandum occasioned by the Post article. Why not issue a manual for employees at the RRB? The Customs Service has provided such a manual to each of its employees. We could benefit from something more than the few paragraphs in the phone book. It is a potential scandal that the other large tenants have opted to improve defenses by physically strengthening its perimeter and publishing, while EPA has not. I'm sure that there will be costs associated with my suggestions, which will necessitate either the Agency reallocating some of its resources or persuading GSA to protect its tenants better. But doing nothing does seem at odds with the Administrator's oft repeated valuing of people above

all.

If you want to form a committee, I'll be happy to assist. And, if you would like further briefing, I'll be happy to do one.

Shop Steward Speaks Out on Security Guard Concerns by Dwight Welch

At the security briefing at Watercside Mall, a number of guards were tuned in not only to employee comments, but comments from facility manager Rich Lemley. They weren't too happy. One of those listening was Shop Steward Sandra Robinson. (Sandra is a steward who represents the guards here at the Watercside complex.) Sandy became a shop steward back when security guard paychecks were bouncing. She has continued to remain involved.

Ms. Robinson's biggest concerns are lack of cooperation from employees and various abuses leveled at the security officers. By far the most frequent cause of friction is employees failing to display their badges. The easiest way to avoid problems is to wear your badge around your neck on a chain or strap or to have it clipped to your clothing. However, if you decide to keep it in your pocket, or even when it is hanging around your neck, the security officer must be able to see your picture. This is a procedure which security officers must follow and it is for the benefit of EPA employees; it does a lot to keep unwanted/unauthorized people out of EPA space.

Another cause of concern is people forgetting their badges. If you forget your badge you must call someone to sign you in. Again, this is for your protection and it makes little sense not to cooperate. Some EPA employees have complained, "I have seen the same guard every work day for the last 10 years. When I forget my badge, why should they have to see it? They know me, so why can't they just let me in?" It is true that most voicing this complaint are just ordinary folks trying to get to work. But what of a case of a fired employee who had his or her badge taken away? Suppose they were back the next day bent upon revenge? Who would be responsible for a revenge shooting? The guard, that's who. This is not out of the realm of the plausible; indeed, an EPA supervisor, several years back, was taken and held hostage at gunpoint until Metro P.D. got the ex-employee to surrender without violence. Next time we might not be as lucky.

The largest of Ms. Robinson's concerns revolved around incidents involving EPA employee abuse of the guards. This was a difficult story to research, as most guards are fearful for their jobs and were afraid to talk. I did find a few willing to discuss the problems facing the guards and a few of the worst abuses are listed below.

One guard indicated to me that abuse by EPA employees was a daily occurrence, "bordering on continual harassment." This particular guard is responsible for running one of the X-ray machines, which are there for our protection by preventing bombs, firearms, and other dangerous weapons from being brought inside the building. According to this guard, some employees are very uncooperative and will often get loud and orally abusive. Just about all of the guards I talked to indicated that when a confrontation between a guard and EPA employee occurs, no matter

what the circumstances, the side of the EPA employee is taken by both EPA management and the guard company. According to this guard, complaints of abuse against the guards are met with an initial inquiry, then little or no follow up.

One particularly bad horror story was related to me by a guard who has been serving us for more than 22 years. At one time she worked in the garage in the booth. She claims to have had her toes run over more times than she can remember and claims she often had to jump back into the booth to avoid getting hit by hostile employees swinging too close to the guard. In 1996, this guard was directing garage traffic away from a portion of the garage which had been recently flooded. In order to do this, she had to flag down cars individually so that she could tell employees where not to park. One employee, however, who had apparently forgotten her badge, gunned her engine when she saw the guard. Although the guard jumped back, her right hand was struck by the side view mirror of the car. She later had to have an operation to remove nerves from the carpal area because of the pain. The guard still feels numbness in her hand, has undergone extensive therapy, and must wear a special glove as part of this therapy. She is permanently partially disabled as a result of this incident.

Most of the guards I talked to stressed that most EPA employees are cooperative or at worst indifferent, and that most guard abuse is perpetrated by only a handful of individuals. Additional abuses cited by the guards are assaults, profanity, the use of racial epithets, saluting with the middle finger, and insulting remarks. Parking garage guards also indicate that there are problems with some employees speeding in the garage and running the stop sign near the Watercside shuttle bus. The latter is particularly hazardous behavior as crossing school children and EPA employees often cross between buses; and if one is not driving particularly slow and being very observant, the chances of a vehicle/pedestrian accident are greatly heightened. During one conflict between a guard and an EPA employee, incoming traffic during the morning rush had to be rerouted down the exit ramp, resulting in a rather hazardous situation. The guards claim that more than a half dozen guards have been relocated based upon complaints from only a few EPA employees.

EPA employees should regard the security force as their protectors; the half second it takes to flash your badge is not that much of a burden. Think of it as protecting you from crime, and who knows these days, a possible terrorist attack. The motto of NTEU is to: "Organize federal employees to work together to ensure that every federal employee is treated with dignity and respect." An easier way to look at it is this—treat other workers with the same dignity and respect with which you would like to be treated.

(Author's Note) This has been one of the more difficult articles I have ever investigated due to management (Labor Relations) interference with my investigation. My original story was based, in part, upon documents used in an EEO case pursued by some of the guards. A draft of the original article was "leaked" to EPA Labor Relations. I traced this leak and determined it was not obtained by management's snooping into the Union's e-mail, but rather by someone in the guard force. It is distressing when one employee tries to gain favor by selling out others. Shame, shame.

As a result of this leak, Labor Relations heavily lobbied members of the Executive Board to kill the article. Indeed, my request for information through EPA Security was going to be fulfilled until it was quashed by the Labor Relations office. This was due to the fact that there have been filings and counter filings over one situation I investigated. While I understand LR's need to protect the Agency from lawsuit, they seem unable to comprehend that my priority is in helping to make this a safer workplace.

Awards Board Point-of Contact Representatives Named by Bill Hirzy

NTEU point-of-contact representatives to Headquarters awards boards have been named from among union members who volunteered to serve. These NTEU people will meet with management and AFGE Local 3331 points-of-contact to organize awards boards in their respective offices. Training and support will be provided as these tripartite committees (or nascent awards boards, if you will) undertake their important work.

In some offices, no member has volunteered to serve, and in some offices we have no members; in those instances, there will be no representative of the professional bargaining unit on the awards board. (Unlike management, unions have no power to "Shanghai" people into service.) We have reserved the right to appoint representatives to fill those vacancies if and when members make themselves available to serve. If you are an employee in one of the offices with no NTEU representative and would like to serve, please give Bill Hirzy a call at 260-4683. Here is the current lineup of offices and NTEU points-of-contact:

OPPTS:

OPPT.....Lois Dicker
 OPP.....Irv Mauer
 IO.....Ina You

OSWER

OSW.....Paul Borst
 OEER.....Janet Weiner
 IO/OPM/ISOS.....Seth Low
 OUST/CEPPO.....Vacant

OW

OST.....Nancy Chiu
 OWM.....Nelson Price
 OGWDW.....Marilyn Ginsberg
 MOS.....Vacant
 AIEO.....Vacant

OAR

OMS.....Susan Romero

ORIA.....Ron Wilhelm
 OPAR.....Vacant
 OAP.....Vacant

OA

EAB/ALJ.....Vacant
 IO/SOD.....Jack Kooyoomjian
 OCIR.....Vacant
 OCEMR.....No Prof. B.U. employees
 REINV.....Vacant

OP

CEIS.....Bill Garetz
 IO/OPSRM.....No Prof. B.U. employees
 ORMI.....No Prof. B.U. employees
 OPD.....Vacant
 OEE.....Vacant

OGC.....Susan Lee

OIA.....Jentai Yang

OARM.....Kirk Maconaughey

OECA.....James Handley

OCFO.....Vickie Booth

ORD.....Arthur Chiu

ANGER IN THE WORKPLACE?—The Strange Case of the Radiator Urinator by Dwight Welch

OPAA certainly has its share of Labor/Management conflicts plus normal growing pains which might well be expected in any new office, however, what has been happening lately falls into the realm of the truly bizarre. The "Radiator Urinator" has repeatedly struck the offices of OPAA in a most unsavory manner. The villain in this string of incidents has been nicknamed the Radiator Urinator by the folks in OPAA due to the fact that the RU often urinates into the HVAC units. Thus on cool mornings when the heating kicks in, the urinous odor is conveyed throughout the OPAA bay. The RU also routinely hits cubicles and when confronted with a locked office door, he makes his uniriferous offering upon the door. There seems to be no rhyme or reason to the disgusting pattern of RU's offerings—management as well as employees seem to have been hit. One unconfirmed source, who wishes to remain anonymous, has reported that a bath-robed individual has been sighted in the OPAA bay late at night.

Employees are concerned about the unhealthful aspects of this situation and rightfully so. Not only are they faced with the possibility of illness from fermenting urine, but the chemicals used to clean these messes are of concern. Our steward in OPAA, Vickie Boothe has reported a significant cluster of medical problems. Dennis Bushta, the HQ Health and Safety Chief, has dispatched an industrial hygienist to investigate whether the repugnant offerings are, indeed, human excreta and has lined up a certified Public Health Service doctor to investigate the illnesses.

Some concerns were expressed about writing a story about this situation; that it might induce copycat crimes. But if the RU is reading this, you may be enjoying your 10 minutes of infamy, but in the end you will probably be caught. Aside from any charges or discipline you may face, won't it be terribly embarrassing when you get caught?

EPA Security is also looking into the situation, but I cannot share with you this information so as not to risk tipping off the RU. Meanwhile, morale in the OPAA is going.....er....down the toilet.

ROACHES

Handwritten scribble

OPERATION I CANNOT TELL A LIE



Handwritten scribbles

President William Clinton has accused George of "Arboreal Cleansing" and citing his great success in Operation Allied Force, the Commander in Chief has ordered 12 Stealth Bomber sorties against the murderous little rodent. Says Mr. Clinton, "We offered that rodent an opportunity to negotiate or face the consequences of U.S. Military wrath. Now if we back down, every rat, squirrel, possum, or woodpecker will feel free to chaw on or peck our beloved cherry trees. We must take action now before this region of the tidal basin becomes destabilized."

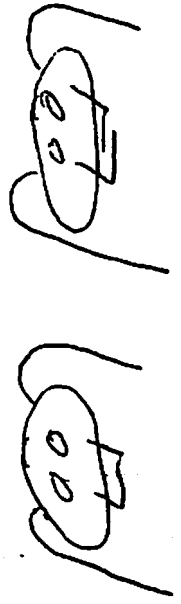


George the Beaver, named after George Washington because of his fondness for cutting down cherry trees, the Tidal Basin's newest resident, has cut down at least nine Cherry Trees, part of a gift from the country of Japan. Thus far negotiators for the United States have been unable to bring George to the bargaining table.



Unofficial sources claim George's "excuse" was that he was hungry. Meanwhile a Time/CNN poll shows that George the Beaver's popularity rating is 88%.

Today 250,000 Wharf Rats are expected to rally in front of the White House to demonstrate solidarity with their fellow rodent.





Hirzy, J. William
7403

INSIDE THE FISHBOWL

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

April 1999

Volume 15, Number 3

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Dwight Welch, Executive Vice-President
Rosezella Canty-Letsome, Chief Steward
Bill Hirzy, Senior Vice President

Arthur Chiu, Vice-President
Bill Garetz, Vice-President
Freshteh Toghrol, Vice-President
Jim Goodyear, Vice-President
Jeff Beaubier, Vice-President
Julie Simpson, Secretary
Bernie Schneider, Treasurer

"Fishbowl" Editorial Board

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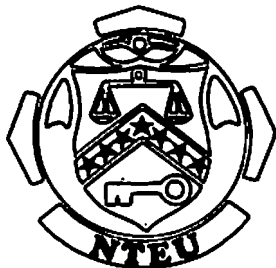
Editorial Policy

Articles from any source are considered for publication by the Editorial Board. Items should be submitted on Disk to UN-200. Articles indicating authorship reflect the views of the author, not necessarily those of Chapter 280. We do not publish anonymously submitted articles, but when requested, may conceal the author's name.

SPECIAL ELECTION ISSUE

CANDIDATES FOR UNION OFFICE

President -	Dwight Welch
Executive V.P. -	Jim Murphy
Chief Steward -	Rosezella Canty-Letsome
Secretary -	Julie Simpson
Treasurer -	Bernard A. Schneider
Vice Presidents (Vote for 6)	
Bill Garetz	
Jim Goodyear	
Linda Martin	
Jeff Beaubier	
Richard P. Nalesnik	
Bill Hirzy	
Freshteh Toghrol	
Arthur Chiu	
Cindy Fraleigh	



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Chapter 280

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DWIGHT WELCH - CANDIDATE FOR PRESIDENT

This Union has made some really great advances in recent years. Our membership is the highest ever. Our Executive Board has been the most talented ever. And while other Union locals/chapters have gotten benefits such as flexiplace, ours are usually just a bit better.

While I would give us an A plus on issues such as flexiplace and transit subsidy, I am less optimistic about the core issue of professional and scientific excellence and integrity. Seduced by the opiate of partnership, I have witnessed a slow drift towards being a "company" union. For instance, that the Labor Relations Office should be lobbying the chapter against printing an article in the newsletter, is unacceptable. And while conditions of employment and basic fairness have improved during recent years, these changes have occurred much too slowly. For instance pre-selection, which is supposed to be illegal, is still rampant. It distresses me when I hear stories of people who have been with EPA only a year or two, being promoted to Team Leader over those with decades of experience. Professional integrity is NOT an issue with upper management and the Labor Relations Office; propose a code of scientific ethics and their eyes glaze over. While it may appear that I run unopposed, I am running to return full control of the Union to the Executive Board and not the Labor Relations office.

I also intend to continue to improve the quality of our Executive Board and Steward Corps. To this end, I ask that you give serious consideration to the candidacies of first time candidates Linda Martin and Richard Nalesnik. Although this year, you can't go wrong; each and every candidate is an excellent choice.

Statement of Jim Murphy, candidate for Executive Vice-President

Thank you for your nomination and for your support throughout the year, for your willingness to serve on local partnership councils and awards boards and as stewards, and in particular for your enthusiastic ratification of the separate labor-management partnership agreements on Alternative Work Space and Flexiplace. I salute Chapter 280's new spirit and new vigor. It will be an honor to work with you.

I have also been impressed with the dedication, energy, and common sense of NTEU's national and chapter leaders from around the country, with whom I had the privilege to help update this year's training, and whom I met at regional and national seminars. One of our union brethren described himself as a "Triple-A Legislative Coordinator," ready to go Anywhere at Any time to do Anything to help NTEU's friends. That's a winning attitude.

We -- Chapter 280 -- are growing. We will be more effective with more members. That is a fact of life under partnership. It will continue to be true if the political winds change. I hope to see a Steward in every Office, and a local partnership council and awards board in every AA-ship. I ask each of our members to recruit a new member this year from the ranks of EPA's headquarters professionals (e.g., attorneys, auditors, engineers and scientists). Ask somebody today. If they say "No," ask them again in a day or two. If you get seven "No" responses, try somebody else. Membership in NTEU has value. They can help us, and we will be in a better position to help them.

ROSEZELLA CANTY-LETSOME CANDIDATE FOR CHIEF STEWARD

BACKGROUND: BA, HOWARD UNIVERSITY, MA, ANTIOCH-PUTNEY GRADUATE SCHOOL, JD., DUQUESNE UNIVERSITY LAW SCHOOL, LL.M., HARVARD UNIVERSITY LAW SCHOOL. I began my legal career in public service. Since December, 1997, I have been Chief Steward of our local, first with NFFE Local 2050 and now with NTEU Chapter 280.

As Chief Steward, I attempt to resolve issues without creating controversy. Grievances are being settled, agreements signed, and work is being done. This is hard work, but very rewarding. You will notice that since I have been serving as Chief Steward, we have had the largest number ever of trained active stewards in our Steward Corps. I am making a conscious effort to handle only grievances with merit, so that I may participate in other stewarding activities which will strengthen our Chapter 280. We continue to sign up new members and we are bringing back former members. This is due to mature, experienced, rational leadership, and hard work. I ask for your support and your vote so that I may continue this positive trend.

JULIE SIMPSON - CANDIDATE FOR SECRETARY

This year has brought many accomplishments for Chapter 280. Among them were the completion of the partnership negotiations on Alternative Work Space for employees suffering adverse health effects from conditions in their work station. I assisted Jim Murphy in representing Chapter 280 on the committee that developed this agreement. In addition, EPA has completed negotiations to allow employees to participate in Flexiplace. Rosezella Canty-Letsome, Freshteh Toghrol, and I represented Chapter 280 in negotiating an agreement that we believe will be a significant step forward in improving the work life of EPA employees.

Now that these agreements are in place, it is important to make sure they are implemented fairly. I plan to continue to advocate for AWS employees through the AWS Oversight Committee. I hope employees will participate in the Flexiplace program and will bring any problems in implementation to our attention.

The union must build on these and other accomplishments and must maintain a rational, constructive, and professional focus on benefitting EPA employees. This is your union. I hope you will become involved in the priorities the union sets and will help us to carry them out.

BERNARD A. SCHNEIDER - CANDIDATE FOR TREASURER

Bernard A. Schneider, Ph.D., Senior Plant Physiologist
Candidate for: Treasurer

Statement: I have six years of teaching and research and I, have been a scientist with the EPA since 1972. I have served this Local since 1991 as a Vice-President for three years and I have been serving as the Treasurer for the past four years. The Treasurer's position is very important to the success of our Union. All expenses, accounts, and investments must be accurately maintained by the Treasurer as well as dues statements and completing the annual Department of Labor Financial Reporting Forms. While Treasurer, audits of our records have accounted for every penny in our union accounts.

This year also will be very challenging for the Union Treasurer as we continue to undergo organizational transition, however, I have the experience essential for this challenge. This year I would like to continue standardizing the record keeping for the Union and set up a training module for all Union Treasurer forms, and for future Treasurers. I would like to have your vote, so I can continue in this capacity.

I have also served our Union in the capacity for Divisional moves, and reorganization as well as the Union representative to the HED implementation Teams, and revisions of employee performance standards.

Bill Garetz for Vice President

I am seeking election to a third term as Vice President. In addition to serving as Vice President, I have served for nearly a year and a half as an active steward in the Office of Policy. As a result of my work in OP, the status of the unions there has shifted from that of puppy dogs humored by OP management (but no more) to that of a force to be reckoned with -- a totally positive force in an Office that desperately needs it. It is my firm intention to work with willing others to do the same, over the next year, in each of the other Headquarters offices where there is currently no significant NTEU presence. Unfortunately, there are all too many such offices, the principal ones being: OW, OAR, OSWER, and ORD. The principal mechanism I intend to work through to accomplish this is a new Organizing Committee that is now being formed. Our initial objective is to have a lead NTEU steward and a deputy lead steward in each Assistant Administrator-level office. Until we have such lead stewards, ones who can be tough when that is needed, but are also able to work cooperatively with others, ones who are ready whenever necessary to take decisive action to protect the rights of our members, both collectively and individually, then we really aren't a presence in those offices. Right now we are a significant presence only in OPP, OPPT, OECA and OP. That has to change and will. --- Your votes for Richard Nalesnik (from ORD) and Linda Martin (from OCFO) for Vice President (as well as me!) will go a long way to help make this happen.

I have also been providing strong support to Bill Hirzy in the major new (revived) initiative on professional ethics that Bill is leading. Under Bill Hirzy's dedicated, creative and responsive leadership, we've made major progress in the last five months. We need to keep pressing forward on this, the most fundamental and far-reaching of all the issues we've ever taken on or (to my mind) ever will.

JIM GOODYEAR for Vice-President:

Jim has been employed by EPA since 1987. He has been a Steward since 1994 and a Vice-President since 1998. He negotiated for his division on reorganization, space allocation, indoor air quality, ergonomic chair distribution, and the structure of teams. He wrote and filed comments on the "self-certification" of toxicity studies, thus stopping chemical companies from declaring all their studies "valid" without review.

"I negotiated with my division's management to provide offices with sufficient working space. I believe that this agreement should be expanded so that more of EPA's professionals have adequate accommodations. This means that we should have offices, not cubicals, whenever possible.

I am working with the other members of the Constitution Committee to create a new constitution that will conform to the standards of our new national union. We hope that this will result in a simpler document that greatly reduces politics, but still provides significant input for the bargaining unit members.

I think that the most significant action of the Executive Board during the past year has been the negotiation of a new Flexiplace agreement. The Union must now make certain that management implements the agreement. This is not as simple as might be thought, since different offices may implement it in varying ways. Some Offices seem to be a bit slow getting started. They will all eventually do something, but we must see that they honor the Agency level agreement."

LINDA MARTIN - CANDIDATE FOR VICE PRESIDENT

I have been with EPA for approximately seven years, performing work encompassing economic and regulatory issues with the Office of Solid Waste (OSW) and the Office of the Chief Financial Officer (OCFO). I hold a Bachelor of Business Administration in economics and marketing, and a Master of Arts in Urban and Regional Planning. I currently hold an economist position with OCFO's Office of Planning, Analysis, and Accountability (OPAA). I feel that being in one of EPA's smaller offices is an advantage, as the Union is currently well represented in the larger offices of OPP, OPPT, and OECA. Similarly, OPP and OPPT are well represented on the Executive Board. It is my intention to increase Union involvement and membership in the smaller offices and in offices with large numbers of professionals who have yet to join.

I have recently become involved with NTEU activities. I feel that this too is an advantage. I intend to be a source of new ideas for the Union. Specific issues on which I intend to focus include the refunding of unused dues money to former members of the now defunct Environmental Employees Collectively Organized (EECO). Most of the former EECO members submitted their appropriate documentation for refunds and are now Chapter 280 members. I plan to work tirelessly to put pressure on the EECO officers to refund these dues to those eligible. In addition, as a mother of two small children, another important focus of mine will be upon the advancement of a family-friendly work environment for all EPA employees.

Finally, I intend to assist Treasurer Bernie Schneider in organizing the Union's financial records. I have already discussed this with Executive Vice President Dwight Welch who is running unopposed for President. Dwight has indicated that as President he will appoint me to the audit and finance committees.

Name: **JEFF BEAUBIER**

Candidate for: **VICE PRESIDENT**

Training, employment and Union perspectives: Educated at Stanford Univ., East-West Center--Univ. of Hawaii, Univ. of North Carolina, Duke Medical Center, Johns Hopkins Medical Center and attained 3 graduate degrees in 3 different fields and 2 Postdoctorals in 2 others. The highest level of completed training was as an Environmental Epidemiologist, (my employment title @ the EPA since 1984.)

The #1 mission of the Union should be the recruitment of new members and the retention of old members.

The Chapter, with its corps of diverse, energetic and talented officers has made considerable strides in developing its infrastructure and expanding its influence. Yet it faces several challenges: a low proportion of membership and, most serious, a failure to retain older members.

In order to overcome these short-comings we must avoid unnecessary controversy, be completely professional in our appearance, internal management and in our operations.

We are now affiliated with a strong national Union that has, in its founder, a highly respected Washington figure, Mr. Robert B. Tobias.

I have been a member of EPA's local Chapter since 1986 and a Vice President 4 times.

I pledge to work closely and in a professional, collegial spirit with my co-Board Members and to politely but firmly advocate our interests as we negotiate with management.

I seek and welcome your support. Sincerely,


Jeff

RICHARD P. NALESNIK - CANDIDATE FOR VICE PRESIDENT

As an Environmental Scientist with the U.S. Environmental Protection Agency, Office of Research and Development, National Center for Environmental Research and Quality Assurance, I believe it is critically important to advocate and help assure the highest professional standards and ethics to protect the Quality of Science in the public interest.

During my career, I have held many positions demanding the highest professional standards and ethics while disregarding special interests or political considerations. Currently, I direct, organize and conduct Scientific and Technical Merit Peer Reviews on competitively proposed Environmental Research Grants and Projects funded in Partnership with the National Science Foundation (NSF), the National Aeronautics and Space Administration (NASA), and the National Oceanic and Atmospheric Agency (NOAA). I also administer, in cooperation with the Science Advisory Board (SAB), the Annual Science and Technology Achievement Awards Program (STAA) which recognizes outstanding research publications in eleven areas of Environmental Interest. Earlier, I provided the National Oversight for the U.S. EPA's Superfund Innovative Technology Evaluation (SITE) Research, Development and Demonstration Program. This interagency experience and Government Wide perspective has given me unique insight to what it takes to be effective in this science quality pursuit.

Our professionals must be respected for who they are and appreciated for their accomplishments and program contributions. Our working environments must be conducive to pursuing the truth and they must be free from fear of managerial reprisals and inferred acts of intimidation. I would very much appreciate your support to help rebuild the trust and dignity which we, as professionals, deserve. Thank you for your consideration.

Bill Hirzy - Candidate for Vice-President I would like to continue serving as Vice-President and I ask for your vote to do that. This past year I have worked on ethics issues, PERFORMS, chiefly awards boards and briefings, and building partnership councils at Headquarters and the National level, while working on grievances and participating in OPPT and OPP Technical Training Committees, giving a two of 10-session chemistry courses. I hope to continue working on these issues, particularly awards boards and ethics in the National Partnership Council (NPC).

Re: NPC, I am serving (and hope to continue) with Norine Noonan and Will Davis (NAGE-Gulf Breeze) on a professional ethics work group, and with Mike Shapiro on an alternative dispute resolution work group, trying to bring to EPA the benefits that those two items will bring to our workplace.

I've been a senior scientist in the Toxics program since I joined EPA in 1981, after 19 years as R&D chemist and environmental manager at Monsanto, and helped found our union, along with Bob Carton, Bill Coniglio, Dave Anderson, Mark Antell and a few other stalwarts. I taught chemistry in St. Louis and am currently Adjunct Professor of Chemistry at American University, as well as manager of my 8 year old son's Capitol Hill Baseball League team - old catchers never die - they just get new knees and go into management. P.S. I'm also an old accordion player, like Dick Nalesnik, and we'll treat you to a Barbara Polka duet if we're elected. (Then, again, this might not be such a good campaign ploy....cordeen players get no respect.)

FRESHTEH TOGHROL - CANDIDATE FOR VICE PRESIDENT

Freshteh Toghrol, Ph.D. in Biochemistry, 10 years of teaching and research, 11 years with EPA, 6 years as Vice President of 'NFFE LOCAL 2050, 4 years as Chair for OPP Affairs.

Some of my achievements as Union Vice President include the following:

1. I negotiated and signed an agreement creating 36 additional Senior Scientist slots. This agreement has now been implemented, and the 36 new slots have been filled. Unlike other Senior Scientist positions, these slots are permanent, and will remain in existence even after the employee leaves the Agency. This agreement also provides for additional Senior Scientist slots for new Branches created in the future.

2. I have negotiated with management for the following amenities for our Crystal Mall 2 facility: automated transit subsidy dispensers, a fitness center with showers, a nurse's office, faster elevators, and better air circulation.

3. I served on the OPPTS Staff Preference Selection and Placement Process Committee, which enabled employees to choose their Divisions and Branches. More than 92% of OPP staff was assigned to one of their first three choices.

4. I was one of the three negotiators for the Flexiplace agreement at EPA, and this agreement was signed by three NTEU Chapter 280 officers including me and three management officials on March 18, 1999.

I have always been outspoken in support of our members' rights, and was instrumental in obtaining the first Transit Subsidy for the Agency. If elected, I will continue to work hard to achieve a better work environment for all EPA employees.

ARTHUR CHIU - CANDIDATE FOR VICE PRESIDENT

PhD - Biochemistry, MD Pathologist, 15 years at EPA/ORD as a toxicologist/pathologist.

I have served two terms as a vice president and have served as the chair of the Union's health and safety committee for this same period. Let me summarize what I have done and propose to do next. EPA headquarters are located in different buildings in DC and Virginia. Many of these buildings are old and therefore in need of continuous monitoring in order to safeguard our workers' health and safety. A continuous surveillance program has been implemented with participation of the management and representatives of the unions. We carry out weekly a walk-through & inspection of the work place. Any deficiencies or complaints from the workers are recorded and reported directly to management for corrective action. These include the recent floods problems on the 4-5 floor of the East Tower, the clearing of suspected asbestos contamination from reconstruction in the Mall areas, and the Riggs Building. In the latter cases, direct environmental monitoring has demonstrated that the work place is safe. There is little doubt as EPA continues to stay in these buildings, owned and maintained by others, that diligence in health and safety inspections will be needed. The question remains as to whether this function will remain viable in the face of budget cutbacks. I would like to work on making this need known to management, leading to a better environment for the workforce in my next term. Certainly, there are other areas such as environmental equity that I would like to spend more time also in this coming year also.

NAME: Cindy Fraleigh

CANDIDATE FOR: Vice President

I am an attorney in OPPT and have been with the EPA for nine years. Although, for the most part, being at EPA has been a pleasant experience for me, EPA professionals still face problems that need to be resolved. There is far too much discrimination based on race, sex, sexual orientation, and physical ability. I also believe that the professional ethics debate needs to be broadened to include attorneys, particularly those attorneys being supervised by non-attorneys, such as myself.

If I am elected, I will work to end incidents of discrimination and secure respect for the legal and scientific judgments made by professional staff. I will also work on the implementation of Alternative Dispute Resolution techniques and principles in the grievance process and anywhere else that ADR ideas make sense.

Finally, I believe that our local chapter needs to do more to enhance its image within the EPA professional community. The union leadership has to ensure that its words and actions are well-reasoned and constructive. Union leadership must also remain focused on the primary reason for its existence--the representation of the interests of the bargaining unit. The Executive Board of NTEU Chapter 280 must lead by example and demonstrate that there is room for everyone.



INSIDE THE FISHBOWL

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

July 1999

Volume 15, Number 4

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ELECTION RESULTS

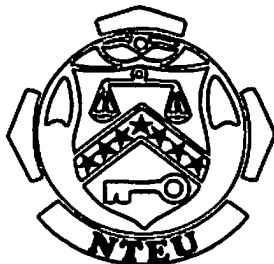
BOOK REVIEW: *AMERICA NEEDS A RAISE*

DIVERSITY TOWNHALL MEETING

EDITORIAL PAGE

FLUORIDE WHITE PAPER

ROACHEZ



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Chapter 280

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Editor's Note: With this issue, Bill Hirzy takes over as Editor of *INSIDE THE FISHBOWL*. You will note some transition from the Editorship of Dwight Welch.

BUDGET CRUNCH '99

SENATOR MIKULSKI AND UNION FIGHTING FOR MORE MONEY FOR EPA On Wednesday, July 14, Drs. Freshteh Toghdrol, Bill Hirzy and Jim Murphy visited the office of U.S. Senator Barbara A. Mikulski, accompanied by NTEU Legislative Liaison Kurt Vorndran, to talk about the EPA budget for FY2000. Senator Mikulski's legislative assistant Sandra Newman and her appropriations lead, Sean Smith, explained that the current budget caps that are now pinching EPA, and other independent agencies (VA, HUD and NASA) were set before the possibility of a budget surplus became known. Senator Mikulski is working to get those caps raised to prevent disruption of key EPA programs. In the Senate at least, the majority party is citing increases needed in VA appropriations as one basis for squeezing EPA under the present caps.

A related concern is the Federal pay raise. NTEU has been pushing for at least 4.8%, but the union admits that it would be a pyrrhic victory if the pay raise makes it necessary to RIF other employees because the budget caps remain where they now are. NTEU Chapter 280 urges you and your neighbors to write to your Congressional Representative and your two U.S. Senators in support of a more adequate appropriation for EPA.

You may use the following script when calling or writing to your Senators and Representative:

"As an EPA federal employee, I am concerned that my agency have enough funding so that I can do my job, protecting human health and the environment. The Administration has requested \$7.2 billion in funding for FY 2000. It is my understanding that Congress may cut the funding levels for my agency by \$150 million. These cuts could be devastating to the EPA and the people we serve, and could result in federal employees (including me) losing jobs. Please oppose any funding cuts at the EPA. Thank you."

Be cordial. Tell the Congressional staff person your name, home address, home phone number, EPA and NTEU affiliations. Ask to speak to the Senator or Representative, or ask to speak to the staff member who handles federal employee issues, especially those affecting EPA funding. Ask for a response giving the Senator's or Representative's position on EPA funding issues. Thank the staff for their time.

When writing to a U.S. Senator, address the letter or fax to: "The Honorable [first and last name]/U.S. Senate/Washington, DC 20510 Dear Senator [last name]:" When writing to a Representative, the address and ZIP change: "The Honorable [first and last name]/U.S. House of Representatives/Washington, DC 20515 Dear Representative [last name]:" Come straight to the point in the first paragraph, and be brief (preferably all on one page). Discuss only one issue in each letter. Be courteous. Close with thanks and your name, and include your home address.

HIRING FREEZE & RELATED MATTERS - by Bill Hirzy The June 3, 1999 memo of Administrator Browner announcing the latest budget crunch and hiring freeze issued just prior to the June meeting of EPA's National Partnership Council Executive Board in Denver. The NPC Executive Board is composed of five union and five senior management officials. The NPC EB hastily re-did its agenda for the meeting and spent a full day dealing with the memo's implications.

Half a day was spent on identifying issues that the unions want to have addressed as the budget process unfolds in the coming weeks. These included explicitly stated protection of on-board staff (senior management has indicated that RIFs are not imminent, but in the longer term there could be some risk), reductions in money spent on contractors, defining what constitutes "good management", criteria for resource allocation across EPA, re-assessing and identifying core EPA functions, protection of transit subsidies, consistency across EPA in funding awards, QSIs and training, and actions to increase EPA's funding by Congress.

On the meeting's second day, the first gathering (by conference call) of the "Freeze Team" took place - as a break-out from the NPC-EB session. Roger Yates (Engineers and Scientists of California), Ed Exum (National Association of Government Employees), Alan Hollis, (American Federation of Government Employees), Fred Smith (National federation of Federal Employees), and myself held the conference call with Sallyanne Harper (EPA's Chief Financial Officer), Dave O'Connor (Director of Personnel) and eight other senior management officials. This meeting and the three subsequent meetings so far held, dealt with the 30-day "hard freeze", the complexities of administering it, and plans for further action by September.

We have dealt with requests for exemptions from the hard freeze on a generic basis, looking at implications for particular classes of new hires, and agreed that specific requests for exemptions from specific management units would come through the team for its recommendations. All the recommendations of the freeze team are subject to final approval and action by the Administrator. The freeze team will be setting up a communications process in the near future.

If you have thoughts on this issue, please call me at 260-4683 or email me. (hirzy.john)

AWARDS BOARDS PROGRESS - by Bill Hirzy On June 16, we held a training session for NTEU, AFGE and management "points-of-contact" who are responsible for setting up awards boards in each of their respective Offices. Awards boards are creatures of a collective bargaining agreement (CBA) among the two Headquarters unions and management, pursuant to the PERFORMS performance management system now with us. About twelve NTEU, four AFGE and twenty management representatives were present for the hour-and-a-half session at which the agreement creating the Boards, a draft Awards Board charter and a draft awards prioritizing process were explained and discussed. Subsequent to this meeting, another was held for the staff of the Special Review and Registration Division of the Pesticides Office.

An agreement among the unions and management will allow Boards to function in Offices where one of the two unions does not have a representative; otherwise, Boards are composed of equal numbers of representatives of each union and management. NTEU has taken the stance that for an employee to represent the union on a Board, that employee must be a union member.

Because the CBA requires that Board members must work in the Office served by an Awards Board, in those shops where we have no member volunteering to serve there will be no NTEU

representative on the Board. If a member subsequently steps forward, then NTEU will have representation on that Board.

Some elements of management have tried to block operation of Boards within an AA-ship if not *all* Boards within that AA-ship are fully up and running. That is a violation of the CBA, however, and other elements of management seem to be working toward compliance with the CBA.

Following the June 16 meeting, NTEU Board representatives were briefed in the union office on how to set up their Boards and overall union interests to be looked after in the establishment and operation of the Boards. Several Boards are now in the process of getting their charter in place, and we expect that several Boards will be able to function before the end of September.

GRIEVANCES - by Dwight Welch

Flexiplace Grieved While we are still waiting for the official distribution of the Flexiplace Agreement, there are copies out there and both employees and managers know what's what. But in Office of Pesticides Program/Environmental Fate and Effects Division, prior to employees' applying for the program, there has already been a predetermination that EFED work is mostly not portable. EFED management is trying to cut in half the number of work-at-home days that the Agreement says is permissible. The union grievance, prepared by Chief Steward Rosezella Canty-Letsome and signed by then-President Jim Murphy, challenges this obvious contract violation.

We urge all employees who want to take advantage of this benefit that the union has negotiated on your behalf to file the necessary application with your supervisor. If you have any difficulty or question after you file, *please* call the union office for help. Some shops may not yet fully understand that the agreement is for *all* Headquarters professionals, and that various Offices *cannot* unilaterally decide not to participate or impose some special, arbitrary criteria for that Office. Each application for Flexiplace must be evaluated on its individual merits using only the criteria in the Flexiplace Agreement. The union is here to help implement the agreement on behalf of employees. We will keep you informed of progress on this very important issue.

NATIONAL PARTNERSHIP COUNCIL IN ACTION - by Bill Hirzy

Last December, EPA's National Partnership Council (NPC), consisting of representatives of each local union representing EPA employees along with a corresponding set of management officials, set an operating agenda for the newly created NPC Executive Board to handle for calendar 1999.

Among the items the NPC EB was tasked with were establishment of an Alternative Dispute Resolution (ADR) process for EPA and study of the possibility of setting up a code of professional ethics for EPA. I am on the two work groups created to work these issues. Mike Shapiro (DAA-OSWER) is my management partner on ADR, and Norine Noonan (AA-ORD) along with Will Davis (NAGE-Gulf Breeze Lab) are on the ethics work group with me.

Regarding ADR, we agreed that a pilot program at Headquarters would be a good place to start. A working group that includes NTEU officers, Jim Murphy, Rosezella Canty-Letsome, Bill Garetz and Julie Simpson, along with AFGE and management appointees, has made great progress toward having a draft program to present to the NPC EB in September. Our optimistic target for kicking off the program is before the end of calendar 1999.

Progress on a code of ethics has not been nearly as impressive. We have found it virtually impossible to get a meeting set among the two union people (Will Davis and I) and Norine Noonan. She has asked her Deputy, Henry Longest to sit in for her in this project. I suspect that another reason for the delay is that a code of ethics is a union initiative - not a management initiative - and thus management officials have a hard time finding room in their calendars for it.

However, the union is proceeding with refining a draft code, sending it out for comments, working with outside organizations interested in EPA operating in an ethical way (such as Public Employees for Environmental Responsibility - PEER, and several other outside groups working on professional ethics), including Congress. Our hope is that this Administration will see the advantage to long-term environmental protection in establishing enforceable safe guards for ethical workers, and will eventually invest the invaluable time of its political leadership in putting those safe guards in place.

The sun rises and the sun sets. Make hay while the sun shines.

FROM THE OUTGOING CHAPTER PRESIDENT by Jim Murphy I thank you for the privilege of serving as President of Chapter 280 for the past year. Under our local constitution, the office of President is the one office that cannot be held by the same person in successive years, so I turned the reins over to Dwight Welch on June 16 and began my term as Executive Vice-President. Dwight is a "factory-trained" officer, having held the office of President (and other full-time offices) in NFFE and NTEU. I wish him well and look forward to further growth and success under his leadership.

Thanks also to the Election Committee, chaired by Jack Diskin, assisted by Becky Jones, Cindy Fraleigh and Pepi Lacayo for their usual good offices. [Cindy helped mail out the initial announcement of the election, then left the committee when she became a candidate herself.] My only complaint is a general one, which the election committee cannot and must not remedy -- that fewer members cast votes in this year's election than in some years past. Not a lot fewer, but a bigger slice of nonparticipation than I expected, given the announcements in the mail and in a special issue of the Fishbowl, the stamped, self-addressed envelope provided for returning the ballot, the plain envelope for keeping the vote secret, and the impressive campaigning (on their own time) by those offering their services to the Union.

In the small-world department, an unusual collaboration occurred between our former Union, the National Federation of Federal Employees (NFFE), and our current Union, the National Treasury Employees Union (NTEU). NFFE won a decision by the U.S. Supreme Court on midterm

bargaining. The case was actually argued before the Supreme Court on behalf of NFFE by lawyers from NTEU. NFFE had the issue, but not the legal staff. When you have the issue, NTEU has the lawyers.

NTEU is also fighting for at least a 4.8% pay raise for civilian federal workers, as well as the military. Write your Congressional representative and your two U.S. Senators to let them know you are interested in seeing that 4.8% gets delivered this year, and that pay comparability becomes a reality.

Another way that NTEU is working to put more money in your pocket is in the package of benefits that NTEU offers to members. This year, NTEU switched to Liberty Mutual for automobile insurance. One of our members looked into the Liberty Mutual program and found savings of \$600 per year. This more than covers a year's Union dues. More on this later. If you want a list of this year's NTEU benefits package or the long-term-care insurance brochure, call me (Jim Murphy) at 260-2987.

ELECTION BRINGS TWO NEW FACES TO EXECUTIVE BOARD

Chapter 280 conducted its annual election of officers on May 25. The office of Vice-President was closely contested, with nine candidates vying for six offices. Linda Martin and Richard Nalesnik upset incumbents to win seats on the Executive Board. The new board will take office on June 16, 1999, and serve until June 30, 2000.

Those elected are: President, Dwight Welch; Executive Vice-President, Jim Murphy; Chief Steward, Rosezella Canty-Letsome; Secretary, Julie Simpson; Treasurer, Bernie Schneider; Vice-Presidents, Bill Hirzy (elected by the Executive Board as Senior Vice-President), Freshteh Toghrol, Richard Nalesnik, Linda Martin, Bill Garetz, and Arthur Chiu.

FROM THE INCOMING CHAPTER PRESIDENT by Dwight Welch

First, I want to congratulate the outgoing President and the outgoing Executive Board. This has been one of the most outstanding Executive Boards ever and this has been a banner year for the Chapter. We have reached several fine agreements with management on Flexiplace, Alternative Work Space, and Awards Boards.

I would also like to congratulate those reelected and those newly elected to the Executive Board. This was a difficult election to vote in because all were fine candidates.

I want to thank Jeff Beaubier and Jim Goodyear, who were not re-elected in this very close election, for their valuable work this past year on members' behalf. Jeff led the fight to keep 18 East Tower employees from having to move this Spring, which would have precipitated a further cascade of moves of up to 90 other employees. He brought us the *Living Downstream* author, Sandra Steingraber for an enlightening seminar and represented us with several key Congressional offices. Jim Goodyear has been - and I hope he will continue to be - a vigilant watchdog for professionalism and employee rights in the Pesticide Office. He has consistently given sage advice

on science matters on the Executive Board and worked diligently on revisions to our Chapter by-laws. Both these members have been working for you for many years prior to their recent Executive Board service and we all owe them a debt of gratitude.

With Jim and Jeff as examples, I want to encourage all those who did not prevail in the election - and indeed all members - to become or to remain involved. There is always more work for the union than people to do it. We need representatives and stewards in every Office, and we don't have them yet. Anyone who wishes to participate, should call or e-mail Chief Steward Rosezella Cauty-Letsome and copy me.

Since the Chapter organization is running like a finely tuned machine, I do not intend to make many changes to committees, Partnership Councils, Awards Boards, or other Union sub-organizations. Indeed, even the duties of outgoing President Jim Murphy will be scarcely changed. Dr. Murphy does a good job as the Union's spokesperson and ambassador and I intend that he should continue the things he does best. Bill Hirzy will take over for another stint as editor of *INSIDE THE FISHBOWL*. He will keep moving towards returning the 'BOWL to being a monthly publication. We will have some past issues of the 'BOWL, various bargaining agreements, etc., posted in the Chapter 280 website, which is now under construction. Stay tuned for announcements.

The past couple of years we have been concentrating on "bread and butter" issues such as flexiplace and transit subsidy. Now that we have these in our collective bargaining agreement, I am hoping to return to the core issues of professional and scientific ethics. I am planning to get new Vice President Richard Nalesnik involved in this issue.

I also see a need to keep a more respectful distance from the Labor Management Relations Office. While Partnership can serve both sides well, the LMR office has used our friendly relations with them to cross the line into ULP-land (Unfair Labor Practice). During the past year, the LMR office has tried to influence the editorial policy of the Fishbowl, interfered with investigations conducted by the Union, and in general tried to pit member against member within the Union.

BOOK REVIEW: *America Needs a Raise*, by AFL-CIO President John J. Sweeney (subtitle: *Fighting for Economic Security and Social Justice*, 1996, Boston: Houghton Mifflin, 157 pages and about 10 pages of notes) -- reviewed by Jim Murphy

I asked myself if this book applies to me and to other Federal workers. The dedication of this book is "for all Americans who are worried about disappearing jobs, shrinking paychecks, vanishing health care, plundered pension plans, and the sense that their work is no longer respected and rewarded." I believe it does apply to us. It resonates with the NTEU motto: "To organize Federal employees to work together to ensure that every Federal employee is treated with dignity and respect."

Unions have had an impact on America's economic life, creating the world's largest middle class, winning decent wages that fueled consumer demand for homes and new products, letting working families take their families on vacation and send their children to college, getting a sense of self worth that did more to support family values than today's hollow rhetoric, and raising the standard of public health. These hard-won, union-won benefits came to be taken for granted. Workers and unions became complacent.

The problem faced by working people today is partly with wages that are inadequate to support a family, and partly with workers' sense of powerlessness and voicelessness.

Now the Unions are needed again, as the balance of economic and political power has shifted even more drastically in favor of those who own the means of production and direct work and away from those who do the work. The phenomenal productivity of the American worker has helped raise corporate profit margins and corporate officers' pay packages, but it has not improved the economic state of the workers themselves to anywhere near the same degree. The gap between rich and poor continues to widen, but the rich don't want to be blamed. They would prefer to blame -- and have the worker blame -- big government, or "them" -- blacks, Hispanics, or pushy women. Sweeney asks, though, if "they" are doing it to you, how come "they" are doing even worse than you are?

Unions bind us together to address common human needs. Sweeney proposes that the solution to the nation's social and economic ills is a "seamless garment of activism," to organize industries and communities, to change laws that impede union activity, to win a voice in economic decision-making, to restore our sense of community, and as a result of this tide of activism, "to make hope and history rhyme."

DIVERSITY TOWN HALL MEETING - CLUELESS - by Dwight

Welch I got into unionism partly because I have a great deal of sympathy for the underdog. On June 24, 1999 at the Diversity Town Hall Meeting, my sympathies went to EPA Administrator Carol Browner. Not that the members of the audience who spoke up on various diversity sub-issues such as retaliation did not have legitimate complaints. But how much of what is wrong at EPA is Carol Browner's fault? My opinion is that Ms. Browner truly is a committed, well meaning, good person. I believe she wants to improve the state of environmental protection and would also like to leave a legacy of having helped the aspirations of minority employees. My opinion seems to be in the minority. After the meeting, many people expressed their opinion in a single word--"clueless". Those were the kinder folks. Others used words like "liar" and "hypocrite" to define the EPA chief.

As many know, especially those of us who have been here for decades, discrimination at EPA is a subset of a much larger problem--Cronyism. For decades the Cronies have been promoting one another. And the Boss Cronies, fearing competition from their Lesser Cronies, usually promote only those who are "Yes persons"; those who will not be competition or a challenge to the Boss Crony. And while there are some really fine managers here at EPA, all too many of them

resemble an excessively inbred population - of Cronies. These Crony/managers lack creativity, courage, and other attributes associated with improving the environment of an organization. It has been a sort of reverse evolution—selection of the lamest. As the common saying goes: the scum has risen to the top.

Browner's biggest mistake is that she has been unwilling or unable to penetrate through this sticky, toxic layer and get some real input from those who do the work, those who have the answers and solutions—the employees. Ms. Browner suffers from what many political appointees have suffered from in the past. Relying on self-serving "advice" from the Crony/management caste, she is clueless about what is really happening in this catastrophe of an agency that she inherited, an agency suffering from decades of neglect and rampant Cronyism. Let's test this theory by reviewing what happened at the meeting.

The first and largest block of time went to a panel of managers reporting on EPA's "progress" in the arena of cultural diversity. These presentations were a mixed bag ranging from good to clueless to out-and-out male bovine manure. By far the star of the management show was Bill Rice, Deputy Regional Administrator for Region VII. Mr. Rice, unlike Administrator Browner, is not afraid to consult with his Union partners and is not unafraid to talk about it. Indeed, I heard a number of minority employees exclaim, "I'm going to apply for a job at Region VII, there is no opportunity for me here at Headquarters."

Another rising star is the Assistant Administrator for OARM Romy Diaz, a relative newcomer to EPA. Like Bill Rice, Mr. Diaz was unafraid of the "U" word, and he consults often with his Union partners and is advancing the cause of labor-management partnership at EPA.

At the other end of the spectrum is an apparently clueless management official, Tim Fields. Mr. Fields, who has a reputation as a decent human being, actually spoke of consulting with the Human Resource Councils. Earth to Tim, Earth to Tim, HRCs are in many cases *illegal*, not to mention a flagrant violation of Executive Order 12871, which mandates partnerships between management and *unions*, among other things. It was sort of like Mr. Fields getting up on stage and saying, "I helped to end discrimination by committing an Unfair Labor Practice." Clueless.

About 55 minutes into the meeting, Ms. Browner, having also mentioned HRCs, and despite our having brought that issue to her attention far too many times, finally uttered the "U" word. In six years Carol Browner has spent a total of 40 minutes consulting in person with her Union partners. Clueless.

By far the liveliest part of an otherwise boring meeting was the employee question and answer session. Here are some of the highlights.

One employee asked about the continuing problem of retaliation. Ms. Browner replied that retaliation is illegal and won't be tolerated, yadada, yadada, yadada. The fact is that retaliation continues, only it has become more covert and sophisticated. Management doesn't dare

retaliate directly, they trump up a charge and "punish" you for that. This was also done in the past, but then - when it was so obviously retaliation - everyone just winked and acted as if they didn't see it. Now the sincerity act is played with great virtuosity. Clueless.

The managers also didn't seem to catch on when employees applauded only politely after the management presentations, but with great gusto as employees made various points. One of the highlights of the meeting is when Ms. Browner asked Ray Spears about what to do in the case of discrimination or retaliation. Mr. Spear's reply, "Go to OCR" (Office of Civil Rights) was met derisive laughter that did not appear to register with the management panel. Clueless.

During the question and answer period, the Administrator got visibly angry. At a couple of junctures she uttered, "I'm going to bite my tongue." Hearing all of this employee anger, rather than emulating her boss, Bill Clinton, and saying something like, "I feel your pain, I'll look into this for you," the Administrator got very defensive of indefensible positions, thereby turning up not chilling out the anger. Clueless.

Ms. Browner honestly indicated that there was much more to do (there is), even while much progress has been made (some has). She cited a lot of numbers, like the increase of minority SES from 4% to 12%. She also said that a lot of minorities were hired at the GS-5 level. But she didn't seem to understand employee questions and allegations of games with numbers. While one can hire a lot of minority employees, what progress is it if they are not given meaningful work? As to the increased number of minority SES, one employee compared it to plantation times, "You can live in the 'big house' but it still doesn't make you equal." She didn't understand the employee perception that most minority SES are regarded as having got there by "selling out their own", as one EPA civil rights leader recently put it. Clueless.

One fact that was on everyone's mind during the presentation was that the eight managers selected so far for EPA's new high profile Information Office are all white. Carol Browner and the other managers did not have a plausible explanation for this. Clueless.

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AN OPEN MEMO TO CAROL BROWNER

MEMORANDUM

July 8, 1999

SUBJECT: Diversity Meeting Comments

FROM: Dwight A. Welch, President
NTEU, Chapter 280

TO: Ms. Carol M. Browner, Administrator
U.S. Environmental Protection Agency

This is being written to express comments and questions on behalf of NTEU Chapter 280 which represents EPA Headquarters professionals. Our comments which arise from our attendance at the Diversity Twon Hall meeting on June 24, 1999 concern four areas: management accountability, the continued illegal operation of Human Resource Councils, retaliation, and the need for a contact person within the Administrator's office.

Management Accountability

The plain fact is that there is no risk associated with abuse of people's rights by management officials. The worst, from a manager perspective, that can happen, is that the employee will be restored or "made whole". However, that an abusive manager can commit acts of unfairness against employees without personal risk or accountability, and, indeed, may even be promoted in spite of such deeds, sends a mixed message to employees. A recent case illustrates this point. In the [name of office deleted], a rather small office, a total of 8 to 10 employees came forward with complaints of racial and gender bias. Some of these employees were intimidated and withdrew, but a total of 5 did carry their complaint to the point of a formal grievance. The grievance was resolved by a 3-manager panel which concluded that employee rights were infringed upon and the grievant was granted the relief sought. However, even while the grievances were ongoing, one of the principal culprits, [name deleted], was promoted to the Senior Executive Service! Apparently those who promoted [name deleted] ignored a statistical study which showed that females and minorities in his office, [name of office deleted], got promoted less and waited longer for promotions than white males.

Since one of the managers on the diversity panel was also a member of the above referenced grievance panel, I asked him about this after the Town Meeting. The manager indicated that the panel had not found discrimination to be substantiated, however, he did indicate that the subject manager exercised "poor judgment" and made "some stupid mistakes". Granting this interpretation, why would EPA promote into the SES, someone who exercises poor judgment and makes stupid mistakes?

Another stark example is that of [name deleted], the short-term OCR director. In his 11 months as OCR director, [name deleted] had 9 EEO complaints filed against him, 5 from his own office! Yet [name deleted] was promoted to SES. Is this the message on accountability you want to send to employees?

Illegal Human Resource Councils

First, my appreciation to Deputy Regional Administrator, Region 7, William W. Rice and Assistant Administrator Romulo L. Diaz, Jr., Assistant Administrator for Administration and Resources Management for having the courage to mention the "U" word. They mentioned consulting with their "Union Partners".

However, we were greatly distressed to hear other members of the panel extol and refer to

working with Human Resource Councils. We have said it before and will keep repeating it until it is heard, HRCs are illegal and need to be replaced by Partnership Councils. The Unions are the only legal agents of negotiation of working conditions for EPA employees and are specifically cited in Executive Order 12871 as the agent with which management is to "partner" in such issues.

In this connection, we note that you have met with our Union for a total of 20 minutes in your two terms as EPA Administrator. Contrast this with several meetings of one and two hours in duration, from your predecessor, Mr. William K. Reilly, a one term Administrator from an Administration allegedly hostile to unionism!

Retaliation

Despite the advent of a Democratic Administration, retaliation occurs on an all too frequent basis. Even though this Administration is purported to have less tolerance for retaliation, the retaliations have just gotten more sophisticated and covert.

Diversity Contact

Our Union suggests that you appoint a single point of contact within your Office with whom employees and their Unions can feel free to discuss their issues. This contact should not be an SES manager, who employees will view as having "sold them out" for personal gain, but rather an employee advocate such as Chris Bullock. Mr. Bullock is an even handed leader who doesn't claim discrimination where it doesn't exist, but at the same time not afraid to tackle the tough issues.

You have inherited an Agency in which cronyism has flourished for decades. You take advice from these self interested benefactors of cronyism who have promoted each other. Rather, you should solicit input directly from the employees and their Unions.

In spite of all the above, you may still retrieve some portion of the good will with which the employees greeted you in 1993. My suggestion, should you give a Diversity Town Meeting another try, is to first meet with Civil Rights and Union leaders. Then appear before the employees, not surrounded by managers, but surrounded by these employee leaders who you have urged to step outside the box and take the challenge. In this context you may regain some of the trust of the employees and not be subjected to criticism now directed at you, for abuse perpetrated by others.

EDITORIALS

Romy Diaz--Will Reform Come at Last? - by Dwight Welch Romulo Diaz is the new Assistant Administrator for OARM. Perhaps reform will come to EPA at last. First impression is that Mr. Diaz will bring much needed reform to his office and thus to personnel matters. Mr.

Diaz is already looking into Merit Systems Promotion reform. With recent budget cutbacks, Mr. Diaz is the only Assistant Administrator to have invited the Unions' participation in making suggestions to save the Agency money. Not only did Mr. Diaz incorporate Union input for making cuts, but he listened to the Union's complaints about shuttle-bus service cuts being too drastic and moderated these cuts somewhat. He also agreed to the union's request to keep the Headquarters library functioning, albeit with different personnel. I also hear it through the grapevine, that Mr. Diaz is really big on professional development and training and has scrounged money here and there for the professional development/training pot. Finally, one direct benefit for our Union is that he has asked the Print Shop to now do the printing of INSIDE THE FISHBOWL, so we no longer have to recruit an army of volunteers to do one or two hundred copies each.

Mr. Diaz' aide and alterego, Jessie Ulin, has an extensive Union background. Both she and Mr. Diaz seem sincerely dedicated to the concept of partnership. Reform may come to EPA at last.

LETTER TO THE EDITOR (via email)

From: STEPHANIE JAMES
To: WELCH-DWIGHT
Date: 5/11/99 8:58am
Subject: Fishbowl

Dear Mr. Welch:

I am writing in regards to the article on security that occurred in the April 1999 edition of "Inside the Fishbowl". I found the comments concerning black youths in the mall area of WSM blatantly racist. I work at WSM and frequent the mall area. I have never witnessed any "unruly and disruptive youths". The quoted that was printed made by a youth who "shoved" a security guard was preposterous at best. For your information, black youths do not express themselves with this type of verbiage. Perhaps the author of the article was looking at an old "Starsky and Hutch" television episode and got carried away. I'm surprised they didn't report that the youth said, "I'm gonna come back and get you SUCKA". The bottom line is that crime is increasing in white suburban schools at any alarming rate. Perhaps the author should be more worried about the school in their own neighborhood as opposed to the one on the second floor of the mall.

P.S. Take me off of your mailing list. I read enough slanted journalism in the Post everyday!!!

Editor Welch's Response:

To begin with, the comments in the article were those of employees and security personnel. Since I am not here at 7:00 AM, when the alleged incident took place, I am in no position to judge how true the employee and security reports on it were. The article simply reported what employees said are their concerns. As one who grew up in the inner city and attended "tough" schools, I am

not completely ignorant of what inner city children face.

Also the article did not say "black youths". Hmm, could it be that someone has jumped to a biased conclusion? "Smoke your xxx" is 90s street lingo, replacing "I'm gonna pop a cap up your xxx." Where have you been? (I first encountered the phrase in a Spike Lee movie - I believe it was "Boyz in the Hood"- not Starsky and Hutch.)

For the record, most of the students in these magnet schools, in my opinion, are highly motivated; the problems seem to be more with kids from other schools who are just passing through the commercial mall.

To say that there are no problems with youths in the mall and neighborhood areas ignores the facts. When I was beaten and robbed by a trio of teens over on Delaware Ave. S.W., the language used was something you can't print. In the Mall I've witnessed youths with firearms, big knives, and drugs.

Finally, I agree that inner city kids have no lock on crime. Last year, a kid I knew at a county high school was arrested and jailed for bringing a gun to school. I could have written a story about it, but since most EPA employees do not live there, there would not have been much interest. What goes on here, where a lot of us work, is of much greater concern.

A MATTER OF PROFESSIONAL ETHICS AND HONESTY - by Bill

Hirzy Since 1985, the professionals' union has taken an interest in the issue of fluoride levels in drinking water. What follows is a White Paper documenting why that interest arose and why it continues - at a heightened level of intensity. The issue remains at its core a matter of professional ethics and honesty - or the lack of it - in setting and maintaining a public policy mandating the use of America's drinking water reservoirs as a disposal site for a hazardous industrial waste, even in the face of mounting evidence of harm from, and mounting public and professional resistance to, that policy.

The union continues to work toward putting a code of professional ethics in place for EPA. This story is only one of many that demonstrate why such a code is needed - for protecting both EPA's professional employees and public health and the environment.

WHY EPA'S HEADQUARTERS UNION OF SCIENTISTS OPPOSES FLUORIDATION

The following documents why our union, formerly National Federation of Federal Employees Local 2050 and since April 1998 Chapter 280 of the National Treasury Employees Union, took the stand it did opposing fluoridation of drinking water supplies. Our union is comprised of and represents the approximately 1500 scientists, lawyers, engineers and other professional employees at EPA Headquarters here in Washington, D.C.

The union first became interested in this issue rather by accident. Like most Americans, including many physicians and dentists, most of our members had thought that fluoride's only effects were beneficial - reductions in tooth decay, etc. We too believed assurances of safety and effectiveness of water fluoridation¹.

Then, as EPA was engaged in revising its drinking water standard for fluoride in 1985, an employee came to the union with a complaint: he said he was being forced to write into the regulation a statement to the effect that EPA thought it was alright for children to have "funky" teeth. It was OK, EPA said, because it considered that condition to be only a *cosmetic* effect, not an adverse *health* effect. The reason for this EPA position was that it was under political pressure to set its health-based standard for fluoride at 4 mg/liter. At that level, EPA knew that a significant number of children develop moderate to severe dental fluorosis, but since it had deemed the effect as only cosmetic, EPA didn't have to set its health-based standard at a lower level to prevent it.

We tried to settle this ethics issue quietly, within the family, but EPA was unable or unwilling to resist external political pressure, and we took the fight public with a union *amicus curiae* brief² in a lawsuit filed against EPA by a public interest group. The union has published on this initial involvement period in detail.¹

Since then our opposition to drinking water fluoridation has grown, based on the scientific literature documenting the increasingly out-of-control exposures to fluoride, the lack of benefit to dental health from ingestion of fluoride and the hazards to human health from such ingestion. These hazards include acute toxic hazard, such as to people with impaired kidney function, as well as chronic toxic hazards of gene mutations, cancer, reproductive effects, neurotoxicity, bone pathology and dental fluorosis. First, a review of recent neurotoxicity research results.

In 1995, Mullenix and co-workers ² showed that rats given fluoride in drinking water at levels that give rise to plasma fluoride concentrations in the range seen in humans suffer neurotoxic effects that vary according to when the rats were given the fluoride - as adult animals, as young animals, or through the placenta before birth. Those exposed before birth were born hyperactive and remained so throughout their lives. Those exposed as young or adult animals displayed depressed activity. Then in 1998, Guan and co-workers ³ gave doses similar to those used by the Mullenix research group to try to understand the mechanism(s) underlying the effects seen by the Mullenix group. Guan's group found that several key chemicals in the brain - those that form the membrane of brain cells - were substantially depleted in rats given fluoride, as compared to those who did not get fluoride.

¹For a history of how drinking water fluoridation began, see "Fluoride, Teeth and the Atomic Bomb", by investigative reporters Joel Griffiths and Chris Bryson, available on-line at <http://www.ia4u.net/~sherrell/bomb.htm>

²On-line at <http://www.rvi.net/~fluoride/amicus.htm>

Another 1998 publication by Varner, Jensen and others ^{\4} reported on the brain- and kidney damaging effects in rats that were given fluoride in drinking water at the same level deemed "optimal" by pro-fluoridation groups, namely 1 part per million (1 ppm). Even more pronounced damage was seen in animals that got the fluoride in conjunction with aluminum. These results are especially disturbing because of the low dose level of fluoride that shows the toxic effect in rats - rats are more resistant to fluoride than humans. This latter statement is based on Mullenix's finding that it takes substantially more fluoride in the drinking water of rats than of humans to reach the same fluoride level in plasma. It is the level in plasma that determines how much fluoride is "seen" by particular tissues in the body. So when rats get 1 ppm in drinking water, their brains and kidneys are exposed to much less fluoride than humans getting 1 ppm, yet they are experiencing toxic effects. Thus we are compelled to consider the likelihood that humans are experiencing damage to their brains and kidneys at the "optimal" level of 1 ppm.

In support of this concern are results from two epidemiology studies from China^{\5, \6} that show decreases in I.Q. in children who get more fluoride than the control groups of children in each study. These decreases are about 5 to 10 I.Q. points in children aged 8 to 13 years.

Another troubling brain effect has recently surfaced: fluoride's interference with the function of the brain's pineal gland. The pineal gland produces melatonin which, among other roles, mediates the body's internal clock, doing such things as governing the onset of puberty. Jennifer Luke^{\7} has shown that fluoride accumulates in the pineal gland and inhibits its production of melatonin. She showed in test animals that this inhibition causes an earlier onset of sexual maturity, an effect reported in humans as well in 1956, as part of the Kingston/Newburgh study, which is discussed below. In fluoridated Newburgh, young girls experienced earlier onset of menstruation (on average, by six months) than girls in non-fluoridated Kingston ^{\8}.

From a risk assessment perspective, all these brain effect data are particularly compelling and disturbing because they are convergent.

We looked at the cancer data with alarm as well. There are epidemiology studies that are convergent with whole-animal and single-cell studies (dealing with the cancer hazard), just as the neurotoxicity research just mentioned all points in the same direction. EPA fired the Office of Drinking Water's chief toxicologist, Dr. William Marcus, who also was our local union's treasurer at the time, for refusing to remain silent on the cancer risk issue^{\9}. The judge who heard the lawsuit he brought against EPA over the firing made that finding - that EPA fired him over his fluoride work and not for the phony reason put forward by EPA management at his dismissal. Dr. Marcus won his lawsuit and is again at work at EPA. Documentation is available on request.

The type of cancer of particular concern with fluoride, although not the only type, is osteosarcoma, especially in males. The National Toxicology Program conducted a two-year study ^{\10} in which rats and mice were given sodium fluoride in drinking water. The positive result of that study (in which malignancies in tissues other than bone were also observed), particularly in male rats, is convergent with a host of data from tests showing fluoride's ability to cause mutations (a principal "trigger" mechanism for inducing a cell to become cancerous) e.g. ^{\11a, b}.

c, d and data showing increases in osteosarcomas in young men in New Jersey \12, Washington and Iowa \13 based on their drinking fluoridated water. It was his analysis, repeated statements about all these and other incriminating cancer data, and his requests for an independent, unbiased evaluation of them that got Dr. Marcus fired.

Bone pathology other than cancer is a concern as well. An excellent review of this issue was published by Diesendorf et al. in 1997 \14. Five epidemiology studies have shown a higher rate of hip fractures in fluoridated vs. non-fluoridated communities. \15a, b, c, d, e. Crippling skeletal fluorosis was the endpoint used by EPA to set its primary drinking water standard in 1986, and the ethical deficiencies in that standard setting process prompted our union to join the Natural Resources Defense Council in opposing the standard in court, as mentioned above.

Regarding the effectiveness of fluoride in reducing dental cavities, there has not been any double-blind study of fluoride's effectiveness as a caries preventative. There have been many, many small scale, selective publications on this issue that proponents cite to justify fluoridation, but the largest and most comprehensive study, one done by dentists trained by the National Institute of Dental Research, on over 39,000 school children aged 5-17 years, shows no significant differences (in terms of decayed, missing and filled teeth) among caries incidences in fluoridated, non-fluoridated and partially fluoridated communities. \16. The latest publication \17 on the fifty-year fluoridation experiment in two New York cities, Newburgh and Kingston, shows the same thing. The only significant difference in dental health between the two communities as a whole is that fluoridated Newburgh, N.Y. shows about twice the incidence of dental fluorosis (the first, visible sign of fluoride chronic toxicity) as seen in non-fluoridated Kingston.

John Colquhoun's publication on this point of efficacy is especially important \18. Dr. Colquhoun was Principal Dental Officer for Auckland, the largest city in New Zealand, and a staunch supporter of fluoridation - until he was given the task of looking at the world-wide data on fluoridation's effectiveness in preventing cavities. The paper is titled, "Why I changed My Mind About Water Fluoridation." In it Colquhoun provides details on how data were manipulated to support fluoridation in English speaking countries, especially the U.S. and New Zealand. This paper explains why an ethical public health professional was compelled to do a 180 degree turn on fluoridation.

Further on the point of the tide turning against drinking water fluoridation, statements are now coming from other dentists in the pro-fluoride camp who are starting to warn that topical fluoride (e.g. fluoride in tooth paste) is the only significantly beneficial way in which that substance affects dental health \19, \20, \21. However, if the concentrations of fluoride in the oral cavity are sufficient to inhibit bacterial enzymes and cause other bacteriostatic effects, then those concentrations are also capable of producing adverse effects in mammalian tissue, which likewise relies on enzyme systems. This statement is based not only on common sense, but also on results of mutation studies which show that fluoride can cause gene mutations in mammalian and lower order tissues at fluoride concentrations estimated to be present in the mouth from fluoridated tooth paste \22. Further, there were tumors of the oral cavity seen in the NTP cancer study mentioned above, further strengthening concern over the toxicity of topically applied fluoride.

In any event, a person can choose whether to use fluoridated tooth paste or not (although finding non-fluoridated kinds is getting harder and harder), but one cannot avoid fluoride when it is put into the public water supplies.

So, in addition to our concern over the toxicity of fluoride, we note the uncontrolled - and apparently uncontrollable - exposures to fluoride that are occurring nationwide via drinking water, processed foods, fluoride pesticide residues and dental care products. A recent report in the lay media²³, that, according to the Centers for Disease Control, at least 22 percent of America's children now have dental fluorosis, is just one indication of this uncontrolled, excess exposure. The finding of nearly 12 percent incidence of dental fluorosis among children in un-fluoridated Kingston New York¹⁷ is another. For governmental and other organizations to continue to push for *more* exposure in the face of current levels of over-exposure coupled with an increasing crescendo of adverse toxicity findings is irrational and irresponsible at best.

Thus, we took the stand that a policy which makes the public water supply a vehicle for disseminating this toxic and prophylactically useless (via ingestion, at any rate) substance is wrong.

We have also taken a direct step to protect the employees we represent from the risks of drinking fluoridated water. We applied EPA's risk control methodology, the Reference Dose, to the recent neurotoxicity data. The Reference Dose is the daily dose, expressed in milligrams of chemical per kilogram of body weight, that a person can receive over the long term with reasonable assurance of safety from adverse effects. Application of this methodology to the Varner et al.⁴ data leads to a Reference Dose for fluoride of 0.000007 mg/kg-day. Persons who drink about one quart of fluoridated water from the public drinking water supply of the District of Columbia while at work receive about 0.01mg/kg-day from that source alone. This amount of fluoride is more than 100 times the Reference Dose. On the basis of these results the union filed a grievance, asking that EPA provide un-fluoridated drinking water to its employees.

The implication for the general public of these calculations is clear. Recent, peer-reviewed toxicity data, when applied to EPA's standard method for controlling risks from toxic chemicals, require an immediate halt to the use of the nation's drinking water reservoirs as disposal sites for the toxic waste of the phosphate fertilizer industry²⁴.

This document was prepared on behalf of the National Treasury Employees Union Chapter 280 by Chapter Senior Vice-President J. William Hirzy, Ph.D. For more information please call Dr. Hirzy at 202-260-4683. His E-mail address is <hirzy.john@epa.gov>

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ROACHES

WATERCIDE AT NIGHT THE ROACHEZ RULE

GULG

What's that?

It's only a water cooler.

But they don't drink
city water themselves?

Nope.

Where are we anyway?

In the Office of Drinking Water.

Isn't Sodium Fluoride an EPA
Registered Insecticide?

Yup, Killed my Uncle Irv
last year.

Isn't that the Office responsible
for allowing industry to dump its
toxic industrial fluoride waste
products into the drinking water?

And aren't they sitting on a
Union grievance trying to get
bottled water for all EPA HQ?

Yup.

Do you think we should warn
the humans?

Sure do, just photocopy the next
page and post it over your local
drinking fountain or restroom sink.

WARNING!

**THIS WATER CONTAINS A
TOXIC INDUSTRIAL WASTE**

DRINK AT YOUR OWN RISK

**KNOWN ADVERSE HEALTH EFFECTS
INCLUDE: DENTAL AND SKELETAL
FLUOROSIS, CANCER, NEUROTOXICITY
AND ENDOCRINE DISRUPTION**

(This Warning Poster Supplied Courtesy of the National Treasury Employees Union Chapter 280)



INSIDE THE

FISHBOWL

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

October 1999

Volume 15, Number 5

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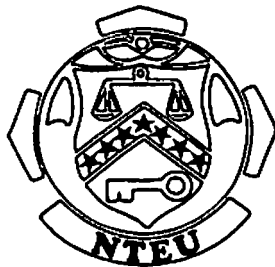
ORD TRAVEL POLICY PROBLEM

CODE OF PROFESSIONAL ETHICS

ADR PILOT FOR H.Q.

NTEU NATIONAL NEWS

ROACHEZ



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LOCAL FLASHES

IN MEMORIAM: SENATOR JOHN H. CHAFEE America lost a great man last week when John H. Chafee died at Bethesda Naval Hospital. Those of us who toil for the environment lost a staunch ally and good friend who was Chairman of the Senate Committee on Environment and Public Works. Senator Chafee's public service began in the U.S. Marine Corps, in which he fought through the Pacific campaigns beginning at Guadalcanal. He was served in the Corps again in Korea. He was a graduate of Yale and took his LL.B. at Harvard. We will miss him.

CHAPTER 280 WEBSITE IS ON-LINE The Chapter 280 Website is on-line and can be accessed at <www.nteu280.org>. The site, still under construction, contains past issues of Inside the Fishbowl, the Collective Bargaining Agreement, contact points, an electronic membership form, the Fluoride White Paper, professional ethics matters, chapter history and other information about the chapter, its leadership and its activities. We hope that soon we can dispense with paper distribution of Inside the Fishbowl except to members who want to continue receiving it.

ADMINISTRATOR KEEPS HER WORD ON DIVERSITY IN NEW INFORMATION OFFICE - by Dwight Welch In the last issue I noted diversity-based criticisms of senior management appointments in the nIO. Appointments for mid-level management have now been made, and a substantial number of minority managers were named. No word yet from EPA civil rights groups on their take on this development..

FLU SHOTS OFFERED TO EPA EMPLOYEES EPA is offering its federal employees free shots to immunize against the flu, beginning in October and running through November or until supplies of vaccine run out. At Waterside Mall, the health unit offers shots on Monday, Wednesday and Friday mornings, from 9 am until 12 noon. At Crystal Mall 2, the health unit on the third floor offers the shots on Tuesday, Wednesday and Thursday afternoons, from 1 to 4 pm. *Inside the Fishbowl* does not have the schedule for the Federal Triangle at this time.

HIRING FREEZE CONTINUES The freeze on EPA hirings continues. The labor-management team charged with reviewing and making recommendations on applications for exemptions to the freeze has not met since late August, conducting its business in the interim *via* email. No meetings have been held since then in anticipation of our getting a budget to help guide deliberations. Virtually no exemptions have been recommended, though applications from OAR, OPPT and other shops have been considered. *The tables on the penultimate pages of this issue showing EPA's employment level history since 1990 and through FY 1999 were prepared for the Team's use by the Office of Human Resources and Organizational Services, and we publish them here for your information.* The Team is scheduled to meet again on November 2, budget or no budget.

LIMITATIONS ON LOBBYING CONGRESS - by Jim Murphy Speaking of budget, from time to time the Union recommends that you contact your Senators and Representative in Congress to express your interest in an issue or outcome related to pending legislation. Here a few suggestions for making your efforts most productive while avoiding potential problems.

First, given the interest most Senators and Congressmen have in getting re-elected, your letter stands the best chance of being read if you identify yourself as a constituent who can vote for the incumbent. Letters to Senators in other states or Representatives in other Congressional districts may or may not even be read, let alone acted upon.

Second, you should be aware that the use of appropriated funds and government facilities for lobbying is strenuously frowned upon. It may run contrary to one of a handful of laws that regulate lobbying and lobbyists. Even if it is not strictly illegal, it may appear to some to be illegal, or unethical, or simply irritating. There are several potential ethics problems. Using Agency letterhead, e-mail or fax seems to represent the author as speaking in an official government capacity, when he or she is really speaking in a private capacity. Further, the practice makes unauthorized use of Agency resources. Taking sides in a controversial issue as a private citizen is respected, but appearing to try to gain status or leverage in the guise of a government official is likely to irritate and invite "blowback" by those on the opposite side.

What should you do? Write from home on your own time with your own stationery. Handwritten letters have a nice personal touch (unless your handwriting is totally impenetrable). Use your own fax or a commercial fax. Beware of the seductive convenience of the e-mail "Reply" button until you get home, and especially avoid "Reply to All" and options for sending e-mail to personal and private groups from your government computer.

Another option is to work with and through your Union. Unions, unlike individuals, can advocate legislation as part of their representational function. So bring your interests and concerns to the Union, and let's work together.

THE TIME HAS COME TO TAKE EECO OFF LIFE SUPPORT Five years ago, unionized professional employees at EPA headquarters sought to leave the National Federation of Federal Employees (NFFE Local 2050) and create an independent union called Environmental Employees Collectively Organized, or EECO. NFFE responded by putting Local 2050 in trusteeship, which blocked recognition of EECO as the certified representative of the EPA professionals. A year and a half ago, the members of NFFE Local 2050 voted to become Chapter 280 of the National Treasury Employees Union, without opposition from NFFE.

Some loyal members of EECO continue to pay dues of \$5.00 per pay period, even though EECO disbanded in April 1997. EECO members voted at their final membership meeting to refund a portion of the remainder of the EECO treasury to the members to a limit equal to the total of their individual contribution to EECO. A committee was established at this meeting for the purpose of devising an equitable system for returning dues to members.

The problem is, since EECO was never recognized as the official representative of the professionals' bargaining unit, EECO dues were never collected as union dues, and no complete list of EECO members was ever available from the Agency or the financial institution that received the dues. The Agency would only deduct the \$5.00 per pay period as a private allotment, the same as if it were for a credit union. The Agency has claimed that it had no list of EECO contributors, and that it would be inappropriate for them to try to generate such a list, as each person's allotment is a private matter. The financial institution receiving the dues likewise declined to list the EECO contributors.

Now the EECO account is to be closed. The committee needs to ask your help in three ways. First, notify the EPA Payroll Office to terminate your biweekly \$5.00 EECO dues deduction (or "allotment"), if you have not already done so. Forms are available in the NTEU Chapter 280 office if you need one. Second, let Jim Murphy, Bill Garetz or Bill Hirzy know if you are among the EECO members. [Murphy 260-2987,

Garetz 260-2684, Hirzy 260-4683.] Third, if you want to be considered to get back a portion of what you contributed to the EECO treasury and did not apply when the earlier announcements were made, please send proof or initial and final EECO dues payment to a member of the disbursement committee (Jim Murphy, Bill Hirzy, and/or Bill Garetz). If you did not keep the relevant payroll statement you can ask EPA payroll to provide a new one.

MORE LOCAL INTEREST NEWS

CONSIDER 2808, 0861, 1093 ON COMBINED FEDERAL CAMPAIGN Our Union members and bargaining-unit members are urged to consider supporting organizations in the current Combined Federal Campaign that have supported NFFE Local 2050 and NTEU Chapter 280 here at EPA and federal workers elsewhere in the recent past.

The Federal Employee Education and Assistance Fund (FEEA, CFC number 2808) helped the survivors of the bombing of the federal building in Oklahoma City, and every year gives substantial college scholarships to highly qualified federal workers and their families. (Incidentally, Robert Tobias, the past president of NTEU, was a founder of FEEA.)

The Government Accountability Project (GAP, CFC number 0861) has worked with our Union over the years on protection of government "whistleblowers." Several years ago, GAP helped to secure national recognition for then-Chief Steward Rufus Morison.

Public Employees for Environmental Responsibility, Inc., (PEER, CFC number 1093) started out as a group of concerned Forest Service employees. We met them at the first PIE (Protecting Integrity and Ethics) Conference at Georgetown University, and have stayed in touch over the years. Last year, PEER gave a well-attended seminar in the EPA Office of Pesticide Programs at Jim Goodyear's invitation.

AWARDS BOARDS - by Bill Hirzy Progress toward implementing the agreement between EPA and the two Headquarters unions is mixed. Awards Boards have begun to function in several Headquarters Offices, such as the Office of the Administrator and the Office of Pesticide Programs. In other Offices, such as Wastewater Management, Pollution Prevention and Toxics and Research and Development, charters for Board operation have been agreed to and the Boards expect to be working shortly.

In some other Offices Boards have not even begun to work on their charters, the excuse given being that one of the two unions is not represented on the nascent Board. This is distressing because a well publicized agreement among the unions and the Labor Management office to permit Boards to function without representation from one of the unions is being ignored. This agreement was announced, among other venues, at the training session held for Board members in June. Following a report on this problem at the Headquarters Partnership Council, management has taken steps to rectify these delays. Below are detailed reports on two Boards - one from a small Office and one from a large Office - whose members took the bit in their teeth last Summer and have already established a solid record of accomplishment. These reports were written by Drs. Kooyoomjian and Merenda, respectively.

The Office of the Administrator's (AO) Awards Board held its first meeting on June 30, 1999. The three-member board is chaired by management representative Mr. Gordon I. Schisler, Deputy Director of

EPA's Office of Cooperative Environmental Management. The Chairmanship will be rotated every two years among the AO Awards Board members. Other members include the NTEU Chapter 280 representative Dr. K. Jack Kooyoomjian of the Science Advisory Board and the AFGE Local 3331 representative Ms. Sharita D. Shaw of the Administrator's Office of Executive Secretariat. In an unofficial capacity, Martine Carrillo of the Administrator's Office of Executive Support is serving as the AO Awards Board liaison.

During the first meeting, the board members drafted the proposed AO Awards Board Charter. At the second meeting held on July 21, 1999, the board members finalized the terms of the draft AO Awards Board Charter. On July 22, 1999, the final version of the AO Awards Board Charter for the Staff Offices of the Administrator was adopted and signed by all members. To date, the AO Awards Board has met three times to review award recommendations (August 25th and September 8th in face-to-face meetings, and September 8th in a teleconference call). Face-to-face meetings are normally held to discuss various issues.

The Office of Pesticide Programs Awards Board began meeting in July, met every other Wednesday, and recently completed its first cycle of reviewing and providing recommendations on monetary awards. The Board members are: Dr. Joseph Merenda, Acting Deputy Director of OPP, Dr. Irving Mauer, Toxicologist in the Hazard Evaluation Division representing NTEU, and Ms. Edna Monts of the Information Resources and Services Division representing AFGE. The board reviewed and made recommendations on a total of 132 nominations for awards in excess of \$650 each that were submitted to the board by OPP divisions. The board rated 102 of the 132 nominations as "Recommended", but in 17 cases questioned the proposed award amount. In 15 of these cases the board thought the proposed amount appeared high relative to the accomplishments cited in the justification, while in 2 instances the board commented that a larger award amount appeared justified. The board provided a response of "Not Recommended" for the other 30 nominations it reviewed, along with comments on what led the board to that conclusion. In a few of these 30 cases, the board suggested that a team award recognizing all employees who contributed to the cited achievement would appear to be more appropriate than the individual nominations submitted to the board. However, most of the instances where the board designated a nomination as "Not Recommended" were because of the board's view that the submitted justification was incomplete and/or did not appear to support the amount of the proposed award when compared with the other award nominations submitted to the board. For 10 of these 30 "Not Recommended" nominations the board's commented that the proposed award amount appeared excessive in light the submitted justification.

WHISTLEBLOWER PROTECTION - UNION SUPPORTS CONGRESSIONAL ACTION

The following letter was submitted to the Chairman and Ranking Member of House Committee on Science on October 28, 1999 on behalf of Chapter 280 and EPA employees.

"Dear Chairman Sensenbrenner and Representative Hall:

"On behalf of the professional employees at Headquarters, U.S. Environmental Protection Agency (EPA) which we represent and the members of Chapter 280 of the National Treasury Employees Union, of which we are officers, we are writing in support of the requests made by the National Whistleblower Center (NWC) to your Committee. In their letter to you, directors of NWC ask for action by your

Committee to make EPA an Agency where the best science and other analytical work will guide public policy.

“Our union was founded sixteen years ago with this very goal as its cornerstone.

“The employees we represent, all scientists, lawyers, engineers, and other professionals, are dedicated to serving the public interest by providing the highest quality professional advice that we can to the political leadership of EPA. The political leadership, under our constitutional form of government, can take our advice or not, as they choose. Often our advice *does* guide those leaders in formulating environmental policies for the Nation, but sometimes our advice is ignored or spurned.

“There are EPA employees who may accept this latter outcome without comment or complaint. Others do not. Those employees who choose not to accept with docility their best professional work being spurned, especially when public health or environmental integrity are at stake, often speak out - blow the whistle. Sometimes this happens before a Congressional Committee, sometimes in the media. The employees then become targets of retaliation by the political leadership acting through subordinate managers.

“The result of such management action, in addition to the devastation visited upon the whistleblower, is to intimidate *other* employees as well, to discourage *them* from assertive action, even within the friendly confines of their program offices, on behalf of the public when such action is perceived to be at variance with the political agenda of the day.

“Even when employees who have been subjected to retaliation fight back and win - in court or at the Department of Labor - the management officials responsible for such reprehensible and repressive action have never in our memory been disciplined or suffered any adverse consequence. Thus other employees get the message that when their boss raises an eyebrow over some critical aspect of their work, they had better “go along to get along.” They had better make sure that their work doesn’t embarrass the political leadership. The whip hand is unrestrained.

“This mode of conducting the public’s business is dead wrong. It endangers public health and environmental integrity. Good science and good scientists *should be* what EPA is about. Instead, it too often is about supporting a political agenda. Our union Treasurer, the Chief Toxicologist in the Office of Drinking Water, was fired for refusing to remain silent about the cancer risks associated with water fluoridation. The firing had nothing to do with the trumped up charges EPA had brought against him, said the Administrative Law Judge who ruled in his favor in an action he brought under whistleblower protection provisions of Federal law. His firing had *everything* to do with protecting a policy, increasingly discredited by a growing body of scientific evidence, of expanding water fluoridation throughout the United States.

“Let me make one point clear, we of the Civil Service do not make policy, nor do we want to interfere with the constitutional mandate of the Executive Branch management to whom we report. That management is the linear descendant of the President, and thus management can and must set policies to enforce the laws that you in Congress enact. What we insist upon, what we fight for here today, is the right not to be muzzled or be forced to lie.

"We want the analytical work for which the American public pays us to be on the record, available for the public and especially for the Congress to see without hindrance. If our work supports the Executive Branch's political agenda, that is just fine. If it does not, that is just fine too. In this latter case, it then becomes the duty of the political leadership of the Agency to explain to you and to the public why policies have been set that are not supported by our scientific and analytical work

"All that said, I want to point out that a significant development in the right direction has recently occurred at EPA. Our union and EPA management, in conjunction with other EPA labor organizations in EPA's National Partnership Council Executive Board, has brought to the brink of fruition a set of Principles of Scientific Integrity. The Executive Board anticipates that this document, when finally agreed to by the full Partnership Council in December, will provide the basis for *internal* policing against much of the abuse that EPA employees have suffered in the past. Whether this expectation is realized, of course, will only be proven with the passage time, and this union promises to keep you and the Committee informed on this point.

"We urge the Committee to take the steps outlined in the letter to you from William Sanjour and David Lewis of the National Whistleblower Center. We support training of EPA employees and managers, not only in the whistleblower protections afforded by Federal law, but in EPA's new Principles of Scientific Integrity. We support EPA and the Department of Labor signing a Memorandum of Understanding on whistleblower protections. We support reform of EPA's Office of Inspector General, seconding the complaints registered by Messrs. Sanjour and Lewis about that Office.

"Respectfully submitted,

"Dwight A. Welch President	Dr. James J. Murphy Exec. Vice-president	Rosezella Canty-Letsome Chief Steward	Dr. J. William Hirzy" Sr. Vice-President
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ORD TRAVEL POLICY CHANGES NTEU Chapter 280's Executive Board has voted to join with Ed Exum, of EPA's unit of National Association of Government Employees, Athens GA, in calling for negotiations on the ORD travel policy, and to forward the issue of travel policy to the NPC Executive Board for action as part of the NPC's (hopefully) on-going concern and activity titled "Consistency in Labor Relations". We join in solidarity with NAGE's concern over other EPA managerial units behaving in a similar fashion, viz. ignoring the obligations imposed by Executive Order 12871 to involve unions in this kind of working conditions policy development work.

A meeting has been set for November 3 at the Reagan Building at which ORD management and affected unions will try to resolve this dispute. Key elements of the dispute involve international travel restrictions that have been imposed by ORD and that do not comport with EPA-wide restrictions used by other AA-ships.

INTEGRATED PEST MANAGEMENT- by Arthur Chiu Ariel Rios occupants have expressed a general concern over continued pest infestation including insects (particularly ants and

cockroaches), and an increased visibility of rats. The increase in pest activity can to some degree be attributed to the construction areas on both ends of the building. Due to worker complaints, both as individuals and through their unions, the pest problem within the construction area is being reassessed and addressed by GSA inspectors and construction contractors. However, the residents of the building must also understand their responsibility in controlling our little and some times rather large friends.

To respond to the workers' complaints about Ariel Rios, the Health and Safety Division, Office of Administration recently called a meeting with the participation of the Ariel Rios GSA Building and Grounds Office, the Ariel Rios EPA Facility office, the two labor unions (AFGE/NTEU) and the GSA National Capitol Region. GSA is consulted on this matter since they are responsible for the government-owned EPA buildings.

GSA's National Capital Region (NCR) began implementation of an *Integrated Pest Management (IPM)* program dating back to 1988. The IPM program focuses on two simple facts:

1. Pests are found in a building because they are getting food, water or shelter.
2. The less of these three things they've got, the less of them there will be.

The GSA IPM program does not call for the routine spraying of pesticides, and EPA management has not allowed any office pesticide applications. Insect pest control at Ariel Rios has included the use of sticky traps and containerized insecticide bait stations. The sticky traps are used as a monitoring device to reveal and pinpoint infestations rather than an actual control mechanism. The small plastic bait stations are presently considered to be one of the safest and most effective ways to control roaches and ants in an office environment.

Present rat control efforts at Ariel Rios include trapping on the occupied side of the building and the use of traps and poison bait stations in the construction areas. GSA and the construction contractor have agreed to increase trapping efforts and to step up sanitation requirements within the construction zone in an effort to reduce the rat population. However, a significant rat population reduction may not be evident until construction projects are completed and all food/water sources are eliminated. In order to be effective, this effort will also need the support of all building occupants to reduce food and shelter sources within occupied space.

It is agreed by all attending parties that present insect pest control with sticky traps for cockroach infestation should be maintained and enhanced. Also, the traps and poison bait approach for rodents should be maintained. In addition, a simultaneous elimination of sources of contamination such as food sources left unattended, and thus open to infestation, and sealing off newly created egresses, where pests gain access from new reconstruction should be implemented. It is our understanding that there will be increased patrol and monitoring of construction areas to prevent the problems mentioned here.

IPM means simultaneously improving sanitation; eliminating water where it doesn't belong, reducing clutter, and sealing up gaps and crevices that give pests access or shelter. Eliminating water sources and sealing up the building to prevent pest access are two items which clearly are the responsibility of building and construction management and not the daily occupants. However, building occupants are encouraged to report any signs of moisture along walls, floors or baseboards promptly to building

services so water leaks can be addressed ASAP. Building occupants can effectively support pest control by increasing sanitation efforts and reducing the amount of office clutter. Occupants with large amounts of paper and miscellaneous items stacked within offices and work stations are encouraged to file, store and recycle materials to reduce hiding places and food sources for pests. There are three simple precautions which should be followed by all building occupants on a daily basis to improve sanitation efforts and to reduce the food supply for insects and rats:

Thoroughly clean your work area or any other area used to eat lunch or snacks.

Reduce or eliminate the storage of food items within work stations or offices. If food must be stored in a work area it should be in an air tight metal, glass or plastic container.

Wrap or bag food waste before placing it in a trash can.

In summary, it is important to note that the IPM program will not wipe out every pest in the building. However, the IPM approach has proved to be a success wherever it has been effectively instituted and enforced. All building occupants should understand that daily sanitation is far more important in pest control than are pesticides.

EPA workers should continue to report pest/vermin sightings to the EPA Ariel Rios Facility Office. Workers are also encouraged to communicate issues to their unions.

Additional pest management information bulletins will be periodically posted in the building pantries for your perusal. Albert Greene, PhD, Chief, Building Service Section, National Capitol Region, Entomologist, has offered to give periodic lectures to those EPA offices housed in this area, when we request them.

EPA'S NATIONAL PARTNERSHIP COUNCIL AT WORK

CODE OF PROFESSIONAL ETHICS or (apologies to the Bard) A ROSE BY ANY OTHER NAME WOULD SMELL AS SWEET - by Bill Hirzy The Office of Government Ethics claims a lock on the use of the word "ethics", and for any other Federal entity to make so bold as to use the E word outside that revered tome, *Standards of Ethical Conduct for Employees of the Executive Branch*, causes bureaucrats in any such entity to tremble at the prospect of a wrathful visitation from OGE.

And so it was that the code of professional *ethics* that this union has been working to make part of the EPA culture, has morphed into a set of *Principles of Scientific Integrity* under the anxious ministrations of such bureaucrats. No problem.

But seriously, the EPA National Partnership Council's Executive Board has hammered out a draft set of ethical principles for EPA employees that has cleared almost all the hurdles it must before adoption by the full NPC and then by EPA. Since the Principles of Scientific Integrity must pass a final review by the Office of General Counsel as well as the NPC, it cannot be quoted *verbatim* in this report, but here are the high points:

All EPA employees are responsible for the integrity of their work, for presenting their work and that of others fairly and accurately, for avoiding plagiarism, for understanding the program laws they work under, for reporting violations of ethical principles, for complying with the OGE tome cited above, and for open and honest exchanges of scientific opinion with peers.

We still have to work out a process for *resolving* differences of scientific opinion, but with the progress we have made so far, it is a fair bet that we can do that too.

Final OGC review is expected to be finished in a few weeks, then the full NPC will act in December, and assuming approval at both check points, EPA employees can expect an "inoculation" with the actual Principles of Scientific Integrity early in the next millennium. Then we must all set to work to make the Principles come alive.

ALTERNATIVE DISPUTE RESOLUTION (ADR) PILOT ADVANCES One of the EPA National Partnership Council Executive Board's activities this year has been development of a pilot ADR program to run at Headquarters. The program, put together by a diligent team of management and union people led by Bruce Englebert and Tanya Hill, is now out for review and comment by the Agency's senior managers. Rosezella Canty-Letsome, Julie Simpson, Bill Garteiz and Jim Murphy have worked hard for our Chapter on this program, and we hope to have the program running before the close of the millennium.

Mediation of disputes, the heart of the program, is a voluntary, confidential and informal process that uses a neutral third party to resolve disputes. Other Federal agencies that have used this process report a 60-70% settlement rate. Much quicker resolution of disputes is another benefit reported by those now using ADR.

For the pilot - which *will* become a permanent program, fine tuned by the first-year piloting - issues that would be subject to the EEO and negotiated or administrative grievance processes will be accepted. Issues that will *not* be accepted for ADR include matters under IG, OPM, OSC or police agency investigation, cases involving egregious misconduct and certain matters under EPA management investigation, such as credit card misuse or sexual harassment. After the pilot period, scientific disputes, disputes between managers or between staff members (e.g. who cleans the coffee pot?) may be included in the program.

NATIONAL PARTNERSHIP COUNCIL AGENDA 2000 - by Bill Hirzy EPA's full National Partnership Council (NPC) will meet in Atlanta December 14-16 to consider and take action on the work done by its Executive Board during 1999 and to assign it tasks for 2000. Among the items being considered for next year are: 1) an Agency promotion policy that will, among other things, deal with the "clogged" GS-14 and 15 levels that resulted from the so-called flattening work of 1994-5; 2) the role of technology as we try to meet EPA environmental goals; 3) implementation of Diversity Action Plans; 4) employee health and safety issues across the Agency; 5) hours-of-work issues, e.g. compressed work week programs, credit hours, etc; 6) development of a strategic plan for labor-management relations; 7) the role of the NPC vis-a-vis the Human Resource Council; and 8) domestic partnership issues.

If you have questions about any aspect of the NPC-EB's work, please call me at 260-4683, or email: hirzy.john

NEWS OF NTEU NATIONAL - by Dwight Welch and Jim Murphy

No Division of the House Here - Report on the NTEU Convention The National Treasury Employees Union held its 1999 National Convention in Las Vegas, Nevada August 2-5. EPA's Chapter 280 sent delegates Dwight Welch, Jim Murphy, Freshteh Toghrol, and Bill Garetz. Comparisons between NFFE and NTEU Conventions are interesting.

NFFE Conventions always featured a substantial number of competing candidates and controversial issues. At this NTEU convention, although there were some opposing candidates, the major candidates won by landslides. Out of about 1600 possible votes, newly elected President Colleen Kelley and Executive Vice President Frank Ferris garnered about 1500 votes each. The other contenders for President were John Mitchell of Chapter 73 and Jerry Feith of Chapter 65. Our new District 12 Vice-President is Julius McClaskey, a young black man from Dallas. He replaces Eunice Queen.

Similarly, most of the constitutional amendments were passed with "one mind". Recommendations of the Constitution Committee were upheld by nearly unanimous votes. We disposed of 28 constitutional amendments by Wednesday afternoon, along with 131 resolutions.. On Thursday, we disposed of another handful of resolutions and decided four election challenges. All four challenges had been dismissed by former President Robert Tobias and subsequently by the National Executive Board. However, delegates of Chapter 280 found two of the challenges meritorious. Despite valiant efforts on the floor by Vice President Bill Garetz and President Dwight Welch, the decisions of Mr. Tobias and the NEB were sustained.

One constitutional amendment would have restructured NTEU districts to put EPA, FDA, NRC, and other scientific/regulatory agencies under one district/National Vice President. This suggested amendment failed badly. Offered by the Chief Steward at NRC, Mike Stein, the amendment had a fatal flaw: the restructuring would have granted equal power to substantially smaller (membership totals) districts. Mr. Stein, also, unfortunately did not do his homework. He failed to build grassroots support for the amendment. Mike is seeking to rectify this by the next convention. (See next story)

At least 11 chapters have web sites and entered them in the past year's newsletter-plus competition

Mike Stein Organizes Regional Science-Based Chapters - Professional Ethics an Issue The first meeting of the Washington area Chapters was convened at the Food and Drug Administration in Rockville in mid-September. The next meeting will be November 16th at the Nuclear Regulatory Commission. Participants are interested in setting the stage for a District to include the scientific and regulatory agencies and to deal with issues of local interest to Washington, DC area members. Unfortunately, the first meeting was sparsely attended. Attendees agreed upon some courses of action in addition to setting a tentative schedule of meeting every other month. Chapter leaders agreed to stay in contact via e-mail, to share Collective Bargaining Agreements, and to list areas of expertise in order to assist each other. Sharing CBAs, can be immensely beneficial to us in that strong articles from other CBAs could help to improve upon our own. As to expertise, other Agencies were very interested in the

Health and Safety work done at EPA HQ, and we asked FDA about their means of handling minority scientific opinions. Chapter 280 is currently working on an Ethics agreement which would allow for minority scientific opinions to remain a part of final decision documents and not be lost in obscurity.

NTEU National President Colleen Kelley Assails Rising Health Insurance Premiums The new National President of NTEU, Colleen Kelley, called upon the Office of Personnel Management on September 22 to "take swift and decisive action" to contain escalating health care premiums under the Federal Employees Health Benefits Program. President Kelley said the projected 9.3 percent increase in insurance premiums comes at a time when NTEU has been urging OPM to make health care more affordable, not less. The high-and-rising premiums may force workers to make the hard choice to go without health care. Kelley noted that the projected increase is about three times the rate of current and projected inflation. NTEU plans to make affordable health care a legislative priority. For more information, visit the NTEU web site at www.nteu.org

NTEU Names New Director of Negotiations, Gears up for EPA Contract The National Treasury Employees Union has named Mike Filler to be the new national Director of Negotiations, succeeding Frank Ferris, who was elected and sworn in as National Executive Vice-President at the NTEU National Convention in August in Las Vegas. Mike Filler has been Regional Director of NTEU's large Hoboken Field Office.

Suzanne Brennan of the NTEU Negotiations staff visited Chapter 280 on Tuesday, September 28, to initiate planning for next year's contract negotiations. EPA headquarters professional employees are covered by the last contract negotiated by NFFE Local 2050, which runs until September 19, 2000.

Members are invited to send in ideas about what the new contract should address to any of the officers of Chapter 280 listed on the cover of the *Fishbowl* as soon as possible and as further ideas occur to you. Don't wait until next September. Thank you.

Information on NTEU Dental Plan Available FROM CHAPTER 280 NTEU benefits coordinator, Talita Grayton, has provided to Chapter 280 information on coverage and costs of dental care under the CIGNA dental plan. Contact Jim Murphy at (202) 260-2987 for a copy, or visit the CIGNA Dental web site at www.cigna.com/dental

Region IX NFFE Local Wants to Join NTEU - We Lend Support Attempting to go the way of HQ, Cincinnati, and Atlanta, the San Francisco local of NFFE is trying to change affiliation to NTEU, but has been put into trusteeship by NFFE National for its efforts. Local leadership there is in a stressful situation, as those of us who have been down that road can testify. Dwight Welch sent a letter of support to the Region IX NFFE President, Pat Chan, outlining our experience with NTEU vs. NFFE and wishing him success.

OPINION AND THE REST OF THE NEWS

ADVERSE EFFECTS OF BUDGET CUTS ON HEALTH AND SAFETY - by Dwight Welch Every worker in this country should have a work place free of recognized hazards.

Specifically, this refers to hazards that may pose a threat of injury, illness and/or death to employees. In fact, these are very similar words to those in the OSH Act of 1970. As a working condition, certainly safety and health are and should be among the highest of our priorities. We should have learned this lesson the hard way more than 30 years ago.

The White House has just announced the Federal Worker 2000 Initiative aimed at reducing preventable employment-related injuries in the Federal workplace. In fact, you will soon receive the announcement of the Federal Worker 2000 Initiative from the AA/OARM, Romy Diaz.

However, we are faced with a growing dilemma. As I am sure you are well aware, providing effective safety and health programs requires an investment of management and employee commitment as well as technical and financial resources. It takes much more than saying "be careful". FY'99 operating budget reductions seriously limited resources available for providing safety and health programs and services to EPA employees at headquarters as well as EPA employees nationwide. Early indications now suggest there may be further reductions which may frankly push employee safety and health services into an operational coma. The following is a list of some of the safety and health services now facing or likely to face reduction or discontinuance.

1. Indoor Air Quality Assessments
2. Laboratory Analysis and Reports of Indoor Air Testing
3. On-site industrial hygiene support at Headquarters EPA
4. Air monitoring for asbestos and lead in any of our buildings.
5. The maintenance and calibration of monitoring instruments.
6. Wipe sampling for lead or asbestos particulate.
7. Contracting of external technical services.
8. Drinking water testing for potability.
9. Testing for microbial growth in EPA work spaces.
10. Monitoring and assessing air handling (HVAC) systems.
11. Fire code and life safety code evaluations in EPA buildings.
12. Safety and health training for EPA employees.
13. Medical reviews and medical surveillance for employees who experience potential and significant hazardous exposures during the course of routine job duties.
14. Technical and professional development courses for colateral and full-time safety and health officials (including union)
15. Material Safety Data Sheet reviews and health risk reviews for construction and renovation projects.
16. Studies to help us plan for effective prevention and intervention programs.
17. Development and operation of information management systems to help us better receive, respond, report and record employee calls and/or complaints. This is a critical customer service tool.
18. Availability of allergy shots, immunizations or other prescribed treatments on-site.
19. Ergonomic training, assessments and improvement plans.
20. Health Units and Fitness Centers services and locations

I could list more, but I think you see what I mean. We have enjoyed a longstanding partnership in safety

and health at EPA headquarters for some time now. I would like to call on this partnership to help raise concerns about effectively continuing to provide for the safety and health of EPA employees.

We have earned an impressive record at EPA. It didn't come without a major investment, and it won't last if we don't maintain it. I suggest it may be in the best interests of all Federal employees if local officials and their national counterparts join in raising the concern and awareness involved with this issue.

WHISTLEBLOWER MUST DISCLOSE TO PERSONS OTHER THAN WRONGDOERS - from the *Federal Manager's Newsletter*, 9/9/99

The following article is written from a manager's perspective. Take heed of its advice if you are contemplating "blowing the whistle". Even better, come to the union office first before setting that device to your lips; we have valuable experience to share.

In a recent unpublished decision, the U.S. Court of Appeals for the Federal Circuit reinforced the principle that in order for a "disclosure" of illegality, waste, or corruption to qualify as a "protected disclosure" under the Whistleblower Protection Act (WPA), the "disclosure" must be made to an individual who is in a position to remedy the problem, but who is not the wrongdoer himself.

In this case, a doctor working for the Department of Veterans Affairs claimed that he made a "protected disclosure" when he complained to his superiors and co-workers that an agency policy was being violated. The court disagreed, however, indicating that the doctor's disclosure was not a "protected disclosure" because he complained to the wrongdoers themselves, and to supervisors who had no belief that the disclosure would result in disciplinary action against them. The court indicated that in order for the disclosure to be "protected" under the WPA, the doctor would have needed to object to a higher authority or to an outside audience. The lesson for federal managers is clear: In order for a disclosure to be "protected" under the WPA, the disclosure must be made to an individual who is not a wrongdoer himself, and who is in a position to remedy the problem. Disclosures to a senior-level manager not involved in the wrongdoing, or to Congress, the IG, or the press would normally be considered sufficient for a disclosure to be "protected." The case is *Randles v. Department of Veterans Affairs*, Fed. Cir., No. 99-3069, Aug. 11, 1999.

(Editorial Note: By far the most common complaint about the Collective Bargaining Agreement's Grievance Procedure is that it requires the grievant to grieve to the management official capable of granting the relief sought. Frequently, the source of the wrong-doing is just that management official. What effect will the have on the CBA negotiations slated for 2000?)

IRS WILL MAKE DISCIPLINARY ACTIONS PUBLIC - from the *Federal Manager's Newsletter*, 9/9/99 The IRS has agreed to share disciplinary actions imposed on employees with the National Treasury Employees Union (NTEU), and to post this information on its website. IRS Commissioner Charles Rossotti claims that this will allow those reviewing this information to see that discipline is administered "fairly and equitably," without regard for the employee's position or grade. The information will be released in chart form, listing employees by position and grade. The IRS states that care will be taken to protect the individual employees'

identities. Disciplinary information for GS-15 level employees and up for the period from January 1, 1996 to June 30, 1999 will be available within the next three months. Information for the GS-15s and above for the period from July 1, 1999 to December 31, 1999 will be available by March 1, 2000. Information for all other employees for the full 1999 calendar year will also be available by March 1, 2000. After that, the information will be provided by the IRS twice a year, covering either the first or last half of the calendar year.

**ON-BOARD STRENGTHS, HIRING, AND ATTRITION TRENDS BY FISCAL YEAR
1990 - 1999**

FISCAL YEAR	PERMANENT EMPLOYEES (TOTAL)*	SEPARATIONS AMONG PERMANENT EMPLOYEES	SEPARATION RATE OF PERMANENT EMPLOYEES**	Permanent New Hires	TOTAL ALL ON-BOARDS	SEPARATIONS AMONG ALL ON-BOARDS	SEPARATION RATE OF ALL ON-BOARDS	New Hires All Categories
1990	15,842	1,156		2,283	17,665	2,305		3,769
1991	16,920	1,042	6.6%	1,985	18,871	2,352	13.3%	3,502
1992	17,279	875	5.2%	1,040	18,915	1,684	8.9%	1,781
1993	17,493	879	5.1%	969	19,065	1,796	9.5%	1,846
1994	17,465	703	4.0%	635	18,762	1,158	6.1%	1,078
1995	17,574	1,182	6.8%	1,235	18,525	1,921	10.2%	1,805
1996	16,835	920	5.2%	136	17,720	1,328	7.2%	550
1997	17,321	728	4.3%	1,226	18,560	1,427	8.0%	2,228
1998	17,981	784	4.5%	1,298	19,386	1,689	9.1%	2,525
1999	18,187	767	4.2%	762	19,324	1,319	6.8%	1,318
AVG 90 - 99	17,290	904	5.1%	1,157	18,679	1,698	8.8%	2,040

* Includes only permanent full-time, permanent part-time, and permanent intermittent EPA employees

** Calculated by taking the total number of separations for a given year divided by the number of on-boards on the first of the year

ON-BOARD STRENGTHS, HIRING, AND ATTRITION TRENDS BY MONTH*
September 1998 - September 1999

END OF MONTH FY 1999	PERMANENT EMPLOYEES (TOTAL)**	SEPARATIONS AMONG PERMANENT EMPLOYEES	SEPARATION RATE OF PERMANENT EMPLOYEES**	Permanent New Hires	TOTAL ALL ON-BOARDS	SEPARATIONS AMONG ALL ON-BOARDS	SEPARATION RATE OF ALL ON-BOARDS	New Hires All Categories
September '98	17,981				19,386			
October	18,184	55	0.3%	113	19,325	220	1.1%	167
November	18,227	45	0.3%	86	19,376	60	0.3%	118
December	18,245	36	0.2%	65	19,410	52	0.3%	102
January	18,210	129	0.7%	71	19,343	184	0.9%	106
February	18,224	56	0.3%	54	19,351	72	0.4%	83
March	18,246	46	0.3%	53	19,368	58	0.3%	70
April	18,256	60	0.3%	66	19,379	66	0.3%	80
May	18,272	60	0.3%	75	19,428	77	0.4%	135
June	18,274	55	0.3%	61	19,605	74	0.4%	255
July	18,241	119	0.6%	63	19,572	162	0.8%	123
August	18,228	57	0.3%	38	19,414	214	1.1%	56
September	18,187	49	0.3%	17	19,324	80	0.4%	23
TOTAL 1999	18,187	767	4.2%	762	19,324	1,319	6.8%	1,318

AVG 90 - 99	17,290	904	5.1%	1,157	18,679	1,698	8.8%	2,040
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- * "Months" correspond to OPM SF-113 "End-of-Month"
- ** Includes only permanent full-time, permanent part-time, and permanent intermittent EPA employees
- *** Calculated by taking the total number of separations for a given year divided by the number of on-boards on the first of the year

ROACHEZ

- Dave

Dad?

Yes Son.



That is only a Fairy Tale
the humans tell their larval
forms.



How come so many
Presidential Candidates
are dropping out saying
they don't have enough
money to win? They
raised millions.

Well son, you need to
raise tens of millions to
get elected President.



The very rich buy the candidates
for both parties, that way no
matter who gets elected the
multi-national corporations win
and the people lose.



But I thought it was about
democracy and who gets the
most votes, who is most
popular with the people, has
the best issues....



Sounds very feudal.

You're a fast learner son.



NTEU Victory On Federal Pay — 4.8%

NTEU has successfully included the largest federal employee pay raise in nearly twenty years in the FY2000 Treasury Appropriations bill.

Effective January 1, 2000, federal employees will receive an average 4.8% pay raise—some will likely receive over 5%.

Mobilizing our grassroots legislative volunteers, working with our friends in Congress, NTEU is making a difference in your bottom line — your paycheck.

Congress has approved the 4.8 percent pay raise and the President is expected to sign it into law within the next few weeks.

“It’s the biggest increase that I can recall,” said Colleen Kelley, president of the National Treasury Employees Union...

The Sun (Baltimore) • 9/10/99

**Are you a NTEU member?
Shouldn't you be?**

**NTEU.
Working For You
On Capitol Hill.**



Join NTEU Today!
Sign the SF-1187 on the reverse side and return to any NTEU officer or steward.

REQUEST FOR PAYROLL DEDUCTIONS FOR LABOR ORGANIZATION DUES

Privacy Act Statement

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

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

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

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

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

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

National Treasury Employees Union
 Chapter No. _____

* — % For Grade
 And Step On National
 Chart + Chapter

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

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

Section B—Authorization By Employee

I hereby authorize the above named agency to deduct from my pay each pay period, or the first full pay period of each month, the amount certified above as the regular dues of the (Name of Organization) NTEU Chapter No. _____ and to remit such amount to that labor organization in accordance with its arrangements with my employing agency. I further authorize any change in the amount to be deducted which is certified by the above named labor organization as a uniform change in its dues structure.

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

Contributions or gifts (including dues) to the labor organization shown above are not tax deductible as charitable contributions. However, they may be tax deductible under other provisions of the Internal Revenue Code.

Signature of Employee	Date (Month, Day, Year)

For Completion by agency only—The above named employee and labor organization meet the requirements for dues withholding.
 (Mark the appropriate box. If "Yes", send this form to payroll. If "No", return this form to the labor organization.)

YES	NO

- PERMANENT
- WAE