

The Protection Ranger

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

Vol. XV • No. 6 • 2005



President's Message

By Greg Johnston

I hope that everyone is having a safe and happy holiday season. This time of year it becomes important to take care of yourselves physically, mentally, and fiscally. The strain of work, the holiday preparations, and covering shifts while people are on leave are only a few of the things that we have to deal with during these few hectic months. Luckily for some, this time of year will hopefully see reduced visitation and relieve the burden some.

One of the more recent issues to pop up is in regard to the FTEP program and proper compensation for the FTRs. The FTEP has become and will continue to be the future of the NPS law enforcement program. Not only will it produce more qualified and professional Law Enforcement Officers, it will be the change agent that will influence a gradual change of attitudes in the divisions. The Lodge has been a supporter of the FTEP program and has encouraged the NPS to develop it for years.

Recently the NPS requested an audit of the Field Training Ranger and Field Training Lead position descriptions. The result was that a GS-11 FTL position description was created and the GS-9 level was deemed adequate for compensating the FTRs. FLETC has also adjusted the AUO compensation rates to give FTRs 25% AUO during the phases while a trainee is in-park and 25% AUO for the FTLs when a trainee is in-park. A FTR not on rotation with a trainee will not be on AUO. I have voiced the Lodge's disappointment in the decision to maintain a GS-9 FTR position description and to scale back the AUO program.

The justification for these changes were program costs and that a large number of FTRs were not meeting the AUO standards by both not working the minimum hours as required by policy and the that hours were not in support of the FTEP program. While I cannot confirm or deny the validity of these justifications with the information available to me, the issues regarding adequate compensation for FTRs goes beyond AUO.

From the beginning of the FTEP, the NPS has intermingled two distinct methods of compensation in the program. AUO was initially dangled to recruit and entice Rangers to apply and participate in the program and it was obvious that this was the most

expedient method to bring the program to fruition. The other enticement was the potential for the position description to be updated to enhance the grade of the position.

AUO is a form of premium pay to compensate employees for hours actually worked beyond a normal workweek or outside normal working hours, whereas an increase in pay grade would compensate employees for an increased level work complexity, responsibility, and liability. Most departments with

MEMBERSHIP RENEWALS

At year's end many of the members are called upon to renew their memberships. The Lodge sends out a renewal notice and a stamped return envelope. It would save the Lodge money if you would check the due dates on your mailing label and send your dues in without being reminded. Dues are \$60 for active members and the dues are not going to change in the foreseeable future. Seasonals and retirees pay \$40. Thanks!

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organized FTO programs usually offer increased salary during training phases or use corporals or sergeant pay for FTOs and are paid regular overtime. Our pay grade system probably could not accommodate temporary promotions to GS-10 or GS-11 to mimic this type of system.

The best and most appropriate way to compensate FTRs and FTLs would be to increase pay grade and keep AUO within regulation. The roles of the FTR are beyond the duties of the benchmark position description. The training references in the benchmark PD are more applicable to collateral instructor roles and training/orientation for new employees, not a formalized FTO program. Another possible way to compensate the additional workload could be to incorporate a retention and recruitment program to attract and retain qualified Rangers. An award type program could also be used to reward the employees for the additional workload.

Ultimately, the FTEP program is important and has to be continued, but the employees taking on this role should not be shortchanged for their effort. The FTEP not only prepares trainees for the rigors of fieldwork, it also prepares seasoned Rangers for career advancement and should continue to be treated as such. Regardless of which pay system is adopted, something is required to fix this problem. Without it, we will have Rangers working in positions that are not being adequately compensated for the work being performed.

Conference Call with Cam Sholly

On November 8th, Lodge Board members participated in a conference call with Cam Sholly. Cam expressed interest in holding these meetings at least four times a year to discuss Lodge issues and concerns. Cam stated that he wanted to get his feet wet in the new job before beginning open discussion. He feels that after 90 days in the job, he is in a position to begin opening up the discussion table. The meeting started off with 6c issues. Cam expressed that the NPS was under the assumption that since they had been winning their cases against rangers that FLERT was "on the right track." Board members expressed concern that rangers were going up against a large mass of NPS lawyers when attempting to appeal their cases. There were also concerns that FLERT was making a significant effort to review prior approved cases and then denying them.

The question was brought up that if FLERT was so far behind in approving current cases, why were they making such an attempt at cases that had already been approved?

There seems to be a strong effort to thwart Rangers attempts at appealing their cases. Cam stated that there certainly were Rangers that were never in positions that met the standard for 6c coverage who were trying to get through the system. Board members agreed that there probably was a small percentage of these Rangers that were trying to submit cases, but that the overwhelming majority of cases we were aware of were in fact solid cases

of Rangers who were performing Law Enforcement who were being denied while other Rangers that worked with them had their coverage approved. Cam asked if we had any suggestions on the 6c issues. Discussions on a legislative fix were covered. It was disheartening that the open lines of communication between the Washington Office and the Hill were not very good or seemed to be non-existent. Cam mentioned that they had recently met with several Congressmen for general introductions. There was no mention of working on the PD. Prior, we had been informed that new PD's were being written to better support our role in performing Law Enforcement. Board members discussed the fact that Ranger's in the past had been told by the NPS on what to put in their request for 6c back coverage, which now is being used against them. It was felt that the Washington office should do a general review of the cases and one alternative was to go ahead and approve them.

Cam informed us that the 2006 deadline for seasonals was extended to possibly 2010-2011. There is concern of officer safety and the disparity in training between a level 1 and level 2. Cam stated that we have highly skilled level 1 rangers right beside a level 2 seasonal that only has six to eight weeks of training. Safety was a concern. Cam stated that they were looking at reviewing all the current seasonal academies and confirming there is stress being placed on officer safety. They are also looking at perhaps adding a week or two to the training. A field-training component was mentioned that could be made park specific before a seasonal is released

for independent patrol. DM 446 was mentioned and a variance will most likely be added to allow the NPS to continue with seasonals.

Stovepiping is a dead point. In fact Cam stated that it was not even on the radar in Washington. At this point in the call questions from the field were given to Cam to try and answer including why were agents being audited. Cam stated that the agents were not being audited, but rather the program was being looked at as a whole for efficiency. Cam stated that Don Coelho's office is being asked to streamline. The whole office is undergoing a review to look at all aspects and see where improvements can be made and to streamline those programs that were in need of change. Board members raised concern that although we were very supportive of the stovepiping, we were concerned that money did not go with the stovepiping, therefore Don has to support the program with discretionary funding.

The conference call lasted over an hour and ended with Cam reaffirming continuing the conference calls. The Board members are thankful to Cam for taking the time to talk with us.

FOP Legal Insurance

With so many new members in the Lodge we feel it's time to remind all that you really should have legal defense insurance. The FOP has a good plan that was designed by the staff at the Grand Lodge. It pays legal fees for administrative, civil and criminal actions against you. We also feel that the Lodge has plugged the weakest point in the Program too. You see, your policy only kicks in

when you have had an action taken against you by management or have been charged with something. As we all know, rangers often need legal advice immediately after an incident occurs. If a Lodge member feels he/she has exposure to an adverse action, call the Lodge at 800 407 8295 and we will arrange a free consultation for you with a lawyer from the law firm Passman & Kaplan. The Lodge has employed this firm for years and has been very satisfied with their knowledge, zeal and cost effectiveness.

The FOP Legal Defense Plan is underwritten by Hylant Maclean of Toledo, OH who may be contacted at 800 341 6038. Ask for a brochure to compare prices and coverage with other plans. Whichever plan you buy, we strongly urge you to have legal defense insurance.

Lodge Benefit Explained

One of the benefits of being a member of the US Rangers Lodge is that if a serious event takes place in your professional life - like a shooting or a resisting arrest gets injured - you can, and probably should, phone the Lodge at 800 407 8295 and talk with me. Usually, I will direct you to the law firm of Passman & Kaplan, where you will get a Lodge-paid consultation on how best to handle your particular situation and what your rights are under existing Civil Service regulations.

As an aside, the lawyers at P&K are very busy and it may take a day or two for you to get your consultation. That puts a premium on your contacting the Lodge as soon as the incident is over so we can get the law firm working on your behalf. This

**Visit the lodge web site
at www.rangerfop.com.
It is bigger and better
than ever and is an
excellent resource for
law enforcement
studies and other
information vital to
officers of Land
management agencies.**

benefit covers a hole in the FOP Legal Defense Plan where they won't pay for a lawyer until you are actually charged with something. By then, it may be too late.

The Lodge provides an immediate consultation so that you can take steps, if indeed there are steps, to avoid being charged with anything.

I hope you all can avoid a situation where your commission or job is at risk but experience tells us that a couple of you won't escape. Having the knowledge of what can happen administratively, civilly or criminally is crucial and the Lodge has been using this method for over ten years now to provide the members in need with just such vital information.

I am available to discuss this with any member at randallfop@LS.net or 800-407-8295 [10AM to 10PM eastern time]. Sometimes knowledge is your best armor and your dues pay for this program if you should need it.

Randall Kendrick
Executive Director

Lodge Continues to Get Media Coverage

The current issue[December, 2005] of BACKPACKER magazine is a "collector's edition" devoted to the national parks. As part of their coverage they interviewed representatives of organization very familiar with NPS history, traditions and problems. Included in these organizations is our Ranger Lodge with its executive director, Randall Kendrick, listed second on the list of experts on the NPS, ahead of the Secretary of Interior and NPS Director. Those interviewed were asked to respond to a number of questions or to comment on various issues the agency faces. As has been our tradition, we pulled no punches.

"Our Lodge is continually being sought out by individuals and organizations interested in learning what's going wrong with the National Park Service."

"Those who say the Ranger Lodge lacks credibility are dead wrong", said Greg Johnston, President of the Ranger Lodge. "Our Lodge is continually being sought out by individuals and organizations interested in learning what's going wrong with the National Park Service."

Last year, for example, the National Parks Conservation Association named the Ranger Lodge as "The" source of information about the state

of law enforcement in the NPS in their "State of the Parks" news release and provided a link to our website at their internet version of the study. We have, and have had, credibility; those hostile to professionalization of NPS law enforcement don't like our message and try to smear us but facts give lie to their efforts."

In BACKPACKER, Randall Kendrick was quoted four times and Lodge concerns were brought to a wide audience in this influential magazine. On the environmental health of NPS lands, Mr Kendrick was quoted as saying: "I'm worried about preserving the natural and cultural resources found in our park areas, particularly those with lots of acreage. Mojave National Preserve probably will always be 1.7 million acres, but will it contain desert bighorn sheep or desert tortoises - or will the sheep get shot off and the tortoises sold on the black market? Right now, there are only 4 or 5 rangers for that 1.7 million acres."

On the NPS mission, Kendrick had this to say: "Park - service managers and their superiors at Interior act as though the protection of park resources is not a high priority simply by the staff levels they maintain." On the future outlook for NPS employees, he had this to say: "One study found that in recent years appropriations for the park service is up 55% while the number of commissioned rangers is down 9%. It's nice to have procurement officers and a bunch of people in personnel, but look at what's happened at Petrified Forest, where the number of rangers has been cut in half. You couldn't walk the park 35 years ago without finding petrified wood every few feet. Now most of it has been

That's why so many people are heading to other agencies - so they can maintain their retirement.

taken away by souvenir hunters. To make things worse, the Interior Department is trying to take away our enhanced retirement on a case by case basis. That's why so many people are heading to other agencies - so they can maintain their retirement. They usually get better pay and better appreciation from management for their efforts" The other 24 people quoted had a range of opinions on these and other issues but none spoke out for the LE ranger as Randall Kendrick did. To gain an insight into the thinking of the Director and Secretary, reading this article is worth your time. The Lodge message here to the membership is this: We are united in working towards protecting the park resources, protecting our ability to safely do our jobs, and protecting our retirement. As to the last point, we'll have to do that with the help of the Fraternal Order of Police because management is not supportive of rangers' maintaining 6[c] retirement by having our status protected by law.

Executive Director's Report

Miscellaneous items:

Deposed USPP Chief Teresa Chambers is continuing her struggle to regain her position. If you recall, she was summarily fired for stating what was common knowledge: That the added duties, post 9/11,

prevented the US Park Police from safely and efficiently fulfilling its mission and that many more officers were needed. Follow her fight at **honestchief.com**. The Ranger Lodge is 100% behind her and believes that she will ultimately win. However, I wonder if her victory will be too late since the administration has had many months without her leadership and truthfulness.

From the past I would like you to recall former Regional Director, former instructor at Albright before FLETC, and former chief ranger at Blue Ridge, Howard Chapman's testimony -under oath - in the McLaren case for 6[c] benefits. His testimony, as we reported in the Protection Ranger in 1992 was, in part: In a sworn deposition, past NPS Regional Director Howard Chapman revealed that top NPS officials conspired to keep rangers from finding out about enhanced retirement benefits that they might be eligible for. Chapman affirmed under oath that top management of the Park Service was, "Squarely opposed to recognizing and/or implementing the provisions of 5USC8336 for any of its employees during my tenure as Regional Director, regardless of duties actually performed in the field by its employees. I understand from our National Office in Washington, DC, that field offices such as the Regional Offices were not to prepare, classify or submit for determination positions which might qualify for Firefighter Law Enforcement Officers enhanced retirement credit."

Regarding our inability to achieve a national contract for NPS rangers, Ed Passman, our law firm's owner and long time Lodge advisor had this to

say: "The major obstacle to achieving recognition for law enforcement employees has been the hostile response of the NPS." Following the murders of rangers Jarrell and Kolodski, the PROTECTION RANGER ran an article entitled 'TEN THINGS THE NPS CAN DO TO PREVENT RANGER FATALITIES BUT HASN'T'

1. "Give every ranger access to dispatch." There's been improvement but many rangers do not have access to professional law enforcement dispatchers at all needed times.

2. "Stop abandoning our rangers" This means, among other things, no one-officer patrols. There has been very little progress here.

3. "Stop cutting ranger levels" NO NET LOSS seems to be a dead letter if indeed it was ever meant to have any life in it.

4. "Stop Incompetency in the Management of Ranger Activities" I'll let you judge this one.

5. "Quit Being Ashamed of Law Enforcement" As the IG reported, superintendents don't want additional law enforcement staff in some cases because the additional numbers would "unbalance my staff".

6. "Give Rangers a Field Training Program" We thought this was done and applaud the NPS for heeding our 6+ year old call. Now: is it going to be funded properly or is the NPS backing away?

7. "Make the Bosses Responsible" Has Law Enforcement been made a critical element in superintendents' annual evaluations? Have superintendents been removed for failure to protect the resources under their nominal care? Has the Too-Highly-Graded-to-Fail culture been uprooted?

8. "Re-Build the SET and ARM Teams". I think we can agree that

progress has been made here.

9. "Treat Law Enforcement Needs Assessments Seriously" Treating them seriously means, to me anyway, fully funding those areas identified as being deficient whether it be staffing, equipment, or training. How many rangers were on duty actively patrolling with the proper equipment last winter in the 7-9% of the Canadian border under NPS control? Seven? Nine? Winter is open season for crossing into the USA via Canada because the lakes {except the Great Lakes} and rivers and marshes are frozen making travel easy.

10. "Conduct a Formal Review of the Service's Law Enforcement Program" We should have added AND HEED THE RESULTS}!

Legal Defense Insurance: Please look into the policy offered by Wright & Co. of Washington, DC. It has several features superior to the FOP Legal Defense Plan. The FOP plan is a good one and the Lodge has tried to plug its more obvious holes so you should consider that one also. You need legal defense insurance! Did I hear right? Has Director Mainella actually hired a "travel coordinator" for her peregrinations? Is this the best use of scarce NPS funds?

BLUE LIGHT FOR CHRISTMAS

It has become a tradition among law enforcement officers, their extended families and concerned citizens to display a single blue light in one window during the holiday season. This is to remember all the officers that have died in the line of duty. The Lodge hopes you will consider doing this for the holidays.

Lodge Website

Brother Duane Buck has built and maintains the Lodge website. We keep it updated with notices and links to other sites that we think are interesting and/or helpful to resource based law enforcement officers. Visit it often between issues of the Protection Ranger to keep current on things that affect you and your job. The address is www.rangerfop.com

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: _____

Permanent Rangers: \$60/year

Seasonals and Retired Active Members: \$40/year

Associate (non-Commissioned) Membership (Newsletter only): \$40/year

Renewals: You do not need to send in this form to renew. Enclose a copy of your Commission (new members only).

Agency and Work Unit: _____

Mail to: FOP Lodge, POB 151, Fancy Gap, VA 24328

Phone: 1-800-407-8295 10am-10pm Eastern Time or email randalltop@ls.net



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