

The Protection Ranger



The Newsletter of the U.S. Park Rangers Lodge, Fraternal Order of Police

Vol. VII • No. 3 • 1996

A Word From the President by Tim W. Woosley

The Executive Board of the U.S. Rangers Lodge of the Fraternal Order of Police decided to send this issue of our newsletter, *The Protection Ranger*, to every commissioned ranger in the Service. We want everyone to know what our FOP Lodge is about and most importantly, what we are doing in support of individual rangers and overall ranger programs. If you are already a member we thank you for your support. If you are not, please take a minute to look through this issue. I think you will agree that the Ranger Lodge is committed to representing the interests of field law enforcement rangers.

We believe that an informed ranger is a more effective ranger. Through our newsletter every two months, we endeavor to bring you timely and pertinent information. Like many of you, I have worked in small parks and in remote areas. Sometimes you get the feeling that you never get any information about what is going on in the rest of the Service and that events are passing you by. *The Protection Ranger* enables you to stay connected, to make you feel like you are still part of the Park Service "family." In many cases, the information that we provide just might help you to resolve a problem that you may be

having. In fact, you may find that your problem is not unique and that it may have been solved already in another park. Pay and retirement are two areas that we focus on in practically every issue. The amount of expertise that our Executive Board has in these areas is incredible. We are recognized as one of the experts in 6(c) within our agency. Many other Federal agencies within the FOP have also asked us to help them with their 6(c) problems. We were also instrumental in helping required occupants get money back on their tax returns and in getting back pay for on-call time.

We firmly believe that the best way to solve problems is through respectful, non-confrontational dialogue.

We are currently working with the Park Service in another critical area that affects all GS-9 Rangers: the Fair Labor Standards Act. The effects of what we believe is a misclassification of Rangers as being "exempt" from the provisions of the act has yet to be fully felt by the field. In a short while this will change. As GS-9 Rangers reach step 3 we will fall under the overtime cap. This means that you will no longer be able to make any more money than a GS-10 step 1. For this, and many other reasons, we believe this to be a critical area. We are willing to work with the Park Service in order to resolve this issue and to avoid having to resort to litigation. We are hopeful they feel the same.

We are also actively working to get WASO to finish and release the new Position Descriptions for seasonal rangers--establishing a GS 5, 7, 9 progression. This

document has been stalled at WASO for almost 2 years now. Also, several members are working to make sure that rangers on Term appointments are not eliminated at the end of their 4 year appointment. We need to pressure WASO to convert these and other seasonal positions to subject to furlough, with full benefits. **Seasonals must not continue to be second class citizens.**

Many people will try to tell you that we are an "us versus them" organization. This is not true. We firmly believe that the best way to solve problems is through respectful, non-confrontational dialogue. We have demonstrated time and again that we are willing to work with the Park Service in resolving the issues which affect rangers. Over the years, the Lodge has worked to get rangers body armor, 6(c) retirement, semi-auto weapons, more favorable treatment of required occupants and many other issues that affect us in our day to day work. In the process of working with WASO and Congress, we feel we have developed a good working relationship with people who make policy. We want to see the Park Service be the best that it can be just as much as everyone else. But neither does that mean we will stand idly by when decisions are made that adversely affect rangers and their families.

Our Lodge also offers help and advice to individual Rangers. Our legal defense committee reviews many cases. Our involvement in an individual's case can run the gamut from writing a letter, to paying for an initial free consultation with our attorneys, to spending literally thousands of dollars fighting your case. Recently the Grand Lodge of the FOP started a Legal Defense Program of its own. This program is available to FOP members **only** and has some pretty comprehensive benefits. It

Inside This Issue :

Good Faith	2
Lead Poisoning & Range Safety	3
US Ranger Alliance	5
Lodge Legal Defense Plan	7
NPS-9	8

offers, among other things, complete legal protection for all civil, criminal, and administrative actions against an officer. We fully support this program and are in the process of signing up as many people as we can.

In its short existence we have built our Lodge into a real force within the national Fraternal Order of Police. Our organizational skills, membership services, and willingness to help other Federal Officers have helped us to become one of the preeminent Federal Lodges. We currently enjoy great support from the National President on down. Earlier this year I had the honor of being appointed by the National President to the FOP National Labor Council (N.L.C.). The purpose of the N.L.C. is to assist Federal Agencies with forming and maintaining collective bargaining units and with labor problems in general. I am also on the Executive Board of the FOP Federal Officers Coalition. We are making great progress in identifying and correcting some glaring inequities for the Veteran's Affairs Police and the Dept. of Energy Federal Agents.. Our Lodge is also assisting Federal Lodge F-1 PA in their efforts to reinvigorate its Lodge and with renegotiating their bargaining contract. We would not have been asked to participate in these areas if we didn't have the confidence and support of the national FOP We will continue to provide as much assistance as possible to our fellow Federal Officers.

Through our chapters within parks, we participate in community activities such as DARE, fingerprint days for children and highway cleanups. We also make funds available to members who experience family emergencies or medical crisis. It's worth noting that the Sequoia Kings chapter just voted to pay for half the Lodge membership dues for interested seasonal rangers in that park.

As you can see we are a very worthwhile and effective organization. We do these things because we care about you and your family and because we care about the Parks that we protect. We wouldn't be able to provide these services if it weren't for a strong membership. There is a direct connection between the success that we have had and the number of members in our Lodge. More members means a stronger

voice and more money that can be made available to support our efforts. We want to be here for all members, permanent and seasonal--to represent your concerns and needs to NPS management and Congress. We want to be available to help when you have questions about pay and overtime; housing; 6(c); the Fair Labor Standards Act and any policy affecting your job and how you accomplish it.

So, won't you please help us strengthen our Lodge by writing out a check today? If you prefer, you can sign up for our direct paycheck withdrawal plan. You will be joining a nationally recognized and respected organization and a Lodge which is dedicated to helping Rangers just like you.

USPP Captain to Flagstaff Executive Board Entry

We are trying to confirm a report that the Intermountain Field Area has made a request to the National Capital Field Area for the placement of another USPP Captain into the Intermountain Field Area with the Captain to be stationed in Flagstaff, Arizona. If we confirm this report, be assured that we will advise WASO that we do not support this placement. Once again, without a collective bargaining agreement, the NPS does not have to consult with us on such placements. If anyone can confirm this report, please call our 800 number.

We suggest that qualified Law Enforcement Specialists, Special Agents and Criminal Investigators, that would be interested in this position, consider informing your supervisor of your interest with the hope that the supervisor will communicate your interest to the folks that have the authority to staff this position.

If the NPS does create this position in Flagstaff, and the job is announced, we will try to obtain details on the vacancy announcement so that you may apply.

CSRS 6(c) Update

by Dan Kirschner

The NPS's authority to grant 6(c) maximum entry age exceptions, to permit law enforcement rangers over the age of 37 to enter 6(c) designated positions, expires on July 10, 1996. Parks needing an entry age exception MUST submit their request to Ranger Careers Manager Bill Sanders BEFORE July 10, 1996. Bill works in Ranger Activities in WASO.

We have been advised that some parks are trying to force law enforcement rangers to retire at age 57, even when the employee never filed a 6(c) past coverage claim. We have advised WASO that Parks should assist these rangers with filing a 6(c) claim prior to any forced retirement. (Regulations appear to allow agencies to file 6(c) past coverage claims.)

Remember, if Ranger Careers resulted in your placement into a 6(c) position, the agency must allow you to qualify for 6(c) retirement (work 20 qualifying years). We are hoping that the NPS will choose to file 6(c) past coverage claims for those rangers that over 57, and who did not file a 6(c) claim, versus "making" them work beyond age 57.

Armitage Back Pay

by Dan Kirschner

Do you regularly work on Sundays? Do you sometimes take annual leave or sick leave on Sundays? Did you know that if you answered yes to question

one, that the government is required to pay you Sunday Differential when you take Annual or Sick Leave on Sundays if your normal lieu days are other than Sunday?

The ARMITAGE Decision (04/12/93) resulted in OPM issuing regulations that direct agencies to pay Sunday Differential to employees who take annual or sick leave on Sundays (when Sunday is a normally scheduled work day). Check with your time keeper to make sure this is being done. See FPM Letter 550-79 dated 08/20/93.

On 07/07/94, OPM issued Provisional Notice 550-86 which explains back pay related to the ARMITAGE Decision. Individual employees, or their representative, must file written claims for back pay in order to receive back pay and interest. Once the back pay claim has been filed, agencies are obligated to pay employees back pay and interest. See 5 U.S.C. 5596 and 5 CFR part 550 (subpart H). Employees are entitled to claim back six years from the date their claim is made.

Bottom line here is, check to make sure you are being properly compensated for Sunday work. If you are not, file a claim with your Superintendent. Your claim need not be anything fancy, in fact, one or two paragraphs will do fine.

Example: I request any back pay and interest due to me under the Armitage decision. I understand I will be paid Sunday premium back pay, and interest, to which I am entitled for periods of paid leave I took on Sundays for the six year period prior to the date of this claim. We suggest you mail your claim certified with a return receipt or personally have your claim date stamped (as received, and make a copy) by your park's personnel office.

Some rangers have received back pay checks for over a thousand dollars!

Housing Rental Cap Lifted

by Dan Kirschner

The Interior Appropriations Bill was passed without the rental rate cap. The lifting of the cap has meant that rental rates will now be tied to the rental rates found in the community surrounding, or close to, the park. Since many parks are surrounded by resort communities, rental rates can be higher in one park, even for the same type of house found in another park.

As a result of the cap being lifted, we have heard of rental rates that will rise almost 50%. One Hawaii ranger was advised that his rent was going from \$810 per month to \$1150 per month.

The failure to include the rental rate cap will result in financial hardship for many rangers. We have discussed the rental cap issue with ANPR and we are now in the process of gathering information on the adverse impacts of the lifting of the cap.

AS SOON AS POSSIBLE, PLEASE CALL THE LODGE, and/or ANPR, IF YOUR RENT HAS INCREASED SIGNIFICANTLY, OR IF YOU KNOW OF ANOTHER RANGER WHO HAS SUFFERED A LARGE RENTAL RATE INCREASE AS A RESULT OF THE CAP BEING LIFTED. Because the rental rate increase impacts all rangers living in government quarters we are working with ANPR to address this issue.

As a result of the cap being lifted, many rangers are seeking release from required occupancy. Please call the Lodge if you are having a problem with being released from required occupancy.

We would like to see the cap reinstated along with a review of the

entire rental rate system. Substandard housing and high rental rates are problems we have endured for years. Collective bargaining may, or may not, work on this issue, but it is certainly worth a try.

Lead Poisoning: A Firearms Safety Hazard

By Amelia Newberry Martinez

(Ed. Note: We originally ran this article from the FBI Law Enforcement Bulletin, August 1993, in the newsletter several years ago. With summer range qualifications happening, we feel it important enough to repeat.)

The U.S. Environmental Protection Agency (EPA) classifies lead as a highly toxic heavy metal with no beneficial biological use in the body. When a person inhales or ingests lead, it is absorbed into the bloodstream. Once in the body, it becomes very difficult to remove. Continual exposure results in the accumulation of lead in the body, and measurable amounts of lead indicate cumulative exposure over a lifetime.

The EPA has determined that lead poses a serious health hazard to everyone. Unfortunately, individuals working with and around firearms often overlook the harmful effects of lead. Therefore, firearms range personnel must take precautions to control all unnecessary exposure to this toxic element. For firearms range personnel, knowing the hazards of lead is a primary responsibility; taking the necessary precautions to minimize exposure is a duty.

Effects of Lead on the Body

Approximately 6 percent of all lead ingested or inhaled is deposited in the blood or soft body tissues, such as the kidneys, brain, or other vital organs. The remaining 94 percent is deposited in bone. Because the body mistakes lead for calcium, it presumes that, once deposited, the lead needs to be stored.

The body does, however, break down lead

so that it can be removed. The time required for this process is measured by the term "half-life," which means the amount of time the body needs to excrete one-half of the lead dose.

Lead in the bloodstream and in soft body tissue has a half-life of approximately 30-40 days and is excreted through urine, bile, sweat, hair, and nails. However, lead deposited in bone has a half-life of approximately 20 years. That is, one-half of the lead dosage absorbed by the body through only one exposure and deposited in the bone would still be present after 20 years.

Health Concerns

For decades, the presence of lead in the environment has been widespread, beginning with smelting factories and continuing with the manufacture of glazed pottery, batteries, and leaded gasoline. Only recently has it been acknowledged as a serious threat to public health that warranted government control.

In 1971, the EPA began enforcing the Lead Based Paint Poisoning Prevention Act, which restricts the amount of lead used in paints. Seven years later, the agency set the National Ambient Air Quality Standards, which served as the primary mechanism to reduce lead in gasoline. However, even with these standards and other controls, the residue of lead in food, water, and dirt can elevate the lead level in a person's blood.

Firearms and Exposure to Lead

The exposure to lead on the firing line occurs as soon as the shooter pulls the trigger and the hammer falls. This action causes the primer of the cartridge in the chamber to explode, which ignites the main powder charge. At this point, a breathable cloud of lead particles is expelled into the air, with lead dust spraying the shooter's hands.

Lead particles also shear off as the bullet travels through the barrel. When the bullet leaves the barrel, a second cloud of contaminants, in the form of the muzzle blast, bursts into the air. Then, as the bullet strikes the impact area, another contaminated cloud rises.

When shooters inhale these clouds of contaminants, lead particles go directly into their lungs and are quickly absorbed into the bloodstream. The blood then transfers the lead to soft body tissue and bone. Heat from smoking, sweating, or physical activity accelerates this process.

Lead can also settle on the skin and hair, and in turn, be absorbed through the pores of the skin. If lead particles reach the mouth, they can be ingested into the digestive system.

Exposure increases at cleanup time, because handling empty casings can result in lead being transferred to the skin. The cleaning process also removes much of the remaining lead in the barrel and transfers it to the cleaner's hands. Oils and solvents used to clean and lubricate weapons cause the natural oils in the skin to evaporate, leaving dry skin and open pores through which the lead can pass.

Symptoms of Lead Poisoning

The numerous symptoms of lead poisoning mimic various diseases, often making diagnosis difficult. Most commonly, individuals experience abdominal pain, fatigue, nausea, subtle mood changes, headaches, constipation, irritability, and depression. Muscle pain, muscle weakness, weight loss, impotence, convulsions, anemia, and renal failure may also occur with increased lead levels in the body.

Testing for Lead

Testing for lead can be performed in several ways. The blood lead level (BLL) test detects recent exposure to lead but does not provide information regarding long-term or past exposure. The BLL measures the quantity of lead in micrograms per deciliter of blood, written as ug/100 dL, that is, micrograms of lead per 100 deciliters of blood.²

The Occupational Safety and Health Administration (OSHA) standards state that the median blood levels for adults should be about 15 ug/100 dL; children and pregnant women should have blood levels below 10 ug/100 dL. For reproductive health, the blood level should stay below 30 ug/100 dL. OSHA recommends removal from the workplace of any employee whose BLL

measures 40 ug/100 dL or higher.

The zinc protoporphyrin (ZPP) test can be performed in conjunction with the BLL to determine longer exposure. Lead interferes with the absorption of iron into the blood, which is needed to transport oxygen, thereby allowing zinc to replace the iron. The ZPP measures the amount of zinc in the blood, which remains elevated longer than the BLL. The normal range for the ZPP is 0-100 ug/100 dL. An elevated ZPP indicates concentration in the bone marrow.

The only effective test used for bone lead levels is the disodium edetate (EDTA) chelating agent test. EDTA, a solution administered intravenously, bonds with the lead in bone and clears it from body compartments so that it is excreted through the urine. EDTA both tests and treats an individual, but medical personnel use it only in extreme cases of lead poisoning because of potentially harmful side effects.

Special Risks

In males, high levels of lead can decrease the sex drive and cause sterility. Lead can also alter the structure of sperm cells, thereby causing birth defects.

Pregnant women are vulnerable to rapid absorption of lead, along with calcium, from the blood into the bone. This mobilization occurs due to hormonal changes caused by pregnancy. In pregnant women, lead passes unimpeded through the placenta to the fetus, potentially causing miscarriages of the fetus and birth defects.

Children are more vulnerable to lead toxicity than adults. Children exposed to lead may manifest slow learning, mental drifts, slight retardation in development, hypertension, and behavioral problems, while excessive blood lead levels can seriously and irreversibly damage a child's brain and nervous system. Because the symptoms mirror those of various childhood diseases, many doctors do not test for lead.

Precautions on the Range

Precautions can be taken both on and off the range to protect shooters, instructors, and their families from lead poisoning. Administrative controls and good hygiene

are two necessary tools. In addition, all shooters and instructors should practice the following "do's and don'ts" of range safety.

Don't smoke on the range. Smoking any type of tobacco products on the range should be prohibited to prevent acceleration of inhaled lead into the blood stream and ingestion of lead transferred from hands to the cigarette, cigar, etc.

Don't eat on the range. Lead dust on hands and face can be ingested through contact with food. Airborne lead expelled from the weapon can also contaminate food.

Don't collect fired brass in baseball caps. Many shooters use their baseball caps to collect spent brass; this contaminates the cap with lead particles. When the cap is placed back on the head, the lead is deposited into the hair and absorbed into the skin. Providing boxes for the brass prevents this practice.

Do be aware that face, arms, and hands are covered with lead. Shooters and instructors should wash thoroughly with cold water and plenty of soap. Cold water is preferred because warm water enhances the absorption of lead by opening the pores of the skin. If no water is available, shooters should consider carrying a box of wet handwipes or a bottle of cool water and a washcloth for this purpose.

Do be aware that hair and clothes are still contaminated. Shooters and firearms instructors should wear an outer garment, such as a jumpsuit or coveralls, or change clothes before going home. Contaminated clothes should not be cleaned by blowing, shaking, or other means that disperse lead into the air. To prevent cross-contamination, range clothes should be washed separately from the family's regular laundry. Families with infants should be particularly careful, since infants are most vulnerable to lead contamination. Changing to clean clothing before leaving the range prevents recontamination of the hands and any contamination of the family vehicle.

Do change shoes before entering residence. Shoes can also transport lead into the home. Shoes should be left at the door to prevent tracking lead onto floors and carpets. As an alternative, disposable shoe coverlets can be

used while firing and cleaning, then discarded when leaving the range. Ordinary vacuuming does not remove lead from the home, but redistributes it by blowing it into the air to be inhaled and/or resettled onto the carpet.

Do avoid physical contact with family members until after a shower, shampoo, and change of clothes. Lead can be transferred by casual contact. Family and friends should not be hugged or kissed until after a shower and a change of clothes. Any physical contact should be avoided while the shooter is still in range clothing.

Do participate in lead safety training programs. Shooters and instructors should attend all training programs provided by the department or agency to ensure awareness of the hazards of lead.

Indoor Ranges

Most indoor ranges have a greater lead dust problem than outdoor ranges. However, range personnel can institute several controls to lower the amount of lead dust in these facilities.

The choice of ammunition is one such control. Nonjacketed ammunition produces the most lead dust and fumes; jacketed ammunition, the least. Shotgun shells produce more airborne lead dust than any handgun round. Currently, many ammunition manufacturers are trying to develop lead-free ammunition.

Indoor ranges should not be carpeted, since lead dust settles and contaminates the rugs. A high-efficiency particulate (HEPA) vacuum, which has a 3-stage particulate air filter, is the best air vacuum to use for lead.

Because water cannot be treated for lead contamination, personnel should use water sparingly to remove lead when cleaning ranges. If water is used for lead removal, minimizing the amount of water used will result in less pollution. Range maintenance employees should wear disposable coveralls and air purifying masks while cleaning and/or repairing indoor ranges.

Recommendations

Departments should conform to OSHA's

lead standards, which became law in 1978. The air supply to ranges should be monitored for lead, and employees should be informed of the results. Medical monitoring, such as BLL testing of employees, should be conducted and funded by the department or agency. In addition, air purifying masks should be provided to employees who request them.

Washrooms and/or showers should be provided to ensure proper cleanup, and eating areas must be separate from lead-contaminated areas. A lead abatement training program should be instituted for all employees who may be exposed to lead.

Departments should place warning signs on the range and weapon cleaning areas that read: "Warning, lead work area--poison, no smoking or eating." In the gun cleaning area, an additional sign should be placed stating: "Wash hands with cold soapy water."

Conclusion

During the early years of firearms training, neither eye protection nor ear protection was provided or encouraged on the range. Today, most departments now require both types of protection on the line.

Currently, another health hazard--lead poisoning--threatens the physical well-being of shooters and instructors in firearms ranges. However, through administrative controls and education, departments can reduce the on-the-job exposure of employees and their families to lead.

Firearms training helps to keep officers safe while performing their duties. Now the time has come for departments to ensure officer safety from a serious health hazard during this training!

References

- (1) U. S. Environmental Protection Agency, Strategy for Reducing Lead Exposures, February 21, 1991.
- (2) One microgram is one millionth of a gram, and one deciliter equals 100 milliliters.
- (3) Occupational Safety and Health Administration Standards: Occupational exposure to lead. chap. XVII, title 29, U. S. Department of Labor, sect. 1910.1025.

**The United States Ranger
Alliance:
Protecting Those Who Protect
Our Natural Heritage**
By Tim W. Woosley, Interim
President United States Ranger
Alliance

Dear Fellow Rangers:

Please allow me to take a minute of your time to inform you of some important events occurring within the Park Service that directly affects you. As you may or may not know, we recently concluded our "show of interest vote." This was, in essence, a straw poll to determine whether or not at least 30% of all commissioned persons within the Park Service would support forming a collective bargaining unit (labor union). The response we received was well over the minimum of 30%. Upon conclusion of the vote a petition was submitted to the Federal Labor Relations Authority (FLRA). The petition is a formal request asking them to review the show of interest vote and other information and to then grant "exclusive recognition" to the United States Ranger Alliance for the purposes of collective bargaining. Your park should have a copy of the notification that this petition has been submitted posted in a conspicuous place.

All non-supervisory, permanent, seasonal, and term commissioned Rangers, Criminal Investigators, Special Agents and Jailers were eligible to vote in the show of interest and are eligible to join the bargaining unit as an active member. We made every effort to get the word out about the show of interest vote to as many people as possible. We apologize if anyone was left out. For this reason we are sending this issue of *The Protection Ranger* to every commissioned person in the Service. We want everyone to know what is going on because, ultimately, it is you who will be deciding whether or not the collective bargaining unit succeeds or fails. Also, please understand that the union is NOT officially affiliated with the Fraternal Order Of Police. We will, however, maintain professional ties to this worthy organization. Our FOP Lodge will also remain in existence as a forum for those

who cannot or do not wish to be in the bargaining unit.

There are a certain number of parks who already have bargaining units in them. We are also addressing this through another process. For those of you in parks with current representation we can petition to "carve you out." This process must be done within a specific time window. Someone at your park will be contacted when this window opens. We will explain what is needed in order for this process to work.

After the United States Ranger Alliance has been granted exclusive recognition by the FLRA, a secret ballot vote will be conducted. This is where people vote to actually be in the bargaining unit. We must have 50% plus one (1) votes from the people listed above in order for the bargaining unit to stand. This translates into roughly 500 people nationwide. You DO NOT have to be a member of the U.S. Park Ranger Lodge to vote. Our law firm has advised us that the time period from when the petition was submitted to when an actual vote is taken could be anywhere from six months to two years. The time frame will largely depend on how many challenges there are to the information contained in the petition. We are hopeful that the Park Service will not challenge the appropriateness of our unit or anything else in the petition. If they do, then hearings will be conducted by the Federal Labor Relations Board. They will rule on any challenges based on existing labor case law.

After all challenges have been disposed of and the vote has been taken, then persons who have elected to join the union will begin paying dues. If you wish, dues can be automatically deducted from your paycheck using the standard government form. Our initial dues will be \$7.00 per pay period. This amount is comparable to other unions of similar size. Many people are concerned about what kind of benefits they will be receiving. For this modest sum we will be able to do many things. First and foremost, we will be able to develop and implement the first national labor/management contract created exclusively for Rangers in the history of the Park Service. The contract will ensure that you receive protection and fair treatment in areas such as: Equipment Issuance and Replacement, Hours of Work,

Tours of Duty, Fair Labor Standards Act provisions dealing with overtime and compensatory time, E.E.O. Complaints, Americans with Disabilities Act provisions, and RIF's.

In addition, the contract will entitle you to legal representation under such circumstances as: Boards of Review/Inquiry for accidents, incidents arising from law enforcement and emergency operations, and accusations of wrongdoing while acting under color of law. In certain circumstances legal representation will be afforded to you for civil suits or non-duty related incidents.

I think that you will agree that seven dollars a pay period is a small price to pay for this type of comprehensive personal and career protection. We understand that for some people \$7.00 a pay period is a pretty good chunk of money. For this reason we are dedicated to reducing this amount over time. Through prudent and careful investments we will be able to, in the future, reduce the amount of dues that you will have to pay. Our goal is to, one day, be in a position whereby all legal representation can be offered to active members AT NO COST. Obviously the more members that we have the quicker this can be accomplished.

I know that there is a lot of misinformation and misperceptions being circulated out there about unions. Do not listen to those who would tell you that a union will cause the Park Service, and the resources entrusted to it, to be irreparably damaged. This will not happen. Why? The union will be run by, and for, rangers. The active members will determine who is on the executive board, what issues the union will address, and most importantly, how they will be addressed. We have every intention of maintaining the already excellent rapport that we have developed with the Park Service through our FOP Lodge. We will strive to utilize all means at our disposal to solve problems so that all may benefit.

This will not be a demanding or confrontational union because none of us want it that way. Lodge officers, members and I have spent countless hours writing articles, collecting and disseminating information, organizing the show of interest vote, and consulting with our lawyers. It has been worth it. When I made the decision to

run for Lodge President and to spearhead collective bargaining I knew full well that these things could have a negative effect on my career and personal life. I did them anyway because I firmly believe that what we are doing is right. Many of your fellow Rangers also feel this way. Believe me when I tell you that I would not be involved in this project if I felt that it would compromise, in any way, the relationship between the field and the Park Service or that forming a bargaining unit would negatively impact our ability to perform resource protection and visitor services.

The Park Service has had, so far, only minimal success at protecting its employees. It has not been entirely their fault either. Politics is politics and sometimes decisions are made at higher levels which must be followed. We understand that. However, we will not stand idly by when decisions are made that negatively impact Rangers and their families, regardless of where they originate. We believe that the only way to ensure that the commissioned employees of the Park Service are treated as fairly and equitably as possible is through collective bargaining and with a national contract. These things will ensure that OUR needs and concerns are addressed throughout the process, not as an afterthought. We must protect ourselves!

We need your support for this to work. Please keep this article in a handy place so that you can reference it. When it is time to vote-VOTE YES. You owe it to yourself and to your fellow Rangers. As always I am more than happy to answer any questions that you may have. Feel free to call the 800 number, whether you are a lodge member or not, if you need any more information. We will send you a more comprehensive article entitled "A Place At The Table" which further discusses the benefits of collective bargaining and a national contract.

Grand Lodge Legal Defense Plan In Place Available to Lodge Members Only!

The Lodge has arranged to offer the Grand Lodge's Legal Defense Plan to our members. At the request of some of our members we have set it up to allow the maximum payment flexibility possible.

The yearly Plan cost is \$132 (group membership)--a savings over the \$150 individual rate. In order to offer the group rate we must have at least 50 members sign up through the Lodge. There will be two methods of payment. You can send the full amount (\$132) payable to the Lodge or, for the budget minded, we will extend the offer of spreading it out through the year by putting it on a payroll deduction (\$5.08/pay period) to the Lodge. The second method will mean the Lodge will be advancing your fee to the Legal Defense Plan, so you will have to agree to keeping the payroll deduction active throughout the time you're a Plan member.

If you already have a payroll deduction for Lodge membership, you can initiate a change in the amount to include the Legal Defense Plan. For those starting a payroll deduction for the Legal Defense Plan, we recommend combining it with your membership dues so you can avoid having to renew each year.

The Plan offers the following benefits:

Plan Structure:

The Plan will pay on behalf of a Participant such legal defense costs as are reasonable and necessary which the Participant is legally obligated to pay for the defense of any action brought against the Participant arising out of the following activities:

Coverage A- Administrative

- ◆ Any administrative action or proceeding involving: Salary, dismissal, change of assignment, demotion, promotion, leave of absence, resignation or other professional rights arising within scope of the Participant's employment.

- ◆ The issuance, suspension, cancellation or revocation of any credential, certification or license issued by federal, state or local authorities, where the credential is required for LE personnel.
- ◆ Administrative sanctions against a Participant by any law enforcement authority related to or arising from a Participant's employment as a peace officer.
- ◆ Includes immediate legal response for critical incidents.

Coverage B- Civil

- ◆ Any civil action or proceeding against a Participant arising out of the activities of that Participant in the course and scope of employment, as a peace officer.

Coverage C- Criminal

- ◆ Any criminal action or proceeding against a Participant arising out of the activities of that Participant in the course and scope of employment, as a peace officer.

The phrase "in the course and scope of employment, as a peace officer" includes activities of a Participant while on duty or technically off duty.

Legal Plan Pays:

Legal fees for coverages A, B, and C (including advice and consultation for grand jury hearings) are fully paid when using a Plan attorney. When a Plan attorney is used, there is no deductible. Reimbursable costs* are paid by the Plan up to a maximum as expressed in the Plan certificate of participation.

If the Participant uses a non-plan attorney, a \$250 deductible applies, and the Plan pays legal fees up to the amounts shown below.

Coverage A: Administrative; Initial Consultation and Hearing/\$9,000.

Coverage B: Civil; Pleading, Preparation and Trial/\$19,000.

Coverage C: Criminal; Pleading, Preparation and Trial/\$19,000. Advice and Consultation for Grand Jury Hearing /\$2,500.

Under Coverage B and C: Trial costs limited to \$700/day; Reimbursable costs are limited to \$1,000.

**Reimbursable costs, whenever used, shall mean filing fees, court costs and transcript costs.*

Brother Macri has a list of all Plan attorneys throughout the country. He will provide you with the name of the attorney nearest your location. If none is available, you will have to provide us with the name of one you recommend so that the Plan administrator can negotiate hourly rates and qualify him/her as a Plan attorney. Of course you can use your own attorney subject to the above limitations. It is to the advantage of all if the attorney will sign up as a Plan attorney.

NOTE: For a prospectus, send a self addressed stamped envelope to the Legal Defense Plan committee chair: Tony Macri, P.O. Box 97, Valley Forge, PA. 19481.

TO ENROLL: Send the following to Tony Macri at the above address:

Lump Sum Payment: Send your full name, Social Security Number, Home Address, City, State, Zip, DOB, and Years of Service in LE. Include a Check or Money Order for \$132 in the name of US Park Rangers Lodge, FOP, along with a self addressed stamped envelope. You will receive a prospectus and notification of when the Plan is in effect.

Installment Plan: Send your full name, Social Security Number, Home Address, City, State, Zip, DOB, and Years of Service in LE. Include a signed Form 1199: Direct Deposit Sign-Up Form, use the directions shown on the last page of *The Protection Ranger* showing the amount of \$5.08, if for Legal Defense Plan only (note Legal Defense Plan in "Other" block), or \$7.08 if for dues and Legal Defense Plan combined (note Legal Defense Plan/FOP dues in "Other" block), along with a self addressed stamped envelope. You will receive a prospectus and notification of when the Plan is in effect.

NPS-9: Executive Board Responds to Member's Questions

by the Executive Board: Dan Kirschner,
Tim Woosley, Ed Clark, Randall
Kendrick and George Durkee

(Editor's note: this is a response to Hugh Dougher's questions on why the Lodge Board supports the Draft NPS 9 now circulating. This article was received too late to include in the May issue of **The Protection Ranger**.)

The Lodge Executive Board supported NPS-9 because it had many more good points than bad points and will serve the interests of the field ranger. We didn't agree with everything, but we were able to provide input, like everyone else, on the re-write. The Ranger Lodge did request that we be allowed to be involved in the re-write process, but we were denied. As described below, we took issue with several items contained in the draft but we also supported many more. It is easy to be critical, even Ranger Dougher fails to mention the good points contained in the new NPS-9, but the important thing is to get involved in the process and we appreciate his comments.

Here is a quick run-down of some of the more important issues and our reasons for agreeing or disagreeing with Ranger Dougher:

We agree with his assessment that NPS-9 may be part of the cause for the elimination of the seasonal law enforcement appointment in the NPS. We are saddened that Seasonal Appointments may end because it would mean the end of the traditional "seasonal intake/screening" system that has existed. And, the end of the seasonal law enforcement appointment will mean that many very talented and valuable people will probably leave the NPS.

But, has the NPS treated seasonals fairly--or would they be better served if they were subject-to-furlough appointees? The Executive Board fully supports, and continues to aggressively pursue, granting seasonals permanent status so they can apply for permanent positions. We also maintain

that the NPS has abused the seasonal appointment system and that what the NPS calls a seasonal should really be a subject-to-furlough position in which the employee has full benefits!

So, we agree that NPS-9 draft will make it more difficult for the Service to hire seasonal law enforcement positions. Ranger Dougher implies this is bad. We think the advantages outweigh the possible harm because it will pressure the NPS to re-think seasonal law enforcement appointments. The NPS has abused, and continues to abuse, the seasonal appointment process and seasonal employees themselves. Even now, seasonals still don't get benefits, equal pay, or access to the same PPE (Sig Semi-autos) as permanent law enforcement rangers. The time has long since passed for having a lower "class" of law enforcement employee.

We agree with Ranger Dougher that the NPS-9 draft was calling for rangers to be placed in the law enforcement specialist positions now occupied by USPP officers. We think this is a good idea. The USPP officers did a fine job in these positions. But their role was always seen as temporary until enough rangers gained the required KSA's to occupy these positions. We think rangers should be managing ranger law enforcement programs. Should we limit law enforcement ranger career advancement opportunities?

We agree that there was an attempt to consolidate control of the NPS law enforcement program into the WASO-RAD-SAC office. We also think this a good idea. While Ranger Dougher cites the example that we shouldn't be telling parks what types of equipment need to be in patrol vehicles, we constantly hear from field rangers about managers who prohibit carrying shotguns in patrol vehicles! It might seem extreme to tell managers what needs to be in a patrol vehicle, but there are managers out there who just don't know what law enforcement entails. This problem stems from having managers with limited or no field law enforcement knowledge--mismanaging law enforcement programs. Don't misunderstand: there are some non-law enforcement managers out there who do a great job of managing law enforcement. They listen to their subject matter experts and make good decisions. Unfortunately, there are also some managers

who have never attended a course on how to manage the law enforcement function! One final note on this subject: take a look in the current DM446 (Interior's Departmental Law Enforcement Manual) and you will find a listing of items that should be carried in patrol vehicles.

The Departmental Manual on law enforcement (DM446) requires an agency designated senior law enforcement officer/official (WASO-RAD-SAC). The draft NPS-9 was complying with this requirement. The reality here is that some managers desire less central control, but the Department wants more central control for law enforcement.

Ranger Dougher says the draft NPS-9 was not in conformance with the recent reinvention (reorganization) of the NPS. To a certain extent this is correct, but this wasn't necessarily wrong or bad. Not everyone, or every organization, agreed the latest NPS reorganization was done correctly. The Director can't delegate accountability--which the new organization seems to propose. Didn't one of the primary consulting organizations (Kennedy School of Government) withhold their endorsement of

the NPS re-organization plan because the plan has several significant flaws?

Just recently, the U. S. Forest Service centralized their law enforcement program. And there are other federal agencies looking at line authority for their law enforcement operations. Some things, such as law enforcement, do better with national control. The Executive Board sees the NPS as a NATIONAL organization, not seven field areas, or 20+ SSO's, and we support centralized law enforcement control.

The Executive Board (and the members at large who submitted comments to us) took issue with the draft NPS-9 on several topics. We questioned the extensive ethics sections; we requested a non-lethal use of force continuum; we requested an officer involved shooting chapter; we proposed some changes to the Board of Review/Inquiry sections (ranger rights); we expressed our concern with the listing of the journey grade for rangers at GS-09. (Note: we were especially concerned with the idea that Protection Rangers were being "held" at grade 09. Most other federal law enforcement officers go to grades 12/13 in non-supervisory positions.)

Contrary to Ranger Dougher's comment that the FOP seems to have no interest or desire for involvement in the revision of NPS-9, we (FOP Ranger Lodge #60) did request that a FOP member be on the NPS-9 rewrite committee. Our request was denied by WASO. (This is one of the reasons we are moving toward collective bargaining.) We also did our best to work with WASO on being involved from the ground level but, as noted, we were denied a place at the table.

Most important, and contrary to Ranger Dougher's assertion, we did solicit comments from the field before submitting our NPS-9 comments. We received comments in writing, by phone and in informal conversation with members. In the end, we tried to do our best to represent the membership's concerns on the Draft. Sure, the document had some problems but the new document will better serve the interests of the National Park Ranger. The Executive Board emphasizes that the purpose of the U.S. Ranger Alliance will be to protect the interests of Park Rangers. We hope all members will call our 800 number or write us with comments on policy and issues. We can't fairly represent the membership unless we hear from you.

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Commitment to Law Enforcement

Goodies From the Lodge

We are proud to announce the first items of our Lodge merchandise. Initially the profits from the sale of these items will be used to expand our offerings and offset Lodge legal fees. It is our aim to eventually be able reduce membership dues while offering expanded services through this and other fund raising projects. Towards this end we will be setting up an investment account, the principal of which will remain untouched, such that the dividends/interest can be used for Lodge operations.

Coffee Mug **Item #1**
10 1/2 oz. Lt. Grey ceramic mug with Green, US Park Rangers Lodge Logo (see logo on masthead) \$5.00

Drink Can Holder **Item #2**
Dark Green, barrel shaped can holder with Gold Ink, US Park Rangers Lodge Logo. Fits standard 12-ounce cans, and is made of tear proof Tuffoam® insulation from Coleman® \$5.00

Add \$5.50 shipping on orders under \$50. VA residents add 4.5% sales tax. Send your orders to the Lodge Address.

Lodge Dues and E-Z Pay Plan

Lodge dues are \$52/year (just \$2/pay period using Direct Deposit). To make it easier for you to pay and the Lodge to collect, we hope you'll fill out a Form 1199: the **Direct Deposit Sign-Up Form**, available from your park's fiscal office.

You are only allowed 2 such allotments from your paycheck, so if you have that many already, you'll have to send us a check for the full amount. Otherwise fill out the Form 1199 as follows:

Section 1:

Block C: Write in your Social Security number.

Block D: Check the **Checking** box.

Block E: 090220704401

Block F: Check **Other** FOP Dues

Block G: Type: New Amount: \$2.00

Section 2:

Agency Name USDI-National Park Service

Agency Address Your Park's HQ Address

Section 3:

Name and Address of Financial Institution:

Patrick Henry National Bank
POB 1776
Bassett, VA 24055

Routing Number
0514-0395-7

Sign with your name and Date (Section 1) then send to the Lodge at POB 151, Fancy Gap, VA 24328. We'll have our bank sign it and then we will send it to NPS payroll. We realize this is, initially, a little more complicated. Ultimately though, it makes your dues paying a little more painless and our cash flow a lot steadier. We hope you'll choose this option.

Your dues cover a legal assistance fund available to all members. Members of the Lodge will automatically be entitled to initial and free legal advice from Passman and Kaplan for Service related problems. The Lodge may cover additional legal services for a member. Your dues are used extensively to cover legal expenses involved in questions or challenges to LE retirement cases of national importance, LE Backpay claims, FLSA coverage and overtime disputes, as well as individual assistance to members in need. Thank you for maintaining your membership in the US Park Rangers Lodge.

U.S. Park Rangers Lodge
Fraternal Order of Police
POB 151
Fancy Gap, VA 24328

SPECIAL ISSUE TO ALL LAW ENFORCEMENT RANGERS

Lodge Members: Please check the Renewal Date on your address sticker and renew if necessary. Get Form 1199, Direct Deposit, from your Fiscal Office and pay your dues in easy installments of only \$2/pay period. Thank You!

Lodge Phone: 800-407-8295
10 AM to 10 PM Eastern Time

Application for Membership

I, the undersigned, a full-time regularly employed law enforcement officer, do hereby make application for active membership in the U.S. Park Rangers Lodge, FOP. If my membership should be revoked or discontinued for any cause other than retirement while in good standing, I do hereby agree to return to the Lodge my membership card and other material bearing the FOP emblem.

Name: _____

Signature: _____

Address: _____

City: _____

State: _____ ZIP: _____

DOB (required): _____

Permanent Rangers: \$52/year (or \$2/pay period using Form 1199 Payroll Deduction).

Seasonals: \$35/year.

Both seasonal and permanent members are entitled to coverage from our Legal Assistance Fund for Service related problems.

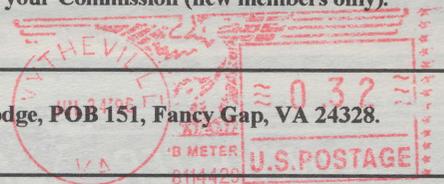
Associate (non-Commissioned) Membership (newsletter only): \$35/year.

Renewal

Enclose a copy of your Commission (new members only).

NPS Area: _____

Mail To: FOP Lodge, POB 151, Fancy Gap, VA 24328.



97