

**STATEMENT BY AFGE COUNCIL PRESIDENT WITOLD SKWIERCZYNSKI,  
REGARDING EAA FACILITIES AT SOCIAL SECURITY ADMINISTRATION  
HQ, BALTIMORE, MARYLAND**

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Union leaders:

Yesterday Commissioner Astrue sent an inflammatory message to every SSA and DDS employee regarding the Employee Activity Association (EAA). There are separate Employee Activity Associations within SSA in various locations throughout the SSA universe. Mr. Astrue's poorly worded communication to every employee has raised questions regarding the survival of these numerous EAA's. Although I am hardly a spokesperson for Mr. Astrue, I do believe that his message to SSA and DDS employees concerns the Baltimore Headquarters EAA.

The EAA has provided services to SSA employees in the Baltimore area for 68 years. The EAA has run both SSA Headquarters day care centers since 1991. They also ran the Headquarters fitness centers. The EAA also has stores which provide postal services, bill paying services, transportation services, etc. The EAA also sponsors SSA athletic teams and was the ticket vendor for the annual SSA night at the Orioles game.

Last year Commissioner Astrue contended that the Agency had received complaints about child abuse at the day care center and that the Agency conducted a survey regarding child care services and the EAA scored poorly on the survey. Commissioner Astrue initiated an "investigation" and admitted that the child abuse allegations could not be proven. GSA had conducted national day care surveys and the Headquarters EEA run day care centers scored high on the survey. Astrue, however, devised his own unscientific survey, distributed it selectively to parents and used a scoring system that penalized for unanswered questions. He then compared it to the average scores of the GSA survey which asked different questions. This was clearly a bogus attempt to achieve a preordained result – a finding that the EAA run day care centers had poor acceptance from parents.

Astrue then asserted that there were financial irregularities in the management of the day care centers. Although the EAA undergoes an annual audit, they invited Astrue to audit its day care operations. While conducting the day care audit, Astrue's auditors started demanding records for the fitness center. Users of the fitness center are required to provide medical certification to the fitness center in order to use the facilities. Astrue's auditors demanded to inspect employee fitness center users' medical records. The EAA demanded to know on what authority SSA was asking to inspect medical records of fitness center users. SSA terminated their audit and alleged that the EAA was being uncooperative.

Subsequently SSA set up a hand-picked Board of Directors for the day care center and demanded that the board fire the EAA and select a new for-profit business to run the day care centers. Astrue took these actions in violation of Article 20 of the AFGE/SSA contract which provides for union participation in the day care center board. The Agency tried to limit union participation. Astrue completely ignored the monitoring role of the National AFGE/SSA Child Care Committee. The national AFGE/SSA contract requires this committee to monitor all SSA child care centers. The Committee is responsible for monitoring the operations and funding of SSA child care centers and is also responsible for analyzing the results of any surveys regarding such centers. Astrue totally ignored this contractual requirement and sent no information regarding the alleged problems regarding the Baltimore child care centers to the National SSA/AFGE Child Care Committee.

The day care center has been handed over to a for profit corporation from Texas. The “abusive” day care staff was retained but their compensation package was cut. Tuitions are expected to increase in the future.

SSA gave notice to EAA at the end of 2008 that it would take over operations of the fitness center and contract out its operation. SSA also notified the EAA that it must close all its stores by 1/16/08.

Employees at Headquarters were outraged and asked the union to take action to Save the EAA. AFGE Local 1923 called for a rally on January 22, 2008 at Headquarters to protest the Commissioner’s actions to shut down the EAA. Senator Barbara Mikulski had already sent a strongly worded protest to Commissioner Astrue on 1/9/09 urging him to stop all plans to undermine the EAA. She criticized Astrue’s “unsupported claims of financial impropriety and mischaracterized statements made by EAA officials”. The Senator also expressed concern about the audit authorized by Astrue “for the sole purpose of trying to shut down the EAA”.

On the day of the rally over 300 SSA employees were greeted by an overwhelming police presence. Commissioner Astrue had summoned police from Immigration and Customs Enforcement (ICE), the Federal Protective Service (FPS) and contract guards. In addition, demonstrating SSA employees were greeted by police dogs. After speeches, AFGE President John Gage, Local 1923 President Cynthia Ennis, and AFGE NVP Joe Flynn attempted to deliver copies of over 3500 postcards that SSA employees had sent to Senator Barbara Mikulski protesting Commissioner Astrue’s actions to eject EAA from SSA. They were greeted by police in the lobby and on the 9<sup>th</sup> floor of the Altmeyer Building which is the location of Commissioner Astrue’s office. The aisle to Astrue’s office was blocked by the police. The Commissioner’s Acting Chief of Staff took the box and the event was over.

Veteran SSA union officials who have attended many union rallies at SSA facilities indicated that they had never seen anything like the Astrue ordered police presence which was obviously summoned in an effort to intimidate the demonstrators. Not only did SSA order scores of police to the rally but unidentified photographers, who apparently worked

for either SSA or the police agencies, took pictures of the entire rally. The union has subsequently learned that some employees were advised by their managers that it would not be in their best interest to attend the rally. Other managers appeared to purposely schedule meetings at 11 AM (the time of the rally) so employees could not attend the event. Other employees were denied leave to attend the rally.

Commissioner Astrue responded to the Mikulski letter with unspecific assertions regarding “abuses”, “predatory conduct” lack of “professional care” by the EAA. In the letter he falsely stated that I told him that any change in child care vendors would result in an abrupt increase in child care fees. I have never had any conversation with Mr. Astrue about the EAA. Such attacks are similar to his false accusations against me last year that I had mischaracterized the fact that SSA closed a record number of offices in 2007 and, according to Linda McMahon, intended to close many more. Facts are facts and the record of 15 closed offices in 2007 is the most SSA closed in any other year.

Congressman Elijah Cummings, whose district includes the SSA Woodlawn Headquarters complex, has subsequently sent a strongly worded reply to Astrue’s response to the Mikulski letter. He specifically criticizes Astrue’s unsupported allegations regarding financial impropriety by the EAA.

Yesterday an AFGE ad appeared in the Baltimore Sun which specifically criticizes Astrue for his views on privatizing SSA and his actions against the EAA. (Although Astrue has remained silent on privatization legislative proposals, he does effusively praise aggressive privatization advocates such as Andrew Biggs and Dorcas Hardy, both with extensive backgrounds in the CATO Institute which supports eliminating SSA.) The ad criticizes the fact that under Astrue’s watch SSA’s staff and budget have been inadequate to meet the needs of the American public. It expressed No Confidence in his continuing ability to lead SSA. This ad mirrored the No Confidence petition that many of you signed.

On the same day an article was published in the Washington Post in which AFGE President Gage indicates that the union is asking President Obama to seek Commissioner Astrue’s resignation and, if he refuses, will be asking the President to remove him for malfeasance and neglect.

Commissioner Astrue’s response to yesterday’s newspaper ad and story was to attack the EAA and attack AFGE in his Commissioner’s Broadcast to all SSA and DDS employees. He attacks AFGE for threatening political retaliation against him and “Social Security’s career civil service”. In response, Commissioner Astrue has done a lot of damage to SSA in the 2 short years that he has been in charge of the Agency. He has submitted inadequate budget requests, has created an iClaims system which cheats hard working wage earners of their hard earned benefits, has transformed SSA from an Agency that prides itself in assisting the public in obtaining the best possible benefit package when they apply for benefits to an Agency that ignores evidence that claimants are making choices guaranteed to cause them to lose benefits and has worked to destroy

the community based SSA service structure by closing offices and/or stripping offices of sufficient staff able to provide adequate services to customers.

He implies that the Union supports dishonesty, opposes transparency and compliance with the law. Yet Mr. Astrue makes false statements regarding conversations with me that never happened. He does not tell the truth about office closings. Now, while attempting to convince Congress to agree to provide \$750 million for a new National Computer Center (NCC), Commissioner Astrue has declined to inform the Union, NCC employees or Congress that SSA intends to move the NCC out of the Baltimore commuting area to Frederick or Westminster MD. Commissioner Astrue doesn't seem concerned about the impact of such a move on either the 4000 employees who work at the NCC or the affect on the community that the loss of 4000 jobs will create. This secret effort to move the NCC into the only Republican Congressional District in MD must be Astrue's definition of transparency.

SSA officials who undermine the program and are incompetent should be removed. Thus, Astrue should resign and "career civil service" officials who are either incompetent or have harmed the agency like Wells, McMahon and Beaver also need to be replaced. President Obama needs SSA leaders who he can work with and not this crew who are actively attempting to undermine SSA. It's time for a change.

Witold Skwierczynski

President

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