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UNITED STATES DEPARTMENT OF AGRICULTURE

CIVIL RIGHTS LISTENING SESSION

January 7, 1997

13800 Old Gentilly Road
NASA Michoud Assembly Center
New Orleans, Louisiana 70129

USDA CIVIL RIGHTS ACTION TEAM:

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Chairperson
State Food and Agriculture Council and
Session Moderator

PEARLIE S. REED
Team Leader
United States Department of Agriculture
Civil Rights Action Team

DEPUTY SECRETARY RICHARD ROMINGER
United States Department of Agriculture

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1 DONALD GOHMERT:

2 Good morning, ladies and
3 gentlemen. I call this thing to
4 order now.

5 Those of you in the back, if
6 you would care to come up closer to
7 the front, we would appreciate that.
8 Those of you who are standing, if you
9 would come and take a seat, we would
10 appreciate that.

11 I'm Don Gohmert. I'm the
12 state conservationist for the Natural
13 Resources Conservation Service, and
14 this year it happens to be my charge
15 to be the chairman of the State Food
16 and Agriculture Council, and it's my
17 privilege in that capacity to serve
18 as your moderator today for this
19 listening forum.

20 This listening forum is one of
21 thirteen to be held around the
22 country at the direction of the
23 Secretary of Agriculture, Dan
24 Glickman, to listen to customers and
25 employees of USDA concerning the

1 issues of civil rights, and we have a
2 panel here that is committed to doing
3 just that, listening to you. One of
4 our panel here is Pearlie Reed. Mr.
5 Reed is the associate chief for the
6 Natural Resources Service and has
7 been named by Secretary Glickman as
8 the leader of the Civil Rights Action
9 Team.

10 Mr. Reed?

11 PEARLIE REED:

12 Thank you very much, Don.

13 Good morning to all of you.

14 Before I turn you over to Secretary
15 Rominger, I'd like for you to meet
16 the members of the action team, and
17 to do that, we are going to ask for
18 quick self-introductions, and I would
19 like to start with you, Randy.

20 BRUCE (RANDY) WEBER:

21 My name is Randy Weber. I'm
22 the associate administrator of the
23 Farm Service Agency.

24 LEONARD HARDY:

25 Good morning, I'm Leonard

1 Hardy, deputy administrator for
2 Operations Management. I have been
3 with Agriculture thirty plus years.

4 JOYCE WILLIS:

5 Good morning. My name is
6 Joyce Willis. I am the liaison to
7 civil rights in marketing and
8 regulatory programs.

9 ROBERT WHITING:

10 Good morning. My name is Bob
11 Whiting. I'm the chief information
12 manager, division director in the
13 office of chief of information
14 (inaudible).

15 GARY BARBER:

16 Good morning. My name is Gary
17 Barber, director, Executive Services
18 staff, office of Chief Financial
19 Officer.

20 ROBERT COLE:

21 Morning. I'm Robert Cole,
22 retired Farmer's D.A. employee.

23 GEORGE ROBERTSON:

24 Good morning. George
25 Robertson, acting director of Civil

1 Rights for the department.

2 SAMUEL THORNTON:

3 I'm Sam Thornton, senior
4 adviser to the Secretary of
5 Agriculture.

6 KAREN MESSMORE:

7 I'm Karen Messmore. I'm with
8 the Personnel Division of the Food
9 Safety and Inspection Service].

10 MON YEE:

11 My name is Mon Yee, assistant
12 state conservationist for the
13 National Resource Conservation
14 Service in Portland, Oregon.

15 WILBUR PEER:

16 Morning. I'm Wilbur Peer,
17 associate administrator of Rural
18 Business Services and the Rural
19 Development Commission.

20 PEARLIE REED:

21 Okay. I have two other
22 persons I need to introduce. Cathy,
23 would you stand? Cathy Dugas is
24 chief of staff for this operation,
25 and Sonya Neal, who is on the support

1 staff -- Sonya, are you in the room?

2 She is out working.

3 Without further ado, I will
4 just simply ask you to help me
5 welcome Deputy Secretary of
6 Agriculture, Richard Rominger.

7 RICHARD ROMINGER:

8 Thank you, Pearlie. I want to
9 thank all of you for coming here this
10 morning. Today, the USDA civil
11 rights compliance has shifted into
12 overdrive, and there's nothing more
13 important than assuring that we treat
14 all people with dignity and with
15 civility. So, we want to see this
16 department dedicated to creating an
17 environment in which every customer
18 who comes to you -- to a USDA office
19 is treated fairly, effectively and
20 efficiently, and we also want to
21 ensure that we provide that same sort
22 of treatment to our own employees.
23 So, with the new year, we intend to
24 focus on how all of USDA manages
25 civil rights issues.

1 Toward accomplishing this
2 goal, the Secretary has established
3 this Civil Rights Action Team, and
4 this team, as you've heard, consists
5 of representatives of each of USDA's
6 missionaries and it will take a close
7 look at how things are working at all
8 organizational levels and recommend
9 ways to solve existing problems.

10 During January, as you've heard, this
11 team is going to be holding thirteen
12 listening sessions on the delivery of
13 USDA programs and USDA employee
14 situations. All USDA farm programs,
15 all farm program agencies, including
16 the Extension Service, at the
17 headquarters, state and county
18 levels, are going to be involved in
19 this discussion. These forums will
20 serve as a national dialogue on USDA
21 service to minority communities and
22 will provide an opportunity for
23 minority and socially disadvantaged
24 farmers and other customers to
25 discuss their concerns about USDA

1 program delivery, and we will also
2 seek to identify new ways in which we
3 can build partnerships and improve
4 the department's outreach and
5 service. Three of those thirteen
6 listening sessions will be devoted to
7 hearing the concerns of USDA
8 employees, and this is the first of
9 those three sessions. The Civil
10 Rights Action Team is charged with
11 preparing a report, including
12 recommendations, and to do that by no
13 later than mid-February.

14 So, Pearlie, you and your team
15 have quite a task ahead of you and
16 we, the Secretary and I, will be
17 holding senior staff personally
18 responsible for cooperating fully in
19 this effort that this team is
20 involved in. So, the bottom line is
21 we have a real opportunity to make
22 some positive changes in the area of
23 civil rights. I think we can ensure
24 that USDA is a diverse civil
25 department to its employees and to

1 its customer. So, the Secretary and
2 I are devoted to solving this
3 department's civil rights problems
4 and we're committed to bringing about
5 change.

6 So, thank you for being here
7 and helping us get started on the
8 solving these problems. Thank you.

9 DONALD GOHMERT:

10 Thank you, Mr. Secretary.

11 Before I go on, I want to make
12 sure that we recognize you folks here
13 at NFC for your hospitality and
14 warmth, and you, John Hall, for the
15 excellent cooperation in putting this
16 together. I also want to ask the
17 other members of the USDA agencies,
18 agency heads, to stand, please.

19 Please stand. We have
20 representatives from Farm Services
21 Agency, Rural Development, Forest
22 Service, I don't know your agency --

23 UNIDENTIFIED SPEAKER:

24 Forest Service.

25 DONALD GOHMERT:

1 -- and, of course, Ted Daley
2 with the financial office of USDA.

3 Thank you very much. I wanted
4 these folks to stand so that if there
5 is anyone here that would need to
6 reference those people for
7 information, whatever, they're here
8 for you to do that.

9 A little bit about the ground
10 rules before we get started. We've
11 got a list of speakers that signed up
12 and we will be taking them in the
13 order that they've signed, but
14 because we are right on the tail end
15 of the Christmas holidays, a lot of
16 you may not have had a chance to
17 fully understand or have knowledge of
18 this meeting and the opportunity to
19 speak. So, I'm going to use my
20 license as the moderator to give you
21 folks at large -- you may not have
22 had a chance to sign up but would
23 like to speak as we work down this
24 list. I will call two speakers at a
25 time. We have microphones on either

1 side of the room here, so that when
2 one speaker is finished, and there is
3 a five-minute time limit, and we have
4 time keepers who will keep you
5 abreast of how much time has elapsed,
6 they will hold up -- if you have used
7 four minutes, they will hold up the
8 sign that says one minute. This does
9 not mean that we expect you to talk
10 for five minutes if you care not to.
11 And then when they hold up the sign
12 that says 0, that means your time is
13 up, and to be fair to the next
14 speaker, I would ask that you
15 recognize that, cut your comments
16 short, and if there are still some
17 burning issues that you would like to
18 discuss or would like to make known
19 to the panel, we have a comment box
20 back here and we have some
21 representatives here in the back that
22 would be willing to sit down and
23 listen to you and take notes, if
24 necessary. So, we want your complete
25 input, but we ask that you recognize

1 the fact that we have a limited
2 time.

3 We're going to take the last
4 speaker at 10:10. The Secretary will
5 close out at 10:15, and the team here
6 will be racing for the airport to
7 catch a plane at about 11:10. So,
8 you can tell we're on a very short
9 time frame, and it's not that they're
10 just trying to get out of town. They
11 also have a listening session this
12 afternoon, or this evening, in
13 Memphis, and the weather is bad up
14 there and there's going to be
15 delays. So, we need to make sure we
16 stay on time.

17 I will say that while I'm
18 speaking, let the first speaker come
19 to the microphone, Debra Jones, and
20 then Lori Jacobs.

21 LORI JACOBS:

22 Jacobs.

23 DONALD GOHMERT:

24 I'm sorry. I have a typo
25 here.

1 If y'all would be prepared to
2 speak in a minute. If you speak,
3 begin to speak, I wish you would
4 state your name clearly, the agency
5 you represent, address your remarks
6 to the panel. If anyone on the panel
7 here interrupts and asks a question
8 for clarification, the time will
9 stop, and we'll start -- you'll start
10 where you left off in the amount of
11 time so you get the full five minutes
12 if you want five minutes. If, in
13 fact, you hear some comments that are
14 identical to yours, I would just ask
15 that you consider do you really want
16 to say the same thing over again, and
17 you may wish to and we would want you
18 to. But if you've heard that two or
19 three times and you could give
20 someone else a chance to speak, I
21 would ask your consideration to do
22 that.

23 RICHARD ROMINGER:

24 You didn't mention that we
25 would also take written comments.

1 DONALD GOHMERT:

2 Absolutely. There's comment
3 boxes in the back. You may feel
4 uncomfortable getting up here and
5 speaking. We don't want you to feel
6 uncomfortable, but if you do not want
7 to, just write it out in longhand.
8 If we can read it, there's a comment
9 box in the back, and all those
10 comments will be packaged and sent on
11 to Washington, D.C., for analysis at
12 the end of this listening
13 roundtable.

14 So, again, this is a listening
15 forum. Do not expect the panel to
16 specifically answer any questions or
17 issues today. They may ask for
18 points of clarification, but this is
19 an opportunity for them to listen to
20 you, to hear you.

21 So, without further ado, we'll
22 get started, and Debra Jones is our
23 first speaker.

24 DEBRA JONES:

25 Morning. My name is Debra B.

1 Jones. I'm an employee of the
2 National Finance Center. I've been
3 employed here just a little short of
4 eight years.

5 My issues are as follows:

6 Disparity in the application of
7 personnel rules, regulations and
8 policies. My issue, Number 1,
9 requirement to provide proof of
10 education for black employees; two,
11 falsification of employee documents;
12 three, discipline; four, the leave
13 policy.

14 My second issue: No real
15 merit promotion plan. Examples of
16 problems, one, inconsistent use of
17 education; two, the inability of
18 black employees with college degrees
19 to qualify for common technician
20 positions and entry-level grade
21 positions with double interval
22 grades; three, inability of black
23 employees with prior government
24 experience to be converted permanent
25 positions; four, failure to reinstate

1 black employees at the same grade or
2 higher.

3 My third example would be
4 disparity in the use of the
5 evaluation criteria. First example,
6 black employees found qualified, not
7 qualified and best qualified for the
8 same positions using the same
9 application, yet they're not
10 selected. I have a problem with the
11 fact that there is something coming
12 about that is discouraging the use of
13 the complaint system, reprisal and
14 the creation of one-race supervisory
15 work unit.

16 Thank you.

17 DONALD GOHMERT:

18 Thank you very much.

19 Any comments?

20 Ms. Jacobs.

21 LORI JACOBS:

22 Good morning.

23 DONALD GOHMERT:

24 Ms. Jacobs will be followed by
25 Sabrina Blanchard, and then I would

1 ask for an at-large speaker if there
2 is one.

3 LORI JACOBS:

4 Good morning. My name is Lori
5 S. Jacobs. I'm a native
6 Californian. I've been temporarily
7 employed here at NFC for close to two
8 years now. I'm a certified warranty
9 purchasing agent.

10 I have applied for a number of
11 positions here at NFC, but I have yet
12 to be selected. I have formal
13 education, ten years of government
14 service, two years of Navy service.
15 I have yet to be selected for a
16 permanent position.

17 I know of several nonblack
18 employees here at NFC who have not
19 only been in place in career
20 positions but have been placed
21 without having the required
22 qualifications and experience.

23 I have had to work very hard
24 to get where I am, and I find it an
25 insult to only be offered demotions

1 and pay cuts from the organization
2 that is not in the middle of the red,
3 especially when I know for a fact
4 that they have hired and promoted
5 people who have little and no formal
6 education.

7 Thank you.

8 DONALD GOHMERT:

9 Thank you, Ms. Jacobs.

10 Ms. Blanchard?

11 If there is anyone at large,
12 please make your way to the
13 microphone.

14 SABRINA BLANCHARD:

15 My name is Sabrina Blanchard.
16 I'm a nineteen-year employee here at
17 Finance Center.

18 We had filed a class action
19 lawsuit many years ago, and I would
20 like to know if any of the panel may
21 have any information they can share
22 with us at a later time about what
23 stages, who is looking at it and how
24 long it will be before we will be
25 able to get any information or any --

1 any information on how long it's
2 going to take before this is
3 resolved.

4 PEARLIE REED:

5 George Robertson, would it be
6 appropriate for you to respond?

7 GEORGE ROBERTSON:

8 It would if I had any
9 information. Sam and I were just
10 visiting here to see if we could
11 determine exactly where that is at
12 this point. We will try to get that
13 information and get back to you, but
14 we really don't have the current
15 status of that.

16 PEARLIE REED:

17 We won't try; we will.

18 SABRINA BLANCHARD:

19 Thank you.

20 DONALD GOHMERT:

21 Anyone at large?

22 Seeing none at this time, we
23 move to Brenda Lacour. Brenda is in
24 the audience? She will be followed
25 by Terrol Williams.

1 BRENDA LACOUR:

2 Good morning. My name is
3 Brenda Ann Lacour. I'm an employee
4 here at USDA National Finance Center
5 going on twenty years this June.

6 I personally feel that I have
7 worked all twenty years under the
8 branch IRMD. I feel they have unfair
9 management practices with racial
10 undertones. There's a lack of
11 respect for people of color who are
12 in supervisory positions. It is
13 managed by people that are over the
14 supervisor at NFC, especially in the
15 Mail Output Center.

16 I love my job. I think that I
17 am a good employee. I have received
18 several cash awards over those twenty
19 years, but within the last three
20 years, I feel like IRMD Mail Output
21 Center is definitely going downhill
22 and it has a lot of racial undertones
23 in their decision of management
24 practices.

25 DONALD GOHMERT:

1 Thank you, Ms. Lacour.

2 Terrol Williams? Terrol
3 Williams will be followed by Gregorio
4 Morales.

5 Mr. Williams is not in the
6 audience.

7 Mr. Morales?

8 Diane Barnes is the next
9 speaker to have signed up. Ms.
10 Barnes?

11 Okay. Is there anyone at
12 large that did not have an
13 opportunity to sign up that would
14 like to speak or say something?

15 Yes, sir. Come to the
16 microphone, identify yourself,
17 please, and address the panel.

18 FRANCIS HENRY:

19 My name is Francis Henry. I
20 work in the Information Resource
21 Management Division.

22 DONALD GOHMERT:

23 Restate your name.

24 FRANCIS HENRY:

25 My name is Francis Henry. I

1 work in the IRMD, also. I been here
2 nine years. I worked in the post
3 office previously. I'm a veteran, a
4 Vietnam era veteran.

5 I held a higher grade. I've
6 never been promoted through the
7 normal promotion process. I've made
8 EQ list, never been selected. I'm
9 below the grade that I once held. In
10 April of this year, my job was
11 contracted out. During the process
12 of placing the people who were
13 affected, I found -- I felt that I
14 was discriminated against as a black
15 male. We were instructed to give a
16 171 to the branch chief. As a
17 result, I felt that some of the white
18 coworkers who were affected, okay,
19 they were placed before me. They
20 were placed in jobs that may have --
21 may or may not be a better
22 opportunity. They were selected in
23 this process, whereas, in the end
24 result, I was displaced. Nobody
25 wanted me. And this is -- this has

1 been my -- the way I am treated since
2 I've been here.

3 For some reason, I have the
4 feeling that I have spoken out at
5 some time or other and been branded
6 as a troublemaker here. Any position
7 I've put in for -- I don't remember
8 the supervisor's name, but in 1989 or
9 '90, I put in for an accounting
10 technician job, and during the
11 interview, I was told that my hands
12 were too large for the adding
13 machine. I have a hundred and thirty
14 hours of -- accredited hours at a
15 community college in the city. I've
16 held numerous responsible positions
17 in other fields and, so, I think my
18 experience is applicable to placing
19 me and with an expectation that I can
20 learn once I get there. Like I say,
21 I do feel that I'm branded here, and
22 I don't know what to do about it.

23 Thank you very much.

24 DONALD GOHMERT:

25 Thank you very much.

1. Our next speaker who is signed
2 up to speak is Albert Baker. Mr.
3 Baker, please come forward. Mr.
4 Baker will be followed by Linda
5 Rainey, who can also come forward.

6 ALBERT BAKER:

7 First, I -- my name is Albert
8 Baker. I been here at NFC for nearly
9 seven years.

10 First, I want to thank Mr.
11 Glickman for sending his council, Mr.
12 Pearlie, the head of his council, and
13 the Deputy Secretary, Richard
14 Rominger. I would also like to thank
15 those who wrote letters to Mr.
16 Glickman, William Jefferson and
17 Senator -- now retired Senator
18 Johnson. As a result, we have these
19 data center message back to
20 Washington, back to the Secretary of
21 Agriculture that everything is not
22 hunky-dory here.

23 Here's a couple of examples of
24 normal operations at this agency. I
25 received a warning letter from my

1 immediate supervisor because I had
2 written on a leave slip Jim Crow FMCO
3 rules. That's the section I'm in.
4 On the very day of my uncle's
5 funeral, I was required to come in
6 to -- to punch in and come in for a
7 few hours before I go to the
8 funeral. I had to come in in order
9 to work the next day overtime, which
10 was a Saturday. I was told this is a
11 verbal rule that employees cannot
12 work -- take off eight hours and come
13 in the next day and work overtime,
14 yet, I have seen other employees come
15 in the next day and work overtime,
16 but this verbal rule, this FMCO rule,
17 is dictated to a certain few
18 employees. Eight hours of annual
19 leave on Friday and come in to work
20 overtime, you cannot do. Like I
21 said, if my uncle's funeral was on a
22 Thursday, it would have been no
23 trouble. When it became apparent
24 that I would have to come in to work,
25 I had wrote on a leave slip in the

1 comment box, Jim Crow FMCO rules
2 because for the remaining amount of
3 the time.

4 When the timekeeper came to me
5 and questioned me about what does Jim
6 Crow FMCO rules mean, I directed him
7 to the person who holds us, the FMCO
8 rule, to a higher standard, my
9 second-line supervisor.

10 A few days later, an
11 intimidating tactic was used. I was
12 directed to go to the Personnel
13 office and receive a written warning
14 from my immediate supervisor, not in
15 the warehouse, but I had to leave the
16 warehouse and go to the Personnel
17 office. And the warning reads,
18 provoking or harassing other
19 employees or making unwarranted
20 criticism or accusations against
21 other employees. That's the part.
22 And according to the department, the
23 manual, usage of slanderous,
24 malicious, derogatory, discourteous
25 or otherwise inappropriate language,

1 gestures or other conduct towards
2 other employees or supervisors or
3 other people are an example of this
4 type of behavior, and it goes on and
5 says, this memorandum confirms our
6 counseling session on this day. This
7 session, you will -- were advised
8 that the remarks cited above which
9 allege FMCO rules are racially biased
10 and that Jim Crow rules are -- with
11 segregation laws are laws that are
12 racially discriminatory is unwarrant
13 and a derogatory remark. You are
14 also advised at making unwarrant
15 accusation and derogatory remarks in
16 any form is inappropriate and
17 unacceptable and will not be
18 tolerated. Yet, this agency invites
19 a speaker in to do the -- I think the
20 NFC kickoff, and he openly in this
21 cafeteria say he has a problem with
22 Japs, Chinks and Jews, and pats
23 himself on the back, stating that he
24 is considered as a nigger lover and,
25 to me, that is -- that statement

1 there is we are still considered as
2 niggers, and the invisible empire is
3 alive and well today. It's not just
4 the KKK, but it's also at NFC.
5 They're not hiding behind bed sheets,
6 they are hiding behind sheets of
7 paper. They have other blacks to
8 sign off on this insidious disease.
9 I was given a written warning by my
10 supervisor, and she admittedly say
11 she didn't know what Jim Crow meant,
12 but she signs this letter, you know,
13 with all this derogatory tone.

14 TIMEKEEPER:

15 Time.

16 DONALD GOHMERT:

17 Thank you, Mr. Albert. You
18 obviously have additional comments
19 that you would like to make. The
20 folks at the comment box would like
21 to have your complete statement,
22 please.

23 Okay. Ms. Linda Rainey.

24 LINDA RAINEY:

25 Morning. Excuse me. I have a

1 cold. My name is Linda Rainey. I
2 have been here seventeen years at the
3 National Finance Center.

4 I have seen a lot of
5 favoritism, racism, discrimination.
6 I myself was a part of
7 discrimination, harassment,
8 intimidation for about eight of those
9 years. It was done by the
10 supervisors. It was done by the
11 official investigating person in
12 Personnel. Justice will never be at
13 NFC unless something is done to show
14 that the supervisors, anybody,
15 employees, cannot intimidate, harass
16 or discriminate against no one,
17 regardless of their race. It goes
18 for all races.

19 During my time at NFC, I have
20 been best qualified for jobs, never
21 chosen because of my complaints that
22 I have filed through Washington, D.C.
23 I have been best qualified about four
24 times, but because of the harassment,
25 intimidation by the official

1 investigating person in Personnel,
2 decided not to try anymore. I as an
3 employee of NFC will know that NFC is
4 a nice place to work, but something
5 has to be done about supervisors and
6 top officials who is harassing and
7 intimidating employees here. I am
8 one who has been harassed,
9 intimidated. As you can see, I have
10 a file in Washington, D.C., that you
11 can go back and read.

12 Thank you.

13 DONALD GOHMERT:

14 Thank you, Ms. Rainey.

15 Our next speaker on the list
16 is Daryl Dabon.

17 DARYL DABON:

18 Good morning. My name is
19 Daryl Dabon. I'm a twenty-year
20 government employee, spent most of my
21 time at the National Finance Center.

22 I want to thank you all again
23 for the opportunity to change this
24 information about civil rights. It's
25 encouraging that the dialogue is

1 still open to endeavor to clear the
2 ills of discrimination, disparity in
3 employment and other civil rights
4 issues, but it is as equally
5 discouraging in 1997 we are still
6 feeling the ills and holding
7 dialogues about them. No matter how
8 many charts we do or comparisons we
9 make, studies we undertake, proposals
10 we propose, task forces we form, the
11 problems and issues still persist.
12 Here at the National Finance Center
13 and according to the media,
14 discussions with fellow government
15 employees and so on, the problems or
16 the perception of problems do exist
17 and persist. We are anxious to
18 display -- and I'm saying we as the
19 government -- our statistics in
20 comparison to the national and state
21 averages. We hold ourselves as
22 having made tremendous strides
23 compared to our counterparts in
24 private industries. We even compare
25 other departments in government as to

1 have bragging rights on the strides
2 we have made and are making.
3 Nevertheless, we tend not to compare
4 ourselves to our own numbers
5 interdepartmentally and
6 intradepartmentally. Those numbers
7 will invariably demonstrate we have a
8 long way to go still in hiring and
9 promotional practices.

10 Some may argue that there are
11 many nonwhites in upper level grades
12 and upper managerial positions than
13 ever before. The perception remains
14 that we still have areas whose upper
15 management reflect a majority white
16 male constituency. What are the
17 ratios of nonwhite GS-13s and above
18 within departments in this agency? I
19 hesitate to use the word minority
20 because someone said that having a
21 large representation of white females
22 at these levels make up for the
23 minority issue. I contend that they
24 do not.

25 Note the number of nonwhites

1 in ES levels. Even at this
2 distinguished meeting, these things
3 are evident. The perception is
4 evident. The perception remains that
5 even minorities are not qualified,
6 not desirable, or could it be that we
7 are just not in the right place at
8 the right time? This, I feel, is a
9 major issue.

10 Before one can study
11 employment at the upper levels of the
12 GS-13 and above, we must look at who
13 is being promoted to be in place for
14 these positions. Study the number of
15 nonwhite GS-12s. There is a belief
16 that some are poised and prepped,
17 given choice assignments and
18 management responsibilities that
19 enhance caseloads to assure
20 placement. Even in my particular
21 department, if the problem doesn't
22 exist, the perception is surely
23 there. Overt position dating,
24 preselections are terms one hears on
25 a daily basis. Yes, we are

1 encouraged, but we still have a long
2 way to go. If, in fact, the
3 government represents the best
4 employer with a makeup that
5 represents the diversity of our
6 nation, accountability should be
7 first and foremost, diligent in
8 assuring that perception of passivity
9 and lackadaisical attitudes toward
10 civil rights issues will be swiftly
11 and assuredly dispelled.

12 Thank you.

13 DONALD GOHMERT:

14 Thank you very much.

15 We plan not to take a break
16 this morning. So, please, if you
17 feel the need to come and go, do so
18 in a manner that is least disruptive
19 to the group.

20 At this time, I would ask is
21 there anyone else at large who would
22 like to make an oral statement?

23 FRED L. FIELDS:

24 I want to say, ladies and
25 gentlemen, good morning. Thank you

1 for this opportunity to be able to
2 stand this morning and come to you
3 with a complaint that I'm sure you
4 will be glad to hear.

5 My name is Fred L. Fields. I
6 have worked with this agency for
7 fifteen years, two years with a prior
8 agency, thirteen years in the
9 military, three years in the regular
10 Army and ten years in the National
11 Guard.

12 My primary complaint this
13 morning is specifically an age
14 discrimination complaint. At about
15 four or five years ago, there was a
16 cause for a personnel record to be
17 pulled for purposes much -- for
18 purposes of disciplinary reasons.
19 So, I think that if it can be done
20 for disciplinary reason going back
21 and using your record against you,
22 then, it should be able to be done
23 for positive reasons.

24 At or about 1985 or 1986, for
25 no apparent purpose, I, among four

1 other men, were motor vehicle
2 operators. I was selected and my job
3 description was downgraded and after
4 it was downgraded, four jobs were
5 posted for promotion purposes. I was
6 the oldest among those five men in a
7 slot of six slots. So, when I took
8 my specific age discrimination
9 complaint to EEO, they allowed the
10 counselor to intervene and to talk me
11 out of continuing on with my
12 complaint, saying that I should have
13 applied for the job. It was a Wage
14 Grade 6 job that they had posted on
15 the job. My former highest grade had
16 been a Wage Grade 7. I didn't feel,
17 and I know the rules don't go by how
18 I feel, but I didn't think that I
19 should have been selected and
20 downgraded prior to four jobs being
21 posted when there were five people
22 available to bid on those jobs. My
23 qualifications was the highest among
24 the five men. My qualifications
25 allowed me to drive up to a

1 twenty-ton dump truck. The others
2 were only regular chauffeur's
3 license, but for no apparent reason
4 other than I could figure that my age
5 had a part to do with it, which was
6 over the age of forty years old at
7 that time, I presume that to have
8 been the reason why I was selected
9 and my position downgraded, then
10 other jobs were posted with the
11 potential of others being better
12 qualified than me and would be
13 selected over me.

14 When I look at it, I don't
15 even know if I should bring it up
16 because it may sound petty, but I
17 feel to believe that it still has an
18 impact on my earning capacity. And
19 my family would like to have the same
20 thing as yours would. Mine would
21 like to have all the benefits, all
22 the joys, all the pleasures of what
23 high salary can bring.

24 I also would like to state
25 that on one occasion, a job was put

1 up in the Telecommunications
2 section. In the National Guard, I
3 was -- in the military, I was trained
4 in communication. I was a section
5 chief and the job was posted and
6 given to someone that didn't have any
7 background in communications.

8 So, I just would like to say
9 this morning that there are some
10 disparities here in the agency, there
11 are some problems that we really need
12 to look at. There are some
13 individual circumstances and
14 situations that need to be
15 corrected. I still think that that
16 age situation is one of them.

17 That's Fred Fields with a
18 specific age discrimination suit.

19 DONALD GOHMERT:

20 Thank you very much.

21 Listening to the areas, there
22 is no issue that is too petty. I
23 don't want you to feel that way. The
24 panel is here to listen to you.

25 And the next person on our

1 list is Artimese Epps. Please come
2 to the microphone.

3 Ms. Epps will be followed by
4 Kurt Guerin.

5 ARTIMESE EPPS:

6 Good morning. My name is
7 Artimese Epps, and I'm employed here
8 at the National Finance Center.

9 I agree with those speakers
10 prior to meeting -- that was speaking
11 prior to me coming up here. One of
12 the problems I have here at the NFC
13 is the dual system. By dual system,
14 we do have a black and white system,
15 and especially speaking of
16 promotions. Promotions, one of the
17 things that I have noticed, and I
18 have worked in HRMO for four years
19 here at the National Finance Center,
20 which I'm presently working with FSC
21 as an economy technician -- while
22 working in HRMO, I heard and seen a
23 lot of things, and one of the things
24 that strike me to be very strange is
25 that when an employee, especially a

1 black -- well, not especially -- a
2 black employee comes into HRMO for
3 help or assistance, they work against
4 the employees. So, you not
5 comfortable at all when you go in.
6 I'm not, and I'm not only speaking
7 for myself. In the hallways, I have
8 heard employees, black employees,
9 lower grades and upper grades,
10 complaining about promotion policies
11 or rules or regulations, however they
12 select -- make their selection. I
13 feel that is very unfair when you can
14 go in and qualify for a job here --
15 speaking of myself, I have a degree
16 in business administration. My first
17 year with HRMO, I tried putting in
18 for an accounting technician job. I
19 have a -- worked in the accounting
20 field with the Army for over
21 twenty-six years, and here I don't
22 qualify. I go to a specialist and
23 ask, why don't I qualify? Why don't
24 I qualify? Why didn't I get selected
25 for this job? And she tells me I

1 didn't qualify because I don't meet
2 the criteria. The criteria is that I
3 have to have twenty-four hours in
4 accounting. I look back and I think
5 about this individual tells me that I
6 need a master's degree, a master's
7 degree, to qualify for an accounting
8 technician job. This is very
9 strange. This disturbs me for a
10 couple years from putting in for any
11 type of jobs because I need a
12 master's degree to qualify. When I'm
13 looking at this individual and I say,
14 well, I'm going to travel the same
15 road you did. This is a GED person
16 with a GS-12. Now, is this fair for
17 you to tell me that I need a master's
18 degree to qualify for an accounting
19 technician job?

20 I applied for a
21 communication --

22 LEONARD HARDY:

23 Did you say that the personnel
24 has told you that you need to have
25 twenty-four hours in accounting in

1 order to qualify for an Accounting
2 Technician 545 position?

3 ARTIMESE EPPS:

4 Yes.

5 LEONARD HARDY:

6 And you needed a master's
7 degree to qualify for --

8 ARTIMESE EPPS:

9 An accounting position. I
10 needed twenty-four hours to qualify
11 for an accounting technician, and if
12 I did not have twenty-four hours, I
13 needed the training.

14 LEONARD HARDY:

15 Is this employee still in the
16 Personnel Division?

17 ARTIMESE EPPS:

18 Yes, she is.

19 LEONARD HARDY:

20 Thank you.

21 ARTIMESE EPPS:

22 Also, I applied while in the
23 Personnel office -- at training,
24 there's lack of training. It's the
25 same for blacks. I'm sure it was the

1 same way in other departments. They
2 hear of certain whites for promotion
3 and without any consideration of
4 blacks being able to move up -- we
5 not thought of. If you go ask for
6 training, the budget. It's no money
7 in the budget, but, yet, you still --
8 you train your higher level grades,
9 and I find this here an insult when I
10 ask my Personnel officer for to be
11 trained and he tells me it's no
12 money, and the same day, he went to a
13 GS-12 and that's when they put in for
14 their travel to be trained. I go to
15 ask him and ask him why aren't you
16 looking at your lower employees, and
17 he says, yes, I should, but I'm not,
18 and I ask, well, why don't you
19 create -- when you creating jobs in
20 HRMO, why aren't you looking at the
21 lower level for to move them up, and
22 he says, well, I know that the number
23 of higher rates I have in here is too
24 much, I have too many for this
25 office, but, yet, still, I'm not

1 considering the lower grades. I'm
2 still looking to the ones that
3 higher, bring them higher.

4 Now, when I was in Personnel,
5 all of the -- excuse me -- HRMO --
6 most of the specialists had less than
7 one year of college. Your blacks
8 have college degree or lacking thirty
9 hours from having a college degree
10 and yet we cannot be promoted, and I
11 find this is very strange.

12 DONALD GOHMERT:

13 Your time. Thank you, Ms.
14 Epps. Feel free to leave any
15 additional comments with the staff
16 back here in the back.

17 Mr. Guerin?

18 KURT GUERIN:

19 Morning. I'm Kurt Guerin.
20 I've been employed here for ten plus
21 years.

22 I guess everybody who gets up
23 to this mike gets a unique
24 situation. I get a lot of training.
25 I'm a computer assistant programmer.

1 A lot of people don't believe my
2 face. I install and maintain some of
3 the most important pieces of software
4 in here, internal mail system,
5 multisystems. Some of you guys -- I
6 don't know if you guys all end users,
7 and a lot of other pieces of software
8 that people couldn't do without
9 around here. I got this glass
10 ceiling over me. You all heard of
11 that before at 12. They tell me
12 there's a 14 supposedly doing the
13 same work I'm doing and they tell me
14 I can't get promoted because of
15 that. They tell me you can't have a
16 12 and 14 working in the same
17 situations. I can cite several
18 situations 14 and 13 working in the
19 same situations.

20 What's discrimination? A lot
21 of definitions for discrimination.
22 I've been discriminated against a
23 lot. I let it go over my head. I
24 have the capabilities to walk out of
25 here. My wife wants to stay in

1 town. Income, it matter, but the
2 income is not killing me. The glass
3 ceiling is it. How do I break
4 through it?

5 DONALD GOHMERT:

6 Thank you, Mr. Guerin.

7 We now have time for another
8 at-large speaker. This lady right
9 here in front, please make your way
10 to the microphone. She will be
11 followed by Marie Walker.

12 SANDRA SMITH:

13 Hi, I'm Sandra Smith, at the
14 U.S. Forest Service in Columbia,
15 South Carolina. I was told yesterday
16 I was supposed to be attending the
17 meeting, so, I have nothing
18 prepared.

19 I personally feel that many
20 fundamental changes in attitudes and
21 behaviors process and procedures is
22 necessary in the Forest Service
23 nationwide and specifically in my
24 corner. I personally have -- I've
25 been with the Forest Service for

1 fifteen years, and the last five
2 years have been the worst.

3 What I would like to do with
4 this -- I'm the one who -- we filed a
5 class complaint in South Carolina,
6 and I'd like you all to know that I
7 did in the middle years -- have
8 planned to file a class complaint,
9 but as soon as this complaint was
10 lodged, there was an effort on my
11 part to inform African-American
12 employees of what to do with problems
13 in the workplace. With this, I have
14 been harassed, lied about and
15 attacked, even threatened a criminal
16 investigation, and I feel that no one
17 here should have to work in an
18 environment like this. This angered
19 me more than the investigation. It
20 angered me that I was told that I
21 didn't have a -- they didn't give me
22 a real reason as to why I was being
23 investigated, and I was told not to
24 talk about it. I -- there's a class
25 complaint.

1 Within two days, my phone at
2 home and at work was ringing off the
3 phone, and it really saddened me to
4 hear some of the stories from all
5 over the country. It seems that
6 African-Americans in the Forest
7 Service nationwide share such
8 heritage and pride, but,
9 unfortunately, similar experiences of
10 racism at the hands of this agency.
11 I was really surprised at some of the
12 incidences that I had happened on my
13 floors that I had not known about.

14 What we did is after that, we
15 went into mediation with the Forest
16 supervisor and members of the
17 management team, and from that time
18 on, the two major persons who had
19 been involved in the class complaint,
20 we were attacked with criminal
21 investigation and, in fact, we're
22 still under -- one person with the --
23 the law enforcement officer came to
24 her house at night and told her to
25 come to the office immediately

1 because he needed to talk to her
2 about some investigation. He didn't
3 even tell her exactly what he needed
4 to talk to her about. The next day,
5 they came to me and told me the same
6 thing, and it -- a week later, I was
7 suspended from my job as a computer
8 specialist and given like GI -- like
9 GS-5 type work to do, and I'm still
10 under the axe right now and they
11 still haven't given me any reason or
12 explanation as to why we were
13 suspended.

14 PEARLIE REED:

15 Question. Were these Forest
16 Service law enforcement people?

17 SANDRA SMITH:

18 Yes. At one point, I became
19 agitated and he actually touched my
20 arm and I feel like he pulled it and
21 he did that to possibly provoke me to
22 hit him or something like that, and I
23 know from a case of -- well, a person
24 did this and was sent to jail. When
25 he talked to me, he said like I felt

1 like I had -- whatever evidence they
2 had was criminal and the U.S.
3 attorney didn't accept that, but he
4 felt like I had done it and he was
5 going to continue to go after me or
6 whatever. I just kept coming to work
7 that day, and I had no idea any of
8 this was going on until the thing
9 happened with my friend and, of
10 course, she was really upset and
11 could -- she got in front of me, you
12 know -- the expense of that and
13 everything, just to try to protect
14 herself.

15 Some of the experiences --

16 LEONARD HARDY:

17 You just stated that you were
18 suspended?

19 SANDRA SMITH:

20 Uh-huh.

21 LEONARD HARDY:

22 For how long?

23 SANDRA SMITH:

24 I received a letter that I was
25 suspended not to exceed thirty days.

1 LEONARD HARDY:

2 For what charges?

3 SANDRA SMITH:

4 Because an investigation was
5 being done. They did not impact my
6 pay, but I was locked out of the
7 computer room and the other people in
8 the office was locked out of the
9 computer room.

10 LEONARD HARDY:

11 You indicated that you have
12 since been given more or less lesser
13 duties?

14 SANDRA SMITH:

15 Yes.

16 LEONARD HARDY:

17 Has that impacted your pay
18 thus far?

19 SANDRA SMITH:

20 No; it has not.

21 LEONARD HARDY:

22 Thank you.

23 SANDRA SMITH:

24 I still have time? I would
25 like to go through some of the

1 experiences.

2 We have training. We had
3 African-American realty specialists
4 were denied on-the-job job training.
5 She needed this to have -- obtain a
6 level in her career, an
7 African-American was -- received a
8 superior rating in 1996 and with no
9 performance award and her two
10 counterparts was given \$1,000 award.
11 Also, six ranger districts were
12 consolidated into three ranger
13 districts. Two of the ranger
14 positions were upgraded to DS-9s,
15 both by white females, and the only
16 position with an African-American
17 female remained a 7. This
18 African-American was never upgraded,
19 but was told she would, and --

20 DONALD GOHMERT:

21 Time.

22 SANDRA SMITH:

23 Thank you.

24 DONALD GOHMERT:

25 Marie Walker. Miss Walker

1 must not be here.

2 Is there another at-large
3 person?

4 KAREN MESSMORE:

5 I would like to ask Sandra
6 Smith, could we get a copy of the
7 rest of your notes?

8 SANDRA SMITH:

9 Yes.

10 KAREN MESSMORE:

11 I didn't want to miss any of
12 that.

13 DONALD GOHMERT:

14 You will leave them in the
15 comment box or you can submit them up
16 here, it doesn't make any
17 difference.

18 SANDRA SMITH:

19 Okay.

20 DONALD GOHMERT:

21 Yes, sir.

22 DELTA MORGAN:

23 Delta Morgan. I have been
24 employed here about nine years and I
25 have spent twenty-five years in the

1 military, which I obtained the rank
2 of sergeant major. I spent ten years
3 at the post office and three years at
4 the Veterans Administration.

5 So, I have never witnessed
6 such a blatant display of
7 discrimination and segregation since
8 I've been in this place. You see,
9 what we had to do, we had to get a
10 recorder problem and a recorder
11 problem, you cannot put a bunch of
12 segregationists in charge and expect
13 everybody to be okey-dokey, you know,
14 treated fairly. It's just like
15 putting the fox in charge of the hen
16 house. I applied for about fifteen
17 positions since I got here and all
18 the time I meet the list, but
19 somebody else, sorry, somebody else
20 was selected. I don't understand the
21 system, and I don't think they do.
22 What they try to do, they try to
23 manipulate the thing and frustrate
24 you so you will quit putting in for
25 these things and say go away, you

1 know, sit down, you know, go on with
2 your job.

3 But we have to get at the core
4 of this thing and look at the
5 supervisors. You have to weed out
6 all these people that discriminate
7 and separate people because of their
8 race and all this, and get to the
9 problem. We are not going to get to
10 the problem here because we're just
11 skirting around it. Don't skirt the
12 issue. Weed these people out of here
13 and we will end this problem. Get
14 the people that discriminate and all
15 that out of the system because
16 there's no place in government work
17 areas for this kind of action.

18 I applied for account
19 technician job. She had six when I
20 first got here. I had a degree in
21 economics with this administration
22 and they sent me back a nasty note
23 saying I didn't remotely meet the
24 application qualifications for a
25 technician. This is baloney.

1 What they're doing here, see,
2 you have to get either in the
3 spectrum, if you are black male, you
4 have to be an Uncle Tom or you got to
5 be, you know, down at the other end,
6 or you got to be vocal and
7 belligerent. In fact, they want to
8 promote you and get you the hell out
9 the way if you belligerent and vocal,
10 but that person in between there that
11 just want to come in here and do his
12 work and get ahead, he can't get
13 ahead. You've got to be Uncle Tom or
14 some other person just to get that
15 promotion, and I'm that guy. I don't
16 understand why they let this kind of
17 mess go on here in a government
18 workplace, and it's been going on for
19 years.

20 If you start out wrong, you
21 end wrong. See, this place was
22 conceived wrong because you put the
23 wrong people in charge and it's
24 ending up wrong. You can't end up
25 right if you start out wrong.

1 So, gentlemen, get to the core
2 of the problem. Start weeding these
3 people out of the supervisor
4 positions with a high school
5 education. Everybody in this place
6 is related to each other, they
7 brothers and sisters, aunts, uncles,
8 and get this thing straight. Don't
9 just whitewash this thing. Get to
10 the core of the problem.

11 Thank you.

12 DONALD GOHMERT:

13 Thank you, Mr. Morgan.

14 We're running a little bit
15 ahead of time. I think it will give
16 us an opportunity for a ten-minute
17 break. Since we are here, for the
18 comfort of everyone here, including
19 the panel, we will take a ten-minute
20 break. Check your watches. We will
21 be here in ten minutes, ready to
22 start again.

23 (Whereupon, a short recess was
24 taken.)

25 DONALD GOHMERT:

1 We'd like to go ahead and get
2 started at this time, and before we
3 start with additional comments, there
4 was a question earlier from a speaker
5 that asked about the status of a
6 lawsuit, a class action lawsuit. I
7 think Samuel Thornton has made a call
8 and gotten a status on that.

9 Sam, would you care to share
10 that with the group?

11 SAMUEL THORNTON:

12 Yes. At present, the
13 department does not have from EEOC a
14 certified class. Now, we are still
15 investigating, but at present, the
16 department does not have any formal
17 information that that is a certified
18 class from EEOC. We called EEOC.
19 Again, they have notified us that
20 there has been no formal class.
21 There's several procedures that they
22 must go through in order to be
23 certified as a class, and you need to
24 note that. The judge has to hear and
25 make a decision whether or not that

1 is a class. At present, the
2 department does not have a class.

3 GEORGE ROBERTSON:

4 Is that a recent filing or an
5 older filing? I was a little
6 confused. I thought it was an older
7 filing.

8 SABRINA BLANCHARD:

9 This is an old filing, over
10 five years.

11 GEORGE ROBERTSON:

12 I think the one Sam was
13 looking into was perhaps more
14 recent. If we could get more
15 information from you before we leave
16 here, I think we can look further
17 into this for you and give you more
18 information specifically about that
19 particular case.

20 SABRINA BLANCHARD:

21 All right.

22 GEORGE ROBERTSON:

23 Maybe you can give me some
24 information that I can pursue, then,
25 I will get back to you.

1 SABRINA BLANCHARD:

2 All right.

3 RICHARD ROMINGER:

4 Thank you, Sam and George.

5 DONALD GOHMERT:

6 The next speaker on the list
7 is Mr. Dwayne Merridy. He will be
8 followed by Catherina Wan.

9 Mr. Merridy?

10 Ms. Wan?

11 Okay. Is there anyone at
12 large that would care to speak at
13 this time?

14 Ms. Wan? I'm sorry.

15 CATHERINA WAN:

16 Ladies and gentlemen, the
17 first person brought up this.
18 Performance of person does not
19 actually match employee's
20 responsibility. Employee's yearly
21 performance cycle is from October 1st
22 to September 30th of the following
23 year. A performance used to be
24 established at the beginning of the
25 fiscal year and a rating score of

1 each element is to be placed by each
2 supervisor at the end of the fiscal
3 year. The spending performance are
4 related to the factors related to the
5 position description for a employee's
6 hiring type, such as a computer
7 specialist, accounting technician, et
8 cetera.

9 Well, I should introduce
10 myself first. I am sorry. I am
11 Catherina Wan. I work for National
12 Finance Center six and a half years.
13 My title is computer specialist.

14 Continually the pace is that
15 some of the employees got special
16 assignments and had dedicated their
17 time, work time, to other
18 responsibilities. For instance, EEO
19 cholesterol duty committee members
20 have twenty percent work time to EEO
21 related meeting and use this on
22 three-year term. Also, a CMM
23 (inaudible) has dedicated one hundred
24 work time on CMM issues in the past
25 couple years, as I know ETSP

1 (inaudible) and throughout the saving
2 plan division. I also have CMM
3 action team members. They have
4 dedicate at least twenty percent of
5 work time on software engineer issues
6 within half-year term and,
7 understand, while they're appraisal
8 elements have not been updated
9 according to very responsible new
10 assignments, and the performance
11 evaluation elements are formed AD-435
12 of above employees should be updated
13 to reflect their responsibility, and
14 I hope this problem can be properly
15 addressed, and I believe there must
16 be certain that certain standards can
17 be followed and I hope this can be
18 enhanced.

19 Thank you.

20 DONALD GOHMERT:

21 Thank you, Ms. Wan.

22 Following Ms. Wan is Linda
23 Simmons. Ms. Simmons? Ms. Simmons
24 must not be in the audience.

25 Is there anyone at large that

1 would care to speak at this time? We
2 have a lady over here on my right.

3 VIVIAN PIPIR:

4 Thank you for -- first of all,
5 I want to thank you for letting us
6 deal with you this morning to the
7 panel.

8 My name is Vivian Pipir. I
9 have twenty years of National Finance
10 experience, twenty-seven years of
11 government experience. I'm speaking
12 on behalf of my fellow coworkers who
13 are afraid to come forward this
14 morning because of retaliation they
15 felt they would receive. I have no
16 problem with that.

17 And we have over seventeen
18 hundred employees here at the
19 National Finance Center. About six
20 hundred employees are black. If you
21 look around this morning, you don't
22 see many of those employees present
23 because of the fear. Look around,
24 you see many of our managers here.
25 The problem has been the employees

1 feel that the situation comes from
2 the management. We have a hundred
3 and nine complaints that have been
4 filed, one class action. Management
5 openly has stated policy here that
6 discrimination does not exist at the
7 National Finance Center, but we've
8 had incidents of employees slapping
9 employees, racial slurs, racist
10 remarks, firings and other things.
11 We would like to know what the panel
12 would do, what action would be taken
13 by the panel to end discrimination at
14 the National Finance Center. We come
15 out in hurricane scenes, floods, work
16 in holiday seasons, give up our
17 time. There were no rewards for
18 these employees, only the ones at the
19 top. Employees are just afraid to
20 come forward. They file complaints,
21 get harassed. Some employees just
22 cannot go through these changes.
23 They get emotional, depressed, some
24 quit. We're to the point right now
25 we need some action done by this

1 panel, and we would like to know what
2 assurances we'll be given -- the
3 retaliation today -- the speakers
4 have made and what contact will be
5 given to us to make these points of
6 retaliation, where do we call, who do
7 we go to?

8 Thank you.

9 DONALD GOHMERT:

10 Thank you very much.

11 For those of you who have
12 written comments, again, we have a
13 comment box back there. I ask you to
14 put those comments there or bring
15 them up here and give them to me. I
16 will take personal charge of those
17 comments, all of those comments, and
18 see to it that they are mailed to our
19 Washington office contact. So, feel
20 free to put them in the box or bring
21 them up here to me.

22 Next on the --

23 RICHARD ROMINGER:

24 Let me interrupt.

25 DONALD GOHMERT:

1 Yes, sir.

2 RICHARD ROMINGER:

3 I would like to comment on the
4 fear of retaliation that anyone feels
5 here today. We do not tolerate
6 retaliation. We don't want that to
7 continue. If you feel that there is
8 any retaliation as a result of being
9 here today, please contact a member
10 of the action team here. That's what
11 they're for, to listen to your
12 concern. They will be making
13 recommendations to the Secretary and
14 the department then on how we can
15 avoid this in the future, but,
16 please, contact us if you think that
17 there is any retaliation.

18 DONALD GOHMERT:

19 Thank you, Mr. Secretary.

20 George?

21 GEORGE ROBERTSON:

22 Yes. I would just like to add
23 on to that that there is a center
24 here for filing of complaints. I
25 think it is in New Orleans. I think

1 there's some representative here, in
2 fact, from that group in this
3 facility. I'm just suggesting that
4 that is another avenue that you can
5 use. I see heads shaking as if
6 that's not an acceptable --

7 DEBRA JONES:

8 No, sir, it's not. No, sir.
9 It absolutely is not. When you go to
10 that office, you're discouraged.
11 You're almost talked out of filing
12 your complaint, and by the time you
13 get back to your desk, your
14 supervisors and those who you are
15 alleging these charges against know
16 everything you have said.

17 My name is Debra B. Jones. I
18 said that.

19 GEORGE ROBERTSON:

20 Thank you.

21 PERRY TILLMAN:

22 Tillman. Perry Tillman. We
23 do have an office here, and that
24 number is 5680 for those who would
25 like to file a complaint. That's

1 5680.

2 GEORGE ROBERTSON:

3 Okay. I hear you. Let me
4 give you an address. Let me follow
5 up on the Secretary's comments and
6 give you an address as to where you
7 can send your issue if you have one.
8 That's the United States Department
9 of Agriculture, Civil Rights Action
10 Team, Post Office Box 2890,
11 Washington, D.C., and the zip is
12 20013. I have a fax number, also.
13 That's 202-720-9030.

14 DEBRA JONES:

15 Thank you very much.

16 DONALD GOHMERT:

17 Would the gentleman at the
18 mike identify himself again?

19 PERRY TILLMAN:

20 Perry Tillman, New Orleans
21 Regional Service Center, and that
22 number is 255-5680.

23 Thank you.

24 DONALD GOHMERT:

25 Thank you, Perry.

1 The next speaker on the list
2 is Frank Whitehead.

3 FRANK WHITEHEAD:

4 Good morning. I'm Frank
5 Whitehead. I work with Risk
6 Management Agency out of Jackson,
7 Mississippi, have the regional
8 service office. I'm an underwriter.
9 I have been with that agency almost
10 fifteen years now. I have over
11 thirty years' service with the
12 government -- with the Department of
13 Agriculture in total. I'm -- I do
14 appreciate the opportunity of being
15 heard today.

16 I have -- feel like the
17 committee is here to listen and I
18 feel like they have heard of lots to
19 carry back to the Secretary and
20 present to him, but it kind of
21 bothers me that the Secretary and his
22 staff did not realize that these
23 problems were out here. You know,
24 apparently someone is pointing this
25 out to the Secretary and he feels

1 like he needs to take action on it,
2 and I know that you have a civil
3 right action committee, and I look
4 forward to seeing some action being
5 taken from this meeting rather than
6 just a hearing session.

7 Some of the -- someone just
8 mentioned about filing a complaint.
9 We know that there is a process to go
10 through. I'm aware of a situation
11 that a complaint was filed over four
12 years ago and still has not been
13 investigated. This is the type thing
14 that's quite discouraging. We know
15 we hear this backlog of cases that
16 we've got to work through. I feel
17 like with these meetings and the
18 problems that are being pointed out,
19 that the backlog is going to get even
20 worse as time goes on. So, if they
21 can't investigate one that's four
22 years old, how long is it going to
23 take one to surface now that's filed
24 now. I'm not saying that all of them
25 take that long, but apparently some

1 of them do, for no reason at all. It
2 just slips through the paperwork --
3 the paperwork slips through the
4 cracks.

5 We hear about this dispute
6 resolution that the department is
7 interested and the government, quote,
8 is interested in resolving a lot of
9 these complaints before we reach the
10 formal stage. I see very little of
11 that in our agency taking place. We
12 talk to them. Well, does it
13 qualify? Well, if you was in
14 Washington or if you was in New
15 Orleans or an area where this dispute
16 resolution board was available, it
17 may be a course of action, but when
18 you're out in some of the field
19 offices and county offices and state
20 offices nationwide, it's not a
21 legitimate process to go through.
22 You have to go through the appeals
23 and this type thing. So, I think
24 that somebody maybe needs to look and
25 see if there could be some way of

1 short-circuiting some of the process
2 even though going through the full
3 process and making a realistic effort
4 to try to resolve these.

5 So many of the complaints that
6 are filed that we see action being --
7 of the resolution of this -- somebody
8 referred to it as a no-fault
9 situation. The action has already
10 taken place, it's been investigated,
11 and then the department says, well,
12 if we could just resolve this,
13 everybody is happy. Well, everybody
14 may be promoted and that took four or
15 five years to go through the process
16 and then the -- it comes up and they
17 do find another vacancy for them or
18 promotion that they resolve it that
19 way, but there is no penalty or very
20 little that we are aware of that --
21 where the supervisor is held
22 accountable for situations like that,
23 and I presume that the reason is,
24 well, it wasn't proven. We settled
25 that case. So, we have no reason to

1 discipline a supervisor that was
2 involved in a discriminatory act.

3 The other part of it is that
4 in so many of these investigations,
5 there are what I refer to as perjury
6 statements. There are false
7 statements made by the supervisors
8 and selected officials. As far as
9 I'm concerned, they're under oath,
10 and when I hold my hand up to tell
11 the truth, I expect it to be the
12 truth, and I expect that person
13 that's testifying also to tell the
14 truth, and it's not always done.

15 DONALD GOHMERT:

16 Thank you, Mr. Whitehead.

17 RICHARD ROMINGER:

18 I would just add that we are
19 concerned about the backlog, and the
20 Secretary has put more resources into
21 working in getting that backlog
22 reduced. We have made some headway,
23 but we have a ways to go.

24 DONALD GOHMERT:

25 Our next speaker is Mitchell

1 Crouther.

2 Mr. Crouther will be followed
3 by Evelyn Johnson.

4 MITCHELL CROUTHER:

5 Good morning to the panel. My
6 name is Mitchell Crouther. I'm an
7 underwriting branch chief at the
8 Jackson, Mississippi, Regional
9 Service Office for Risk Management
10 Agency.

11 I, too, like so many others of
12 my coworkers, am a victim of
13 discrimination in our agency. I have
14 been discriminated almost since
15 entering into the U.S. Department of
16 Agriculture. I was one of the ones
17 who came to the agency when they were
18 looking for some blacks that they
19 needed, and it has been basically
20 downhill since then. During the time
21 in the '70s when discrimination was
22 rampant and their agency was looking
23 for a black to hire, I was one of the
24 ones that was selected. I was one of
25 the ones that wasn't a complainer, I

1 was a hard worker, and I have been
2 ever since then, and you reach the
3 point that you're promoted and you
4 hit that glass ceiling where they
5 give you responsibility, but they not
6 going to put you in authority.

7 I've had twenty-two years of
8 service with the U.S. Department of
9 Agriculture from the Soil
10 Conservation Service, Forest Home
11 Administration and Risk Management
12 Agency, which used to be Federal Crop
13 Insurance. Since being with Federal
14 Crop Insurance, I have filed four
15 discrimination suits, three of which
16 were for the same position, which was
17 advertised three different times,
18 which I served as acting director
19 during the absence of the director
20 and I'm yet to be selected for it. I
21 was the only person in the agency so
22 far that has been -- had a -- had a
23 judge decision on a discrimination
24 suit and won, was retroactively put
25 in a position that I applied for and

1 was denied, but the agency that I
2 work for who so many times in the
3 past have said that they stood on the
4 fact that they did not discriminate
5 and they have rules and regulations
6 that prevent it, it took them two
7 months of meetings to develop a
8 procedure to retroactively put me in
9 that position, which paperwork I have
10 yet to receive. After getting the
11 decision from the administrative
12 judge and was given to the agency,
13 they had sixty days to reply. One
14 year later, I was put in the
15 position. The agency took a year to
16 make up its mind what it wanted to
17 do.

18 This is the type of things
19 that happen in an agency that I work
20 for. It's rampant.

21 I was a part of a
22 discrimination -- a class action
23 suit. As a result of the people in
24 the head of the agency, this suit was
25 basically dismissed.

1 We have many people in USDA,
2 not only black, that are
3 discriminated against, and it starts
4 at the top, and unless we get
5 something done at the top, it's never
6 going to reach the bottom.

7 I want to thank you.

8 DONALD GOHMERT:

9 Thank you, Mr. Crouter.

10 Ms. Johnson? Ms. Johnson in
11 the audience?

12 EVELYN JOHNSON:

13 I'm Evelyn Johnson. I, too,
14 am an employee with Risk Management
15 Agency out of Jackson, Mississippi.

16 I was hired straight out of
17 college with great enthusiasm to work
18 with the USDA and move up into the
19 agency. This is not happening. I
20 have been with them seventeen years,
21 and after working in a collateral
22 duty as an EEO counselor, it hurt me
23 to have to enter the EEO process
24 after knowing what I have to go
25 through personally.

1 I have been denied promotions
2 since 1984. I have been told by a
3 supervisor that I was not ready. I
4 have been told by management that
5 you're not qualified, you need
6 experience, yet individuals without
7 qualification and experience are
8 constantly hired over me. It is an
9 insult to the educational system to
10 allow a high school graduate to be
11 selected for a position over an
12 employee with one or two years of
13 college degrees with experience and
14 knowledge of a discipline. It is an
15 insult to the human race to allow
16 management in any agency to
17 intentionally promote unfairness in
18 hiring by preselection of Caucasian
19 males into relocated positions,
20 causing moving expenses and other
21 costs and overlooking
22 African-American individuals already
23 on-site with similar and well-
24 qualified experiences. It is an
25 insult to me to have my applications

1 reviewed by a management-selected
2 panel. I am indeed energized,
3 specialized and qualified.

4 Thank you.

5 DONALD GOHMERT:

6 Thank you, Ms. Johnson.

7 Is there anyone at large who
8 did not get a chance to sign up and
9 would like to speak?

10 We have a lady, a couple
11 ladies. Great.

12 SANTYEUM JONES:

13 Good morning, gentlemen. Good
14 morning. Thank you, Mr. Hall, for
15 allowing us this opportunity to
16 address the panel this morning.

17 We have several studies that
18 have taken place here in NFC. We
19 have the Logicon study, the EEO
20 study, we have DQM, we have CMM. We
21 have a lot of studies, but one of the
22 things that as a former EEO member --

23 LEONARD HARDY:

24 I'm looking at the floor.

25 There is a subgroup for this action

1 team. Could you make sure before I
2 leave to give me a list of those
3 reports that you just mentioned?

4 GEORGE ROBERTSON:

5 What is your name?

6 SANTYEUM JONES:

7 I'm sorry. My name is
8 Santyeum Jones.

9 As a former EEO manager -- I'm
10 sorry -- the former EEO committee
11 person, I have witnessed and seen
12 from different sides, from the
13 management point of view and from the
14 employee's point of view. Recently,
15 I went to my supervisor of various
16 concerns that I had in my particular
17 division, and those areas were
18 disfair assigning of low-grade
19 employees, lack of high-level
20 training, such as graphical user
21 interface, which is GUI, client
22 service, DB-2, CMM, project manager,
23 exposure to technology, lack of
24 opportunities to attend technological
25 seminars to acquire knowledge and

1 skills of product and service offered
2 by outside vendors. I also brought
3 up less exposure of developmental
4 work, such as new product design,
5 which can spark creativity instead of
6 boredom to application of program
7 analysts. The latest trend is to
8 request for hiring of outstanding
9 scholars when we have capable
10 employees on board who are not
11 getting the assignments that they
12 need in order to advance at this
13 agency. The promotion of team
14 insiders and hostility within the
15 branch that leads to employees' low
16 morale, it contributes to lack of
17 growth and developmental opportunity,
18 which inhibits creativity and
19 satisfaction among team members, and
20 I brought that to him.

21 So, I wanted to have a
22 dialogue with my former supervisor so
23 that I could share and address areas
24 of concerns that was affecting me
25 and, of course, we labelled as

1 emotional, we not playing the game.

2 In one particular instance, I
3 brought up to him that I wanted the
4 opportunity to go to the computer
5 associate seminar because, first of
6 all, I had fascination with
7 buildings, I wanted to find out how
8 could I duplicate what he has done,
9 and I was told that you are a GS
10 level. Only the 12s and 13s would
11 have an opportunity to be in that
12 arena where we could have the
13 exposure to that particular
14 information. And I found out that
15 one of my coworkers was able to get a
16 pass for her husband who was a
17 contractor, a construction worker, to
18 be able to attend this seminar and
19 brag about the rubbing of elbows, the
20 late afternoon sessions where they
21 met people of influence, where they
22 were able to go to NFC hospitality
23 rooms and they could shake hands and
24 meet with one another and share
25 information. Well, I had been left

1 out of that process, and this was an
2 employee who desired and wished to
3 attend for other reasons than it
4 would contribute and help my
5 advancement.

6 There are serious issues that
7 needs to be addressed at NFC. One of
8 those is holding managers,
9 supervisors accountable. That's all
10 we ask. And then they in turn --
11 they in turn now have the right to
12 hold us accountable if there's a area
13 that we are not fulfilled. It's a
14 two-way street here. It's a two-way
15 street and we have to work together
16 in order to come up with some viable,
17 real solutions, and I thank you for
18 your time.

19 DONALD GOHMERT:

20 Thank you very much.

21 Yes, ma'am. Please come
22 forward.

23 STEPHANIE STEWART:

24 Good morning. My name is
25 Stephanie Stewart. I work at NFC in

1 the TSPR, as other employees call it,
2 teaspoon division, where there are
3 quite a few items of discrimination
4 that have happened with us. I have
5 been there a little over four years.

6 During the time that I've been
7 there, the first three years, when
8 evaluations were done, evaluations
9 for each employee was identical to
10 the other employees. There were no
11 outstanding. They have over one
12 hundred people who are in the
13 telephone inquiry area who answer the
14 phones, and out of those one hundred
15 people, there were only two
16 outstanding evaluations that were
17 done. Our immediate supervisors were
18 telling us that even though we have
19 outstanding capabilities, that they
20 are not allowed to give us an
21 outstanding evaluation. This is
22 something that definitely needs to be
23 taken a look into.

24 A few weeks ago, there was a
25 young lady who worked in the

1 telephone inquiry area who had
2 applied for a position in another
3 section and she had gotten that
4 position and moved to that section
5 body, soul, paperwork, pencil and
6 paper clips, and a few weeks later,
7 there was a rumor -- of course, we
8 always get rumors -- that the young
9 lady was coming back, not to work in
10 the telephone inquiry, as we all were
11 doing, but to work in one of the
12 specialized areas, which is the legal
13 department. When many employees
14 questioned this, they were told by
15 their supervisor that this was a
16 rumor, that the young lady would be
17 coming back, but not in the legal
18 department. When employees further
19 questioned their immediate
20 supervisors, one supervisor said,
21 yes, she will be going into the legal
22 department, and when this young lady
23 was coming back to our area, the
24 section head had said, is she any
25 good, and the supervisor responded,

1 yes, she is good. She said, well,
2 let her go to the legal department.
3 So, while this young lady has gone to
4 the legal department to work, we are
5 all the same contact representatives,
6 same 675s, and yet still, there are
7 many of us on the phones who have
8 specialties, we may have degrees,
9 many of us have taught school, there
10 are many of us who have that
11 experience, but we weren't afforded
12 an opportunity to have that looked
13 into before being able to be selected
14 for that position. When asked by the
15 section head to speak with her, she
16 asked what do they want to speak to
17 me about? When told, she gave back a
18 reply and to that reply, she also
19 added, now, if they want to come see
20 me, they may, where, of course, the
21 doors are closed here because she has
22 already given the answer, but this is
23 something that definitely needs to be
24 taken a look into.

25 You have specialized people

1 with degrees and experience, let
2 alone the number of years of
3 education who can go into a special
4 area and afford our company a great
5 opportunity of experience there.
6 This needs to be taken a look into.

7 Thank you.

8 DONALD GOHMERT:

9 Thank you very much.

10 The next speaker on our list
11 is Mr. Ron Coblentz. I'm hoping I'm
12 saying that correctly.

13 RON COBLENTZ:

14 Yes, sir. I'm Ron Coblentz.
15 I'm with International Finance Center
16 in the Telecommunications branch. I
17 have an associate's degree in data
18 processing, a bachelor's degree with
19 three majors, accounting, finance and
20 business management, and I've
21 completed all my course work for an
22 M.B.A. in business management.

23 In 1992, and I've passed out a
24 copy to each of you, you should have
25 it in front of you, I filed an EEO

1 complaint on age discrimination
2 because the National Finance Center
3 selected a much younger contractor
4 for a government-posted position
5 rather than me. What is most
6 frustrating about the whole EEO
7 process is that the office of
8 operations, EEO Dispute Resolution
9 Department, has only made one contact
10 on that complaint in four and a half
11 years. Ira L. Hobbs, and you have a
12 copy of that letter, director of
13 Operations, sent me a letter on June
14 25th, 1996, and the complaint was
15 filed in '92, and sincerely
16 apologized and deeply regretted any
17 inconvenience you may have
18 encountered due to our delay in
19 processing your discrimination
20 complaint. She went on to say that
21 Tonya Mack, case specialist, will be
22 giving me prompt, courteous and
23 professional service. I never heard
24 from them again. After receiving no
25 letters or calls telling me, I called

1 for her numerous times. She is never
2 in and never returns my call.

3 PEARLIE REED:

4 Can I interrupt you? It's a
5 he. Ira.

6 RON COBLENTZ:

7 That explains why I never
8 talked to her.

9 I sent more letters to Ira
10 Hobbs and Tanya. Still no response.

11 With this kind of
12 professionalism, any member of the
13 EEO Department should be ashamed to
14 be in the same occupation. If I was
15 Ward L. Townsend, I would be deeply
16 embarrassed by a department with that
17 kind of a track record that reported
18 to me.

19 An analogy of the EEO
20 Department's professionalism on my
21 case would be as follows. The
22 backbone local area network, which
23 all the PCs, every worker here,
24 eighteen hundred, tie into that
25 backbone, breaks down and I don't fix

1 it or return any calls to customers
2 or users for four and a half years
3 except for a letter from the director
4 of the National Finance Center six
5 months ago that says we're going to
6 do a better job in the future, six
7 months later and it's still not fixed
8 and your calls are not answered by
9 the director's receptionist, no calls
10 are ever returned. Okay.

11 Another analogy would be the
12 National Finance Center has a payroll
13 problem and nobody gets paid and no
14 explanations are given for four and a
15 half years except for a letter six
16 months ago from Ted David that says
17 our payroll service would be better
18 in the future. Calls to Mr. David's
19 office gets a response he will call
20 you back, but that call never comes.

21 A third analogy would be a
22 cardiologist has a four-and-a-half-
23 year backlog and the HMO sends you a
24 letter saying you can expect better
25 professional service in the future

1 and they do not consider a backlog of
2 four and a half years to be
3 exceptional and the receptionist says
4 he'll call you back and nobody ever
5 calls you back. Absurd, ridiculous,
6 couldn't happen in a civilized world
7 in a country that is industrialized
8 and computerized, don't believe it.

9 Now, let's talk about the EEO
10 complaint. In 1988, the NFC Newark
11 Communications Company would be
12 replaced, they would be losing the
13 on-site contractor. The NFC did an
14 illegal detail of a younger person
15 from another branch and spent
16 thousands and thousands of dollars
17 training him, until one of the
18 training classes, he walked out and
19 said, I can't do this. I was
20 assigned all of his duties related to
21 the FTC line. The NFC then held
22 closed-door meetings with the
23 contractor, division director, NFC
24 director. These meetings took place
25 before that job was posted on the

1 board. The NFC director made a sworn
2 statement to the EEO investigator
3 that this occurred. The NFC then had
4 a person that was not even a
5 supervisor prepare a position
6 description to be posted --

7 DONALD GOHMERT:

8 Mr. Coblentz, I'm sorry.
9 You're out of time.

10 RON COBLENTZ:

11 One last little paragraph
12 because I did answer your question.
13 Okay. I suggest that the EEO
14 Department be reorganized and that
15 they and the Personnel Department be
16 required to work fifty percent of
17 their time interviewing the workers
18 so they will have a better
19 understanding of the problems that
20 exist at the NFC. This will be money
21 well spent because it would cut down
22 drastically on the number of EEO
23 complaints because they would know
24 about problems in advance of them
25 becoming a complaint, before they

1 become a complaint. It's just as
2 important, they would find out what
3 the workers really think of them.

4 DONALD GOHMERT:

5 Thank you, Mr. Coblentz.

6 I hope I'm pronouncing this
7 next name correctly. Maran Sneed.
8 Is that correct?

9 MARCIA SNEED:

10 Not quite.

11 DONALD GOHMERT:

12 I'm reading printing and not
13 typing. Would you identify
14 yourself?

15 MARCIA SNEED:

16 Good morning. Marcia Sneed,
17 president of the Mississippi Chapter
18 of the USDA Coalition for Minority
19 Employees, a national organization.

20 I am employed as a zone
21 geologist by the USDA Department
22 Service in Mississippi. Ken Johnson
23 is the Forest supervisor and is
24 present today.

25 The coalition welcomes all

1 USDA employees interested in assuring
2 fairness, justice and equality in the
3 workplace for all employees, focusing
4 on minorities, women and persons with
5 disabilities. These underrepresented
6 groups have been historically
7 oppressed by the department. I stand
8 here and ask the panelists to right a
9 wrong, to walk a different path from
10 those who surround you, and restore
11 faith in those who form the base of
12 this organization. We are aware that
13 you deal with serious issues and
14 concerns of a national perspective.
15 However, I'd like to offer you this
16 analogy. When someone has cancer and
17 it is ignored, the malignant cells
18 will multiply and eventually destroy
19 what is good around them. Unless
20 treated properly, it eventually
21 destroys its host, the very thing
22 that is essential to its livelihood.

23 That is what is happening
24 here. Civil right violations,
25 including discrimination, hostile

1 work environment, unfair
2 administrative and personnel
3 practices, unethical investigations,
4 employee harassment, abuse in the
5 system processes and lack of
6 managerial accountability are tearing
7 at the very fabric of this
8 organization.

9 The biggest barrier that
10 exists in the Department of
11 Agriculture is the lack of
12 accountability of and from the very
13 top, from the department, agency and
14 managers. The National Forest in
15 Mississippi has numerous issues and
16 concerns regarding discrimination of
17 minorities and women, particularly
18 blacks in the workplace. Although we
19 have followed the established
20 channels, management has not been
21 responsive to our issues and concerns
22 brought forth. Due to this fact, our
23 question is to whom do we elevate
24 these issues and concerns of
25 discrimination to? Do we elevate

1 them to another management level who
2 seems to protect their own, or
3 perhaps outside the agency or
4 department, which is a very lengthy
5 and expensive process?

6 In the face of these odds,
7 many employees understandably retreat
8 into a world of discontentment,
9 resentment and fear, which leads to a
10 very low morale in the workplace.

11 The National Forest in
12 Mississippi appears to have the same
13 cancer that is plaguing other USDA
14 agencies. It is fed by the lack of
15 accountability of managers, lack of
16 communication among the employees and
17 management, support of a firmly
18 entrenched good-old-boy network and
19 lack of real commitment by management
20 to change.

21 I do not speak these words
22 lightly. I have supporting documents
23 and evidence showing discrimination
24 in job promotions, preselections,
25 preferential treatment of white

1 males, disparate treatment in
2 disciplinary and adverse actions
3 between blacks and whites, abuse of
4 awards process and other prohibitive
5 administrative and personnel
6 practices.

7 We are aware of the changing
8 times resulting in the decreased
9 numbers of our work force. We just
10 ask that the decisions are equitable
11 and just.

12 Recent efforts made by the
13 National Forest in Mississippi has
14 targeted certain groups of
15 employees. If this plan had been
16 implemented, all the black and white
17 females excluding one from each group
18 in the supervisor's office in the
19 Natural Resources and Planning Unit
20 would have been placed on the surplus
21 list. The surplus list of the
22 supervisor's office consisted of all
23 women and blacks except for one white
24 male. This seems to be management's
25 opportunity to engage and settle yet

1 direct the limb.

2 The incident that Sandra Smith
3 mentioned regarding the female
4 employee serving a prison term
5 happened in our forest. Within the
6 last three months, there have been
7 five discrimination complaints
8 filed. In addition to these filings,
9 a class action suit has been filed on
10 behalf of these employees of the
11 southern region. We recognize that
12 these are serious issues and must be
13 addressed. Nevertheless, we feel
14 that we have exhausted the avenues in
15 the formal stage of resolutions
16 within the Forest Service and now ask
17 that your office meet with us and
18 review these issues, concerns and
19 documentation supporting the
20 discrimination complaints.

21 Thank you.

22 DONALD GOHMERT:

23 Miss --

24 MARCIA SNEED:

25 I will include our

1 documentation in this presentation in
2 the box. Thank you.

3 DONALD GOHMERT:

4 Very good. Thank you.

5 The next name on the list is
6 Fred Fields, but I think Fred spoke
7 earlier. Thank you.

8 The next person to speak is
9 Vivian Pipur, and she has spoken.

10 That exhausts our list of
11 speakers who signed up to speak, but
12 we will entertain some additional
13 comments from an at-large speaker.

14 Yes, sir. We've got one just
15 ahead of you, sir.

16 HOWARD TAMBORELLA:

17 My name is Howard Tamborella,
18 National Finance Center.

19 I listened to all the speeches
20 so far. I think if we would consider
21 binding arbitration as a method to
22 resolve some of our issues, we can do
23 it a lot faster in the process. I
24 know the EEO staff has expanded
25 tremendously, but yet all other

1 organizations within Agriculture are
2 being severely cut back. We need to
3 see how we can resolve these issues
4 that take four to five years a lot
5 faster. I think if we had binding
6 arbitration where the complainant and
7 the management could get together
8 with an arbitrator, we could resolve
9 these issues.

10 First, I must say I'm an
11 American, a U.S. citizen. I don't
12 like any other category that you
13 might label myself as a black-
14 American, African-American, European-
15 American, white-American, Hispanic-
16 American. The only requirement for a
17 federal job, I've been in the
18 government twenty-five years, is you
19 have to be a U.S. citizen.

20 Let's resolve issues that need
21 to be resolved immediately. I have
22 twenty-five years of experience, four
23 of those years were with Internal
24 Revenue Service investigating
25 nonprofit organizations in regard to

1 their nondiscriminatory policies and
2 revoking them if they didn't comply.
3 We resolved in IRS much faster -- in
4 a large, nonprofit organization much
5 faster, in months, where we take five
6 years to resolve an issue for one
7 employee's complaint that should be
8 resolved faster.

9 I think NFC, if you look at
10 NFC and you look at its statistics,
11 you will find an organization in the
12 Department of Agriculture that's more
13 diverse than any department we have
14 today. There are problems whenever
15 you have an organization this
16 diverse, and you should take all that
17 into consideration. I don't need to
18 go over statistics. You should have
19 them and consider them in that
20 process.

21 Again, the law, I believe,
22 states that selection should be made
23 irregardless of the Title 7 factor.
24 It seems to me everybody wants a
25 position because of their Title 7

1 factor. Let's get to the law and
2 let's apply it correctly in the
3 process and consider us only as U.S.
4 citizens and nothing else and on our
5 merits and our quality to do the
6 job.

7 Thank you.

8 DONALD GOHMERT:

9 Thank you.

10 The gentleman sitting right --

11 DONALD LOUIS:

12 My name is Donald Louis, and I
13 work here at the National Finance
14 Center, previously held the position
15 of supervisor of labor relations
16 specialist before I was removed from
17 it because a group of black employees
18 designating me as their
19 representative got a class action.
20 I'm yet waiting to see what it is I
21 have done illegally other than to
22 help people who others would not
23 help.

24 I know Mr. Howard Tamborella.

25 I would like to discuss with him,

1 that sounds very good theoretically
2 to be able to stand up and just say
3 I'm only an American and that should
4 do. That won't do and I don't think
5 it has to do and I don't think it's
6 even necessary. We are all people,
7 some of us black, some white, some
8 male, female, Asian, Hispanic. You
9 should not have to deny who you are,
10 but you should have to respect each
11 other. I am black and I don't need
12 to deny it to advance or to do
13 anything else. If I do, then, I feel
14 I still have a fight ahead of me.

15 There are selections problems
16 here at the National Finance Center
17 going back -- for example, everything
18 almost you come up with, you come up
19 with some other way to do it
20 illegally. Mr. Hall come up with the
21 early intervention program and then
22 he designated someone for the program
23 without aligning competition. I
24 would submit, and I filed a complaint
25 on it and haven't heard anything on

1 it, that I would be more qualified
2 than the person he designated and why
3 was I not allowed the opportunity for
4 the program. What's more, whether
5 you will not do anything as the
6 reason why you are selected at the
7 National Finance Center as to whether
8 you will, especially when it comes to
9 complaint. If you will do something
10 that will eradicate the problem,
11 then, you will not get the job.

12 I would like to present
13 evidence to these things to somebody,
14 but I'm afraid to present them to
15 anybody or on up to the Secretary's
16 office. Mr. Thornton, during the
17 break, introduced me to Mr.
18 Rominger. He said you should present
19 your problems to him. I told him
20 then that I'm afraid to present them
21 because, one reason, I was speaking
22 to a person, I have a name designated
23 in writing, in reference to a
24 complaint, and this person in
25 Secretary Glickman's office told me

1 you cannot file another complaint
2 because you have a suit pending in
3 court. I say, I don't believe what
4 you telling me. He say, I'm telling
5 you. You don't understand. He say,
6 no, you don't understand. I say,
7 okay. I didn't say anything else to
8 him. I put it in writing to him in a
9 certified letter four months ago and
10 I haven't heard anything from him yet
11 and I have my certified card and I
12 will give it to Mr. Thornton.

13 Your corruption here at the
14 NFC includes the people with which
15 you are required to go to. Your EEO
16 staff is corrupt, the EEO director
17 was preselected illegally and the
18 chief administrative officer covered
19 it up. The Personnel office
20 participated. I have documents to
21 that effect and I'll present it to
22 you. I was told from a person for no
23 reason at all I was a rotten, no-good
24 mother-fucker for participating in
25 the class action. I have done

1 nothing wrong. Again, I have
2 reported this to the Secretary's
3 office, to the EEO office here.
4 Nothing has been done, and nothing
5 will be done.

6 I was lied on by EEO director
7 and say I filed a worthless complaint
8 on employees. That's been over a
9 year. Nobody will do anything about
10 it. I want to be confronted with
11 something I have been accused of. I
12 want the person to confront me.
13 Nothing is going to be done. Who you
14 going to go to when you have these
15 type people in charge?

16 I was moved out of my position
17 into a substandard office, and I
18 would like for some of the committee
19 members to see it, compare it with
20 whites of my grade and see what type
21 office they have, okay, with your own
22 eyes.

23 Again, these are the people
24 that you want to come back to with
25 these actions and tell them to

1 implement it. That's a joke, and
2 that's a waste of taxpayers' money.

3 I feel I have merit. I am a
4 veteran, two other brothers who are
5 veterans. I feel we have served a
6 country that's not serving us. I
7 can't say or do, if I see something
8 wrong, without being mistreated. At
9 this point, I have been pushed in
10 place. I feel the exact same way
11 that I was drafted into the Army to
12 be used for, that I would fight to
13 defend the country. I would at this
14 time fight to defend myself.

15 You have people in charge of
16 the administrative staff here, Mr.
17 Paul King, who has created all these
18 senior level positions of white, all
19 the supervisory, Personnel office of
20 white, but they are absurd, diverse
21 people saying these are not based on
22 qualifications. I would like to
23 present you with information showing
24 you it is not.

25 DONALD GOHMERT:

1 Thank you very much.

2 DONALD LOUIS:

3 I have something I would like
4 to present to someone on an illegal
5 act that I was asked to do.

6 DONALD GOHMERT:

7 You can share that with any
8 member of the team up here.

9 We have one more speaker and
10 then we are out of time for
11 speakers. We have a few
12 announcements. We will ask the
13 Secretary to close this out.

14 JOHN VANN:

15 My name is John Vann. I got
16 thirty years with USDA, and I
17 represent over four hundred
18 African-American employees in the
19 southern region for the U.S. Forest
20 Service.

21 Mr. Secretary, thirty years
22 ago, when I first got started with
23 USDA Soil Conservation Service, I was
24 a proud government worker. I was
25 proud to say, who you working for, I

1 work for the USDA Soil Conservation
2 Service. You know, Mr. Secretary, in
3 the last four years, my hairs have
4 turned black to white. Some things
5 that have been done to me and my
6 coworkers in this region is almost
7 undescribable. Racism. Racism in
8 every form or way to people of
9 color. You know, it hurt. You know,
10 God created man just a little below
11 angels, and you know in some remote
12 areas, I've had an employee who said
13 to me, you know, we are treated lower
14 than dogs. My answer to him was
15 this, Mr. Secretary, if you on a
16 path, you don't need an elephant gun
17 to bring down an elephant.

18 So, what I'm saying is there
19 would be an awful lot of suits being
20 filed, class action suits, in the
21 last six months, and in this region,
22 we've had two in South Carolina, one
23 in Mississippi, and I understand
24 there's one been filed in Oregon.
25 How many more of these suits, class

1 action suits, are we going to take in
2 the Forest Service to make this
3 agency change? Mr. Secretary, when
4 will we start pulling the big fish
5 out of the pond? It's time for us to
6 start removing the little fish, Mr.
7 Secretary.

8 For instance, in order to
9 protect the employees several years
10 ago, I jumped on the bandwagon for
11 helping an employee. Guess what? I
12 had to file a class suit to save my
13 job. Mr. Secretary, it is often,
14 very often.

15 And you know something, I have
16 to give credit where credit is due.
17 The last ten years, I hated this
18 organization, but I've had the
19 regional forest man to come along by
20 the name of Bob Johnston, and by God,
21 he changed my soul, you might say,
22 and I love that man because the
23 things he has said to me and things
24 he has tried to do in this region to
25 change things, and I just think we

1 need to recognize people who go out
2 of their way the last mile to make
3 things change. One thing he said to
4 me -- he said, you know, things used
5 to be covert, but now, John, they
6 overt, they open. People are doing
7 things that he never thought they
8 would do openly the way they doing
9 them today, and I really thank that
10 man.

11 He asked me a question about
12 some animal waste that was put under
13 my desk. He said, whatever happened
14 to that investigation? I said, well,
15 just let me tell you what happened to
16 start with. I went to law
17 enforcement and I asked them to
18 investigate this waste that was put
19 under my desk. They asked me, do you
20 know who did it? I say, no. Well,
21 there's no sense in investigating it,
22 then, you don't know. My God. My
23 God.

24 I think that we can eliminate
25 sex harassment, why can't you.

1 eliminate racism? White females
2 involved, no disrespect because the
3 white females, because they were
4 being treated just as bad as we are,
5 and if you can eliminate sex
6 harassment, I think you can eliminate
7 the racism.

8 I can remember President
9 Reagan, he fired thirty something
10 thousand, I believe, air traffic
11 controllers. I can remember Harry S.
12 Truman -- you don't think I'm that
13 old -- and he fired MacArthur. I
14 think it's come to time that we do
15 some firing, and it needs to be done
16 swift.

17 Thank you.

18 DONALD GOHMERT:

19 Thank you very much for your
20 comments.

21 We have a court recorder up
22 here that has been recording every
23 word, and she asks that those of you
24 who spoke at large, she does not have
25 the name, the correct name, the

1 correct spelling for it, come by and
2 please give her that information so
3 we're sure to have the record
4 correct.

5 Also, there may be some of you
6 that did not sign in. It's important
7 for the report that goes forth from
8 this listening session to have you
9 documented as being in attendance,
10 and if you have not signed in, we
11 would ask that you do so, and back
12 here at the speaker registration
13 table is certainly the place to do
14 that.

15 We have definitely, I think,
16 all of us, benefited from this
17 listening session.

18 UNIDENTIFIED SPEAKER:

19 Can I say something?

20 DONALD GOHMERT:

21 No, sir. We're out of time.
22 I'm sorry. If you will, if you would
23 put it in writing and mail it in, we
24 would appreciate that.

25 UNIDENTIFIED SPEAKER:

1 I thought it was over at
2 11:00. I'm sorry.

3 DONALD GOHMERT:

4 Well, it's not. Because of
5 flights and one thing or another,
6 we've got to get out of here. I'm
7 going to ask the Deputy Secretary to
8 close this session out for us.

9 RICHARD ROMINGER:

10 Thank you.

11 I'm sorry we don't have an
12 unlimited amount of time today, but
13 as we said at the beginning, the team
14 is going on to Memphis for another
15 session there this afternoon and this
16 evening. So, we're trying to cover
17 as much territory as we can in a
18 short period of time.

19 Secretary Glickman established
20 this action team to hear your
21 concerns. As I said at the
22 beginning, this is the first session
23 to listen to the concerns within
24 USDA. Yesterday, Secretary Glickman
25 held the first listening session to

1 hear about complaints of USDA
2 programs from our customers, our
3 farmers and other customers. So,
4 this is just the beginning, yesterday
5 and today, and I will be attending
6 all three of the sessions where we
7 will be listening to employees within
8 USDA.

9 I want to thank those of you
10 who came here today to tell us of
11 your concerns. The Secretary and I
12 are deeply concerned about the
13 situation at USDA. We certainly
14 don't want USDA to continue to have
15 the reputation as an organization
16 that is not living up to the
17 standards that we all expect and hope
18 and want it to. That's why the
19 Secretary appointed this action team,
20 this civil rights team, to listen to
21 your concerns, to listen to our
22 customers' concerns, to make some
23 recommendations.

24 The team will undoubtedly be
25 contacting some of you to follow up

1 on what was presented here today so
2 that we can come up with some ways to
3 get to the causes, the root causes to
4 some of these pervasive issues that
5 have persisted for too long, for
6 decades, at USDA. It's not going to
7 be easy to change things that have
8 been entrenched that long. We know
9 that. But we are asking this action
10 team to do what they can to do their
11 best after they hear all the concerns
12 in making recommendations to us so
13 that we can follow through over the
14 next months and years to make USDA
15 what we all want it to be.

16 Thank you very much for being
17 here today.

18 DONALD GOHMERT:

19 George?

20 GEORGE ROBERTSON:

21 In response to the question or
22 the concern a moment ago about
23 retaliation and reprisals
24 particularly for things that may have
25 been said here or actions that may be

1 taken against you, I gave you an
2 address for the Civil Rights Action
3 Team. Let me just add to that my own
4 phone number, that if you have a
5 situation that you need to report
6 immediately, my name again is George
7 Robertson. I'm the acting director
8 of Civil Rights. My phone number is
9 202-720-5212.

10 DONALD GOHMERT:

11 Thank you, George.

12 The NFC staff, Mr. Hall and
13 his staff, has afforded the
14 opportunity for a tour of the NFC
15 facilities for the visiting agency
16 personnel that's here. We certainly
17 appreciate that. Those of you that
18 would like to take part in that, just
19 assemble here in the back of the
20 room.

21 We thank the Civil Rights
22 Action Team and especially thank
23 Deputy Secretary Rominger, Associate
24 Chief Reed for conducting this
25 session here today.

1 Thank you, ladies and
2 gentlemen, for being here, your time
3 and attention.
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3 UNITED STATES DEPARTMENT OF AGRICULTURE
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5 CIVIL RIGHTS LISTENING SESSION
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7
8 January 7, 1997
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10
11 13800 Old Gentilly Road
12 NASA Michoud Assembly Center
13 New Orleans, Louisiana 70129
14
15
16
17 USDA CIVIL RIGHTS ACTION TEAM:
18 DONALD W. GOHMERT
Chairperson
19 State Food and Agriculture Council and
Session Moderator
20
PEARLIE S. REED
21 Team Leader
United States Department of Agriculture
22 Civil Rights Action Team
23 DEPUTY SECRETARY RICHARD ROMINGER
United States Department of Agriculture
24
25

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- (1) DONALD GOHMERT:
- (2) Good morning, ladies and
- (3) gentlemen. I call this thing to
- (4) order now.
- (5) Those of you in the back, if
- (6) you would care to come up closer to
- (7) the front, we would appreciate that.
- (8) Those of you who are standing, if you
- (9) would come and take a seat, we would
- (10) appreciate that.
- (11) I'm Don Gohmert. I'm the
- (12) state conservationist for the Natural
- (13) Resources Conservation Service, and
- (14) this year it happens to be my charge
- (15) to be the chairman of the State Food
- (16) and Agriculture Council, and it's my
- (17) privilege in that capacity to serve
- (18) as your moderator today for this
- (19) listening forum.
- (20) This listening forum is one of
- (21) thirteen to be held around the
- (22) country at the direction of the
- (23) Secretary of Agriculture, Dan
- (24) Glickman, to listen to customers and
- (25) employees of USDA concerning the

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- (1) issues of civil rights, and we have a
- (2) panel here that is committed to doing
- (3) just that, listening to you. One of
- (4) our panel here is Pearlie Reed. Mr.
- (5) Reed is the associate chief for the
- (6) Natural Resources Service and has
- (7) been named by Secretary Glickman as
- (8) the leader of the Civil Rights Action
- (9) Team.
- (10) Mr. Reed?
- (11) PEARLIE REED:
- (12) Thank you very much, Don.
- (13) Good morning to all of you.
- (14) Before I turn you over to Secretary
- (15) Rominger, I'd like for you to meet
- (16) the members of the action team, and
- (17) to do that, we are going to ask for
- (18) quick self-introductions, and I would
- (19) like to start with you, Randy.
- (20) BRUCE (RANDY) WEBER:
- (21) My name is Randy Weber. I'm
- (22) the associate administrator of the
- (23) Farm Service Agency.
- (24) LEONARD HARDY:
- (25) Good morning, I'm Leonard

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- (1) Hardy, deputy administrator for
- (2) Operations Management. I have been
- (3) with Agriculture thirty plus years.
- (4) JOYCE WILLIS:
- (5) Good morning. My name is
- (6) Joyce Willis. I am the liaison to
- (7) civil rights in marketing and
- (8) regulatory programs.
- (9) ROBERT WHITING:
- (10) Good morning. My name is Bob
- (11) Whiting. I'm the chief information
- (12) manager, division director in the
- (13) office of chief of information
- (14) (inaudible).
- (15) GARY BARBER:
- (16) Good morning. My name is Gary
- (17) Barber, director, Executive Services
- (18) staff, office of Chief Financial
- (19) Officer.
- (20) ROBERT COLE:
- (21) Morning. I'm Robert Cole,
- (22) retired Farmer's D.A. employee.
- (23) GEORGE ROBERTSON:
- (24) Good morning. George
- (25) Robertson, acting director of Civil

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- (1) Rights for the department.
- (2) SAMUEL THORNTON:
- (3) I'm Sam Thornton, senior
- (4) adviser to the Secretary of
- (5) Agriculture.
- (6) KAREN MESSMORE:
- (7) I'm Karen Messmore. I'm with
- (8) the Personnel Division of the Food
- (9) Safety and Inspection Service].
- (10) MON YEE:
- (11) My name is Mon Yee, assistant
- (12) state conservationist for the
- (13) National Resource Conservation
- (14) Service in Portland, Oregon.
- (15) WILBUR PEER:
- (16) Morning. I'm Wilbur Peer,
- (17) associate administrator of Rural
- (18) Business Services and the Rural
- (19) Development Commission.
- (20) PEARLIE REED:
- (21) Okay. I have two other
- (22) persons I need to introduce. Cathy,
- (23) would you stand? Cathy Dugas is
- (24) chief of staff for this operation,
- (25) and Sonya Neal, who is on the support

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- (1) staff - Sonya, are you in the room?
- (2) She is out working.
- (3) Without further ado, I will
- (4) just simply ask you to help me
- (5) welcome Deputy Secretary of
- (6) Agriculture, Richard Rominger.
- (7) RICHARD ROMINGER:
- (8) Thank you, Pearlie. I want to
- (9) thank all of you for coming here this
- (10) morning. Today, the USDA civil
- (11) rights compliance has shifted into
- (12) overdrive, and there's nothing more
- (13) important than assuring that we treat
- (14) all people with dignity and with
- (15) civility. So, we want to see this
- (16) department dedicated to creating an
- (17) environment in which every customer
- (18) who comes to you - to a USDA office
- (19) is treated fairly, effectively and
- (20) efficiently, and we also want to
- (21) ensure that we provide that same sort
- (22) of treatment to our own employees.
- (23) So, with the new year, we intend to
- (24) focus on how all of USDA manages
- (25) civil rights issues.

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- (1) Toward accomplishing this
- (2) goal, the Secretary has established
- (3) this Civil Rights Action Team, and
- (4) this team, as you've heard, consists
- (5) of representatives of each of USDA's
- (6) missionaries and it will take a close
- (7) look at how things are working at all
- (8) organizational levels and recommend
- (9) ways to solve existing problems.
- (10) During January, as you've heard, this
- (11) team is going to be holding thirteen
- (12) listening sessions on the delivery of
- (13) USDA programs and USDA employee
- (14) situations. All USDA farm programs,
- (15) all farm program agencies, including
- (16) the Extension Service, at the
- (17) headquarters, state and county
- (18) levels, are going to be involved in
- (19) this discussion. These forums will
- (20) serve as a national dialogue on USDA
- (21) service to minority communities and
- (22) will provide an opportunity for
- (23) minority and socially disadvantaged
- (24) farmers and other customers to
- (25) discuss their concerns about USDA

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(1) program delivery, and we will also
 (2) seek to identify new ways in which we
 (3) can build partnerships and improve
 (4) the department's outreach and
 (5) service. Three of those thirteen
 (6) listening sessions will be devoted to
 (7) hearing the concerns of USDA
 (8) employees, and this is the first of
 (9) those three sessions. The Civil
 (10) Rights Action Team is charged with
 (11) preparing a report, including
 (12) recommendations, and to do that by no
 (13) later than mid-February.
 (14) So, Pearl, you and your team
 (15) have quite a task ahead of you and
 (16) we, the Secretary and I, will be
 (17) holding senior staff personally
 (18) responsible for cooperating fully in
 (19) this effort that this team is
 (20) involved in. So, the bottom line is
 (21) we have a real opportunity to make
 (22) some positive changes in the area of
 (23) civil rights. I think we can ensure
 (24) that USDA is a diverse civil
 (25) department to its employees and to

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(1) its customer. So, the Secretary and
 (2) I are devoted to solving this
 (3) department's civil rights problems
 (4) and we're committed to bringing about
 (5) change.
 (6) So, thank you for being here
 (7) and helping us get started on the
 (8) solving these problems. Thank you.
 (9) DONALD GOHMERT:
 (10) Thank you, Mr. Secretary.
 (11) Before I go on, I want to make
 (12) sure that we recognize you folks here
 (13) at NFC for your hospitality and
 (14) warmth, and you, John Hall, for the
 (15) excellent cooperation in putting this
 (16) together. I also want to ask the
 (17) other members of the USDA agencies,
 (18) agency heads, to stand, please.
 (19) Please stand. We have
 (20) representatives from Farm Services
 (21) Agency, Rural Development, Forest
 (22) Service, I don't know your agency --
 (23) UNIDENTIFIED SPEAKER:
 (24) Forest Service.
 (25) DONALD GOHMERT:

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(1) -- and, of course, Ted Daley
 (2) with the financial office of USDA.
 (3) Thank you very much. I wanted
 (4) these folks to stand so that if there
 (5) is anyone here that would need to
 (6) reference those people for
 (7) information, whatever, they're here
 (8) for you to do that.
 (9) A little bit about the ground
 (10) rules before we get started. We've
 (11) got a list of speakers that signed up
 (12) and we will be taking them in the
 (13) order that they've signed, but
 (14) because we are right on the tail end
 (15) of the Christmas holidays, a lot of
 (16) you may not have had a chance to
 (17) fully understand or have knowledge of
 (18) this meeting and the opportunity to
 (19) speak. So, I'm going to use my
 (20) license as the moderator to give you
 (21) folks at large -- you may not have
 (22) had a chance to sign up but would
 (23) like to speak as we work down this
 (24) list. I will call two speakers at a
 (25) time. We have microphones on either

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(1) side of the room here, so that when
 (2) one speaker is finished, and there is
 (3) a five-minute time limit, and we have
 (4) time keepers who will keep you
 (5) abreast of how much time has elapsed,
 (6) they will hold up -- if you have used
 (7) four minutes, they will hold up the
 (8) sign that says one minute. This does
 (9) not mean that we expect you to talk
 (10) for five minutes if you care not to.
 (11) And then when they hold up the sign
 (12) that says 0, that means your time is
 (13) up, and to be fair to the next
 (14) speaker, I would ask that you
 (15) recognize that, cut your comments
 (16) short, and if there are still some
 (17) burning issues that you would like to
 (18) discuss or would like to make known
 (19) to the panel, we have a comment box
 (20) back here and we have some
 (21) representatives here in the back that
 (22) would be willing to sit down and
 (23) listen to you and take notes, if
 (24) necessary. So, we want your complete
 (25) input, but we ask that you recognize

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(1) the fact that we have a limited
 (2) time.
 (3) We're going to take the last
 (4) speaker at 10:10. The Secretary will
 (5) close out at 10:15, and the team here
 (6) will be racing for the airport to
 (7) catch a plane at about 11:10. So,
 (8) you can tell we're on a very short
 (9) time frame, and it's not that they're
 (10) just trying to get out of town. They
 (11) also have a listening session this
 (12) afternoon, or this evening, in
 (13) Memphis, and the weather is bad up
 (14) there and there's going to be
 (15) delays. So, we need to make sure we
 (16) stay on time.
 (17) I will say that while I'm
 (18) speaking, let the first speaker come
 (19) to the microphone, Debra Jones, and
 (20) then Lori Jacobs.
 (21) LORI JACOBS:
 (22) Jacobs.
 (23) DONALD GOHMERT:
 (24) I'm sorry. I have a typo
 (25) here.

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(1) If y'all would be prepared to
 (2) speak in a minute. If you speak,
 (3) begin to speak, I wish you would
 (4) state your name clearly, the agency
 (5) you represent, address your remarks
 (6) to the panel. If anyone on the panel
 (7) here interrupts and asks a question
 (8) for clarification, the time will
 (9) stop, and we'll start -- you'll start
 (10) where you left off in the amount of
 (11) time so you get the full five minutes
 (12) if you want five minutes. If, in
 (13) fact, you hear some comments that are
 (14) identical to yours, I would just ask
 (15) that you consider do you really want
 (16) to say the same thing over again, and
 (17) you may wish to and we would want you
 (18) to. But if you've heard that two or
 (19) three times and you could give
 (20) someone else a chance to speak, I
 (21) would ask your consideration to do
 (22) that.
 (23) RICHARD ROMINGER:
 (24) You didn't mention that we
 (25) would also take written comments.

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- (1) DONALD GOHMERT:
- (2) Absolutely. There's comment
- (3) boxes in the back. You may feel
- (4) uncomfortable getting up here and
- (5) speaking. We don't want you to feel
- (6) uncomfortable, but if you do not want
- (7) to, just write it out in longhand.
- (8) If we can read it, there's a comment
- (9) box in the back, and all those
- (10) comments will be packaged and sent on
- (11) to Washington, D.C., for analysis at
- (12) the end of this listening
- (13) roundtable.
- (14) So, again, this is a listening
- (15) forum. Do not expect the panel to
- (16) specifically answer any questions or
- (17) issues today. They may ask for
- (18) points of clarification, but this is
- (19) an opportunity for them to listen to
- (20) you, to hear you.
- (21) So, without further add, we'll
- (22) get started, and Debra Jones is our
- (23) first speaker.
- (24) DEBRA JONES:
- (25) Morning. My name is Debra B.

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- (1) Jones. I'm an employee of the
- (2) National Finance Center. I've been
- (3) employed here just a little short of
- (4) eight years.
- (5) My issues are as follows:
- (6) Disparity in the application of
- (7) personnel rules, regulations and
- (8) policies. My issue, Number 1,
- (9) requirement to provide proof of
- (10) education for black employees; two,
- (11) falsification of employee documents;
- (12) three, discipline; four, the leave
- (13) policy.
- (14) My second issue: No real
- (15) merit promotion plan. Examples of
- (16) problems, one, inconsistent use of
- (17) education; two, the inability of
- (18) black employees with college degrees
- (19) to qualify for common technician
- (20) positions and entry-level grade
- (21) positions with double interval
- (22) grades; three, inability of black
- (23) employees with prior government
- (24) experience to be converted permanent
- (25) positions; four, failure to reinstate

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- (1) black employees at the same grade or
- (2) higher.
- (3) My third example would be
- (4) disparity in the use of the
- (5) evaluation criteria. First example,
- (6) black employees found qualified, not
- (7) qualified and best qualified for the
- (8) same positions using the same
- (9) application, yet they're not
- (10) selected. I have a problem with the
- (11) fact that there is something coming
- (12) about that is discouraging the use of
- (13) the complaint system, reprisal and
- (14) the creation of one-race supervisory
- (15) work unit.
- (16) Thank you.
- (17) DONALD GOHMERT:
- (18) Thank you very much.
- (19) Any comments?
- (20) Ms. Jacobs.
- (21) LORI JACOBS:
- (22) Good morning.
- (23) DONALD GOHMERT:
- (24) Ms. Jacobs will be followed by
- (25) Sabrina Blanchard, and then I would

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- (1) ask for an at-large speaker if there
- (2) is one.
- (3) LORI JACOBS:
- (4) Good morning. My name is Lori
- (5) S. Jacobs. I'm a native
- (6) Californian. I've been temporarily
- (7) employed here at NFC for close to two
- (8) years now. I'm a certified warranty
- (9) purchasing agent.
- (10) I have applied for a number of
- (11) positions here at NFC, but I have yet
- (12) to be selected. I have formal
- (13) education, ten years of government
- (14) service, two years of Navy service.
- (15) I have yet to be selected for a
- (16) permanent position.
- (17) I know of several nonblack
- (18) employees here at NFC who have not
- (19) only been in place in career
- (20) positions but have been placed
- (21) without having the required
- (22) qualifications and experience.
- (23) I have had to work very hard
- (24) to get where I am, and I find it an
- (25) insult to only be offered demotions

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- (1) and pay cuts from the organization
- (2) that is not in the middle of the red,
- (3) especially when I know for a fact
- (4) that they have hired and promoted
- (5) people who have little and no formal
- (6) education.
- (7) Thank you.
- (8) DONALD GOHMERT:
- (9) Thank you, Ms. Jacobs.
- (10) Ms. Blanchard?
- (11) If there is anyone at large,
- (12) please make your way to the
- (13) microphone.
- (14) SABRINA BLANCHARD:
- (15) My name is Sabrina Blanchard.
- (16) I'm a nineteen-year employee here at
- (17) Finance Center.
- (18) We had filed a class action
- (19) lawsuit many years ago, and I would
- (20) like to know if any of the panel may
- (21) have any information they can share
- (22) with us at a later time about what
- (23) stages, who is looking at it and how
- (24) long it will be before we will be
- (25) able to get any information or any -

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- (1) any information on how long it's
- (2) going to take before this is
- (3) resolved.
- (4) PEARLIE REED:
- (5) George Robertson, would it be
- (6) appropriate for you to respond?
- (7) GEORGE ROBERTSON:
- (8) It would if I had any
- (9) information. Sam and I were just
- (10) visiting here to see if we could
- (11) determine exactly where that is at
- (12) this point. We will try to get that
- (13) information and get back to you, but
- (14) we really don't have the current
- (15) status of that.
- (16) PEARLIE REED:
- (17) We won't try; we will.
- (18) SABRINA BLANCHARD:
- (19) Thank you.
- (20) DONALD GOHMERT:
- (21) Anyone at large?
- (22) Seeing none at this time, we
- (23) move to Brenda Lacour. Brenda is in
- (24) the audience? She will be followed
- (25) by Terrol Williams.

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- (1) BRENDA LACOUR:
- (2) Good morning. My name is
- (3) Brenda Ann Lacour. I'm an employee
- (4) here at USDA National Finance Center
- (5) going on twenty years this June.
- (6) I personally feel that I have
- (7) worked all twenty years under the
- (8) branch IRMD. I feel they have unfair
- (9) management practices with racial
- (10) undertones. There's a lack of
- (11) respect for people of color who are
- (12) in supervisory positions. It is
- (13) managed by people that are over the
- (14) supervisor at NFC, especially in the
- (15) Mail Output Center.
- (16) I love my job. I think that I
- (17) am a good employee. I have received
- (18) several cash awards over those twenty
- (19) years, but within the last three
- (20) years, I feel like IRMD Mail Output
- (21) Center is definitely going downhill
- (22) and it has a lot of racial undertones
- (23) in their decision of management
- (24) practices.
- (25) DONALD GOHMERT:

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- (1) Thank you, Ms. Lacour.
- (2) Terrol Williams? Terrol
- (3) Williams will be followed by Gregorio
- (4) Morales.
- (5) Mr. Williams is not in the
- (6) audience.
- (7) Mr. Morales?
- (8) Diane Barnes is the next
- (9) speaker to have signed up. Ms.
- (10) Barnes?
- (11) Okay. Is there anyone at
- (12) large that did not have an
- (13) opportunity to sign up that would
- (14) like to speak or say something?
- (15) Yes, sir. Come to the
- (16) microphone, identify yourself,
- (17) please, and address the panel.
- (18) FRANCIS HENRY:
- (19) My name is Francis Henry. I
- (20) work in the Information Resource
- (21) Management Division.
- (22) DONALD GOHMERT:
- (23) Restate your name.
- (24) FRANCIS HENRY:
- (25) My name is Francis Henry. I

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- (1) work in the IRMD, also. I been here
- (2) nine years. I worked in the post
- (3) office previously. I'm a veteran, a
- (4) Vietnam era veteran.
- (5) I held a higher grade. I've
- (6) never been promoted through the
- (7) normal promotion process. I've made
- (8) EQ list, never been selected. I'm
- (9) below the grade that I once held. In
- (10) April of this year, my job was
- (11) contracted out. During the process
- (12) of placing the people who were
- (13) affected, I found - I felt that I
- (14) was discriminated against as a black
- (15) male. We were instructed to give a
- (16) 171 to the branch chief. As a
- (17) result, I felt that some of the white
- (18) coworkers who were affected, okay,
- (19) they were placed before me. They
- (20) were placed in jobs that may have -
- (21) may or may not be a better
- (22) opportunity. They were selected in
- (23) this process, whereas, in the end
- (24) result, I was displaced. Nobody
- (25) wanted me. And this is - this has

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- (1) been my - the way I am treated since
- (2) I've been here.
- (3) For some reason, I have the
- (4) feeling that I have spoken out at
- (5) some time or other and been branded
- (6) as a troublemaker here. Any position
- (7) I've put in for - I don't remember
- (8) the supervisor's name, but in 1989 or
- (9) '90, I put in for an accounting
- (10) technician job, and during the
- (11) interview, I was told that my hands
- (12) were too large for the adding
- (13) machine. I have a hundred and thirty
- (14) hours of - accredited hours at a
- (15) community college in the city. I've
- (16) held numerous responsible positions
- (17) in other fields and, so, I think my
- (18) experience is applicable to placing
- (19) me and with an expectation that I can
- (20) learn once I get there. Like I say,
- (21) I do feel that I'm branded here, and
- (22) I don't know what to do about it.
- (23) Thank you very much.
- (24) DONALD GOHMERT:
- (25) Thank you very much.

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- (1) Our next speaker who is signed
- (2) up to speak is Albert Baker. Mr.
- (3) Baker, please come forward. Mr.
- (4) Baker will be followed by Linda
- (5) Rainey, who can also come forward.
- (6) ALBERT BAKER:
- (7) First, I - my name is Albert
- (8) Baker. I been here at NFC for nearly
- (9) seven years.
- (10) First, I want to thank Mr.
- (11) Glickman for sending his council, Mr.
- (12) Pearlie, the head of his council, and
- (13) the Deputy Secretary, Richard
- (14) Rominger. I would also like to thank
- (15) those who wrote letters to Mr.
- (16) Glickman, William Jefferson and
- (17) Senator - now retired Senator
- (18) Johnson. As a result, we have these
- (19) data center message back to
- (20) Washington, back to the Secretary of
- (21) Agriculture that everything is not
- (22) hunky-dory here.
- (23) Here's a couple of examples of
- (24) normal operations at this agency. I
- (25) received a warning letter from my

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- (1) immediate supervisor because I had
- (2) written on a leave slip Jim Crow FMCO
- (3) rules. That's the section I'm in.
- (4) On the very day of my uncle's
- (5) funeral, I was required to come in
- (6) to - to punch in and come in for a
- (7) few hours before I go to the
- (8) funeral. I had to come in in order
- (9) to work the next day overtime, which
- (10) was a Saturday. I was told this is a
- (11) verbal rule that employees cannot
- (12) work - take off eight hours and come
- (13) in the next day and work overtime,
- (14) yet, I have seen other employees come
- (15) in the next day and work overtime,
- (16) but this verbal rule, this FMCO rule,
- (17) is dictated to a certain few
- (18) employees. Eight hours of annual
- (19) leave on Friday and come in to work
- (20) overtime, you cannot do. Like I
- (21) said, if my uncle's funeral was on a
- (22) Thursday, it would have been no
- (23) trouble. When it became apparent
- (24) that I would have to come in to work,
- (25) I had wrote on a leave slip in the

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(1) comment box, Jim Crow FMCO rules
 (2) because for the remaining amount of
 (3) the time.
 (4) When the timekeeper came to me
 (5) and questioned me about what does Jim
 (6) Crow FMCO rules mean, I directed him
 (7) to the person who holds us, the FMCO
 (8) rule, to a higher standard, my
 (9) second-line supervisor.
 (10) A few days later, an
 (11) intimidating tactic was used. I was
 (12) directed to go to the Personnel
 (13) office and receive a written warning
 (14) from my immediate supervisor, not in
 (15) the warehouse, but I had to leave the
 (16) warehouse and go to the Personnel
 (17) office. And the warning reads,
 (18) provoking or harassing other
 (19) employees or making unwarranted
 (20) criticism or accusations against
 (21) other employees. That's the part.
 (22) And according to the department, the
 (23) manual, usage of slanderous,
 (24) malicious, derogatory, discourteous
 (25) or otherwise inappropriate language,

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(1) gestures or other conduct towards
 (2) other employees or supervisors or
 (3) other people are an example of this
 (4) type of behavior, and it goes on and
 (5) says, this memorandum confirms our
 (6) counseling session on this day. This
 (7) session, you will -- were advised
 (8) that the remarks cited above which
 (9) allege FMCO rules are racially biased
 (10) and that Jim Crow rules are -- with
 (11) segregation laws are laws that are
 (12) racially discriminatory is unwarrant
 (13) and a derogatory remark. You are
 (14) also advised at making warrant
 (15) accusation and derogatory remarks in
 (16) any form is inappropriate and
 (17) unacceptable and will not be
 (18) tolerated. Yet, this agency invites
 (19) a speaker in to do the -- I think the
 (20) NFC kickoff, and he openly in this
 (21) cafeteria say he has a problem with
 (22) Japs, Chinks and Jews, and pats
 (23) himself on the back, stating that he
 (24) is considered as a nigger lover and,
 (25) to me, that is -- that statement

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(1) there is we are still considered as
 (2) niggers, and the invisible empire is
 (3) alive and well today. It's not just
 (4) the KKK, but it's also at NFC.
 (5) They're not hiding behind bed sheets,
 (6) they are hiding behind sheets of
 (7) paper. They have other blacks to
 (8) sign off on this insidious disease.
 (9) I was given a written warning by my
 (10) supervisor, and she admittedly say
 (11) she didn't know what Jim Crow meant,
 (12) but she signs this letter, you know,
 (13) with all this derogatory tone.
 (14) TIMEKEEPER:
 (15) Time.
 (16) DONALD GOHMERT:
 (17) Thank you, Mr. Albert. You
 (18) obviously have additional comments
 (19) that you would like to make. The
 (20) folks at the comment box would like
 (21) to have your complete statement,
 (22) please.
 (23) Okay. Ms. Linda Rainey.
 (24) LINDA RAINEY:
 (25) Morning. Excuse me. I have a

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(1) cold. My name is Linda Rainey. I
 (2) have been here seventeen years at the
 (3) National Finance Center.
 (4) I have seen a lot of
 (5) favoritism, racism, discrimination.
 (6) I myself was a part of
 (7) discrimination, harassment,
 (8) intimidation for about eight of those
 (9) years. It was done by the
 (10) supervisors. It was done by the
 (11) official investigating person in
 (12) Personnel. Justice will never be at
 (13) NFC unless something is done to show
 (14) that the supervisors, anybody,
 (15) employees, cannot intimidate, harass
 (16) or discriminate against no one,
 (17) regardless of their race. It goes
 (18) for all races.
 (19) During my time at NFC, I have
 (20) been best qualified for jobs, never
 (21) chosen because of my complaints that
 (22) I have filed through Washington, D.C.
 (23) I have been best qualified about four
 (24) times, but because of the harassment,
 (25) intimidation by the official

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(1) investigating person in Personnel,
 (2) decided not to try anymore. I as an
 (3) employee of NFC will know that NFC is
 (4) a nice place to work, but something
 (5) has to be done about supervisors and
 (6) top officials who is harassing and
 (7) intimidating employees here. I am
 (8) one who has been harassed,
 (9) intimidated. As you can see, I have
 (10) a file in Washington, D.C., that you
 (11) can go back and read.
 (12) Thank you.
 (13) DONALD GOHMERT:
 (14) Thank you, Ms. Rainey.
 (15) Our next speaker on the list
 (16) is Daryl Dabon.
 (17) DARYL DABON:
 (18) Good morning. My name is
 (19) Daryl Dabon. I'm a twenty-year
 (20) government employee, spent most of my
 (21) time at the National Finance Center.
 (22) I want to thank you all again
 (23) for the opportunity to change this
 (24) information about civil rights. It's
 (25) encouraging that the dialogue is

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(1) still open to endeavor to clear the
 (2) ills of discrimination, disparity in
 (3) employment and other civil rights
 (4) issues, but it is as equally
 (5) discouraging in 1997 we are still
 (6) feeling the ills and holding
 (7) dialogues about them. No matter how
 (8) many charts we do or comparisons we
 (9) make, studies we undertake, proposals
 (10) we propose, task forces we form, the
 (11) problems and issues still persist.
 (12) Here at the National Finance Center
 (13) and according to the media,
 (14) discussions with fellow government
 (15) employees and so on, the problems or
 (16) the perception of problems do exist
 (17) and persist. We are anxious to
 (18) display -- and I'm saying we as the
 (19) government -- our statistics in
 (20) comparison to the national and state
 (21) averages. We hold ourselves as
 (22) having made tremendous strides
 (23) compared to our counterparts in
 (24) private industries. We even compare
 (25) other departments in government as to

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- (1) have bragging rights on the strides
- (2) we have made and are making.
- (3) Nevertheless, we tend not to compare
- (4) ourselves to our own numbers
- (5) interdepartmentally and
- (6) intradepartmentally. Those numbers
- (7) will invariably demonstrate we have a
- (8) long way to go still in hiring and
- (9) promotional practices.
- (10) Some may argue that there are
- (11) many nonwhites in upper level grades
- (12) and upper managerial positions than
- (13) ever before. The perception remains
- (14) that we still have areas whose upper
- (15) management reflect a majority white
- (16) male constituency. What are the
- (17) ratios of nonwhite GS-13s and above
- (18) within departments in this agency? I
- (19) hesitate to use the word minority
- (20) because someone said that having a
- (21) large representation of white females
- (22) at these levels make up for the
- (23) minority issue. I contend that they
- (24) do not.
- (25) Note the number of nonwhites

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- (1) in ES levels. Even at this
- (2) distinguished meeting, these things
- (3) are evident. The perception is
- (4) evident. The perception remains that
- (5) even minorities are not qualified,
- (6) not desirable, or could it be that we
- (7) are just not in the right place at
- (8) the right time? This, I feel, is a
- (9) major issue.
- (10) Before one can study
- (11) employment at the upper levels of the
- (12) GS-13 and above, we must look at who
- (13) is being promoted to be in place for
- (14) these positions. Study the number of
- (15) nonwhite GS-12s. There is a belief
- (16) that some are poised and prepped,
- (17) given choice assignments and
- (18) management responsibilities that
- (19) enhance caseloads to assure
- (20) placement. Even in my particular
- (21) department, if the problem doesn't
- (22) exist, the perception is surely
- (23) there. Overt position dating,
- (24) preselections are terms one hears on
- (25) a daily basis. Yes, we are

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- (1) encouraged, but we still have a long
- (2) way to go. If, in fact, the
- (3) government represents the best
- (4) employer with a makeup that
- (5) represents the diversity of our
- (6) nation, accountability should be
- (7) first and foremost, diligent in
- (8) assuring that perception of passivity
- (9) and lackadaisical attitudes toward
- (10) civil rights issues will be swiftly
- (11) and assuredly dispelled.
- (12) Thank you.
- (13) DONALD GOHMERT:
- (14) Thank you very much.
- (15) We plan not to take a break
- (16) this morning. So, please, if you
- (17) feel the need to come and go, do so
- (18) in a manner that is least disruptive
- (19) to the group.
- (20) At this time, I would ask is
- (21) there anyone else at large who would
- (22) like to make an oral statement?
- (23) FRED L. FIELDS:
- (24) I want to say, ladies and
- (25) gentlemen, good morning. Thank you

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- (1) for this opportunity to be able to
- (2) stand this morning and come to you
- (3) with a complaint that I'm sure you
- (4) will be glad to hear.
- (5) My name is Fred L. Fields. I
- (6) have worked with this agency for
- (7) fifteen years, two years with a prior
- (8) agency, thirteen years in the
- (9) military, three years in the regular
- (10) Army and ten years in the National
- (11) Guard.
- (12) My primary complaint this
- (13) morning is specifically an age
- (14) discrimination complaint. At about
- (15) four or five years ago, there was a
- (16) cause for a personnel record to be
- (17) pulled for purposes much -- for
- (18) purposes of disciplinary reasons.
- (19) So, I think that if it can be done
- (20) for disciplinary reason going back
- (21) and using your record against you,
- (22) then, it should be able to be done
- (23) for positive reasons.
- (24) At or about 1985 or 1986, for
- (25) no apparent purpose, I, among four

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- (1) other men, were motor vehicle
- (2) operators. I was selected and my job
- (3) description was downgraded and after
- (4) it was downgraded, four jobs were
- (5) posted for promotion purposes. I was
- (6) the oldest among those five men in a
- (7) slot of six slots. So, when I took
- (8) my specific age discrimination
- (9) complaint to EEO, they allowed the
- (10) counselor to intervene and to talk me
- (11) out of continuing on with my
- (12) complaint, saying that I should have
- (13) applied for the job. It was a Wage
- (14) Grade 6 job that they had posted on
- (15) the job. My former highest grade had
- (16) been a Wage Grade 7. I didn't feel,
- (17) and I know the rules don't go by how
- (18) I feel, but I didn't think that I
- (19) should have been selected and
- (20) downgraded prior to four jobs being
- (21) posted when there were five people
- (22) available to bid on those jobs. My
- (23) qualifications was the highest among
- (24) the five men. My qualifications
- (25) allowed me to drive up to a

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- (1) twenty-ton dump truck. The others
- (2) were only regular chauffeur's
- (3) license, but for no apparent reason
- (4) other than I could figure that my age
- (5) had a part to do with it, which was
- (6) over the age of forty years old at
- (7) that time, I presume that to have
- (8) been the reason why I was selected
- (9) and my position downgraded, then
- (10) other jobs were posted with the
- (11) potential of others being better
- (12) qualified than me and would be
- (13) selected over me.
- (14) When I look at it, I don't
- (15) even know if I should bring it up
- (16) because it may sound petty, but I
- (17) feel to believe that it still has an
- (18) impact on my earning capacity. And
- (19) my family would like to have the same
- (20) thing as yours would. Mine would
- (21) like to have all the benefits, all
- (22) the joys, all the pleasures of what
- (23) high salary can bring.
- (24) I also would like to state
- (25) that on one occasion, a job was put

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- (1) up in the Telecommunications
- (2) section. In the National Guard, I
- (3) was - in the military, I was trained
- (4) in communication. I was a section
- (5) chief and the job was posted and
- (6) given to someone that didn't have any
- (7) background in communications.
- (8) So, I just would like to say
- (9) this morning that there are some
- (10) disparities here in the agency, there
- (11) are some problems that we really need
- (12) to look at. There are some
- (13) individual circumstances and
- (14) situations that need to be
- (15) corrected. I still think that that
- (16) age situation is one of them.
- (17) That's Fred Fields with a
- (18) specific age discrimination suit.
- (19) DONALD GOHMERT:
- (20) Thank you very much.
- (21) Listening to the areas, there
- (22) is no issue that is too petty. I
- (23) don't want you to feel that way. The
- (24) panel is here to listen to you.
- (25) And the next person on our

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- (1) list is Artimese Epps. Please come
- (2) to the microphone.
- (3) Ms. Epps will be followed by
- (4) Kurt Guerin.
- (5) ARTIMESE EPPS:
- (6) Good morning. My name is
- (7) Artimese Epps, and I'm employed here
- (8) at the National Finance Center.
- (9) I agree with those speakers
- (10) prior to meeting - that was speaking
- (11) prior to me coming up here. One of
- (12) the problems I have here at the NFC
- (13) is the dual system. By dual system,
- (14) we do have a black and white system,
- (15) and especially speaking of
- (16) promotions. Promotions, one of the
- (17) things that I have noticed, and I
- (18) have worked in HRMO for four years
- (19) here at the National Finance Center,
- (20) which I'm presently working with FSC
- (21) as an economy technician - while
- (22) working in HRMO, I heard and seen a
- (23) lot of things, and one of the things
- (24) that strike me to be very strange is
- (25) that when an employee, especially a

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- (1) black - well, not especially - a
- (2) black employee comes into HRMO for
- (3) help or assistance, they work against
- (4) the employees. So, you not
- (5) comfortable at all when you go in.
- (6) I'm not, and I'm not only speaking
- (7) for myself. In the hallways, I have
- (8) heard employees, black employees,
- (9) lower grades and upper grades,
- (10) complaining about promotion policies
- (11) or rules or regulations, however they
- (12) select - make their selection. I
- (13) feel that is very unfair when you can
- (14) go in and qualify for a job here -
- (15) speaking of myself, I have a degree
- (16) in business administration. My first
- (17) year with HRMO, I tried putting in
- (18) for an accounting technician job. I
- (19) have a - worked in the accounting
- (20) field with the Army for over
- (21) twenty-six years, and here I don't
- (22) qualify. I go to a specialist and
- (23) ask, why don't I qualify? Why don't
- (24) I qualify? Why didn't I get selected
- (25) for this job? And she tells me I

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- (1) didn't qualify because I don't meet
- (2) the criteria. The criteria is that I
- (3) have to have twenty-four hours in
- (4) accounting. I look back and I think
- (5) about this individual tells me that I
- (6) need a master's degree, a master's
- (7) degree, to qualify for an accounting
- (8) technician job. This is very
- (9) strange. This disturbs me for a
- (10) couple years from putting in for any
- (11) type of jobs because I need a
- (12) master's degree to qualify. When I'm
- (13) looking at this individual and I say,
- (14) well, I'm going to travel the same
- (15) road you did. This is a GED person
- (16) with a GS-12. Now, is this fair for
- (17) you to tell me that I need a master's
- (18) degree to qualify for an accounting
- (19) technician job?
- (20) I applied for a
- (21) communication -
- (22) LEONARD HARDY:
- (23) Did you say that the personnel
- (24) has told you that you need to have
- (25) twenty-four hours in accounting in

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- (1) order to qualify for an Accounting
- (2) Technician 545 position?
- (3) ARTIMESE EPPS:
- (4) Yes.
- (5) LEONARD HARDY:
- (6) And you needed a master's
- (7) degree to qualify for -
- (8) ARTIMESE EPPS:
- (9) An accounting position. I
- (10) needed twenty-four hours to qualify
- (11) for an accounting technician, and if
- (12) I did not have twenty-four hours, I
- (13) needed the training.
- (14) LEONARD HARDY:
- (15) Is this employee still in the
- (16) Personnel Division?
- (17) ARTIMESE EPPS:
- (18) Yes, she is.
- (19) LEONARD HARDY:
- (20) Thank you.
- (21) ARTIMESE EPPS:
- (22) Also, I applied while in the
- (23) Personnel office - at training,
- (24) there's lack of training. It's the
- (25) same for blacks. I'm sure it was the

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- (1) same way in other departments. They
- (2) hear of certain whites for promotion
- (3) and without any consideration of
- (4) blacks being able to move up - we
- (5) not thought of. If you go ask for
- (6) training, the budget. It's no money
- (7) in the budget, but, yet, you still -
- (8) you train your higher level grades,
- (9) and I find this here an insult when I
- (10) ask my Personnel officer for to be
- (11) trained and he tells me it's no
- (12) money, and the same day, he went to a
- (13) GS-12 and that's when they put in for
- (14) their travel to be trained. I go to
- (15) ask him and ask him why aren't you
- (16) looking at your lower employees, and
- (17) he says, yes, I should, but I'm not,
- (18) and I ask, well, why don't you
- (19) create - when you creating jobs in
- (20) HRMO, why aren't you looking at the
- (21) lower level for to move them up, and
- (22) he says, well, I know that the number
- (23) of higher rates I have in here is too
- (24) much, I have too many for this
- (25) office, but, yet, still, I'm not

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- (1) considering the lower grades. I'm
- (2) still looking to the ones that
- (3) higher, bring them higher.
- (4) Now, when I was in Personnel,
- (5) all of the -- excuse me -- HRMO --
- (6) most of the specialists had less than
- (7) one year of college. Your blacks
- (8) have college degree or lacking thirty
- (9) hours from having a college degree
- (10) and yet we cannot be promoted, and I
- (11) find this is very strange.
- (12) DONALD GOHMERT:
- (13) Your time. Thank you, Ms.
- (14) Epps. Feel free to leave any
- (15) additional comments with the staff
- (16) back here in the back.
- (17) Mr. Guerin?
- (18) KURT GUERIN:
- (19) Morning. I'm Kurt Guerin.
- (20) I've been employed here for ten plus
- (21) years.
- (22) I guess everybody who gets up
- (23) to this mike gets a unique
- (24) situation. I get a lot of training.
- (25) I'm a computer assistant programmer.

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- (1) A lot of people don't believe my
- (2) face. I install and maintain some of
- (3) the most important pieces of software
- (4) in here, internal mail system,
- (5) multisystems. Some of you guys -- I
- (6) don't know if you guys all end users,
- (7) and a lot of other pieces of software
- (8) that people couldn't do without
- (9) around here. I got this glass
- (10) ceiling over me. You all heard of
- (11) that before at 12. They tell me
- (12) there's a 14 supposedly doing the
- (13) same work I'm doing and they tell me
- (14) I can't get promoted because of
- (15) that. They tell me you can't have a
- (16) 12 and 14 working in the same
- (17) situations. I can cite several
- (18) situations 14 and 13 working in the
- (19) same situations.
- (20) What's discrimination? A lot
- (21) of definitions for discrimination.
- (22) I've been discriminated against a
- (23) lot. I let it go over my head. I
- (24) have the capabilities to walk out of
- (25) here. My wife wants to stay in

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- (1) town. Income, it matter, but the
- (2) income is not killing me. The glass
- (3) ceiling is it. How do I break
- (4) through it?
- (5) DONALD GOHMERT:
- (6) Thank you, Mr. Guerin.
- (7) We now have time for another
- (8) at-large speaker. This lady right
- (9) here in front, please make your way
- (10) to the microphone. She will be
- (11) followed by Marie Walker.
- (12) SANDRA SMITH:
- (13) Hi, I'm Sandra Smith, at the
- (14) U.S. Forest Service in Columbia,
- (15) South Carolina. I was told yesterday
- (16) I was supposed to be attending the
- (17) meeting, so, I have nothing
- (18) prepared.
- (19) I personally feel that many
- (20) fundamental changes in attitudes and
- (21) behaviors process and procedures is
- (22) necessary in the Forest Service
- (23) nationwide and specifically in my
- (24) corner. I personally have -- I've
- (25) been with the Forest Service for

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- (1) fifteen years, and the last five
- (2) years have been the worst.
- (3) What I would like to do with
- (4) this -- I'm the one who -- we filed a
- (5) class complaint in South Carolina,
- (6) and I'd like you all to know that I
- (7) did in the middle years -- have
- (8) planned to file a class complaint,
- (9) but as soon as this complaint was
- (10) lodged, there was an effort on my
- (11) part to inform African-American
- (12) employees of what to do with problems
- (13) in the workplace. With this, I have
- (14) been harassed, lied about and
- (15) attacked, even threatened a criminal
- (16) investigation, and I feel that no one
- (17) here should have to work in an
- (18) environment like this. This angered
- (19) me more than the investigation. It
- (20) angered me that I was told that I
- (21) didn't have a -- they didn't give me
- (22) a real reason as to why I was being
- (23) investigated, and I was told not to
- (24) talk about it. I -- there's a class
- (25) complaint.

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- (1) Within two days, my phone at
- (2) home and at work was ringing off the
- (3) phone, and it really saddened me to
- (4) hear some of the stories from all
- (5) over the country. It seems that
- (6) African-Americans in the Forest
- (7) Service nationwide share such
- (8) heritage and pride, but,
- (9) unfortunately, similar experiences of
- (10) racism at the hands of this agency.
- (11) I was really surprised at some of the
- (12) incidences that I had happened on my
- (13) floors that I had not known about.
- (14) What we did is after that, we
- (15) went into mediation with the Forest
- (16) supervisor and members of the
- (17) management team, and from that time
- (18) on, the two major persons who had
- (19) been involved in the class complaint,
- (20) we were attacked with criminal
- (21) investigation and, in fact, we're
- (22) still under -- one person with the --
- (23) the law enforcement officer came to
- (24) her house at night and told her to
- (25) come to the office immediately

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- (1) because he needed to talk to her
- (2) about some investigation. He didn't
- (3) even tell her exactly what he needed
- (4) to talk to her about. The next day,
- (5) they came to me and told me the same
- (6) thing, and it -- a week later, I was
- (7) suspended from my job as a computer
- (8) specialist and given like GI -- like
- (9) GS-5 type work to do, and I'm still
- (10) under the axe right now and they
- (11) still haven't given me any reason or
- (12) explanation as to why we were
- (13) suspended.
- (14) PEARLIE REED:
- (15) Question. Were these Forest
- (16) Service law enforcement people?
- (17) SANDRA SMITH:
- (18) Yes. At one point, I became
- (19) agitated and he actually touched my
- (20) arm and I feel like he pulled it and
- (21) he did that to possibly provoke me to
- (22) hit him or something like that, and I
- (23) know from a case of -- well, a person
- (24) did this and was sent to jail. When
- (25) he talked to me, he said like I felt

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- (1) like I had -- whatever evidence they
- (2) had was criminal and the U.S.
- (3) attorney didn't accept that, but he
- (4) felt like I had done it and he was
- (5) going to continue to go after me or
- (6) whatever. I just kept coming to work
- (7) that day, and I had no idea any of
- (8) this was going on until the thing
- (9) happened with my friend and, of
- (10) course, she was really upset and
- (11) could -- she got in front of me, you
- (12) know -- the expense of that and
- (13) everything, just to try to protect
- (14) herself.
- (15) Some of the experiences --
- (16) LEONARD HARDY:
- (17) You just stated that you were
- (18) suspended?
- (19) SANDRA SMITH:
- (20) Uh-huh.
- (21) LEONARD HARDY:
- (22) For how long?
- (23) SANDRA SMITH:
- (24) I received a letter that I was
- (25) suspended not to exceed thirty days.

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- (1) LEONARD HARDY:
- (2) For what charges?
- (3) SANDRA SMITH:
- (4) Because an investigation was
- (5) being done. They did not impact my
- (6) pay, but I was locked out of the
- (7) computer room and the other people in
- (8) the office was locked out of the
- (9) computer room.
- (10) LEONARD HARDY:
- (11) You indicated that you have
- (12) since been given more or less lesser
- (13) duties?
- (14) SANDRA SMITH:
- (15) Yes.
- (16) LEONARD HARDY:
- (17) Has that impacted your pay
- (18) thus far?
- (19) SANDRA SMITH:
- (20) No; it has not.
- (21) LEONARD HARDY:
- (22) Thank you.
- (23) SANDRA SMITH:
- (24) I still have time? I would
- (25) like to go through some of the

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- (1) experiences.
- (2) We have training. We had
- (3) African-American realty specialists
- (4) were denied on-the-job job training.
- (5) She needed this to have -- obtain a
- (6) level in her career, an
- (7) African-American was -- received a
- (8) superior rating in 1996 and with no
- (9) performance award and her two
- (10) counterparts was given \$1,000 award.
- (11) Also, six ranger districts were
- (12) consolidated into three ranger
- (13) districts. Two of the ranger
- (14) positions were upgraded to DS-9s,
- (15) both by white females, and the only
- (16) position with an African-American
- (17) female remained a 7. This
- (18) African-American was never upgraded,
- (19) but was told she would, and --
- (20) DONALD GOHMERT:
- (21) Time.
- (22) SANDRA SMITH:
- (23) Thank you.
- (24) DONALD GOHMERT:
- (25) Marie Walker. Miss Walker

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- (1) must not be here.
- (2) Is there another at-large
- (3) person?
- (4) KAREN MESSMORE:
- (5) I would like to ask Sandra
- (6) Smith, could we get a copy of the
- (7) rest of your notes?
- (8) SANDRA SMITH:
- (9) Yes.
- (10) KAREN MESSMORE:
- (11) I didn't want to miss any of
- (12) that.
- (13) DONALD GOHMERT:
- (14) You will leave them in the
- (15) comment box or you can submit them up
- (16) here, it doesn't make any
- (17) difference.
- (18) SANDRA SMITH:
- (19) Okay.
- (20) DONALD GOHMERT:
- (21) Yes, sir.
- (22) DELTA MORGAN:
- (23) Delta Morgan. I have been
- (24) employed here about nine years and I
- (25) have spent twenty-five years in the

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- (1) military, which I obtained the rank
- (2) of sergeant major. I spent ten years
- (3) at the post office and three years at
- (4) the Veterans Administration.
- (5) So, I have never witnessed
- (6) such a blatant display of
- (7) discrimination and segregation since
- (8) I've been in this place. You see,
- (9) what we had to do, we had to get a
- (10) recorder problem and a recorder
- (11) problem, you cannot put a bunch of
- (12) segregationists in charge and expect
- (13) everybody to be okey-dokey, you know,
- (14) treated fairly. It's just like
- (15) putting the fox in charge of the hen
- (16) house. I applied for about fifteen
- (17) positions since I got here and all
- (18) the time I meet the list, but
- (19) somebody else, sorry, somebody else
- (20) was selected. I don't understand the
- (21) system, and I don't think they do.
- (22) What they try to do, they try to
- (23) manipulate the thing and frustrate
- (24) you so you will quit putting in for
- (25) these things and say go away, you

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- (1) know, sit down, you know, go on with
- (2) your job.
- (3) But we have to get at the core
- (4) of this thing and look at the
- (5) supervisors. You have to weed out
- (6) all these people that discriminate
- (7) and separate people because of their
- (8) race and all this, and get to the
- (9) problem. We are not going to get to
- (10) the problem here because we're just
- (11) skirting around it. Don't skirt the
- (12) issue. Weed these people out of here
- (13) and we will end this problem. Get
- (14) the people that discriminate and all
- (15) that out of the system because
- (16) there's no place in government work
- (17) areas for this kind of action.
- (18) I applied for account
- (19) technician job. She had six when I
- (20) first got here. I had a degree in
- (21) economics with this administration
- (22) and they sent me back a nasty note
- (23) saying I didn't remotely meet the
- (24) application qualifications for a
- (25) technician. This is baloney.

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- (1) What they're doing here, see,
- (2) you have to get either in the
- (3) spectrum, if you are black male, you
- (4) have to be an Uncle Tom or you got to
- (5) be, you know, down at the other end,
- (6) or you got to be vocal and
- (7) belligerent. In fact, they want to
- (8) promote you and get you the hell out
- (9) the way if you belligerent and vocal,
- (10) but that person in between there that
- (11) just want to come in here and do his
- (12) work and get ahead, he can't get
- (13) ahead. You've got to be Uncle Tom or
- (14) some other person just to get that
- (15) promotion, and I'm that guy. I don't
- (16) understand why they let this kind of
- (17) mess go on here in a government
- (18) workplace, and it's been going on for
- (19) years.
- (20) If you start out wrong, you
- (21) end wrong. See, this place was
- (22) conceived wrong because you put the
- (23) wrong people in charge and it's
- (24) ending up wrong. You can't end up
- (25) right if you start out wrong.

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- (1) is a class. At present, the
- (2) department does not have a class.
- (3) GEORGE ROBERTSON:
- (4) Is that a recent filing or an
- (5) older filing? I was a little
- (6) confused. I thought it was an older
- (7) filing.
- (8) SABRINA BLANCHARD:
- (9) This is an old filing, over
- (10) five years.
- (11) GEORGE ROBERTSON:
- (12) I think the one Sam was
- (13) looking into was perhaps more
- (14) recent. If we could get more
- (15) information from you before we leave
- (16) here, I think we can look further
- (17) into this for you and give you more
- (18) information specifically about that
- (19) particular case.
- (20) SABRINA BLANCHARD:
- (21) All right.
- (22) GEORGE ROBERTSON:
- (23) Maybe you can give me some
- (24) information that I can pursue, then,
- (25) I will get back to you.

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- (1) So, gentlemen, get to the core
- (2) of the problem. Start weeding these
- (3) people out of the supervisor
- (4) positions with a high school
- (5) education. Everybody in this place
- (6) is related to each other, they
- (7) brothers and sisters, aunts, uncles,
- (8) and get this thing straight. Don't
- (9) just whitewash this thing. Get to
- (10) the core of the problem.
- (11) Thank you.
- (12) DONALD GOHMERT:
- (13) Thank you, Mr. Morgan.
- (14) We're running a little bit
- (15) ahead of time. I think it will give
- (16) us an opportunity for a ten-minute
- (17) break. Since we are here, for the
- (18) comfort of everyone here, including
- (19) the panel, we will take a ten-minute
- (20) break. Check your watches. We will
- (21) be here in ten minutes, ready to
- (22) start again.
- (23) (Whereupon, a short recess was
- (24) taken.)
- (25) DONALD GOHMERT:

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- (1) SABRINA BLANCHARD:
- (2) All right.
- (3) RICHARD ROMINGER:
- (4) Thank you, Sam and George.
- (5) DONALD GOHMERT:
- (6) The next speaker on the list
- (7) is Mr. Dwayne Merridy. He will be
- (8) followed by Catherina Wan.
- (9) Mr. Merridy?
- (10) Ms. Wan?
- (11) Okay. Is there anyone at
- (12) large that would care to speak at
- (13) this time?
- (14) Ms. Wan? I'm sorry.
- (15) CATHERINA WAN:
- (16) Ladies and gentlemen, the
- (17) first person brought up this.
- (18) Performance of person does not
- (19) actually match employee's
- (20) responsibility. Employee's yearly
- (21) performance cycle is from October 1st
- (22) to September 30th of the following
- (23) year. A performance used to be
- (24) established at the beginning of the
- (25) fiscal year and a rating score of

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- (1) We'd like to go ahead and get
- (2) started at this time, and before we
- (3) start with additional comments, there
- (4) was a question earlier from a speaker
- (5) that asked about the status of a
- (6) lawsuit, a class action lawsuit. I
- (7) think Samuel Thornton has made a call
- (8) and gotten a status on that.
- (9) Sam, would you care to share
- (10) that with the group?
- (11) SAMUEL THORNTON:
- (12) Yes. At present, the
- (13) department does not have from EEOC a
- (14) certified class. Now, we are still
- (15) investigating, but at present, the
- (16) department does not have any formal
- (17) information that that is a certified
- (18) class from EEOC. We called EEOC.
- (19) Again, they have notified us that
- (20) there has been no formal class.
- (21) There's several procedures that they
- (22) must go through in order to be
- (23) certified as a class, and you need to
- (24) note that. The judge has to hear and
- (25) make a decision whether or not that

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- (1) each element is to be placed by each
- (2) supervisor at the end of the fiscal
- (3) year. The spending performance are
- (4) related to the factors related to the
- (5) position description for a employee's
- (6) hiring type, such as a computer
- (7) specialist, accounting technician, et
- (8) cetera.
- (9) Well, I should introduce
- (10) myself first. I am sorry. I am
- (11) Catherina Wan. I work for National
- (12) Finance Center six and a half years.
- (13) My title is computer specialist.
- (14) Continually the pace is that
- (15) some of the employees got special
- (16) assignments and had dedicated their
- (17) time, work time, to other
- (18) responsibilities. For instance, EEO
- (19) cholesterol duty committee members
- (20) have twenty percent work time to EEO
- (21) related meeting and use this on
- (22) three-year term. Also, a CMM
- (23) (inaudible) has dedicated one hundred
- (24) work time on CMM issues in the past
- (25) couple years, as I know ETPS

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- (1) (inaudible) and throughout the saving
- (2) plan division. I also have CMM
- (3) action team members. They have
- (4) dedicate at least twenty percent of
- (5) work time on software engineer issues
- (6) within half-year term and,
- (7) understand, while they're appraisal
- (8) elements have not been updated
- (9) according to very responsible new
- (10) assignments, and the performance
- (11) evaluation elements are formed AD-435
- (12) of above employees should be updated
- (13) to reflect their responsibility, and
- (14) I hope this problem can be properly
- (15) addressed, and I believe there must
- (16) be certain that certain standards can
- (17) be followed and I hope this can be
- (18) enhanced.
- (19) Thank you.
- (20) DONALD GOHMERT:
- (21) Thank you, Ms. Wan.
- (22) Following Ms. Wan is Linda
- (23) Simmons. Ms. Simmons? Ms. Simmons
- (24) must not be in the audience.
- (25) Is there anyone at large that

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- (1) would care to speak at this time? We
- (2) have a lady over here on my right.
- (3) VIVIAN PIPIR:
- (4) Thank you for -- first of all,
- (5) I want to thank you for letting us
- (6) deal with you this morning to the
- (7) panel.
- (8) My name is Vivian Pipir. I
- (9) have twenty years of National Finance
- (10) experience, twenty-seven years of
- (11) government experience. I'm speaking
- (12) on behalf of my fellow coworkers who
- (13) are afraid to come forward this
- (14) morning because of retaliation they
- (15) felt they would receive. I have no
- (16) problem with that.
- (17) And we have over seventeen
- (18) hundred employees here at the
- (19) National Finance Center. About six
- (20) hundred employees are black. If you
- (21) look around this morning, you don't
- (22) see many of those employees present
- (23) because of the fear. Look around,
- (24) you see many of our managers here.
- (25) The problem has been the employees

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- (1) feel that the situation comes from
- (2) the management. We have a hundred
- (3) and nine complaints that have been
- (4) filed, one class action. Management
- (5) openly has stated policy here that
- (6) discrimination does not exist at the
- (7) National Finance Center, but we've
- (8) had incidents of employees slapping
- (9) employees, racial slurs, racist
- (10) remarks, firings and other things.
- (11) We would like to know what the panel
- (12) would do, what action would be taken
- (13) by the panel to end discrimination at
- (14) the National Finance Center. We come
- (15) out in hurricane scenes, floods, work
- (16) in holiday seasons, give up our
- (17) time. There were no rewards for
- (18) these employees, only the ones at the
- (19) top. Employees are just afraid to
- (20) come forward. They file complaints,
- (21) get harassed. Some employees just
- (22) cannot go through these changes.
- (23) They get emotional, depressed, some
- (24) quit. We're to the point right now
- (25) we need some action done by this

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- (1) panel, and we would like to know what
- (2) assurances we'll be given -- the
- (3) retaliation today -- the speakers
- (4) have made and what contact will be
- (5) given to us to make these points of
- (6) retaliation, where do we call, who do
- (7) we go to?
- (8) Thank you.
- (9) DONALD GOHMERT:
- (10) Thank you very much.
- (11) For those of you who have
- (12) written comments, again, we have a
- (13) comment box back there. I ask you to
- (14) put those comments there or bring
- (15) them up here and give them to me. I
- (16) will take personal charge of those
- (17) comments, all of those comments, and
- (18) see to it that they are mailed to our
- (19) Washington office contact. So, feel
- (20) free to put them in the box or bring
- (21) them up here to me.
- (22) Next on the --
- (23) RICHARD ROMINGER:
- (24) Let me interrupt.
- (25) DONALD GOHMERT:

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- (1) Yes, sir.
- (2) RICHARD ROMINGER:
- (3) I would like to comment on the
- (4) fear of retaliation that anyone feels
- (5) here today. We do not tolerate
- (6) retaliation. We don't want that to
- (7) continue. If you feel that there is
- (8) any retaliation as a result of being
- (9) here today, please contact a member
- (10) of the action team here. That's what
- (11) they're for, to listen to your
- (12) concern. They will be making
- (13) recommendations to the Secretary and
- (14) the department then on how we can
- (15) avoid this in the future, but,
- (16) please, contact us if you think that
- (17) there is any retaliation.
- (18) DONALD GOHMERT:
- (19) Thank you, Mr. Secretary.
- (20) George?
- (21) GEORGE ROBERTSON:
- (22) Yes. I would just like to add
- (23) on to that that there is a center
- (24) here for filing of complaints. I
- (25) think it is in New Orleans. I think

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- (1) there's some representative here, in
- (2) fact, from that group in this
- (3) facility. I'm just suggesting that
- (4) that is another avenue that you can
- (5) use. I see heads shaking as if
- (6) that's not an acceptable --
- (7) DEBRA JONES:
- (8) No, sir, it's not. No, sir.
- (9) It absolutely is not. When you go to
- (10) that office, you're discouraged.
- (11) You're almost talked out of filing
- (12) your complaint, and by the time you
- (13) get back to your desk, your
- (14) supervisors and those who you are
- (15) alleging these charges against know
- (16) everything you have said.
- (17) My name is Debra B. Jones. I
- (18) said that.
- (19) GEORGE ROBERTSON:
- (20) Thank you.
- (21) PERRY TILLMAN:
- (22) Tillman. Perry Tillman. We
- (23) do have an office here, and that
- (24) number is 5680 for those who would
- (25) like to file a complaint. That's

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- (1) 5680.
- (2) GEORGE ROBERTSON:
- (3) Okay. I hear you. Let me
- (4) give you an address. Let me follow
- (5) up on the Secretary's comments and
- (6) give you an address as to where you
- (7) can send your issue if you have one.
- (8) That's the United States Department
- (9) of Agriculture, Civil Rights Action
- (10) Team, Post Office Box 2890,
- (11) Washington, D.C., and the zip is
- (12) 20013. I have a fax number, also.
- (13) That's 202-720-9030.
- (14) DEBRA JONES:
- (15) Thank you very much.
- (16) DONALD GOHMERT:
- (17) Would the gentleman at the
- (18) mike identify himself again?
- (19) PERRY TILLMAN:
- (20) Perry Tillman, New Orleans
- (21) Regional Service Center, and that
- (22) number is 255-5680.
- (23) Thank you.
- (24) DONALD GOHMERT:
- (25) Thank you, Perry.

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- (1) The next speaker on the list
- (2) is Frank Whitehead.
- (3) FRANK WHITEHEAD:
- (4) Good morning. I'm Frank
- (5) Whitehead. I work with Risk
- (6) Management Agency out of Jackson,
- (7) Mississippi, have the regional
- (8) service office. I'm an underwriter.
- (9) I have been with that agency almost
- (10) fifteen years now. I have over
- (11) thirty years' service with the
- (12) government - with the Department of
- (13) Agriculture in total. I'm - I do
- (14) appreciate the opportunity of being
- (15) heard today.
- (16) I have - feel like the
- (17) committee is here to listen and I
- (18) feel like they have heard of lots to
- (19) carry back to the Secretary and
- (20) present to him, but it kind of
- (21) bothers me that the Secretary and his
- (22) staff did not realize that these
- (23) problems were out here. You know,
- (24) apparently someone is pointing this
- (25) out to the Secretary and he feels

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- (1) like he needs to take action on it,
- (2) and I know that you have a civil
- (3) right action committee, and I look
- (4) forward to seeing some action being
- (5) taken from this meeting rather than
- (6) just a hearing session.
- (7) Some of the - someone just
- (8) mentioned about filing a complaint.
- (9) We know that there is a process to go
- (10) through. I'm aware of a situation
- (11) that a complaint was filed over four
- (12) years ago and still has not been
- (13) investigated. This is the type thing
- (14) that's quite discouraging. We know
- (15) we hear this backlog of cases that
- (16) we've got to work through. I feel
- (17) like with these meetings and the
- (18) problems that are being pointed out,
- (19) that the backlog is going to get even
- (20) worse as time goes on. So, if they
- (21) can't investigate one that's four
- (22) years old, how long is it going to
- (23) take one to surface now that's filed
- (24) now. I'm not saying that all of them
- (25) take that long, but apparently some

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- (1) of them do, for no reason at all. It
- (2) just slips through the paperwork -
- (3) the paperwork slips through the
- (4) cracks.
- (5) We hear about this dispute
- (6) resolution that the department is
- (7) interested and the government, quote,
- (8) is interested in resolving a lot of
- (9) these complaints before we reach the
- (10) formal stage. I see very little of
- (11) that in our agency taking place. We
- (12) talk to them. Well, does it
- (13) qualify? Well, if you was in
- (14) Washington or if you was in New
- (15) Orleans or an area where this dispute
- (16) resolution board was available, it
- (17) may be a course of action, but when
- (18) you're out in some of the field
- (19) offices and county offices and state
- (20) offices nationwide, it's not a
- (21) legitimate process to go through.
- (22) You have to go through the appeals
- (23) and this type thing. So, I think
- (24) that somebody maybe needs to look and
- (25) see if there could be some way of

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- (1) short-circuiting some of the process
- (2) even though going through the full
- (3) process and making a realistic effort
- (4) to try to resolve these.
- (5) So many of the complaints that
- (6) are filed that we see action being -
- (7) of the resolution of this - somebody
- (8) referred to it as a no-fault
- (9) situation. The action has already
- (10) taken place, it's been investigated,
- (11) and then the department says, well,
- (12) if we could just resolve this,
- (13) everybody is happy. Well, everybody
- (14) may be promoted and that took four or
- (15) five years to go through the process
- (16) and then the - it comes up and they
- (17) do find another vacancy for them or
- (18) promotion that they resolve it that
- (19) way, but there is no penalty or very
- (20) little that we are aware of that -
- (21) where the supervisor is held
- (22) accountable for situations like that,
- (23) and I presume that the reason is,
- (24) well, it wasn't proven. We settled
- (25) that case. So, we have no reason to

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- (1) discipline a supervisor that was
- (2) involved in a discriminatory act.
- (3) The other part of it is that
- (4) in so many of these investigations,
- (5) there are what I refer to as perjury
- (6) statements. There are false
- (7) statements made by the supervisors
- (8) and selected officials. As far as
- (9) I'm concerned, they're under oath,
- (10) and when I hold my hand up to tell
- (11) the truth, I expect it to be the
- (12) truth, and I expect that person
- (13) that's testifying also to tell the
- (14) truth, and it's not always done.
- (15) DONALD GOHMERT:
- (16) Thank you, Mr. Whitehead.
- (17) RICHARD ROMINGER:
- (18) I would just add that we are
- (19) concerned about the backlog, and the
- (20) Secretary has put more resources into
- (21) working in getting that backlog
- (22) reduced. We have made some headway,
- (23) but we have a ways to go.
- (24) DONALD GOHMERT:
- (25) Our next speaker is Mitchell

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- (1) Crouther.
- (2) Mr. Crouther will be followed
- (3) by Evelyn Johnson.
- (4) MITCHELL CROUTHER:
- (5) Good morning to the panel. My
- (6) name is Mitchell Crouther. I'm an
- (7) underwriting branch chief at the
- (8) Jackson, Mississippi, Regional
- (9) Service Office for Risk Management
- (10) Agency.
- (11) I, too, like so many others of
- (12) my coworkers, am a victim of
- (13) discrimination in our agency. I have
- (14) been discriminated almost since
- (15) entering into the U.S. Department of
- (16) Agriculture. I was one of the ones
- (17) who came to the agency when they were
- (18) looking for some blacks that they
- (19) needed, and it has been basically
- (20) downhill since then. During the time
- (21) in the '70s when discrimination was
- (22) rampant and their agency was looking
- (23) for a black to hire, I was one of the
- (24) ones that was selected. I was one of
- (25) the ones that wasn't a complainer, I

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- (1) was a hard worker, and I have been
- (2) ever since then, and you reach the
- (3) point that you're promoted and you
- (4) hit that glass ceiling where they
- (5) give you responsibility, but they not
- (6) going to put you in authority.
- (7) I've had twenty-two years of
- (8) service with the U.S. Department of
- (9) Agriculture from the Soil
- (10) Conservation Service, Forest Home
- (11) Administration and Risk Management
- (12) Agency, which used to be Federal Crop
- (13) Insurance. Since being with Federal
- (14) Crop Insurance, I have filed four
- (15) discrimination suits, three of which
- (16) were for the same position, which was
- (17) advertised three different times,
- (18) which I served as acting director
- (19) during the absence of the director
- (20) and I'm yet to be selected for it. I
- (21) was the only person in the agency so
- (22) far that has been -- had a -- had a
- (23) judge decision on a discrimination
- (24) suit and won, was retroactively put
- (25) in a position that I applied for and

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- (1) was denied, but the agency that I
- (2) work for who so many times in the
- (3) past have said that they stood on the
- (4) fact that they did not discriminate
- (5) and they have rules and regulations
- (6) that prevent it, it took them two
- (7) months of meetings to develop a
- (8) procedure to retroactively put me in
- (9) that position, which paperwork I have
- (10) yet to receive. After getting the
- (11) decision from the administrative
- (12) judge and was given to the agency,
- (13) they had sixty days to reply. One
- (14) year later, I was put in the
- (15) position. The agency took a year to
- (16) make up its mind what it wanted to
- (17) do.
- (18) This is the type of things
- (19) that happen in an agency that I work
- (20) for. It's rampant.
- (21) I was a part of a
- (22) discrimination -- a class action
- (23) suit. As a result of the people in
- (24) the head of the agency, this suit was
- (25) basically dismissed.

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- (1) We have many people in USDA,
- (2) not only black, that are
- (3) discriminated against, and it starts
- (4) at the top, and unless we get
- (5) something done at the top, it's never
- (6) going to reach the bottom.
- (7) I want to thank you.
- (8) DONALD GOHMERT:
- (9) Thank you, Mr. Crouther.
- (10) Ms. Johnson? Ms. Johnson in
- (11) the audience?
- (12) EVELYN JOHNSON:
- (13) I'm Evelyn Johnson. I, too,
- (14) am an employee with Risk Management
- (15) Agency out of Jackson, Mississippi.
- (16) I was hired straight out of
- (17) college with great enthusiasm to work
- (18) with the USDA and move up into the
- (19) agency. This is not happening. I
- (20) have been with them seventeen years,
- (21) and after working in a collateral
- (22) duty as an EEO counselor, it hurt me
- (23) to have to enter the EEO process
- (24) after knowing what I have to go
- (25) through personally.

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- (1) I have been denied promotions
- (2) since 1984. I have been told by a
- (3) supervisor that I was not ready. I
- (4) have been told by management that
- (5) you're not qualified, you need
- (6) experience, yet individuals without
- (7) qualification and experience are
- (8) constantly hired over me. It is an
- (9) insult to the educational system to
- (10) allow a high school graduate to be
- (11) selected for a position over an
- (12) employee with one or two years of
- (13) college degrees with experience and
- (14) knowledge of a discipline. It is an
- (15) insult to the human race to allow
- (16) management in any agency to
- (17) intentionally promote unfairness in
- (18) hiring by preselection of Caucasian
- (19) males into relocated positions,
- (20) causing moving expenses and other
- (21) costs and overlooking
- (22) African-American individuals already
- (23) on-site with similar and well-
- (24) qualified experiences. It is an
- (25) insult to me to have my applications

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- (1) reviewed by a management-selected
- (2) panel. I am indeed energized,
- (3) specialized and qualified.
- (4) Thank you.
- (5) DONALD GOHMERT:
- (6) Thank you, Ms. Johnson.
- (7) Is there anyone at large who
- (8) did not get a chance to sign up and
- (9) would like to speak?
- (10) We have a lady, a couple
- (11) ladies. Great.
- (12) SANTYUEUM JONES:
- (13) Good morning, gentlemen. Good
- (14) morning. Thank you, Mr. Hall, for
- (15) allowing us this opportunity to
- (16) address the panel this morning.
- (17) We have several studies that
- (18) have taken place here in NFC. We
- (19) have the Logicon study, the EEO
- (20) study, we have DQM, we have CMM. We
- (21) have a lot of studies, but one of the
- (22) things that as a former EEO member --
- (23) LEONARD HARDY:
- (24) I'm looking at the floor.
- (25) There is a subgroup for this action

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- (1) team. Could you make sure before I
- (2) leave to give me a list of those
- (3) reports that you just mentioned?
- (4) GEORGE ROBERTSON:
- (5) What is your name?
- (6) SANTYEUM JONES:
- (7) I'm sorry. My name is
- (8) Santyeum Jones.
- (9) As a former EEO manager - I'm
- (10) sorry - the former EEO committee
- (11) person, I have witnessed and seen
- (12) from different sides, from the
- (13) management point of view and from the
- (14) employee's point of view. Recently,
- (15) I went to my supervisor of various
- (16) concerns that I had in my particular
- (17) division, and those areas were
- (18) unfair assigning of low-grade
- (19) employees, lack of high-level
- (20) training, such as graphical user
- (21) interface, which is GUI, client
- (22) service, DB-2, CMM, project manager,
- (23) exposure to technology, lack of
- (24) opportunities to attend technological
- (25) seminars to acquire knowledge and

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- (1) skills of product and service offered
- (2) by outside vendors. I also brought
- (3) up less exposure of developmental
- (4) work, such as new product design,
- (5) which can spark creativity instead of
- (6) boredom to application of program
- (7) analysts. The latest trend is to
- (8) request for hiring of outstanding
- (9) scholars when we have capable
- (10) employees on board who are not
- (11) getting the assignments that they
- (12) need in order to advance at this
- (13) agency. The promotion of team
- (14) insiders and hostility within the
- (15) branch that leads to employees' low
- (16) morale, it contributes to lack of
- (17) growth and developmental opportunity,
- (18) which inhibits creativity and
- (19) satisfaction among team members, and
- (20) I brought that to him.
- (21) So, I wanted to have a
- (22) dialogue with my former supervisor so
- (23) that I could share and address areas
- (24) of concerns that was affecting me
- (25) and, of course, we labelled as

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- (1) emotional, we not playing the game.
- (2) In one particular instance, I
- (3) brought up to him that I wanted the
- (4) opportunity to go to the computer
- (5) associate seminar because, first of
- (6) all, I had fascination with
- (7) buildings, I wanted to find out how
- (8) could I duplicate what he has done,
- (9) and I was told that you are a GS
- (10) level. Only the 12s and 13s would
- (11) have an opportunity to be in that
- (12) arena where we could have the
- (13) exposure to that particular
- (14) information. And I found out that
- (15) one of my coworkers was able to get a
- (16) pass for her husband who was a
- (17) contractor, a construction worker, to
- (18) be able to attend this seminar and
- (19) brag about the rubbing of elbows, the
- (20) late afternoon sessions where they
- (21) met people of influence, where they
- (22) were able to go to NFC hospitality
- (23) rooms and they could shake hands and
- (24) meet with one another and share
- (25) information. Well, I had been left

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- (1) out of that process, and this was an
- (2) employee who desired and wished to
- (3) attend for other reasons than it
- (4) would contribute and help my
- (5) advancement.
- (6) There are serious issues that
- (7) needs to be addressed at NFC. One of
- (8) those is holding managers,
- (9) supervisors accountable. That's all
- (10) we ask. And then they in turn -
- (11) they in turn now have the right to
- (12) hold us accountable if there's a area
- (13) that we are not fulfilled. It's a
- (14) two-way street here. It's a two-way
- (15) street and we have to work together
- (16) in order to come up with some viable,
- (17) real solutions, and I thank you for
- (18) your time.
- (19) DONALD GOHMERT:
- (20) Thank you very much.
- (21) Yes, ma'am. Please come
- (22) forward.
- (23) STEPHANIE STEWART:
- (24) Good morning. My name is
- (25) Stephanie Stewart. I work at NFC in

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- (1) the TSPR, as other employees call it,
- (2) teaspoon division, where there are
- (3) quite a few items of discrimination
- (4) that have happened with us. I have
- (5) been there a little over four years.
- (6) During the time that I've been
- (7) there, the first three years, when
- (8) evaluations were done, evaluations
- (9) for each employee was identical to
- (10) the other employees. There were no
- (11) outstanding. They have over one
- (12) hundred people who are in the
- (13) telephone inquiry area who answer the
- (14) phones, and out of those one hundred
- (15) people, there were only two
- (16) outstanding evaluations that were
- (17) done. Our immediate supervisors were
- (18) telling us that even though we have
- (19) outstanding capabilities, that they
- (20) are not allowed to give us an
- (21) outstanding evaluation. This is
- (22) something that definitely needs to be
- (23) taken a look into.
- (24) A few weeks ago, there was a
- (25) young lady who worked in the

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- (1) telephone inquiry area who had
- (2) applied for a position in another
- (3) section and she had gotten that
- (4) position and moved to that section
- (5) body, soul, paperwork, pencil and
- (6) paper clips, and a few weeks later,
- (7) there was a rumor - of course, we
- (8) always get rumors - that the young
- (9) lady was coming back, not to work in
- (10) the telephone inquiry, as we all were
- (11) doing, but to work in one of the
- (12) specialized areas, which is the legal
- (13) department. When many employees
- (14) questioned this, they were told by
- (15) their supervisor that this was a
- (16) rumor, that the young lady would be
- (17) coming back, but not in the legal
- (18) department. When employees further
- (19) questioned their immediate
- (20) supervisors, one supervisor said,
- (21) yes, she will be going into the legal
- (22) department, and when this young lady
- (23) was coming back to our area, the
- (24) section head had said, is she any
- (25) good, and the supervisor responded,

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- (1) yes, she is good. She said, well,
- (2) let her go to the legal department.
- (3) So, while this young lady has gone to
- (4) the legal department to work, we are
- (5) all the same contact representatives,
- (6) same 675s, and yet still, there are
- (7) many of us on the phones who have
- (8) specialties, we may have degrees,
- (9) many of us have taught school, there
- (10) are many of us who have that
- (11) experience, but we weren't afforded
- (12) an opportunity to have that looked
- (13) into before being able to be selected
- (14) for that position. When asked by the
- (15) section head to speak with her, she
- (16) asked what do they want to speak to
- (17) me about? When told, she gave back a
- (18) reply and to that reply, she also
- (19) added, now, if they want to come see
- (20) me, they may, where, of course, the
- (21) doors are closed here because she has
- (22) already given the answer, but this is
- (23) something that definitely needs to be
- (24) taken a look into.
- (25) You have specialized people

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- (1) with degrees and experience, let
- (2) alone the number of years of
- (3) education who can go into a special
- (4) area and afford our company a great
- (5) opportunity of experience there.
- (6) This needs to be taken a look into.
- (7) Thank you.
- (8) DONALD GOHMERT:
- (9) Thank you very much.
- (10) The next speaker on our list
- (11) is Mr. Ron Coblenz. I'm hoping I'm
- (12) saying that correctly.
- (13) RON COBLENTZ:
- (14) Yes, sir. I'm Ron Coblenz.
- (15) I'm with International Finance Center
- (16) in the Telecommunications branch. I
- (17) have an associate's degree in data
- (18) processing, a bachelor's degree with
- (19) three majors, accounting, finance and
- (20) business management, and I've
- (21) completed all my course work for an
- (22) M.B.A. in business management.
- (23) In 1992, and I've passed out a
- (24) copy to each of you, you should have
- (25) it in front of you, I filed an EEO

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- (1) complaint on age discrimination
- (2) because the National Finance Center
- (3) selected a much younger contractor
- (4) for a government-posted position
- (5) rather than me. What is most
- (6) frustrating about the whole EEO
- (7) process is that the office of
- (8) operations, EEO Dispute Resolution
- (9) Department, has only made one contact
- (10) on that complaint in four and a half
- (11) years. Ira L. Hobbs, and you have a
- (12) copy of that letter, director of
- (13) Operations, sent me a letter on June
- (14) 25th, 1996, and the complaint was
- (15) filed in '92, and sincerely
- (16) apologized and deeply regretted any
- (17) inconvenience you may have
- (18) encountered due to our delay in
- (19) processing your discrimination
- (20) complaint. She went on to say that
- (21) Tonya Mack, case specialist, will be
- (22) giving me prompt, courteous and
- (23) professional service. I never heard
- (24) from them again. After receiving no
- (25) letters or calls telling me, I called

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- (1) for her numerous times. She is never
- (2) in and never returns my call.
- (3) PEARLIE REED:
- (4) Can I interrupt you? It's a
- (5) he. Ira.
- (6) RON COBLENTZ:
- (7) That explains why I never
- (8) talked to her.
- (9) I sent more letters to Ira
- (10) Hobbs and Tanya. Still no response.
- (11) With this kind of
- (12) professionalism, any member of the
- (13) EEO Department should be ashamed to
- (14) be in the same occupation. If I was
- (15) Ward L. Townsend, I would be deeply
- (16) embarrassed by a department with that
- (17) kind of a track record that reported
- (18) to me.
- (19) An analogy of the EEO
- (20) Department's professionalism on my
- (21) case would be as follows. The
- (22) backbone local area network, which
- (23) all the PCs, every worker here,
- (24) eighteen hundred, tie into that
- (25) backbone, breaks down and I don't fix

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- (1) it or return any calls to customers
- (2) or users for four and a half years
- (3) except for a letter from the director
- (4) of the National Finance Center six
- (5) months ago that says we're going to
- (6) do a better job in the future, six
- (7) months later and it's still not fixed
- (8) and your calls are not answered by
- (9) the director's receptionist, no calls
- (10) are ever returned. Okay.
- (11) Another analogy would be the
- (12) National Finance Center has a payroll
- (13) problem and nobody gets paid and no
- (14) explanations are given for four and a
- (15) half years except for a letter six
- (16) months ago from Ted David that says
- (17) our payroll service would be better
- (18) in the future. Calls to Mr. David's
- (19) office gets a response he will call
- (20) you back, but that call never comes.
- (21) A third analogy would be a
- (22) cardiologist has a four-and-a-half-
- (23) year backlog and the HMO sends you a
- (24) letter saying you can expect better
- (25) professional service in the future

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- (1) and they do not consider a backlog of
- (2) four and a half years to be
- (3) exceptional and the receptionist says
- (4) he'll call you back and nobody ever
- (5) calls you back. Absurd, ridiculous,
- (6) couldn't happen in a civilized world
- (7) in a country that is industrialized
- (8) and computerized, don't believe it.
- (9) Now, let's talk about the EEO
- (10) complaint. In 1988, the NFC Newark
- (11) Communications Company would be
- (12) replaced, they would be losing the
- (13) on-site contractor. The NFC did an
- (14) illegal detail of a younger person
- (15) from another branch and spent
- (16) thousands and thousands of dollars
- (17) training him, until one of the
- (18) training classes, he walked out and
- (19) said, I can't do this. I was
- (20) assigned all of his duties related to
- (21) the FTC line. The NFC then held
- (22) closed-door meetings with the
- (23) contractor, division director, NFC
- (24) director. These meetings took place
- (25) before that job was posted on the

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- (1) board. The NFC director made a sworn
- (2) statement to the EEO investigator
- (3) that this occurred. The NFC then had
- (4) a person that was not even a
- (5) supervisor prepare a position
- (6) description to be posted --
- (7) DONALD GOHMERT:
- (8) Mr. Coblenz, I'm sorry.
- (9) You're out of time.
- (10) RON COBLENTZ:
- (11) One last little paragraph
- (12) because I did answer your question.
- (13) Okay. I suggest that the EEO
- (14) Department be reorganized and that
- (15) they and the Personnel Department be
- (16) required to work fifty percent of
- (17) their time interviewing the workers
- (18) so they will have a better
- (19) understanding of the problems that
- (20) exist at the NFC. This will be money
- (21) well spent because it would cut down
- (22) drastically on the number of EEO
- (23) complaints because they would know
- (24) about problems in advance of them
- (25) becoming a complaint, before they

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- (1) become a complaint. It's just as
- (2) important, they would find out what
- (3) the workers really think of them.
- (4) DONALD GOHMERT:
- (5) Thank you, Mr. Coblenz.
- (6) I hope I'm pronouncing this
- (7) next name correctly. Maran Sneed.
- (8) Is that correct?
- (9) MARCIA SNEED:
- (10) Not quite.
- (11) DONALD GOHMERT:
- (12) I'm reading printing and not
- (13) typing. Would you identify
- (14) yourself?
- (15) MARCIA SNEED:
- (16) Good morning. Marcia Sneed,
- (17) president of the Mississippi Chapter
- (18) of the USDA Coalition for Minority
- (19) Employees, a national organization.
- (20) I am employed as a zone
- (21) geologist by the USDA Department
- (22) Service in Mississippi. Ken Johnson
- (23) is the Forest supervisor and is
- (24) present today.
- (25) The coalition welcomes all

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- (1) USDA employees interested in assuring
- (2) fairness, justice and equality in the
- (3) workplace for all employees, focusing
- (4) on minorities, women and persons with
- (5) disabilities. These underrepresented
- (6) groups have been historically
- (7) oppressed by the department. I stand
- (8) here and ask the panelists to right a
- (9) wrong, to walk a different path from
- (10) those who surround you, and restore
- (11) faith in those who form the base of
- (12) this organization. We are aware that
- (13) you deal with serious issues and
- (14) concerns of a national perspective.
- (15) However, I'd like to offer you this
- (16) analogy. When someone has cancer and
- (17) it is ignored, the malignant cells
- (18) will multiply and eventually destroy
- (19) what is good around them. Unless
- (20) treated properly, it eventually
- (21) destroys its host, the very thing
- (22) that is essential to its livelihood.
- (23) That is what is happening
- (24) here. Civil right violations,
- (25) including discrimination, hostile

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- (1) work environment, unfair
- (2) administrative and personnel
- (3) practices, unethical investigations,
- (4) employee harassment, abuse in the
- (5) system processes and lack of
- (6) managerial accountability are tearing
- (7) at the very fabric of this
- (8) organization.
- (9) The biggest barrier that
- (10) exists in the Department of
- (11) Agriculture is the lack of
- (12) accountability of and from the very
- (13) top, from the department, agency and
- (14) managers. The National Forest in
- (15) Mississippi has numerous issues and
- (16) concerns regarding discrimination of
- (17) minorities and women, particularly
- (18) blacks in the workplace. Although we
- (19) have followed the established
- (20) channels, management has not been
- (21) responsive to our issues and concerns
- (22) brought forth. Due to this fact, our
- (23) question is to whom do we elevate
- (24) these issues and concerns of
- (25) discrimination to? Do we elevate

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- (1) them to another management level who
- (2) seems to protect their own, or
- (3) perhaps outside the agency or
- (4) department, which is a very lengthy
- (5) and expensive process?
- (6) In the face of these odds,
- (7) many employees understandably retreat
- (8) into a world of discontentment,
- (9) resentment and fear, which leads to a
- (10) very low morale in the workplace.
- (11) The National Forest in
- (12) Mississippi appears to have the same
- (13) cancer that is plaguing other USDA
- (14) agencies. It is fed by the lack of
- (15) accountability of managers, lack of
- (16) communication among the employees and
- (17) management, support of a firmly
- (18) entrenched good-old-boy network and
- (19) lack of real commitment by management
- (20) to change.
- (21) I do not speak these words
- (22) lightly. I have supporting documents
- (23) and evidence showing discrimination
- (24) in job promotions, preselections,
- (25) preferential treatment of white

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- (1) males, disparate treatment in
- (2) disciplinary and adverse actions
- (3) between blacks and whites, abuse of
- (4) awards process and other prohibitive
- (5) administrative and personnel
- (6) practices.
- (7) We are aware of the changing
- (8) times resulting in the decreased
- (9) numbers of our work force. We just
- (10) ask that the decisions are equitable
- (11) and just.
- (12) Recent efforts made by the
- (13) National Forest in Mississippi has
- (14) targeted certain groups of
- (15) employees. If this plan had been
- (16) implemented, all the black and white
- (17) females excluding one from each group
- (18) in the supervisor's office in the
- (19) Natural Resources and Planning Unit
- (20) would have been placed on the surplus
- (21) list. The surplus list of the
- (22) supervisor's office consisted of all
- (23) women and blacks except for one white
- (24) male. This seems to be management's
- (25) opportunity to engage and settle yet

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- (1) direct the limb.
- (2) The incident that Sandra Smith
- (3) mentioned regarding the female
- (4) employee serving a prison term
- (5) happened in our forest. Within the
- (6) last three months, there have been
- (7) five discrimination complaints
- (8) filed. In addition to these filings,
- (9) a class action suit has been filed on
- (10) behalf of these employees of the
- (11) southern region. We recognize that
- (12) these are serious issues and must be
- (13) addressed. Nevertheless, we feel
- (14) that we have exhausted the avenues in
- (15) the formal stage of resolutions
- (16) within the Forest Service and now ask
- (17) that your office meet with us and
- (18) review these issues, concerns and
- (19) documentation supporting the
- (20) discrimination complaints.
- (21) Thank you.
- (22) DONALD GOHMERT:
- (23) Miss --
- (24) MARCIA SNEED:
- (25) I will include our

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- (1) documentation in this presentation in
- (2) the box. Thank you.
- (3) DONALD GOHMERT:
- (4) Very good. Thank you.
- (5) The next name on the list is
- (6) Fred Fields, but I think Fred spoke
- (7) earlier. Thank you.
- (8) The next person to speak is
- (9) Vivian Pipir, and she has spoken.
- (10) That exhausts our list of
- (11) speakers who signed up to speak, but
- (12) we will entertain some additional
- (13) comments from an at-large speaker.
- (14) Yes, sir. We've got one just
- (15) ahead of you, sir.
- (16) HOWARD TAMBORELLA:
- (17) My name is Howard Tamborella,
- (18) National Finance Center.
- (19) I listened to all the speeches
- (20) so far. I think if we would consider
- (21) binding arbitration as a method to
- (22) resolve some of our issues, we can do
- (23) it a lot faster in the process. I
- (24) know the EEO staff has expanded
- (25) tremendously, but yet all other

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- (1) organizations within Agriculture are
- (2) being severely cut back. We need to
- (3) see how we can resolve these issues
- (4) that take four to five years a lot
- (5) faster. I think if we had binding
- (6) arbitration where the complainant and
- (7) the management could get together
- (8) with an arbitrator, we could resolve
- (9) these issues.
- (10) First, I must say I'm an
- (11) American, a U.S. citizen. I don't
- (12) like any other category that you
- (13) might label myself as a black-
- (14) American, African-American, European-
- (15) American, white-American, Hispanic-
- (16) American. The only requirement for a
- (17) federal job, I've been in the
- (18) government twenty-five years, is you
- (19) have to be a U.S. citizen.
- (20) Let's resolve issues that need
- (21) to be resolved immediately. I have
- (22) twenty-five years of experience, four
- (23) of those years were with Internal
- (24) Revenue Service investigating
- (25) nonprofit organizations in regard to

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- (1) their nondiscriminatory policies and
- (2) revoking them if they didn't comply.
- (3) We resolved in IRS much faster -- in
- (4) a large, nonprofit organization much
- (5) faster, in months, where we take five
- (6) years to resolve an issue for one
- (7) employee's complaint that should be
- (8) resolved faster.
- (9) I think NFC, if you look at
- (10) NFC and you look at its statistics,
- (11) you will find an organization in the
- (12) Department of Agriculture that's more
- (13) diverse than any department we have
- (14) today. There are problems whenever
- (15) you have an organization this
- (16) diverse, and you should take all that
- (17) into consideration. I don't need to
- (18) go over statistics. You should have
- (19) them and consider them in that
- (20) process.
- (21) Again, the law, I believe,
- (22) states that selection should be made
- (23) irregardless of the Title 7 factor.
- (24) It seems to me everybody wants a
- (25) position because of their Title 7

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- (1) factor. Let's get to the law and
- (2) let's apply it correctly in the
- (3) process and consider us only as U.S.
- (4) citizens and nothing else and on our
- (5) merits and our quality to do the
- (6) job.
- (7) Thank you.
- (8) DONALD GOHMERT:
- (9) Thank you.
- (10) The gentleman sitting right --
- (11) DONALD LOUIS:
- (12) My name is Donald Louis, and I
- (13) work here at the National Finance
- (14) Center, previously held the position
- (15) of supervisor of labor relations
- (16) specialist before I was removed from
- (17) it because a group of black employees
- (18) designating me as their
- (19) representative got a class action.
- (20) I'm yet waiting to see what it is I
- (21) have done illegally other than to
- (22) help people who others would not
- (23) help.
- (24) I know Mr. Howard Tamborella.
- (25) I would like to discuss with him,

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- (1) that sounds very good theoretically
- (2) to be able to stand up and just say
- (3) I'm only an American and that should
- (4) do. That won't do and I don't think
- (5) it has to do and I don't think it's
- (6) even necessary. We are all people,
- (7) some of us black, some white, some
- (8) male, female, Asian, Hispanic. You
- (9) should not have to deny who you are,
- (10) but you should have to respect each
- (11) other. I am black and I don't need
- (12) to deny it to advance or to do
- (13) anything else. If I do, then, I feel
- (14) I still have a fight ahead of me.
- (15) There are selections problems
- (16) here at the National Finance Center
- (17) going back -- for example, everything
- (18) almost you come up with, you come up
- (19) with some other way to do it
- (20) illegally. Mr. Hall come up with the
- (21) early intervention program and then
- (22) he designated someone for the program
- (23) without aligning competition. I
- (24) would submit, and I filed a complaint
- (25) on it and haven't heard anything on

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(1) it, that I would be more qualified
 (2) than the person he designated and why
 (3) was I not allowed the opportunity for
 (4) the program. What's more, whether
 (5) you will not do anything as the
 (6) reason why you are selected at the
 (7) National Finance Center as to whether
 (8) you will, especially when it comes to
 (9) complaint. If you will do something
 (10) that will eradicate the problem,
 (11) then, you will not get the job.
 (12) I would like to present
 (13) evidence to these things to somebody,
 (14) but I'm afraid to present them to
 (15) anybody or on up to the Secretary's
 (16) office. Mr. Thornton, during the
 (17) break, introduced me to Mr.
 (18) Rominger. He said you should present
 (19) your problems to him. I told him
 (20) then that I'm afraid to present them
 (21) because, one reason, I was speaking
 (22) to a person, I have a name designated
 (23) in writing, in reference to a
 (24) complaint, and this person in
 (25) Secretary Glickman's office told me

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(1) you cannot file another complaint
 (2) because you have a suit pending in
 (3) court. I say, I don't believe what
 (4) you telling me. He say, I'm telling
 (5) you. You don't understand. He say,
 (6) no, you don't understand. I say,
 (7) okay. I didn't say anything else to
 (8) him. I put it in writing to him in a
 (9) certified letter four months ago and
 (10) I haven't heard anything from him yet
 (11) and I have my certified card and I
 (12) will give it to Mr. Thornton.
 (13) Your corruption here at the
 (14) NFC includes the people with which
 (15) you are required to go to. Your EEO
 (16) staff is corrupt, the EEO director
 (17) was preselected illegally and the
 (18) chief administrative officer covered
 (19) it up. The Personnel office
 (20) participated. I have documents to
 (21) that effect and I'll present it to
 (22) you. I was told from a person for no
 (23) reason at all I was a rotten, no-good
 (24) mother-fucker for participating in
 (25) the class action. I have done

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(1) nothing wrong. Again, I have
 (2) reported this to the Secretary's
 (3) office, to the EEO office here.
 (4) Nothing has been done, and nothing
 (5) will be done.
 (6) I was lied on by EEO director
 (7) and say I filed a worthless complaint
 (8) on employees. That's been over a
 (9) year. Nobody will do anything about
 (10) it. I want to be confronted with
 (11) something I have been accused of. I
 (12) want the person to confront me.
 (13) Nothing is going to be done. Who you
 (14) going to go to when you have these
 (15) type people in charge?
 (16) I was moved out of my position
 (17) into a substandard office, and I
 (18) would like for some of the committee
 (19) members to see it, compare it with
 (20) whites of my grade and see what type
 (21) office they have, okay, with your own
 (22) eyes.
 (23) Again, these are the people
 (24) that you want to come back to with
 (25) these actions and tell them to

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(1) implement it. That's a joke, and
 (2) that's a waste of taxpayers' money.
 (3) I feel I have merit. I am a
 (4) veteran, two other brothers who are
 (5) veterans. I feel we have served a
 (6) country that's not serving us. I
 (7) can't say or do, if I see something
 (8) wrong, without being mistreated. At
 (9) this point, I have been pushed in
 (10) place. I feel the exact same way
 (11) that I was drafted into the Army to
 (12) be used for, that I would fight to
 (13) defend the country. I would at this
 (14) time fight to defend myself.
 (15) You have people in charge of
 (16) the administrative staff here, Mr.
 (17) Paul King, who has created all these
 (18) senior level positions of white, all
 (19) the supervisory, Personnel office of
 (20) white, but they are absurd, diverse
 (21) people saying these are not based on
 (22) qualifications. I would like to
 (23) present you with information showing
 (24) you it is not.
 (25) DONALD GOHMERT:

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(1) Thank you very much.
 (2) DONALD LOUIS:
 (3) I have something I would like
 (4) to present to someone on an illegal
 (5) act that I was asked to do.
 (6) DONALD GOHMERT:
 (7) You can share that with any
 (8) member of the team up here.
 (9) We have one more speaker and
 (10) then we are out of time for
 (11) speakers. We have a few
 (12) announcements. We will ask the
 (13) Secretary to close this out.
 (14) JOHN VANN:
 (15) My name is John Vann. I got
 (16) thirty years with USDA, and I
 (17) represent over four hundred
 (18) African-American employees in the
 (19) southern region for the U.S. Forest
 (20) Service.
 (21) Mr. Secretary, thirty years
 (22) ago, when I first got started with
 (23) USDA Soil Conservation Service, I was
 (24) a proud government worker. I was
 (25) proud to say, who you working for, I

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(1) work for the USDA Soil Conservation
 (2) Service. You know, Mr. Secretary, in
 (3) the last four years, my hairs have
 (4) turned black to white. Some things
 (5) that have been done to me and my
 (6) coworkers in this region is almost
 (7) undescrivable. Racism. Racism in
 (8) every form or way to people of
 (9) color. You know, it hurt. You know,
 (10) God created man just a little below
 (11) angels, and you know in some remote
 (12) areas, I've had an employee who said
 (13) to me, you know, we are treated lower
 (14) than dogs. My answer to him was
 (15) this, Mr. Secretary, if you on a
 (16) path, you don't need an elephant gun
 (17) to bring down an elephant.
 (18) So, what I'm saying is there
 (19) would be an awful lot of suits being
 (20) filed, class action suits, in the
 (21) last six months, and in this region,
 (22) we've had two in South Carolina, one
 (23) in Mississippi, and I understand
 (24) there's one been filed in Oregon.
 (25) How many more of these suits, class

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- (1) action suits, are we going to take in
- (2) the Forest Service to make this
- (3) agency change? Mr. Secretary, when
- (4) will we start pulling the big fish
- (5) out of the pond? It's time for us to
- (6) start removing the little fish, Mr.
- (7) Secretary.
- (8) For instance, in order to
- (9) protect the employees several years
- (10) ago, I jumped on the bandwagon for
- (11) helping an employee. Guess what? I
- (12) had to file a class suit to save my
- (13) job. Mr. Secretary, it is often,
- (14) very often.
- (15) And you know something, I have
- (16) to give credit where credit is due.
- (17) The last ten years, I hated this
- (18) organization, but I've had the
- (19) regional forest man to come along by
- (20) the name of Bob Johnston, and by God,
- (21) he changed my soul, you might say,
- (22) and I love that man because the
- (23) things he has said to me and things
- (24) he has tried to do in this region to
- (25) change things, and I just think we

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- (1) need to recognize people who go out
- (2) of their way the last mile to make
- (3) things change. One thing he said to
- (4) me -- he said, you know, things used
- (5) to be covert, but now, John, they
- (6) overt, they open. People are doing
- (7) things that he never thought they
- (8) would do openly the way they doing
- (9) them today, and I really thank that
- (10) man.
- (11) He asked me a question about
- (12) some animal waste that was put under
- (13) my desk. He said, whatever happened
- (14) to that investigation? I said, well,
- (15) just let me tell you what happened to
- (16) start with. I went to law
- (17) enforcement and I asked them to
- (18) investigate this waste that was put
- (19) under my desk. They asked me, do you
- (20) know who did it? I say, no. Well,
- (21) there's no sense in investigating it,
- (22) then, you don't know. My God. My
- (23) God.
- (24) I think that we can eliminate
- (25) sex harassment, why can't you

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- (1) eliminate racism? White females
- (2) involved, no disrespect because the
- (3) white females, because they were
- (4) being treated just as bad as we are,
- (5) and if you can eliminate sex
- (6) harassment, I think you can eliminate
- (7) the racism.
- (8) I can remember President
- (9) Reagan, he fired thirty something
- (10) thousand, I believe, air traffic
- (11) controllers. I can remember Harry S.
- (12) Truman -- you don't think I'm that
- (13) old -- and he fired MacArthur. I
- (14) think it's come to time that we do
- (15) some firing, and it needs to be done
- (16) swift.
- (17) Thank you.
- (18) DONALD GOHMERT:
- (19) Thank you very much for your.
- (20) comments.
- (21) We have a court recorder up
- (22) here that has been recording every
- (23) word, and she asks that those of you
- (24) who spoke at large, she does not have
- (25) the name, the correct name, the

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- (1) correct spelling for it, come by and
- (2) please give her that information so
- (3) we're sure to have the record
- (4) correct.
- (5) Also, there may be some of you
- (6) that did not sign in. It's important
- (7) for the report that goes forth from
- (8) this listening session to have you
- (9) documented as being in attendance,
- (10) and if you have not signed in, we
- (11) would ask that you do so, and back
- (12) here at the speaker registration
- (13) table is certainly the place to do
- (14) that.
- (15) We have definitely, I think,
- (16) all of us, benefited from this
- (17) listening session.
- (18) UNIDENTIFIED SPEAKER:
- (19) Can I say something?
- (20) DONALD GOHMERT:
- (21) No, sir. We're out of time.
- (22) I'm sorry. If you will, if you would
- (23) put it in writing and mail it in, we
- (24) would appreciate that.
- (25) UNIDENTIFIED SPEAKER:

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- (1) I thought it was over at
- (2) 11:00. I'm sorry.
- (3) DONALD GOHMERT:
- (4) Well, it's not. Because of
- (5) flights and one thing or another,
- (6) we've got to get out of here. I'm
- (7) going to ask the Deputy Secretary to
- (8) close this session out for us.
- (9) RICHARD ROMINGER:
- (10) Thank you.
- (11) I'm sorry we don't have an
- (12) unlimited amount of time today, but
- (13) as we said at the beginning, the team
- (14) is going on to Memphis for another
- (15) session there this afternoon and this
- (16) evening. So, we're trying to cover
- (17) as much territory as we can in a
- (18) short period of time.
- (19) Secretary Glickman established
- (20) this action team to hear your
- (21) concerns. As I said at the
- (22) beginning, this is the first session
- (23) to listen to the concerns within
- (24) USDA. Yesterday, Secretary Glickman
- (25) held the first listening session to

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- (1) hear about complaints of USDA
- (2) programs from our customers, our
- (3) farmers and other customers. So,
- (4) this is just the beginning, yesterday
- (5) and today, and I will be attending
- (6) all three of the sessions where we
- (7) will be listening to employees within
- (8) USDA.
- (9) I want to thank those of you
- (10) who came here today to tell us of
- (11) your concerns. The Secretary and I
- (12) are deeply concerned about the
- (13) situation at USDA. We certainly
- (14) don't want USDA to continue to have
- (15) the reputation as an organization
- (16) that is not living up to the
- (17) standards that we all expect and hope
- (18) and want it to. That's why the
- (19) Secretary appointed this action team,
- (20) this civil rights team, to listen to
- (21) your concerns, to listen to our
- (22) customers' concerns, to make some
- (23) recommendations.
- (24) The team will undoubtedly be
- (25) contacting some of you to follow up

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- (1) on what was presented here today so
- (2) that we can come up with some ways to
- (3) get to the causes, the root causes to
- (4) some of these pervasive issues that
- (5) have persisted for too long, for
- (6) decades, at USDA. It's not going to
- (7) be easy to change things that have
- (8) been entrenched that long. We know
- (9) that. But we are asking this action
- (10) team to do what they can to do their
- (11) best after they hear all the concerns
- (12) in making recommendations to us so
- (13) that we can follow through over the
- (14) next months and years to make USDA
- (15) what we all want it to be.
- (16) Thank you very much for being
- (17) here today.
- (18) DONALD GOHMERT:
- (19) George?
- (20) GEORGE ROBERTSON:
- (21) In response to the question or
- (22) the concern a moment ago about
- (23) retaliation and reprisals
- (24) particularly for things that may have
- (25) been said here or actions that may be

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- (1) taken against you, I gave you an
- (2) address for the Civil Rights Action
- (3) Team. Let me just add to that my own
- (4) phone number, that if you have a
- (5) situation that you need to report
- (6) immediately, my name again is George
- (7) Robertson. I'm the acting director
- (8) of Civil Rights. My phone number is
- (9) 202-720-5212.
- (10) DONALD GOHMERT:
- (11) Thank you, George.
- (12) The NFC staff, Mr. Hall and
- (13) his staff, has afforded the
- (14) opportunity for a tour of the NFC
- (15) facilities for the visiting agency
- (16) personnel that's here. We certainly
- (17) appreciate that. Those of you that
- (18) would like to take part in that, just
- (19) assemble here in the back of the
- (20) room.
- (21) We thank the Civil Rights
- (22) Action Team and especially thank
- (23) Deputy Secretary Rominger, Associate
- (24) Chief Reed for conducting this
- (25) session here today.

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- (1) Thank you, ladies and
- (2) gentlemen, for being here, your time
- (3) and attention.

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- (2) REPORTER'S CERTIFICATE
- (4) I, CAROL E. VALLETTE, CCR, Registered
- (5) Professional Reporter, do hereby certify
- (6) that the foregoing USDA Civil Rights
- (7) Employee Listening Session was reported by
- (8) me in shorthand and transcribed under my
- (9) personal direction and supervision, and is a
- (10) true and correct transcript, to the best of
- (11) my ability and understanding;
- (12) That I am not of counsel, not related
- (13) to counsel or the parties hereto, and not in
- (14) any way interested in the outcome of this
- (15) matter.
- (21) CAROL E. VALLETTE (CCR 78020)
- CERTIFIED COURT REPORTER
- (22) REGISTERED PROFESSIONAL REPORTER

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