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for current and retired government workers and their families since 1933
American Federation of Government Employees, AFL-CIO

Workers Under Siege; Taxpayers Squeezed, Left in the Dark

Defense Workers Fight for Rights

On the streets of our nation's capital, in the halls of Congress, in the federal courts, and at military bases and installations across the country, AFGE members are fighting for their fundamental rights and civil service protections in the Department of Defense (DoD). Last month, the Defense Department unveiled its proposal for a new "National Security Personnel System" (NSPS), which ends all meaningful collective bargaining, due process in appeals and grievances, and allows for the deployment of civilians anywhere in the world—at any time and for virtually any reason.

The new plan also features a so-called "pay for performance" scheme that, in lieu of annual raises for satisfactory performers, will pit worker against worker in competition for salary increases.

"To call this a national security system is a joke," said AFGE National President **John Gage**. "If anything, this plan makes the nation less secure." Gage went on to explain how the elimination of authentic due process impedes the ability of employees to speak with confidence when they see wrongdoing or mismanagement. "That could have grave implications for the safety of America's fighting men and women," Gage said.

"The idea of deployable civilians is nothing less than a back-door draft," added **Don Hale**, chairman of AFGE's Defense Council (DefCon).

Officials at the Office of Personnel Management (OPM) have announced plans to implement similar personnel rules in every agency across the federal government.

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Social Security Crisis?

It's been said that if you tell the same untruth often enough, it will be believed. The case of the so-called solvency crisis in Social Security is a prime example; there simply is no crisis. Yet, as this issue of *The Government Standard* went to press, **President George W. Bush** was out barnstorming town to town, crying that the sky was falling, all as a ruse to get those with the most to lose from his privatization scheme to embrace it.

While the public remains dubious about the value of private stock-market retirement accounts as a replacement for the current Social Security system, it has bought the line about impending doom. A recent poll conducted by the *New York Times* showed that 69 percent of respondents, when told of the accompanying benefits reduction proposed by the administration, thought that the idea of private accounts to be a bad one. Yet, nearly the same number believed that administration's line that Social Security would be bankrupt in 2042, despite evidence to the contrary.

It would be nice to be able to dismiss it all as a phony crisis based on phony numbers and just ignore it. But while it is true that Social Security is extremely unlikely to face a financial crisis either now or 50 years from now, there is a serious threat before us — the threat that the Bush administration will succeed in using the phony crisis to justify massive cuts in Social Security benefits.

That is why it is so important to question the numbers behind the projections being used in what appears to be mostly a

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In coalition with 36 DoD unions, AFGE members rally on Capitol Hill, protesting Defense Department plan to roll back worker rights.

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John Gage

A Message from National President John Gage

“This fight isn’t just about us; it’s about the future of the middle class.”

Since **George W. Bush** took office, it sometimes seems as if federal employees have spent every day with a cloud over our heads. When the administration isn’t busy giving away our jobs to contractors, they’re threatening our pay, our collective bargaining rights and our civil service protections.

In many ways, federal workers are experiencing what our brothers and sisters in the private sector have been going through for decades. Private sector workers have lost jobs to free trade deals, found organizing nearly impossible in the “right-to-work” states to which so many manufacturers have moved their plants, while employers cut their pay, renege on pensions and drop

health coverage, all in the name of global competition.

While corporations and elected officials have often enjoyed chummy relationships, it’s hard to imagine an administration more in love with the corporate model and its practitioners than this one. Like the corporations they represent, this administration has adopted workplace policies designed to stifle the voices of workers and line the pockets of CEOs. Like their corner-office pals, they shrug their shoulders as they take back what they promised in exchange for loyalty—whether a worker’s pension or a veteran’s health care. And all the while, the middle class shrinks ever smaller.

The administration began this year with a bang, yanking union rights and civil service protections in the Departments of Defense and Homeland Security, while pushing hard to divert Social Security trust fund dollars to Wall Street through the proposed creation of private retirement accounts. Here are a few more middle-class-busting, CEO-friendly plans the administration has for you:

- Virtually ending collective bargaining and civil service protections in every federal agency
- Cutting Social Security benefits by at least 30 percent in the name of saving the system (which is working fine, by the way)
- Driving down federal pay across the board through the use of so-called “pay for performance” schemes in place of the GS system (already in progress in DoD and DHS)
- Making tax cuts for millionaires per-

manent and using the resulting deficit as an excuse for cutting your earned retirement benefits

- Replacing health insurance for federal workers with “health savings accounts” that have \$5,000 deductibles
- Politicizing the whistleblower protection unit of the Office of Special Counsel

Sisters and brothers, we’re in the fight of our lives. And it’s not just about us; it’s about the future of the middle class, the regular people who form the fabric of American society.

In this special issue of *The Government Standard*, we detail some of the many ways in which federal employees are being squeezed and silenced, and examine the relationship between the war on federal workers and the soaking of the middle class. Whether we’re talking about loss of civil service protections or the privatization of Social Security, it all adds up to a larceny of sorts against regular working people. For when civil service protections disappear, so does our ability to speak out forthrightly on behalf of the taxpayer.

We will not relent. We intend to win this fight—for our children, and for the American people. That’s why we have filed lawsuits against the Departments of Homeland Security and Defense and the Office of Personnel Management to halt the implementation of draconian new personnel regulations. That’s why we continue to fight in the courts of law and public opinion on behalf of airport screeners and meat inspectors and many others. Nothing less than the soul of our nation is at stake.

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SOCIAL SECURITY:

The Selling of a Phony Crisis

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debate on the merits of Social Security privatization through individual accounts. Workers would be given a choice as to whether to have their Social Security taxes paid into the current system, or into a private investment account that would go to stock purchases.

While Social Security is unlikely to face a financial crisis in the next 50 years, the administration threatens American prosperity with plans for massive benefits cuts.



The problem with this scheme is that Social Security has always been a collective enterprise; everybody pays in, and everybody who pays in is eligible for benefits, which are drawn from the pool, or trust fund, into which all workers have paid. What happens to Social Security when large numbers of people no longer add to the trust fund pot, but give their contributions to stock brokers instead? Now, there's a recipe for insolvency.

President Bush has proposed privatization as a solution to the so-called "solvency crisis" in a move toward his idea of an "ownership society," where those who work and pay taxes year in and year out could be left to fend for themselves in the face of catastrophic disability, death of a bread-winning spouse, or old age.

What privatization really is about is cutting benefits, which the administration proposes to reduce by at least 30 percent.

The numbers game that is at the heart of this benefit-cutting game focuses on three things:

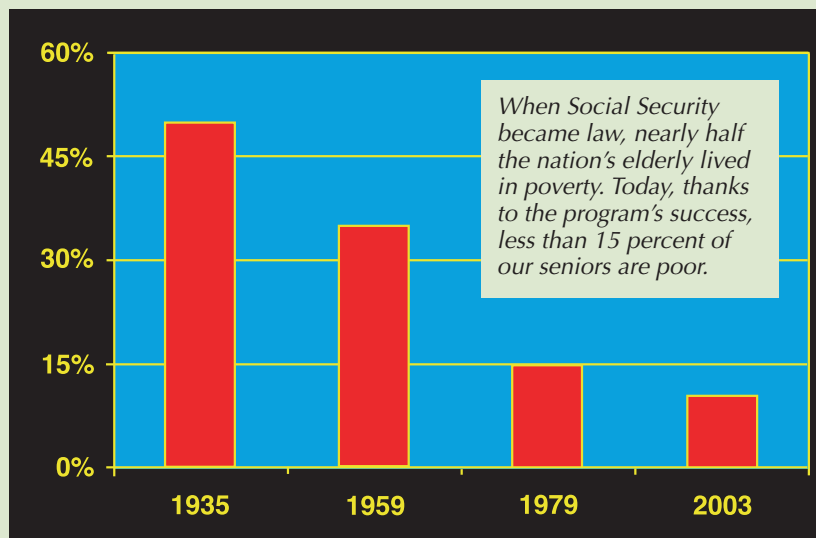
in the past (1.8 percent compared to 3.5 percent), potentially lowering Social Security revenues.

The administration's projections of shortfalls in 2042 or 2052 are based on pessimism regarding all three of these issues.

Even if the glass is half empty, the administration's proposed benefit cuts, either with or without private accounts, are not necessary. The *entire* cost of all three of those potential problems is projected to be worth less than 2 percent of the *national payroll*, the tax base for Social Security. In addition, for every year in which economic growth is higher than 1.8 percent, the size of the "problem" goes down. (The size of the projected cost of these three "problems" has gone down by 14 percent since 1996!)

In the unlikely event that longevity, slow

Social Security Reduced Elderly Poverty



- That Americans are projected to live longer after retirement, and thus collect benefits for a longer time;
- That the ratio of workers to Social Security beneficiaries is projected to fall in the future, potentially straining the current pay-as-you-go financing system;
- That economic growth in the future might be about half the rate it has been

economic growth or a bad worker-to-beneficiary ratio soak up that 2 percent of the national payroll, other solutions exist that would take less out of the pockets of working people than the 30 percent benefit cut that the Bush administration has proposed for everyone, regardless of whether they opt for an individual account. To see a discussion of alternatives, visit www.afge.org.

Defense Workers Fight To Hold

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Working in coalition

In this critical battle for American values and basic rights in the Defense Department workplace, AFGE and 35 other unions are pooling resources in the United DoD Workers Coalition, which convenes regularly under the aegis of the AFL-CIO. With the leadership of AFL-CIO President **John Sweeney**, the AFL has heartily embraced the cause of Defense workers throughout the United States. "The Bush administration is now stepping out way beyond any appropriate flexibility in work rules and into radically undermining good pay, decent workplace standards and workers' rights throughout the federal workforce," Sweeney told reporters at a February United DoD Workers Coalition press conference hosted by AFGE at its annual legislative conference. "What a shabby and shortsighted way to treat America's defense workers, who are on the front lines in the fight to protect our country."

After the press conference concluded on February 8, AFGE members, along with brothers and sisters in other coalition unions, took to the streets and rallied on Capitol Hill, catching the attention of local television and radio reporters.

Attention All Current and Former Civilian Federal Employees

Were you a civilian federal employee in the National Guard or the Reserves between 1980 and the year 2000?

Did you attend training for the Reserves or the National Guard while working as a civilian federal employee?

Were you charged military leave for non-work days while you were in training?

If you answered "Yes" to all questions, you can file a claim to correct your military/annual leave records and/or receive back pay for any Leave Without Pay (LWP) that you were forced to use.

For more information, log on to <https://www.afge.org/MilitaryLeave>

Seeking our day in court

Together with nine other unions, AFGE filed suit in federal court against Defense Secretary **Donald H. Rumsfeld** and **Dan G. Blair**, acting director of the U.S. Office of Personnel Management (OPM). The suit claims that Rumsfeld and Blair circumvented the will of Congress in the design process for its proposed labor relations system. The defense authorization legislation that allowed for the creation of a new system to replace the current civil service structure called for the agencies to engage in active collaboration with unions and employees' representatives over any new labor relations scheme. It also called for OPM to play an active role in the system's design. "Instead, DoD has unveiled a plan

"The idea of deployable civilians is nothing less than a back-door draft."

that it has created unilaterally," said Gage. "In the 10 meetings we had with DoD officials, we were never permitted to go beyond the superficial..."

Through the lawsuit, the unions seek to bring a halt to the implementation of DoD's proposed changes to the current labor relations system—including the scope of bargaining—and start the design process over with unions and other employee representatives as full participants. Further legal action by the unions is expected as other parts of the proposed regulations are addressed.

Calling on Congress

In March, the Senate heard the concerns of the United DoD Workers Coalition (UDWC) when John Gage and **Gregory**



Representing the United DoD Workers Coalition, National President John Gage testified with Gregory Junemann, president of the International Federation of Professional and Technical Engineers, before the the Senate Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia.

Junemann, president of the International Federation of Professional and Technical Engineers (IFPTE) testified before the Subcommittee on the Oversight of Government Management, the Federal Workforce, and the District of Columbia. In his remarks, Gage focused primarily on DoD's proposed new pay scheme, which Gage contends is really designed to drive down overall federal pay. "The system they envision," Gage told the senators, "will result in a demoralized workforce composed of employees who know that they have been relegated to second-class citizenship."

Junemann called to the attention of subcommittee members the law that ensures employees' rights to organize, bargain collectively and participate in unions. "Specifically, the UDWC has reiterated that Congress intended to have the NSPS keep the protections which DoD proposals attempt to eliminate," he said.

Sen. **George Voinovich** (R-Ohio), the subcommittee chair, chided officials from OPM and DoD, saying that they were obligated to conduct "an open dialogue and maintain a collaborative process with your employees." Voinovich expressed concern

On To Basic Rights



Rodrigo Munera

Is Your Agency Next? Tell Congress, “Don’t Do It!”

Officials at the Office of Personnel Management have announced plans to craft new personnel rules similar to those proposed for the Department of Defense for agencies throughout the federal government. The official comment period on the National Security Personnel System (NSPS) may have closed, but you still have a voice.

E-mail your senators and your representatives in Congress, and tell them why it’s a bad idea to eliminate collective bargaining, whistleblower rights, due process and civil service protections in the federal workforce: In the end, it’s a bum deal for the American taxpayer.

To locate your elected officials, go to www.afge.org, and on the drop-down menu at the top, point on the “Resources” heading and select: “Look up your elected officials.” Directories also exist at www.senate.gov and www.house.gov. You may also call the Capitol operator at: (202) 225-3121.



AFL-CIO President John Sweeney at United DoD Workers Coalition press conference hosted by AFGE.

over the lack of detail in the DoD plan, including allocations for training, and promised vigilant oversight.

Having our say

Meanwhile, far from the monuments of Washington, D.C., tens of thousands of Defense employees and concerned citizens contributed their thoughts on the proposed system to DoD during the official comment period. When the 30-day window closed on March 15th, the Defense Department had received some 35,000 messages about the new regulations. The member unions of the United DoD Workers Coalition also filed

a 157-page objection to the proposed personnel regulations.

This outpouring of comments occurred despite attempts to discourage participation in the comment period at 12 military bases, according to AFGE General Counsel **Mark D. Roth**. In those locations, base commanders or managers prohibited locals from holding meetings, as well as posting and distributing flyers that told employees how to file comments in opposition to the proposed regulation. “They tainted the comment period and made it ineffective for us,” Roth told the *Washington Post*. “We were not fully able to utilize the 30-day comment period because they obstructed us.”

Next the unions will meet with DoD and OPM officials during a 60-day “meet and confer” period designed to allow the parties to iron out their differences.

United DoD Workers Coalition

American Federation of Government Employees
American Federation of State, County and
Municipal Employees

American Federation of Teachers

American Nurses Association

Antilles Consolidated Education Association

Apprentices of the Plumbing & Pipe Fitting
Industry of the U.S. and Canada

Association of Civilian Technicians

Communications Workers of America

Fairchild Federal Employees Union

Federal Education Association/NEA

Hawaii Council of Defense Commissary Unions

International Association of Fire Fighters

International Association of Machinists and
Aerospace Workers

International Association of Tool Craftsmen

International Brotherhood of Boilermakers

International Brotherhood of Electrical Workers

International Brotherhood of Teamsters

International Federation of Professional and
Technical Engineers

International Guard Union of America

International Organization of Masters, Mates &
Pilots

International Union of Operating Engineers

International Union of Painters and Allied
Trades

Laborers International Union of North America
Metal Trades Department, AFL-CIO

National Air Traffic Controllers Association

National Association of Aeronautical Examiners

National Association of Government Employees

National Association of Government Inspectors

National Federation of Federal Employees

National Marine Engineers Beneficial
Association

Professional Airways Systems Specialists

Retail, Wholesale, and Department Store Union

Seafarers International Union

Service Employees International Union

Sport Air Traffic Controllers

United American Nurses

United Association of Journeymen and

United Power Trades Organization

www.uniteddodworkerscoalition.org

At USDA,

It's a Mad, Mad Cow World

Stan Painter, president of the National Joint Council of Meat Inspection Locals (NJC), is under investigation for holding the Department of Agriculture to its own policies, specifically those designed to protect the public from the human form of the always-fatal "mad cow" disease (BSE). Painter learned of the investigation while on leave for the holiday season last December, when a USDA investigator arrived at his home, unannounced, to question the AFGE council president.

On December 8, 2004, Painter sent a letter to William Smith, assistant adminis-

trator, providing only general information about the violations; names and locations were withheld to protect the identities of the inspectors.

"These inspectors did everything they could. They voiced their concerns to supervisors. They documented the violations in USDA non-compliance reports," said Painter. "Mr. Smith has bragged about his ability to access to every single non-compliance report. Perhaps USDA's database doesn't work as well as he thought."

Instead of launching an enforcement effort on the 30-month rule, USDA officials

summoned Painter to Washington, D.C., in January, as the target of a personal misconduct investigation. The seven other officers of the NJC were brought to Washington for questioning, as well.

"I'm just glad I don't know the names and locations of these violations, so I can't be forced to divulge that information at the expense of the

inspectors who put their jobs on the line to protect the public," said Painter. "It's better that the agency comes after me than the inspectors in the field. AFGE has my back, and I will protect the backs of the inspectors. Together we will send USDA the message that the inspectors won't be scared into silence."

Although the personal misconduct investigation seems to be ongoing, agents from the USDA Inspector General's office appear to have opened a separate investigation, for which they interviewed Painter on March 9th regarding his knowledge of the agency's Hazard Analysis and Critical Control Points (HACCP) program, which shifted responsibility for condemning adulterated and unwholesome meat and poultry to the meat-packing industry.

Mr. Painter is represented in both proceedings by AFGE Assistant General Counsel Anne Wagner.

Whistleblower Protectors Canned for Blowing Whistle

Anyone who doubts that there's a campaign afoot to silence federal employees need look no further than the Office of Special Counsel to see just how it's being done.

Charged with protecting whistleblowers in the federal workforce from retaliation by management, the Office of Special Counsel (OSC) investigates whistleblowers' complaints of retribution and maintains a Web site that apprises workers and managers of employees' rights and responsibility. The OSC also investigates alleged violations of the Hatch Act, which limits the political activities of federal employees in election campaigns.

Under Bloch's tenure, some 1,000 whistleblower cases have been dismissed without investigation.

Since **Scott Bloch** moved over from the White House Office of Faith-Based Initiatives to assume the helm at OSC, what was once a politically neutral entity has become an ideological cauldron.

One of Bloch's first acts upon assuming office last year was to remove from the OSC Web site any mention of the protection from discrimination based on sexual orientation afforded federal employees for decades. Bloch announced a review of the statute from which those protections were drawn, and reinterpreted the law in a narrower fashion. Even so, he has yet to restore any mention of those more limited protections to the Web site.

Bloch also concluded that airport screeners in the Transportation Security Administration—workers tasked with the prevention of terrorist attacks—were not entitled to the same whistleblower protections given other federal employees.

When these and other questionable management decisions prompted seven career officers of the OSC whistleblower protection unit to question OSC's new policies, they found themselves transferred to field offices—including a newly created office in



Label for risky meat?

trator for Field Operations of USDA's Animal and Plant Health Inspection Service (APHIS), raising the issue of policy violations regarding BSE safeguards. The letter cited reports from "frontline inspectors" that slaughter facilities were failing to identify cattle older than 30 months — considered to be at a higher risk of BSE — making it impossible to ensure that specific tissues from these older cattle would not enter the human food chain. Although USDA imposes this 30-month ban, federal meat inspectors are not authorized to take action against a facility when they witness violations.

"USDA has a reputation for blaming the whistleblower," said Painter. For that reason, Painter explained, all information pertaining to the violations was provided to him through a third party. Painter was pro-



Detroit, Michigan—thousands of miles from their homes. They were given 10 days to accept the transfer or lose their jobs. Five refused the transfers and are awaiting termination, and the remaining two found other jobs outside the OSC.

Bloch ordered the transfers in the name of a reorganization of the OSC, which includes the reassignment of direct oversight of the whistleblower protection unit to a political appointee, the Deputy Special Counsel. That move has been condemned by the Senior Executives Association, a professional group of Senior Executive Service employees of the federal government.

The transfers caught the attention of three watchdog groups, the Government Accountability Project, the Project on Government Oversight and Public Employees for Environmental Responsibility (PEER), who have called upon Congress to order an investigation of Bloch's orders. AFGE issued a statement in support of the watchdog groups' petition.

Meanwhile, reports PEER, Bloch concedes that he lacks sufficient staff "to handle both pending and new whistleblower cases." Under Bloch's tenure, some 1,000 whistleblower cases have been dismissed without investigation, and Bloch has tried to shield himself from criticism by decrying opposition to his agenda as being "union-led" and the work of "leakers." In some circles, it seems, "leaker" is another word for "whistleblower."

National Media Cover Screeners' Tale of Coercion

ATLANTA—At Atlanta's Hartsfield-Jackson Airport, passenger screeners found themselves in an untenable position. They weren't receiving training mandated by the Transportation Security Administration, for which they work. But supervisors were demanding that they sign documents saying they had participated in the mandatory three-hours of weekly training sessions they were supposed to be getting.

"I consider it a fraud to sign for something I'm not getting," AFGE member **Clarence Christian** told the *Atlanta Journal-Constitution*.

"If you don't sign it, you're threatened with losing your job," added **John Summerour** of AFGE TSA Local 1. Summerour was recently moved from a job on the main checkpoint to one outdoors, a move he interprets as retribution for raising his voice on workplace problems.

After the newspaper story hit early this month, national television networks rushed to cover it. AFGE TSA Local 1 members talked to CNN, CBS News and NBC News, all of which aired, on their major news programs, the screeners' accounts of coercion and retaliation.



AFGE Membership Has Its Benefits and Savings

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Women's and Fair Practices Legal Team

To fight discrimination in the federal workplace, look no further than **Jenny Celestin, Ericka Guthrie-Dorsey** and **Mark Vinson**, attorneys in AFGE's Women's and Fair Practices Department (WFP), who stand ready to ensure that AFGE members are treated with dignity and respect in the workplace.

The attorneys in WFP provide employment support to dues-paying members by offering practical training on filing and litigating employment discrimination complaints, and taking on the most difficult cases as litigators. Although time constraints prevent them from providing exclusive or co-representation in every case, they make time to sit down with members to walk them through the legal process.

"We are definitely a unique voice for workers," says Ericka Guthrie-Dorsey. "It's a service that a lot of unions don't provide, and one that many members couldn't afford if they weren't a part of the federation."

The attorneys also serve AFGE members by educating members about their workplace rights through summits, Lunch 'n' Learns, and clinics on the Equal Employment Opportunity Commission (EEOC) complaint process.

"We are definitely on call and at your service every single day," says Guthrie-Dorsey.

For all the attorneys, the motivation to work for the rights of federal workers stems from a passion for ensuring that everyone is treated fairly in the workplace.

For Jenny Celestin, the seed to work on behalf of federal employees was planted by her parents, both civil rights activists, and the desire to ensure that people can fight discrimination despite limited resources.

"The amount of money you have goes a long way when it comes to litigation—and that started to get to me," says Celestin.

Celestin graduated from the University of the District of Columbia David A. Clarke School of Law, and has been with AFGE since April 2002. Prior to joining AFGE, Celestin worked on employee discrimination cases at a private law firm.

Guthrie-Dorsey was motivated by family experiences.

"My mother was a tenured professor but wasn't being paid as much as people [in her workplace] with less experience," she explains. "She wasn't going to stay where she was and be disrespected, but we



Women's and Fair Practices Department attorneys Jenny Celestin, Mark Vinson and Ericka Guthrie-Dorsey

didn't have the money and resources to litigate. It always made me think, what if I could have done something?"

Guthrie-Dorsey now does for federal workers what she wishes she could have done for her mother. Guthrie-Dorsey graduated from the George Washington (GW) University Law School and joined AFGE in November 2000. Prior to joining AFGE, she

served in the Executive Office of the President, reviewing employee discrimination cases.

Mark Vinson, the newest addition to the WFP team, felt compelled to work for the rights of others when he realized that he didn't know his own.

"I was driving a rental car to North Carolina and I was profiled," says Vinson. "The

officer searched my car and afterward told me that I didn't have to let him search my car. I didn't know my rights."

The profiling experience motivated Vinson to study employment discrimination and civil rights issues in law school. After graduating from GW, Vinson worked for the Department of Transportation before joining AFGE in July 2003.

The work done by the WFP attorneys, which focuses more on individuals, differs from the work done in the Office of the General Counsel, which often challenges statutes, policies and their implementation.

In addition to its one-on-one client services, the WFP hosts an annual Human Rights Training Conference, which will be held this year in Miami during the first week of August. The conference will provide attendees with various levels of employee rights training as well as the opportunity to participate in mock hearings and discovery procedures.

"When employees go up against agencies they have a whole federation behind them," says Celestin.

The WFP is headed by National Vice President Andrea Brooks. For more information on the WFP and their services, please call (202) 639-6417 or visit their Web page at www.afge.org/Index.cfm?Page=Womens_FairPractices.

Turn your union activism into college credit with an AFGE Student Internship!



BRAC, Veteran's Health Care, NSPS, DHS, Pay for Performance, Social Security Privatization — there is no end to the campaigns AFGE is engaged in to support job rights and fair treatment for all federal employees. Become a key player in these campaigns through an AFGE Service Internship! Each internship pays a \$2500 stipend and offers 3 credits towards a degree at the National Labor College.

Find out how you can play an active role in fighting for the rights of federal workers and contributing to the strength of AFGE. Contact the Education and Leadership Development Department today at 202-639-4013. Or e-mail us at education@afge.org