



Gary Morton
President

Natasha Greaves
Executive Vice President

May 22, 2020

The Honorable Andrew Wheeler
Office of the Administrator
Mail Code 1101A
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Wheeler:

For these last months, you have told the EPA workforce repeatedly that the health and welfare of EPA employees and their dependents is your first priority. Likewise, senior managers have communicated an intention to include union leaders in Agency plans to reopen EPA offices both at the national level and in the regions. To our utter surprise, you informed the workforce yesterday that three EPA regional offices are being put on the path to re-open. You and your staff have apparently determined that Regions 4, 7, and 10 satisfy the gating criteria in the OMB Opening Up America Again Guidelines. But we see no data or other analysis to support this, and we have had no participation in the discussion of whether any EPA offices meet the gating criteria. The vast majority of the Agency can continue teleworking effectively. Thus we see no justification to order EPA employees back into offices while the risks from COVID-19 remain.

Preparations to re-open these offices are apparently already underway, though employees were not informed until the day the process began. Suddenly, EPA workers are on the path to be ordered back into offices - without the promised participation in the Agency plan, without inclusion of employee views, and without any documented justification. It is particularly telling that the Agency refuses to share data and plans with a workforce heavy in scientific expertise. In AFGE Council 238's April 29 letter, we *implored you to put lives first*. At best your actions contradict your stated priority, but in reality they demonstrate utter disregard for the EPA employees' health and welfare you claim to cherish.

AFGE has not discussed or bargained any plan with EPA to allow EPA offices to reopen. We have not been given the opportunity to bargain to establish the practices and provide the equipment necessary to protect the lives and health of EPA workers when ordered back to the office by EPA. And we have not been able to bargain to protect the families of AFGE union members so that we can get the resources needed to care for them.





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You have stated on numerous occasions that EPA has remained open for business despite a once-in-a-lifetime catastrophic pandemic. You have praised the EPA workforce for its seamless transition to telework. You have commended our productiveness during this time. And the data demonstrates this increase in EPA productivity. We are motivated to protect our health and the health of our loved ones and our communities. But we are also patriotic Americans who have taken to heart the recommendations of experts that the most valuable service to our economy at present is for anyone who can to stay at home to do so. In this way, we can perform the Agency's mission indefinitely, and help to stop the spread of this pandemic until EPA workers' safety can be guaranteed. For the vast majority of the Agency, that means we can continue teleworking until a viable treatment or vaccine for COVID 19 is found.

We repeat: there is no justification to send us back into offices until EPA workers' safety can be guaranteed. We are committed to the success of EPA, and many of us have spent the better part of our lifetimes to make it so. You say the health and safety of EPA employees and their dependents is your highest priority. We beg you to keep your word.

Sincerely,

Gary Morton

President, AFGE Council 238

