

**From:** Dejuliis, Ralph  
**Sent:** Monday, June 01, 2009 9:03 AM  
**To:** Lamb, Amanda; 'Amanda Lamb'  
**Subject:** For Website: Mold Abatement Plan for Hugo

**Importance:** High

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**From:** Dejuliis, Ralph  
**Sent:** Friday, May 29, 2009 12:21 PM  
**To:** Cunningham, Brian  
**Cc:** Marshall, Kathy; Egerman, Howard; Lewis, Carol A.; Lamb, Amanda; Roberts, Mary FO Moore; Mashburn, Magda; Clay, LaRhonda; Forbus, Donna; Kyzar, Martha; Oneill, Amy; Brooks, Mitzi  
**Subject:** Mold Abatement Plan for Hugo  
**Importance:** High

Good Afternoon, Brian!

Congratulations on your promotion!

I hate to start you off with this; but, mold has been found your new office in Hugo, OK, I believe, under the wall paper on the east side of the office.

The Union requests an Abatement Plan pursuant to Article 9 of the AFGE National Agreement.

See:

<http://eis.ba.ssa.gov/afge/2005/MGT%20Ratification%20Article%2009%2004-15-05.doc> which reads in relevant part:

**Section 4. Abatement of Unsafe and Unhealthy Working Conditions**

- A. The Employer shall make every reasonable effort to promptly abate unsafe or unhealthy working conditions.
- B. If there is an emergency situation in an office, the first concern is for the employees and the public. Should it become necessary to evacuate a building, management will take precautions to protect the safety of employees and visitors to the facility. Individuals will not be readmitted until management determines that there is no longer danger to the evacuated personnel. When the potential for danger escalates to a level that requires emergency response team, e.g., police/fire department, they will determine when the facility is safe to reoccupy. The designated Union health and safety representative will be notified as soon possible regarding an emergency situation.
- C. An abatement plan will be prepared if the abatement of an unsafe or unhealthy working condition will not be possible within 30 calendar days. Such plan shall contain an explanation of the circumstances of the delay in abatement, a proposed timetable for the abatement, and a summary of steps, being taken in the interim to protect employees from being injured as a result of the unsafe or unhealthy working conditions.
- B. When a hazard cannot be abated without assistance of the General Service Administration or other Federal lessor agency, the Employer shall act with the lessor agency in its attempts to secure abatement.

In addition to repairing the wall, I would guess that the water source for the mold will have to be located and the filters and duct work for the HVAC system thoroughly cleaned.

If it will not be possible for the employees to remain in the building while that work is done, please make arrangements for them to be given administrative leave or detailed to nearby offices while the Hugo Office is being inspected and cleaned.

If employees are temporarily assigned to nearby offices, employees should be permitted travel time and reimbursed for travel costs.

See:

<http://eis.ba.ssa.gov/afge/2005/MGT%20Ratification%20Article%2008%2004-15-05.doc> which reads in relevant part:

#### **Section 1. Compensation and Travel**

- C. To the maximum extent practicable, time spent in travel status away from an employee's official duty station will be scheduled by the Agency within normal working hours of the traveling employee(s). To this end, the Agency agrees to the maximum extent practicable:
1. whenever possible, schedule events to allow employees to travel during their normal duty hours.
  2. allow an employee to travel on the day preceding and/or after an event when travel on the day of an event would be outside the traveling employee's regular duty hours.

#### **Section 6. Reimbursements**

- A. Management will provide appropriate assistance to employees with travel orders, travel advances, travel authorizations, travel vouchers, and travel arrangements (e.g., Travel Manager).
- B. Management is responsible for insuring that employees are reimbursed timely. In an effort to pay employees timely, the Agency will endeavor to work closely with employees when errors are encountered. It is the employee's responsibility for notifying the travel card contractor when a payment issue occurs. If payment to the employee is not made within 30 days from the submission of the travel voucher to the appropriate agency official or agency employee, interest/penalties shall accrue pursuant to the Prompt Payment Act.
- C. Electronic notification of travel payments will be issued to employees when this feature is available.
- D. In the event that a claim for travel expenses is denied, the Agency will notify the employee timely and identify the basis for denial. Upon request, management will provide a written explanation. In such cases, the Agency will pay non-disputed expenses.

#### **Section 7. Use of Privately Owned Vehicles/Government Furnished Vehicles/Common Carrier**

Bargaining unit employees will not be required to use privately owned vehicles, nor will they suffer any loss of pay, reprisal, or adverse action on account of refusal to use a POV for

Government business, unless such use is made a condition of employment. If the Administration decides to make use of privately owned vehicles a condition of employment, the Employer will notify the Union and meet its obligation to bargain under 5 U.S.C. 71.

- A. Reasonable periods of time spent by a traveling employee during regular duty hours to make emergency repairs to or refueling of vehicles used to conduct government business will be considered duty time.
- B. In situations where a traveling employee is required to pick up or return a government-furnished vehicle from a motor pool, without first checking in and/or out of the permanent duty station, the Administration will schedule the travel assignments so that the traveler may leave home at the same hour he/she would leave to report to the office, and, upon return, so that he/she may arrive home at the same time he/she would ordinarily arrive had he/she worked at the office.
- C. When an employee uses a privately owned vehicle instead of an available government-furnished vehicle (GFV), mileage will be paid at the maximum reduced rate consistent with GSA regulations.
- D. In all other cases, mileage for use of privately owned vehicles (POVs) will be compensated at the maximum rate permitted by GSA.
- E. Requests for the use of POV/Rental Cars will be acted on using current SSA policies in a fair and equitable manner.

#### **Section 9. Protective Assistance and Communications While in Travel Status**

- A. The Administration recognizes that some travel job assignments present a threat to the personal safety of employees. When such circumstances are brought to the attention of the supervisor by employees or the Union, appropriate measures will be taken to assure the safety of the employee. The parties agree to jointly review existing protective procedures from time to time to assure that employees receive the maximum feasible protection from such dangers.
- B. Employees in travel status will be reimbursed \$3.00 per day to make personal calls. Exceptions for additional reimbursement may be granted by the travel authorizing official in cases of emergency.

Please keep me informed!

Thank you!

Ralph de Jullis, President  
AFGE Local 2505