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Mr Bradley Bunn
Program Exec Ofc
NSPS
1400 Key Blvd, Ste B-200
Arlington VA 22209

RE: National Security Personnel System

Dear Mr Bunn

I want to express my concerns about changes to work rules in the Department of Defense (DOD). The proposed regulations, known as the National Security Personnel System, (NSPS), were printed in the Federal Register on Feb. 14, 2005. This message will be sent to both DoD and my local Congressional representatives. Although I am not a member of your immediate constituency, I feel compelled to alert you as a member of American Federation of Government Employees.

I have worked for DoD for over 21 years. I am angry that these proposals seem to treat the employees who help defend our country as the enemy. Most DoD employees work hard and are committed. I believe that mistreating the employees will hurt the agency's mission. I am very upset by NSPS. This system will change the way workers are paid, evaluated, promoted, fired, scheduled, and treated. These rules would create a system in which federal managers are influenced by favoritism, patronage and cronyism rather than serving the civil concerns of the American people.

America is at war. We are fighting for democracy abroad. But the NSPS regulations are an attack on workers' basic rights. Furthermore, NSPS will divert the attention of defense workers from the soldiers' welfare to protecting themselves from abuse on the job. I urge you to force DoD to re-think the proposal. We need work rules that preserve fairness, serve the American people, and respect the rights of DoD workers.

Although the current Civil Service statutes and labor laws that are now extant barely ensure basic rights for all federal workers, even those rights are routinely trampled by incompetent and indifferent federal managers. For example:

- I am a federal worker w/over 21 years' service. Until 2003, I routinely received outstanding performance appraisals, money awards, and even global recognition for the job I have held since 1991. Then a new manager arrived who has now decided to "railroad" me out of the job I have held for nearly 14 years.
- Upon his arrival, he declared that I was no longer on a flexible work schedule, which I have had since 1995. I went on this work schedule b/c my previous supervisor had told me the nature of our work necessitated such a schedule. He also accused me of falsifying my time sheets when I was merely adhering to my flextime schedule. Thus my flextime schedule was arbitrarily and illegally terminated without the proper procedure of union negotiation. When I tried to adhere to my legal, flextime schedule, he docked me of earned pay and compensatory time. To date, I am owed 123 hours of pay and 18 hours of comp time. I should also mention that this supervisor routinely absents himself from his post: out of a period of 271 workdays, he was gone for 98 days during that time.

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- Because of his imperious attitude regarding my work schedule, he chose to write me up for not adhering to his illegally-changed new work schedule. He began with an entry in my personnel form, then escalated this charge to a 14-day suspension without pay with no progressive disciplinary steps in between. These punitive actions occurred within a span of seven months.
- During this fracas, I learned that he was responsible for financial malfeasance of taxpayers' monies and forgery of a wing commander's signature. When I reported these wrongdoings, he began withholding my earned pay and comp time. At the same time, he was reported to the base Inspector General's office for unwarranted equipment purchases and fraudulent TDY expenses. Although I had no knowledge of these actions, he nevertheless accused me of "turning him in." Withholding of my pay and comp time began after he made this accusation.
- Even though I have had a spotless federal career with nothing but accolades for my work and performance, I have now been vilified and my career has been forever besmirched by this manager's lies. I am now one step from removal, based on this manager's heavy-handed and imperious say-so—even though he himself is hardly a model of virtue either as a civil servant or as a manager.

All these events are the subjects of six discrimination complaints, five unfair labor practices, a Congressional inquiry (to Rep Charles Gonzalez), and pleas to the Office of Personnel Management, the Office of Special Counsel (who referred me to the Merit System Protection Board), the Secretary of the Air Force, and my union (Local 1367, American Federation of Government Employees). This manager has willfully and blatantly violated the federal rules and regulations, OPM directives, the negotiated labor agreement, and even case laws in his personal vendetta against me. This supervisor's lies about me remain undisputed while my stellar federal career and professional character are forever tarnished. Yet management and personnel officials stand by mute and sanction his grotesque indifference to all federal protections. Their collective cavalier attitude is nothing short of feeling "above the law," and so this monstrous indifference to established rules and practices has remained unchallenged.

My story is hardly an isolated instance. Here in our AFGE Local 1367, fellow union members have reported: physical assault on the job, even by supervisors; bypassing of existing federal regulations and negotiated labor agreements; reprisal for active union activity. These are but a few incidents now suffered by federal workers, even though present Civil Service personnel rules, regulations, case laws, and collective-bargaining rights and agreements are routinely and brazenly ignored.

I am but one federal worker to whom these wrongs have occurred. What will become of us once NSPS removes them—"for the good of the country" and "in the interest of national security?" How "secure" will our nation be if its federal workers cannot be sure of the jobs they do in their country's defense? NSPS is not a "tried and true" model of personnel management. Indeed, NSPS officials at a recent town-hall meeting here told us that some aspects of NSPS have yet to be "worked out." What is the rush to overturn the present system without being reasonably certain of its efficacy—and without hurting the employees it purports to help?

I implore you, not only for myself but for the 650,000 federal workers in the employ of the finest government in the greatest nation mankind has ever known, to review the decision to dismantle the current Civil Service statutes. The NSPS cannot and must not be implemented until a full and complete review, with full and unquestioned input from labor leaders, is completed.

Sincerely



Elsa Martinez