



Moldy Ohio field office closed—finally!

By John Oertel
Staff Writer

Two years after mold was found throughout the Social Security Office in Ironton, Ohio, management finally relented and agreed to move employees to new locations.

“Nine out of the twelve employees filed Workers Compensation claims in August of last year,” explained Rick Hanna, an Area Vice President of AFGE Local 3448. “That number is now up to ten, because even the former manager believes she got sick from having to work in those hazardous conditions.

“In today’s political climate and with the current management of SSA, this is an unbelievable win for the Union and the Ironton employees.

“This situation wasn’t some minor everyday-issue. This was about a very unhealthy workplace which was causing our members continuing health problems. For the agency to close the office and transfer the workers, this is the reward that we seldom receive.”

Employees were happy to be finally out of the office. Ironton Local Representative Jenifer Park described employee reaction as “ecstatic.”

“I packed up my personal items the day of the announcement,” Park said. Employees have been suffering, she added, using sick and annual leave well beyond a normal rate because of illnesses they relate to the mold.

Hanna also pointed out that SSA management (including the Area Director and Regional Office) knew about the mold problem from the beginning and did almost nothing, even after receiving proof from a number of agencies.

In a letter to Social Security’s Chicago Regional Office in December, 2010, Lt. Commander Randy Boylstein of the U.S. Public Health Service wrote “there is sufficient evidence to conclude that the Ironton building is suffering from problems that contribute to substantial mold growth. When visible mold growth is present, mold odors are detected, elevated humidity levels are measured, and visible water leaks are found, not only do you have significant problems with the building, but occupants are at risk of developing symptoms.

“It is probable, based on these conditions, the occupant symptoms are due to this work environment.”

Acting on advice from the Federal Occupa-

tional Health (FOH), SSA management used tape to seal areas of wallpaper where mold was visible. The U.S. Public Health Service did not like that idea, however.

“Simply covering the wallpaper seams with tape or plastic will not resolve the issues and may actually create additional problems, such as elevating the humidity behind the wallpaper thus promoting increased growth of mold,” Lt. Commander Boylstein stated.

The agency also brought in a large fan, hoping that would move the air around and reduce the hazard.

“All the fan did,” Hanna said, “was move the mold around and possibly send it to places in the office where it didn’t exist before.”

He also said the U.S. Department of Labor denied the employees’ Workers Comp claims but they are now being appealed. The Ironton staff continues to suffer from chest pains, dizziness, headaches, fatigue, skin irritation, and a number of other conditions.

David Sheagley, the Regional Vice President for Council 220 in the Chicago Region and President of AFGE Local 3448, wrote to U.S. Senator Sherrod Brown in November, 2010 asking for his assistance.

In that letter, Sheagley noted that an “Indoor Air Quality Survey Report study was completed

around September 15, 2009 which verified the presence of mold; however, it was not presented to our employees or Union until July, 2010. A ‘Follow-Up Indoor Air Quality Report’ was made around August 12, 2010 and, in summary, it alluded to the continued presence of multiple areas of mold.”

He also pointed out that a number of grievances have been filed over the issue; one of them concerns the agency’s failure to deal with the unsafe work conditions in Ironton.

A new building is now under construction and should be ready by November, 2011.

For guidance on health and safety issues, visit:

AFGE: <http://www.afge.org/Index.cfm?Page=HealthSafety>

C220: http://afge220.org/Health_and_safety.html

CDC: <http://cdc.gov/Workplace/>

Bonuses next on the chopping block

First it was a two-year pay freeze for Federal employees that some Members of Congress want to extend to five years. Then there was talk of having Government workers pay more toward their pensions and health insurance.

Now, the Obama administration is considering limits on bonuses given for outstanding work.

A recent memorandum from the Office of Management and Budget (OMB) and the Office of Personnel Management (OPM) discussed specific limits on awards for Senior Executive Service and non-SES personnel. Those could be reduced to five per cent and one per cent of aggregate salaries, respectively, in 2011 and 2012.

That memo also outlined the administration’s unhappiness with the current awards system.

“Recent survey results show that a large number of both agency managers and employees do not perceive the current employee performance management/award systems to be fair or accurately reflect differences in performance levels,” it stated.

“For example, the latest Federal Employee Viewpoint Survey showed that only 36 percent of employees believe that differences in performance are recognized and only 43 percent believe that awards reflect how well employees perform their jobs.”

The heads of federal agencies were also reminded to honor all collective bargaining obligations and discuss agency award programs in agency labor-management forums. There would not be a limit on the number of people who could receive awards or the amount of a bonus.

Privatizing: idea that just won't go away

Congressional Republicans are making another attempt to privatize Social Security – even though that same proposal failed miserably in 2005.

H.R. 2109 was recently introduced by Rep. Pete Sessions of Texas, who also serves as chairman of the House Republican campaign committee. His idea was quickly rejected by Edward F. Coyle, Executive Director of the Alliance for Retired Americans (ARA).

“Current and future retirees can ill-afford to gamble away their life savings on the roulette wheel of the stock market,” Coyle said. “Can you imagine if George W. Bush had gotten his way and Social Security had been privatized? It would have been a disaster if we had turned Social Security over to Bernie Madoff, AIG, and Lehman Brothers.

“Privatizing is a risk very few Americans can afford to take.”

Sessions' bill was co-sponsored by Republican Reps. Jeb Hensarling (Texas), Dan Burton (Indiana), Marsha Blackburn (Tennessee), Lamar Smith (Texas), and Lee Terry (Nebraska).

After President George W. Bush won re-election to a second term, he quickly made privatizing Social Security one of his top priorities – but that idea was opposed by the public and many Members of Congress (both Democrats and Republicans).

Their fears were realized in October 2008, when the Dow Jones Industrial Average fell 18% in one week and the S&P 500 dropped more than 20%. Similar meltdowns were experienced by financial markets around the world, but Bush said in 2010 (just two years after the stock market crash) that he considered his inability to “reform” Social Security to be his greatest failure while in office.

“I would like to be remembered as a guy who had a set of priorities and was willing to live by those priorities,” he told an audience in Chicago last year.

In September, 2010, SSA Commissioner Michael Astrue chose to celebrate the agency's 75th anniversary by traveling to the NASDAQ exchange in New York City and opening that day's session.

It was a move that angered Council 220 President Witold Skwierczynski. In a letter to Astrue, he wrote:

“How utterly inappropriate it is to celebrate (this) anniversary in the halls of corporate America which salivates at the potential of eliminating SSA's trust funds and creating private investment accounts to increase their corporate profits and destroy the 75-year history of investing SSA taxes in safe trust fund accounts.”

Earlier this year, Congressional Republicans voted overwhelmingly for a budget proposal from Rep. Paul Ryan of Wisconsin that would privatize the Medicare program. Opponents fear his idea would dramatically raise costs for seniors while simultaneously cutting benefits.

Since the passage of that measure in the House, several polls have shown most Americans are opposed to it. The ARA has warned that a “disinformation” campaign has begun to scare older Americans into endorsing the Ryan plan. It includes ads from the business-backed “60 Plus Association,” which claims his proposal would save Medicare.

“With the...misinformation machine in full swing, seniors need to be more informed than ever before so they can separate fact from fiction,” ARA Executive Director Ed Coyle believes.

Baltimore gathering recalls tax cut ‘day of infamy’

Union members and progressives recently converged on Social Security's headquarters building in Baltimore to observe an important date in this country's economic downfall.

They protested on the ten-year anniversary of the day that President George W. Bush signed a \$1.35 trillion tax cut bill into law, which many people still believe was an enormous benefit for wealthy Americans while simultaneously contributing to this nation's massive debt.

“We feel that in the middle of this huge fight over the debt crisis that it's important to remember ten years ago, we sacrificed an incredible amount of revenue,” said Scott Roberts of the group Progressive Maryland, which organized the event.

“We could have \$150 to \$200 billion, if we hadn't given those tax cuts away, if we didn't have subsidies for big business and tax loopholes for those folks,” he continued.

Council 220 President Witold Skwierczynski also spoke at the gathering, along with Regional Vice President Steve Kofahl of the Seattle Region. Both are members of the AFGE/SSA Contract Bargaining Team. A number of protesters carried signs reading “tax cuts don't help feed my family” and “tax cuts do not equal jobs.” Similar rallies were held throughout the United States the same day.

Adam Schneider, coordinator of community relations for the group Healthcare for the Homeless, said he didn't mind paying taxes but

“I mind where a lot of my money is going and I think the argument was more compelling if we weren't spending so much money on endless wars.”

Critics of the Bush-era tax cuts also fear that as the national debt continues to increase, social programs that tend to help the middle class and poor (like Social Security and Medicare) will face deeper cuts.

“Enough is enough,” said Rion Dennis, Executive Director of Progressive Maryland. “Our economy is in tatters and the middle class is disappearing. Yet some in Congress are at it again. They want to give even larger tax cuts to corporations and the super-rich while slashing essential services, environmental protections,

and attacking public employees.”

That organization supports the Taxation in Fairness Act, which would create new tax brackets for millionaires and billionaires and help working Americans and middle-class families. The measure is sponsored by Rep. Jan Schakowsky (D-Illinois).

“We demand a tax system where we all pay our fair share,” Dennis said. “We demand an end to tax loopholes for corporations. We demand an end to the Bush tax cuts for the super-rich. This is the only way to pay for the vital services that protect our families and the environment.”



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use your personal (not ssa.gov) email.



Congresswoman Jan Schakowsky (D-Illinois) addresses a gathering of Union members during a recent meeting in Chicago. National Council of SSA Field Operations Local representatives Dana Duggins and Jill Hornick also spoke during the meeting.

Schakowsky was an original member of President Obama's 2010 National Commission on Fiscal Responsibility and Reform.

SSA reps address iClaims

Several dozen people recently gathered in Chicago to hear about the problems associated with Social Security's iClaims (internet claims) initiative, as well as plans to strengthen the agency's funding.

The meeting was sponsored by AFGE, Council 220, and the Chicago Federation of Labor. The keynote speaker was Rep. Jan Schakowsky (D-Illinois), a member of President Obama's deficit reduction committee who has offered several proposals to reduce the Government's ballooning budget shortfalls without hurting the poor and middle class.

One of them is to lift the cap on the amount of earnings subject to FICA taxes. Right now that limit is \$106,800 – but many people believe its removal would fund Social Security well into the twenty-first century.

Dana Duggins, the Third Vice President of Council 220, talked about the many problems associated with iClaims.

"Commissioner Michael Astrue has said publicly and before Congress that he believes every American has a financial advisor and that's why they should file on the internet. His belief is, 'the public doesn't need us to tell them about their options,'" Duggins said.

"Those are ridiculous statements to make and to believe.

"Most people don't have a financial advisor

– and even if they did, financial advisors do not have the training or understand the rules applied to Social Security benefits.

"Everyone's situation when it comes to Social Security is completely different. That's why they should come into the office and talk to a trained employee, or make a phone appointment to do the same. The information given to Social Security on an internet claim can affect a person for the rest of their life, so we shouldn't be asking them to do highly complex work and then hope they get it right."

Council 220 Representative Jill Hornick pointed out that after Duggins' presentation, many people asked her to speak at their events. In her closing remarks, Hornick mentioned that it takes at least three years for a Social Security Claims Representative to become fully proficient in their jobs.

"So why are we asking people to file on the internet when they don't have that kind of experience?" she asked.

Another speaker was Greg Akili, the Field Director of "Social Security Works." He mentioned the frequent attacks made on SSA and he suggested that advocacy groups and the public work together to protect Social Security, which has long been considered America's most successful anti-poverty program.

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Office moves twice — in 2 days!

Moving an entire Social Security Office can be an expensive, time consuming chore – but imagine doing it twice in two days!

That's what happened this past summer to the employees in Council Bluffs, Iowa. On June 30, all of their workstations, computers, chairs, and personal items were boxed-up and sent 16 miles to the office in Omaha, Nebraska.

"Management told the Union it was worried about rising flood waters," said Jeremy Maske, President of AFGE Local 836, "but I demanded to bargain because 13 bargaining unit employees were going to be impacted.

"That request was denied, but I also contacted Senator Tom Harkin's office because he represents the entire state of Iowa."

At the time of this move, the management staff in Omaha included Manager Marsha Bartholomew and Assistant Manager Diana Cada. The Area Director is Shara Severt and the Regional Commissioner is Carolyn Simmons.

Maske later met with a member of Harkin's staff and that's when he was told the Senator had a number of concerns about the office move. Among them:

- Local officials were never made aware of the relocation;
- Management never consulted with the Army Corps of Engineers (ACE) about the likelihood of the office flooding; if they had, the ACE would have told them the

levies in Council Bluffs were solid and would hold;

- Taking such a pre-emptive step would send the wrong signal to the residents in that area, who were already nervous about a potentially dangerous situation.

"This was really an attempt by SSA to close down an entire office, and management used the 'threat' of a flood to do it," Maske believes.

"The Union has received word that SSA wants to close facilities throughout the United States and management will use whatever trick it can come-up with to accomplish that goal."

Harkin's Chief of Staff, Brian Ahlberg, spoke to Commissioner Michael Astrue on June 30 (the day of the relocation) and relayed the Senator's concerns. He also demanded that the office in Council Bluffs stay open.

Just one day later, the moving vans were back and employees were told to return to Iowa.

"This was a tremendous waste of money," Maske pointed out, "and it comes at a time when the Federal Government should be spending wisely. There was no reason any of this should have happened – and hopefully, next time, management will think twice."

UNITY has submitted a Freedom of Information Act (FOIA) request to the Social Security Administration to ascertain how much money was spent for those two relocations. Those amounts will be printed in a later edition.

Indefinite suspension unjustified

Employee reinstated; back pay awarded

“This case is really, really important for a number of reasons.”

That’s how Council 220 attorney Patti McGowan reacted after an arbitrator sided with the Union and ordered that a Claims Representative from New Jersey be given her job back.

Arbitrator Kinard Lang also decided that the employee (who will not be identified in this article) is entitled to retroactive wages and benefits.

A criminal complaint was filed against her in January, 2009 for apparently violating the agency’s “systems access” policies by obtaining information about a person. A month later, she was put on indefinite suspension without pay.

“I argued during the arbitration hearing there is an administrative remedy ‘Table of Penalties’ and that is subject to the just-cause review required by the AFGE/SSA national contract,” McGowan told **UNITY**. “The agency should have used that instead of pursuing criminal charges against the employee.”

“She was denied her contractual and due process rights and the arbitrator understood that.”

McGowan also noted that SSA is “going crazy” with these indefinite suspensions and she expects to handle similar cases across the country. She credits several members of Local 2369 for their excellent work on the New Jersey case.

“President Gian Marco Pastore, Executive Vice President Angela Digeronimo, and Joe Cooke spent a great deal of time working on this matter,” McGowan said. “They really put everything together.”

In his 14-page decision, Lang pointed out that two people who could have been important to the agency’s case never spoke at the hearing: neither the first line supervisor nor the investigating agent were witnesses at the arbitration.

“OIG Agent (Tony) Patlaba did not testify at arbitration, so we are denied his first-hand knowledge explanation of why the agency proceeded as it did in this matter,” Lang wrote.

“(Donna) Cintron, the grievant’s first-line supervisor, and Patlaba, the OIG Agent conducting the investigation, are the employees any reasonable person would expect to provide the most credible explanation of why the agency acted as if indefinite suspension was the only feasible course of action in this case.”

He also criticized the actions of District Manager Eileen Warburton.

“The record shows Warburton, the deciding official, did no investigation of the facts underlying the (employee’s) alleged criminal conduct,” Lang stated.

He later wrote: “At arbitration, Warburton testified that nothing the (employee) or her Union could have said... would have had any influence. That Warburton testimony reflects the agency’s attitude throughout the grievance: ‘my mind is made-up, don’t confuse me with the facts.’”

PII and sanctions statements

Don’t sign unless you *fully* understand

By Charlie Estudillo First Vice President, NCSSAFOL

I am advising employees NOT to sign any statement acknowledging that they fully understand Social Security’s Personally Identifiable Information (PII) policy or the Systems Access and Sanctions Policy – UNLESS they fully understand them and are willing to suffer an indefinite suspension or removal if they later find out they were wrong.

The PII Policy: “PII is any information about an individual maintained by an agency, including (1) any information that can be used to distinguish or trace an individual’s identity, such as name, social security number, date and place of birth, mother’s maiden name, or biometric records; and (2) any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information.” Is that broad and vague enough?

Think of all the questions you may have about how the PII policy could be interpreted by you and your management officials. Unless you fully understand the policies (for example, a phone number and an address are both PII), I encourage all employees to go to the national PII websites and read everything possible on the subject before you even consider signing the statement.

When I questioned a supervisor about PII, she knew less than I did and claimed a phone number and address were not PII. I proved her wrong by showing her information from the agency’s intranet site.

Do you know the Regional Security Officer’s protocol for sanitizing PII and how such sanitization makes the document NOT PII anymore? This is an important fact to know. Ask your supervisor and get it in writing before you consider signing anything.

Remember, what you don’t know can hurt you – badly and permanently.

Employees who have not met their probationary period may want to check with their Union rep before refusing to sign the PII statement.

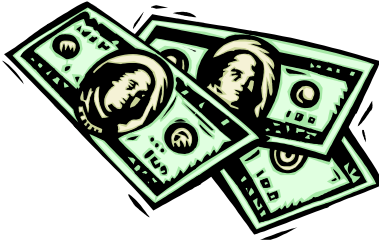
Your best bet might be to study and learn all you can and act carefully. Once you have your full complement of rights, you will have more freedom to assert those rights. Employees on probation should check with your Local President for any Local policies that might exist.

Inappropriate systems access is also a crime. You should know the agency is now imposing indefinite suspensions for systems access that rates a reprimand under the policy. The Office of the Inspector General (OIG) questions employees, who answer honestly, thinking they will get a reprimand. Then, OIG pushes its case to the US Attorney’s office and Social Security issues an indefinite suspension because the employee admitted to committing a crime. Council 220 is aware of some employees who languished in unpaid indefinite suspension for a year or more for a Category I violation (access without disclosure).

If the OIG asks you questions, demand your Union rep AND an attorney. Don’t answer any questions until you have strong representation – no matter how badly you are badgered to answer questions: you are entitled to a reasonable time (a couple of days) to get an attorney or have an attorney review any guarantee that criminal charges will not result from your answers. The OIG is supposed to inform you of the right to remain silent and the right to an attorney, but we are hearing they are not doing that.

Don’t be intimidated. You don’t have to answer any questions unless they have given you a guarantee they won’t pursue criminal charges. Any guarantee from criminal prosecution should be evaluated by an attorney or at least an experienced Union rep before you answer questions that could land you in jail, cost you a year’s pay or more, or cost you thousands of dollars in attorney fees.

The so-called guarantees of criminal prosecution that I have seen from the OIG are not adequate to protect you from criminal prosecution.



Top jobs given top bonuses

Over the last two years, high-ranking regional officials throughout the Social Security Administration have continued to receive large amounts of

award money – and American taxpayers were especially generous to many of them in March, 2009 and January, 2010.

That's when Regional Commissioners and their top staffers were simultaneously given tens-of-thousands of dollars – even though members of the SSA bargaining unit were not properly recognized for their ongoing contributions to the agency.

UNITY obtained the data through the Freedom of Information Act.

A review of those figures also showed a disparity among management officials. For example, two of the Chief Regional Councils (Mary Ann Sloan and Donna Calvert) each received over \$10,000 in Senior Executive Service (SES) Award money while Kim Bright (a Regional Chief Counsel in Chicago) was given only a few hundred dollars.

It's also worth noting that San Francisco Regional Commissioner Pete Spencer apparently did not receive any award money in Fiscal Year 2010. Spencer sponsored "Management Tango" in 2009, an event that cost more than \$675,000 and generated a great deal of bad publicity for Social Security. (*See the October, 2009 and March, 2010 UNITY for more details on that story.*)

Spencer recently announced his retirement from the agency.

Big bucks by Region

Atlanta Region:

Paul Barnes, Regional Commissioner

Senior Executive Service (SES) Performance Award	03/29/09	\$23,000
SES Performance Award	01/03/10	19,750

Mary Ann Sloan, Regional Chief Counsel

SES Performance Award	01/03/10	19,000
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Quittie C. Wilson, Assistant Regional Commissioner

SES Performance Award	03/29/09	7,600
SES Performance Award	01/03/10	8,000

Boston Region:

Manual Vaz, Regional Commissioner

SES Performance Award	01/03/10	19,750
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Susan Harding, Deputy Regional Commissioner

SES Performance Award	03/29/09	15,000
SES Performance Award	01/03/10	15,000

Chicago Region:

James F. Martin, Regional Commissioner

SES Performance Award	03/29/09	13,500
Commissioner's Leadership*	09/16/09	00.00*
SES Performance Award	01/03/10	17,500

Kim L. Bright, Regional Chief Counsel

Individual Performance Award	06/21/09	800
ECS Award	08/16/09	400
Individual Performance Award	07/04/10	731
Individual Performance Award	08/29/10	500

Danny L. Byrns, TSC Manager

Individual Performance Award	07/05/09	1,400
ECS Award	08/30/09	700
Individual Performance Award	06/06/10	1,500
Individual Cash Award	08/29/10	500

Donna L. Calvert, Regional Chief Counsel

SES Performance Award	03/29/09	10,000
SES Performance Award	01/03/10	10,000

Mary D. Mahler, Assistant Regional Commissioner

SES Performance Award	03/29/09	8,200
SES Performance Award	01/03/10	8,500

Marcia R. Mosley, Deputy Regional Commissioner

SES Performance Award	03/29/09	10,000
SES Performance Award	01/03/10	10,000

Dallas Region:

Martha Lambie, Regional Commissioner

SES Performance Award	03/29/09	8,500
SES Performance Award	01/03/10	10,000

Ramona Schuenemeyer, Regional Commissioner

SES Performance Award	01/03/10	19,750
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Tina M. Waddell, Regional Chief Counsel

SES Performance Award	03/29/09	20,000
SES Performance Award	01/03/10	10,000

Denver Region:

Nancy A. Berryhill, Regional Commissioner

SES Performance Award	03/29/09	22,500
SES Performance Award	01/03/10	19,750
SES Rank Award	09/30/10	34,995

Yvette Keesee, Deputy Regional Chief Counsel

Quality Service Award*	05/12/09	00.00*
Individual Performance Award	08/16/09	3,500
Individual Performance Award	03/28/10	1,200
Individual Cash Award	08/29/10	500

Katherine E. Kintz, Deputy Asst. Regional Cmsnr.

Individual Performance Award	06/30/09	1,800
Individual Performance Award	03/09/10	1,100

Sean P. Brune, Deputy Regional Commissioner

SES Performance Award	01/03/10	10,000
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Kansas City Region:

Michael Grochowski, Regional Commissioner

SES Performance Award	03/29/09	16,000
SES Performance Award	01/03/10	17,500

William K. Powell, Asst/Deputy Regional Cmsnr.

SES Performance Award	03/29/09	11,000
SES Performance Award	01/03/10	12,500

*Honor award

Top job bonuses, continued on page 7

Seattle poor, disabled could suffer if SSA office moved to federal building

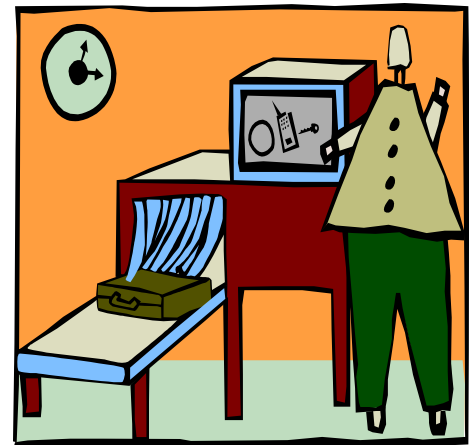
The Social Security Administration has devised a plan that could prevent many of the poor, the homeless, and disabled from visiting a proposed new field office in Seattle.

The agency wants to close two facilities in that city and merge them into one at the Jackson Federal Building (JFB).

According to Steve Kofahl, the President of AFGE Local 3937, the JFB is considered a high-security building and everyone who enters must present a valid State or Federal ID.

“Many of the people we serve don’t have that type of identification because they can’t afford it,” Kofahl told UNITY. “This means our Social Security employees won’t be able to provide the kind of services our clients have a right to expect.”

He also noted that the JFB houses a number of federal law enforcement offices, including the Internal Revenue Service and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).



“After the Oklahoma City bombing in 1995, the General Services Administration (which is responsible for maintaining Government buildings) realized high-risk agencies that may attract terrorist attacks should not be in the same facilities as low-risk agencies, especially those serving the public.

“The reason,” Kofahl said, “is to avoid the type of carnage that happened at the Murrah Federal Building.”

Social Security has also claimed that by consolidating two offices, it will save a great deal of money, but Kofahl said the agency’s figures are not accurate and “no amount of savings justifies the denial of service to anyone, especially those who want and need personal, face-to-face service.”

He has made an information request to the agency and asked for a meeting with Regional Commissioner Stanley C. Friendship, but at press time, both of those requests had been refused.

Visitor parking – especially for the handicapped – will also be limited if the agency moves to the Jackson Federal Building.

“The two existing offices that are affected each serve about 150 visitors a day,” Kofahl pointed out, “so there will be long, slow lines at the JFB entrances at times.

“Parking garages around the building are expensive, and the east-west streets and sidewalks in this area are very steep. Currently, visitors to the Seattle District Office enjoy lower-cost parking that is immediately adjacent to the building, and those who visit Seattle South can use a large, free parking lot right next to the building.”

Kofahl believes help from community organizations and elected representatives may prevent SSA from implementing its plan.

“This proposal can be stopped, and access to face-to-face services preserved for those who are most vulnerable. It was a bad decision, made in haste and with little regard for the impact on the public,” he said.

Union, agency settle eight complaints for one OK office

Eight female employees from the Poteau, Okla. Social Security Office will each receive \$3,000 after agreeing to settle their EEO grievances against the agency.

Ralph DeJulius, the President of AFGE Local 2505 and the employees’ representative, said the problems began several years ago when Jack Armstrong was District Manager (DM).

“Poteau was a horrible place to work when Armstrong was there,” DeJulius told UNITY. “Members of the bargaining unit should never have been subjected to his racist comments and attitudes. It was literally making them sick. They told me that when Armstrong was out on the floor, they scattered.

“They also said they didn’t want to see him for anything, including a signature on a leave slip.”

Armstrong retired in 2008, two weeks after the female employees wrote a five-page, single-spaced letter outlining his behavior. It was sent to several high-ranking SSA officials, including then-Dallas Regional Commissioner Ramona Schuenemeyer.

Among their allegations:

“DM Armstrong has never given an African-American applicant more than a seven-minute interview. There was a picture of the prior Poteau staff. There was an African-American in the staff. DM Armstrong was overheard referring to him as a ‘n----r.’ When receiving calls from one of the PCs (Payment Centers), DM Armstrong would ask someone to take the call because he ‘couldn’t understand that black woman.’”

“A person, we think he was from Brownsville, who was a dark-skinned Hispanic or

Native American, was in Poteau to do a security audit. There were problems with the SS-5s and leaving the data room door open. DM Armstrong referred to him as a ‘prick’ in front of us.”

“A Poteau employee transferred to Fort Smith over the objections of DM Armstrong. She subsequently was paralyzed in a car accident. DM Armstrong said that was just what she deserved for going up against him!”

“We are afraid of reprisal and retaliation. DM Armstrong told us that if we talk about the office and how things are done and ‘scuttlebutt,’ we ‘just need to remember, I’ll remember at appraisal and award time.’”

“DM Armstrong gives all women a hard time for leave. When (a female employee’s) dad passed away, she called-in for leave. DM Armstrong told her that she had a lot of work waiting for her. DM Armstrong was hurtful and rude.”

“DM Armstrong was overheard saying that any Poteau employee would NEVER join the Union because, ‘they know it would be disloyal to me.’”

“I’m very glad these cases were finally settled,” DeJulius said, “but it says a lot about Social Security that it took years to get the situation resolved. If a member of the bargaining unit had said the things that Armstrong apparently said, they would have been fired without hesitation.

“The situation in Poteau again shows that SSA has a double-standard: one for management officials and another for the rest of the employees.”

E-Services ‘actors’ win pay, thanks to Union

Apparently, management in the Glen Burnie district will boldly go where no man(agement) has gone before when pushing iClaims and other on-line services.

The agency’s reliance on local office initiatives to keep clients out of the office took a weird turn in Maryland when employees were asked to join a contest at a local early-morning television show. Local 3302 President Rita Pyle was informed 17 employees were asked to show up at the TV station at 5:30 AM to cheer on their team in what was essentially a free ad for SSA’s e-services.

What riled up the Union was management’s apparent failure to

plan on paying employees for their early-morning work hours and travel expenses, making the free air time a little too free. Not until Pyle filed a Union-Management grievance with Regional Commissioner Laurie Watkins did the agency decide to compensate participants.

Eight months after the event, Area Director Jacqueline Collins-Miller assured the Local that time and attendance for bargaining unit employees were amended to compensate for their time and all who requested travel reimbursement were paid.

“By the way, the employees didn’t win the TV contest,” Pyle said.

Answers to July Labor History Quiz

[Editor’s Note: Below are the answers to a pair of questions asked in the July, 2011 UNITY. This information was provided by the American Federation of Government Employees (AFGE).]

Besides the United States, what other countries deny civil servants the right to strike?

- France
- Canada
- Spain
- Greece
- Hungary
- Holland
- Netherlands
- Zimbabwe
- Finland
- India
- South Africa
- None of the above

Answer: *None of the above. The biggest single difference between Labor Relations in the public sector and in the private sector is the right to strike. The Supreme Court has recognized the right to strike as the ultimate form of collective action to pressure the employer to recognize or bargain with the Union.*

What 1935 law has been called the “Magna Carta” of organized labor?

- American Labor Union Act
- National Industrial Recovery Act
- Fair Labor Standards Act
- National Labor Relations Act

Answer: *The National Labor Relations Act. Also called the Wagner Act, this law is the foundation for current U.S. labor law and paved the way for Union growth nationwide.*

The law granted Unions the right to organize without employer interference and obligated employers to bargain collectively with Unions on hours, wages, and other terms and conditions of employment.

The National Labor Relations Board was created under the Act, creating a means of enforcement for the new law. Before this, workers had rights under the Constitution but were not protected from employer retaliation (in the private sector).

Employers were also not compelled by law to bargain. The NLRA was the first federal law to compel employers to sit down and bargain with the Union and made it illegal for employers to retaliate against workers for organizing a Union or engaging in collective bargaining to protect their rights to representation and collective bargaining, including the right to strike.

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Top job bonuses

New York:

Beatrice Disman, Regional Commissioner		
SES Performance Award	03/29/09	26,500
SES Performance Award	01/03/10	19,750
Paul M. Doersam, Deputy Regional Commissioner		
SES Performance Award	03/29/09	18,500
Anne Jacobosky, Assistant Regional Commissioner		
SES Performance Award	03/29/09	8,400
SES Performance Award	01/03/10	9,000
Teresa C. Rojas, Acting Deputy Regional Cmsnr.		
ECS Award	08/02/09	1,000

Philadelphia Region:

Laurie Watkins, Regional Commissioner		
SES Performance Award	03/29/09	21,500
SES Performance Award	01/03/10	18,000
Lewis H. Kaiser, Deputy Regional Commissioner		
SES Performance Award	03/29/09	9,000
Paula M. Newcomer, Deputy Regional Commissioner		
SES Performance Award	03/29/09	8,000
SES Performance Award	01/03/10	8,300

San Francisco Region:

Peter D. Spencer, Regional Commissioner		
SES Performance Award	03/29/09	26,500
Stephen J. Breen, Assistant Regional Commissioner		
SES Performance Award	03/29/09	9,000
SES Performance Award	01/03/10	9,000
Patricia A. Robidart, Deputy Regional Commissioner		
SES Performance Award	01/03/10	8,550

Seattle Region:

Stanley Friendship, Regional Commissioner		
SES Performance Award	01/03/10	10,000
Alan W. Heim, Assistant Regional Commissioner		
SES Performance Award	01/03/10	8,500
James P. Burkert, Deputy Asst. Regional Cmsnr.		
Individual Performance Award	07/05/09	1,700
ECS Award	07/06/09	500
Individual Performance Award	05/09/10	1,750
Robert Pagan, Acting Deputy Regional Cmsnr.		
QSI (Quality Step Increase)	07/05/09	0.00
Individual Performance Award	06/06/10	1,600



**American Federation of
Government Employees (AFL-CIO)**

Local 3448

P. O. Box 833

Newark, OH 43058-0833

Please send change of address to your Local treasurer

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Fed up, Union moves over 40 articles to impasse

After almost 22 months of essentially no movement at the bargaining table, the Union negotiating team handed the agency's chief negotiator Ken Powell a statement that the parties had reached impasse.

"We needed a game-changer," said Union negotiator Steve Kofahl. "It's been almost two years of bargaining with essentially no progress. Timewise, we felt we needed a new direction.

"Some think the agency was stonewalling, with the hope that there would be a different President and a different (Federal Service Impasses-FSIP) Panel."

Recent history backs the concern by some that the management bargaining team was negotiating as if it had time on its side. Former President George W. Bush replaced members of the panel that rules on bargaining disputes in the Federal section with business-friendly members. That panel ruled in management's favor almost 100 percent of the time, disregarding Union proposals. The August 15, 2005 SSA-AFGE negotiated agreement was signed without going to the Panel after a particularly tough FSIP ruling against the Union submissions in the Center for Medicare and Medicaid contract dispute. The Bush administration Panel has since replaced by appointees of President Barack Obama.

AFGE chief negotiator Witold Skwierczynski faulted Commissioner Michael Astrue with the impasse.

"He (Astrue) has given his stamp of approval to the strategy of stretching out bargaining so employees have to continue to work under the current contract," Skwierczynski said. He noted that Ralph Patinella received a Commissioner's Citation and is the defacto chief negotiator of the the management team.

"Patinella is the lead spokesperson on every article, while Ken Powell sits by, virtually silent during bargaining," he said.

Since December 2009, AFGE and SSA have reached agreement on only 13 relatively minor contract articles. The current agreement consists of 40 articles and additional memoranda.

"Early on, the Union highlighted 15 key issues important to employees based on our surveys, including workplace stress," said Skwierczynski. "There was no management counter offer in 21 months, in effect blocking any new employee benefits.

"We were essentially bargaining with ourselves. We need some assistance from a third party."

The submission to the FSIP starts a process that could take any of several paths to a final contract between the two parties. Kofahl said the Union team is hoping for a decision ordering 30 days of intense bargaining with a mediator, followed by submission of any remaining disputes to the FSIP.

At that point, the Panel may appoint a fact finder, an individual acceptable to both parties, who would discuss the issues with the parties separately and make recommendations to the Panel members.