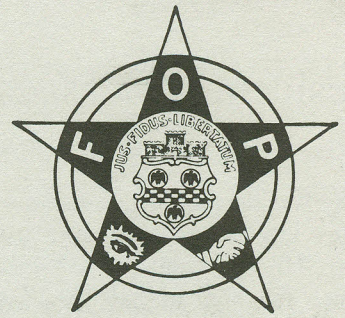


# The Protection Ranger



The Newsletter of National Park Rangers Lodges, Fraternal Order of Police

Sept / Oct / Nov 1991

## FOP Stops Mandatory Physical Fitness Program

**Interior Pressure Leads To Non-Mandatory, Age/Sex Adjusted Program For Rangers**

The Park Service's proposed mandatory physical fitness program that was scheduled to take effect October 1 has been scrapped under Interior Department pressure.

The Department was responding to FOP National President Dewey Stokes' request that the program be halted because it is not linked to enhanced retirement, and that it is age and sex discriminatory. A letter from Stokes to Interior Secretary Lujan was published in our last issue.

In addition, several Lodge members had threatened a suit over the proposal's sex discriminatory standards.

In September, Lodge members and others met in Washington to develop a compromise program.

The new program no longer has the requirement that employees must meet certain standards or lose their law enforcement commissions. No provision for adverse action exists in the new program. Positive motivation will be used to urge employees to participate and improve fitness, while time on duty will be given for fitness activities.

In addition, guideline standards will be adjusted for sex and age.

Approval for the plan is pending.

## Shenandoah, Glen Canyon, Smokies Meet To Form Chapters

Shenandoah N. P., Great Smoky Mountain N.P., and Glen Canyon N.R.A. are the newest areas where rangers are meeting to form Lodge chapters. Rangers in Boston, Rocky Mountain, and more are working to form chapters by year's end.

Shenandoah was the first Eastern Lodge area to form a chapter, with Great Smoky Mountains not far behind.

The Glen Canyon chapter joins Lake Mead, Death Valley, and the Grand Canyon in the parent Western Lodge based in Yosemite.

According to Western Lodge President Greg Jackson, the lodge has exceeded its goal for chapter formation in 1991. "We planned for five chapters by year's end, now it looks like we may reach as many as eight. There's a lot of enthusiasm for resolving local issues."

Jackson was on hand in Page, Ariz. on November 4 for the formation of the Glen Canyon chapter.

(See "How To Form A Lodge Chapter" on Page 5)

## Lodge Gets FOP On OPM's Pay Committee

**It's Official: Pittsburgh Conference Brings Support For Lodge Proposal**

A motion by the National Park Rangers Lodge of the FOP to request OPM to include an FOP representative on its Law Enforcement and Protective Occupations Task Force was approved at the FOP's biennial conference in Pittsburgh.

FOP also gained support from members of Congress for this request.

OPM has subsequently named Gary Hankins, a member of the national FOP Labor Committee to the Task Force.

The Lodge has spoken to Hankins about the concerns of Park Rangers, and has sent him a briefing packet regarding the pay problems within the National Park Service.

Briefing packets will also be sent to all members of the Task Force.

While progress on pay should be expected from the Task Force, increases will probably go only to those with 6c coverage.

## FOP Garners Congress' Support For Ranger Fair Housing Bill

**Members Urged To Act Now!**

The Ranger Fair Housing Bill (S. 1704), a bill that would help provide more, better and more affordable housing was introduced on September 11, 1991 by Senator Wallop of Montana.

The western lodge is working to find a co-sponsor in the House for the bill.

Both lodges have urged their members to write and call both Senators from their state, and the representative of their local Congressional district to ask for support of the bill.

A copy of a letter of support to your Senators is enclosed.

A copy of the bill is available from your Senator's office, or the Lodge.

Past President Tomasovic recently testified before Congressional hearings on the poor state of the Park Service housing situation.

In addition, the lodge has played a significant role in publicizing the housing plight in the media. The Grand Canyon chapter has been featured on Sunday Today and NPR, with economic troubles playing a prime role in the coverage.

(Continued Page 3)



# President's Message

By Greg Jackson, Western Lodge

This was the most active summer in the history of the lodge.

Most important among our accomplishments was the naming of an FOP representative to OPM's LE Pay committee. Only through the help of 230,000 of our fellow law enforcement officers, FOP's president Dewey Stokes, and many Congressional and other contacts were we able to get this milestone accomplished. Not bad for our fourth year as a lodge.

We've welcomed new chapters into the lodges: Death Valley, Lake Mead, and Glen Canyon — with Shenandoah forming the first chapter of Lodge 56, followed by Great Smoky Mountain. I set a goal of five lodge chapters by year's end. That goal is met with two months to spare.

Why was the last newsletter so late? I've been at FLETC since July, and putting it together in the middle of it all, then getting it produced across country in the middle of the National Conference was no easy task. In addition, we're getting new people involved in newsletter production, and that takes time. We accomplished a lot this summer even with my many moves around the country. I'd like to thank my Board, the chapters, and the East for their work and support, especially at Pittsburgh.

## Welcome

I have written a letter to Jim Brady welcoming him as head of Ranger Activities, and asking him to work with us to solve many of the problems facing the Service. Certainly his predecessor made no effort to start any dialog with us, refusing to meet with us in person despite several invitations and the fact that we represent 800 employees.

The bad news is that I haven't received even a postcard in reply.

## Retirement

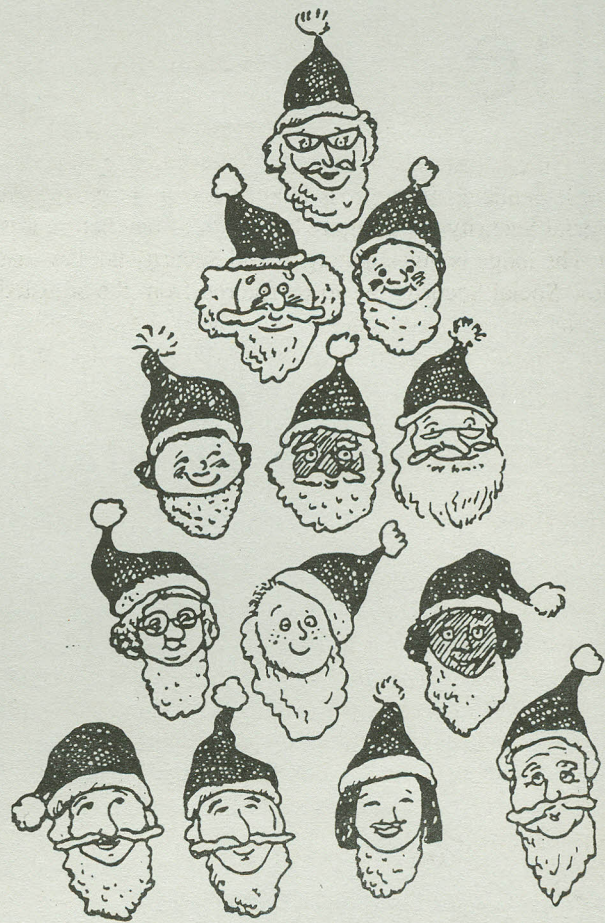
More retirement packages are moving to the Interior and OPM levels. OPM has told us that the Park Service has taken much too long to process the packages. Many of the packages being sent in first represent the strongest cases for coverage, in an effort to set precedent.

It's time for Washington to get moving on enhanced retirement for current employees. By now, they should have a lot of information about what positions should be and will be covered. Work should begin now to standardize PD's and request coverage for more positions.

## Retirement Coverage SNAFU

The late August memo from WASO Personnel saying that retirement packages were due by September 30 was what you'd expect — too little information too late. I've written Personnel asking for exactly what they want in packages, and the Lodge has written the Director asking that employees be given a realistic lead time to prepare for retirement coverage. Again, in well over a month, we've received no reply.

The lodge is re-vamping its "How To Win Enhanced Retirement" handout. It will be ready by early next year. Again, you should be working on getting your PD changed to say that the primary reason your position exists is for law enforcement, and that your primary duties involve investigating, apprehending and detaining suspected or convicted violators of the criminal laws of the United States. This will definitely help you in future coverage.



## Housing Disinformation

Another addition to our "Of All The Unmitigated Gall" file is the latest edition of the NPS Courier focusing on housing. More than just a factual report on the housing situation, the issue is interlaced with the party line "pay is pay, rent is rent" that completely destroyed employee morale in Yosemite (now expanding Servicewide). Look gang, pay is pay and rent is rent as long as your employer and landlord are not the same. When they are the same, it's a thing called the "company store." If rent has to be comparable, then pay has to be comparable. Fortunately, Congress will be taking up our cause thanks to Senator Wallop's Fair Ranger Housing bill. And OPM will be ruling on unpaid on call, and back pay checks will be coming to rangers soon. High rent is high rent, and illegally withheld pay is illegally withheld pay.

## FLETC Fiscal Foul-Up?

The Lodge is investigating claims that part of \$1 million designated for advanced NPS law enforcement training at FLETC has been diverted to other purposes. More on this later.

## How To Reach Us

If you have any question, opinion or comment, or are having a problem with your membership renewal or any member benefit, the Western Lodge has a 24-hour phone line at 209/372-9164. If you're in the east, write the Eastern Lodge. We do answer mail, and are interested in hearing of in-park issues from around the service. Call me at home (reasonable hours) at 702/458-5845 if you want to discuss lodge issues, set up a chapter, or if you can't resolve a problem with your membership. Send me E-Mail on CompuServe if you want at 72557,360.



## Social Security Tax Refunds Due?

The lodge is investigating whether park rangers and others who live in required occupancy housing may be eligible for refunds totalling hundreds of dollars in over-paid Social Security tax.

The IRS currently allows rent paid for required occupancy housing to be deducted from gross income for tax purposes. At present, Social Security tax is figured from gross pay before this deduction. The lodge is investigating Social Security tax law that would allow Social Security tax to be figured from the adjusted gross pay after required occupancy rent has been deducted.

This would result in a savings of over \$100 a year for many FERS employees.

The lodge is also looking at methods of filing for refunds for past over-payment of the tax. December 31 will be a closing date for filing, and the lodge will have information available to members by this time.

Parks will also benefit by this lower Social Security tax deduction, as parks must pay a matching Social Security tax. For larger parks, this may amount to several thousand dollars.

Readers must be cautioned that information at this stage is preliminary, and is being published now to help prepare members to be ready to file claims for over-paid tax by December 31. More information will be announced as soon as it becomes available.



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Spacious, full furnished, privately owned 1-5 bedroom cottages with picture windows and fireplaces. Enjoy hiking and horseback riding through trails with spectacular views. Swim and fish in the Merced River. Photograph Yosemite's beauty as the seasons change. See wildflowers and wildlife in their natural habitat.

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## The Ranger Fair Housing Act

Introduced into the U.S. Senate on September 11, 1991 by Senator Wallop of Wyoming, the Ranger Fair Housing Act (S. 1704) is currently in the Committee on Energy and Natural Resources.

Here is a summary of its key provisions.

### Sec. 2. Reasonable Value For Rental Rates

To promote the recruitment and retention of qualified personnel necessary for the effective management of public lands...The Secretary of Agriculture and Secretary of Interior... are authorized to make employee housing and associated recreational facilities available, on or off the lands under the administrative jurisdiction of the Secretary, and to rent or lease said housing to employees...at a reasonable value. **"Reasonable value"... means base rental rate comparable to private rental rates for comparable housing facilities and amenities, so long as the comparable rates do not exceed the most recent Census Bureau American Housing Survey national average for renters inclusive of utilities, whether paid as part of rent or paid directly to a third party.**

### Sec.4. Availability of Quarters

(b) The Secretary shall conduct an annual survey of rental quarters available from the private sector within thirty miles of duty stations... **If any such survey indicates that privately owned housing is inadequate in either quality or quantity for the personnel assigned to the duty station, the Secretary shall provide suitable housing in accordance with other provisions of this Act.**

### Sec. 5 Survey of Existing Facilities

(a) Within one year... the Secretary... shall classify all existing government owned facilities, including employee housing... with respect to their physical condition and their necessity and suitability for effective prosecution of the agency mission, and develop an agency-wide priority listing, by structure, identifying those units in greatest need for repair, rehabilitation, replacement or initial construction...

(b) Expenditure of any funds ... for construction, repair or rehabilitation shall follow the priority listing established by each agency. **...any funds generated from rental income shall be deposited into a reimbursable account ... and expended only on housing maintenance or replacement for units from which the rental income is generated and: Provided further, That no more that 10 percent of funds available from rental revenues shall be obligated for administrative support, design, planning, or overhead for housing projects.**

Copies of the bill are available from your U.S. Senators, or from the lodge.

Please write both of your state's Senators and ask them to co-sponsor this important bill.



# A Proposal For Improving The Ranger Profession

By Phil Hibbs, Glen Canyon NRA

Since 1976, I have heard many rangers say that we have done many of the things that needed to be done in the area of training and operations, but that the necessary personnel management actions were not taken. Generally the statement stops right there.

Since 1976, when our present authorities act was inaugurated; indeed since the first national park service ranger, we have been reacting to and living with personnel management designs provided to us by the greater federal bureaucracy. As Bill Blake's articles described well, what the founding fathers of the national park service ranger force intended is not necessarily what the bureaucracy has wrought. In recent issues of The Protection Ranger various concepts of professional standards and work force structure have been presented. Most of these have been in reaction to statements and papers presented by persons outside our organization. I submit this rambling essay in order to generate a long overdue discussion about organizational and personnel management issues related to National Park Service rangers.

What needs to be done is not a mystery. There is no need to re-invent the wheel. Law Enforcement in this country has evolved over 200 years, and we can find examples of acceptable organization and personnel management procedure in local, state, and federal organizations all across the country. The kind of law enforcement operations (patrol and investigation) in which we are involved and have the personnel and time to be involved are similar to those in cities and counties.

As much as our organization would like to say that we are resource officers, we are really street officers, operating in open jurisdictions. No one is prevented from entering our parks. We have to contend with all comers. The idea that our positions are similar to base police or guards is preposterous. What separates us from local officers is not the kind of codes we enforce; we enforce the same kind of codes, from homicide on down. And the clientele we present to our magistrates are the same that our brothers and sisters in local jurisdictions present to their magistrates. What separates us from local officers is the national park physical environment. It is in many instances much more rugged than is found in city or rural areas. This environment is alien to many of the visitors to our parks and recreation areas and the so-called ranger mystique is related to admiration for an officer who can perform his or her duties well in that environment.

We should not let that confuse us. We have the same need for a well run organization and the same need for effective personnel management. In the discussion of professionalism of the ranger force the model commonly used is that of the resource management division. The best procedures used for hiring and promoting personnel for resource management or interpretation will not necessarily provide the best or even a good product for law enforcement.

There is a danger in trying to fit law enforcement personnel management into the same mold as that for biologists or technicians. In selecting personnel for scientific fields, a college degree might be wanted; indeed the kind of discipline evidenced

by college study is needed in law enforcement, but overall, law enforcement is not the same kind of discipline and requires different interests and temperament. With no intention to disparage many of our colleagues in other NPS divisions, many of them could not do the job that we do (nor would they want to) and we would be bored doing their job. Let the other so-called ranger disciplines develop their standards and let us develop our own.

Most concerns I have listened to involve induction of new rangers. I have not heard very much argument against the idea that we should obtain new rangers through a testing program. Presently we obtain candidates from lists of those who submitted applications. Admittedly there is some clerical ability needed to compile these ponderous applications, but SF-171's do not necessarily provide a true reflection of an applicant's abilities or interest. In addition there ought to be a written time-constrained test; an oral board; and a physical fitness test. Those selected would attend the Federal Law Enforcement Training Center; and those who successfully complete FLETC should be passed on to an FTO program.

At present it is every park for itself. All parks competing for the same body of applicants. And when an employee determines to transfer to another park, we start the process all over again. If a given park is unable to obtain the set of skills it needs, that is too bad. Well that is a pretty inefficient way of doing business. The ranger force of a given park may suffer further disadvantage, if the park management decides to unilaterally convert fully trained positions into trainee positions.

A better way would be for the National Park Service to estimate the number of new rangers needed on a yearly basis and compete with the rest of the world for quality personnel. We need to compete as a whole organization not as separate parks. I believe that when candidates compete by test for law enforcement positions, it is going to be much more obvious to them that they are indeed applying for law enforcement positions. Today many fill out their applications and it never dawns on them that the ranger position they seek is a law enforcement position. And yes, I believe there ought to be a physical fitness test, and mandatory participation in a physical fitness training program throughout a twenty year career. I hear a lot of people crying about the draft physical fitness standards, but for anyone who works out 3 or 4 times a week, it is a pretty easy standard.

There ought to be a well-developed FTO program. And a probationary period should include successful passage of this training experience. (Continued on page 7)

## Yosemite Medical Clinic

Taking Care Of Rangers  
And Their Families  
Since 1930

Samaritan Health Services  
National Parks Division



209/372-4637



## The Definitive Study On Ranger Shootings

*Use of Deadly Force By—Deadly Assaults Upon Federal Land Management Law Enforcement Officers* by Paul Berkowitz gives detailed accounts of all known incidents of deadly force used by and against Park Rangers, as well as BLM and USFS rangers. Compiled from case reports and interviews of rangers involved. This should be required reading for every ranger. Order your copy from the Western Lodge. Send your name and address with a check or money order for \$7.50 (FOP members), \$10 (non-members) to FOP, P.O. Box 944, Yosemite, CA 95389

## The Protection Ranger

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Our Lodges are committed to improving the Ranger profession by joining Rangers together in a spirit of camaraderie to seek a cooperative relationship with management, with the goal a safe working environment, and fair and competitive pay and benefits. FOP is a non-profit organization.

### Application For Membership

I, the undersigned, a full-time regularly employed law enforcement officer, do hereby make application for active membership in the National 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): \_\_\_\_\_

Alliance membership (non commissioned) ☐

Please enclose a check for one year membership.  
(Western Lodge Permanent - \$27, Seasonal - \$18)  
(Eastern Lodge \$20 all members.)

Enclose a copy of your commission.

\_\_\_ I'm employed East of the Mississippi

\_\_\_ I'm employed West of the Mississippi

RENEWAL ☐

NPS Area (4-letter park code): \_\_\_\_\_

Mail to:

Fraternal Order of Police, Box 944, Yosemite, CA 95389  
or

Eastern FOP Lodge, P.O. Box 151, Fancy Gap, VA 24328

## How To Form A Lodge Chapter

### Why form a Lodge chapter?

No two chapters are formed for the same reasons. One chapter may choose to form as a social organization — to build camaraderie. One may form to get members involved in local community projects. One may form to work on local issues. Another may form to work with the Lodge on National issues. Yet another may form just to participate in lodge decisions, and keep their members in the line of communication.

Whatever the reasons, members benefit from chapter participation

### What are the benefits?

Chapter Presidents have a direct line of communication to the Lodge President. Chapters participate in the Lodge conference call round table where Lodge leadership seeks chapter input on the issues that affect the Lodge. Chapters can also participate in lodge projects. Chapters receive financial support from the lodge to help fund Chapter projects and operations. In the Western Lodge, for example, \$7 of the regular \$27 dues is refunded to chapters for in-park use. Chapters have been invited to participate in the National Conference, with some Chapters receiving paid trips across country, including lodging.

You also have access to our resources for resolving in-park issues such as unpaid on-call, vehicle and equipment problems, and hepatitis vaccinations and more. While we can't do your legwork for you, we can advise, write letters, and give you the support you need to get things done positively and professionally.

### How do I set up a chapter?

Contact the Eastern or Western Lodge. Basically, you need 6 members at a minimum, you need to elect officers, set up by-laws (which we can supply), and that's it.

Most chapters begin with a meeting to gauge interest. You put up posters, talk it over, and see who comes. If you have six interested members, and agree to form a chapter, your next step is to elect officers. Most chapters have a president, vice president, secretary and treasurer. The secretary/treasurer job can be combined.

Some chapters elect officers at their first meeting. Others make nominations, then vote by mail, or at the next meeting. It doesn't matter.

### How often do we need to meet?

There are no rules. As often or as infrequently as you wish. Chapter business can be done by mail or over the phone. A minimum of once a year is required for formal meetings.

### Getting down to business.

Once you've elected officers, you need to draft by-laws. Contact the lodge for assistance.

### What about money?

Many chapters find it necessary to set up a bank account in order to handle their finances. Before doing this, contact your parent lodge.

Good luck.



## Join The Lodge For These Benefits

**National Lodge Programs** below are available through the National Lodge. Call 800/FOP-4321 for more information.

**National Legal Defense Program** Pays for legal defense in Criminal, Civil and administrative cases, starting at \$50.50 per year for criminal-only coverage.

**National Discount Prescription Drug Program** For \$1 per year per member and family. You get instant credit for buying prescriptions, with a 15 day billing period, or receive a 15-25% cash discount. Get your prescriptions through the mail! Rangers who are far from cities can really benefit. You can order through an 800 number with same-day shipping. In addition, the 800 number can be used to answer any questions about your medications.

**National Vision Care Program** Includes discount on eye exams, frames lenses, contacts and extras, for only \$10 per year.

**National Disability Program** Benefit Trust Life's RTD Disability Income Insurance Plan helps you protect yourself and your family against loss of earnings due to covered sickness or accident while you are working and before age 65. These benefits are payable in addition to any other insurance you carry, including employer-provided disability or compensation.

**National Retirement Programs** The law says you have to make urgent financial decisions within 60 days after you retire, or you may be taxed on the money you'll receive. Call FOP and ask for information on retirement programs. FOP has plans for increasing cash values to supplement your retirement benefits and provide an emergency fund, a tax free benefit, estate for your children, and cost of living adjustments.

**National Cancer Care Program** Members and their spouses and children may participate. \$100 per day for hospitalization for 90 days, then actual hospital charges up to \$5,000 per month with a \$250,000 lifetime maximum. Pays for the actual charges of radiation and chemotherapy to \$2,000. Limited medicine and drugs, nursing services, surgery, anesthesia, blood and plasma, ambulances, and more.

**National Accidental Death And Dismemberment Program** A sound, affordable program, for example, \$100,000 for \$56 per year.

**Lodge 23 Programs** are sponsored by the Calif. State Lodge and are available to Western Lodge members. For information, call the lodge or John Cipolla Insurance Consultants at 800/733-5131.

**State Life Benefit FREE.** Once the lodge has registered you, the \$2,000 life benefit increases by \$200 per year until a \$3,000 maximum is reached. At age 65, it reverts to \$2,000. This is paid no matter how death occurs. (yes, even suicide). If you die in an accident, it pays an additional \$2,000. If you are killed in the line of duty, an additional \$2,000 is paid.

**SPECS Vision Care Program** Available through December 1991 FREE, the SPECS card can save you 50 percent off frames at SEARS, Montgomery Wards and other stores. Order contacts by mail and save money, with disposable lenses from \$21 per 6-pack, etc.

**Police Benefitter Death and Dismemberment Program** Starting at only \$15 a year for \$25,000 in benefits, this plan provides 24-hour coverage with "line of duty" and family supplements at very affordable prices.

**Member Benefitter** A term life policy offering complete coverage. You can purchase up to \$100,000 on yourself and your spouse. Sample cost for \$10,000 coverage, age 25-29 is \$5.25 a quarter.

**Legal Defense And Liability Insurance** Not FOP sponsored, Wright & Co. offers a legal defense plan that also pays judgments at a cost of less than \$4 a pay period for \$500,000 coverage, \$7 for \$1 million coverage. This is the same company that offers the National Legal Defense plan, but this is not an FOP plan. For information, call them at 800/424-9801.

## Lodge Accomplishments

A brief *partial* history of FOP accomplishments in National Parks follows. We have been active at the national level for about two years.

**Pay:** The FOP now has a seat on OPM's committee studying law enforcement pay due to Lodge action. We are in contact with this representative regarding our concerns. The Lodge has helped rangers in two parks receive AUO pay increases. This has set a precedent other parks are looking at. The lodge has helped NPS jailors receive law enforcement pay increases by pushing for speedy processing of their enhanced retirement coverage.

**Retirement:** The lodge published "Winning Enhanced Retirement," guidelines used by many rangers in processing their enhanced retirement packages. Many of these packages have been approved by NPS and sent to OPM. We have been in contact with OPM, asking them to urge NPS to speed NPS's unnecessary review process. We have helped change PD's to increase the chance for enhanced retirement coverage. We are working for future coverage within parks.

**Fitness:** We have defeated a mandatory program that would have resulted in adverse actions for those who could not pass. This program was not age or sex adjusted, nor linked to enhanced retirement.

**Autoloaders:** FOP lobbying is credited for securing funding in 1992 for autoloading handguns.

**Body Armor:** FOP lobbying is credited for securing funding in 1992 for body armor. FOP in 1989 began a body armor study that resulted in a program to supply body armor to NPS rangers. This was the foundation of today's body armor victory.

**Heptavax:** The Lodge conducted research and found CDC recommendations and guidelines on hepatitis and emergency medical personnel. Based upon this, the lodge drafted a communicable disease program that gave free vaccinations. Rangers in many parks including Yosemite, Blue Ridge, Lake Mead, and Glen Canyon have or will soon have this protection.

**Ranger Recognition:** Rangers who died in the line of duty have their names on the National Law Enforcement Memorial due to Lodge action. The families of rangers killed in the line of duty have received FOP's supreme sacrifice award. Our lodge sought and secured DOJ's law enforcement death benefits for one U.S. Forest Service ranger's and one Park Ranger's families, benefits well over \$200,000. The lodge has developed a valor awards program to recognize rangers involved in critical incidents.

**On-Call:** Due to Lodge action rangers in many parks are no longer placed on unpaid on-call status. Many rangers will receive back pay for time spent on call.

**Health:** Yosemite's hearing conservation program means free in-park hearing tests, and hearing protection in emergency vehicles.

**Shootings:** We've helped rangers involved in shootings receive fair review panels, and have developed a proposed shooting review policy for servicewide use.

**Community Action:** The Lodge and its chapters have been involved in a number of community events. We've sponsored little league teams, donated funds to Easter Seals, donated annual leave as a Lodge, adopted two highways for clean-up, have fingerprinted children for safety, have help fund DARE programs, have donated money to fire victims and much more.



# FOP Legislative Alert

Your action is needed now to assure that The Ranger Fair Housing Act becomes law in 1992.

**1. Write To Your Senators:** Go to your phone book and get the address and telephone numbers of the two Senators from your state. Write them each a letter asking for their support for the Ranger Fair Housing act. Remember — it's better to write your own letter. This is only meant as a sample. Make a xerox copy, sign it, and mail it, or write your own letter, using this as a guide. Pass copies around to co-workers, friends and family and ask for their support.

**2. Send Us Your Housing Horror Stories:** Write the lodge at P.O. Box 944, Yosemite, CA 95389 with stories of your worst housing experiences. We'll forward them to Congress where they'll go in the Congressional Record, and will be used to support this bill.

**3. Call your Senators:** During the Holidays, your Senators will be in their home office during the recess. Call them there and tell them you want them to co-sponsor the Ranger Fair Housing Act introduced by Senator Wallop of Wyoming.

**4. Visit your Senators:** If you're able, a visit to the office of your Senators can and will help us pass this important piece of legislation.

This piece of legislation will be passed only if enough members take an active role in working to make it law. Please send us your housing stories, and write and call **both** your Senators today!



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Dear Senator:

I am writing to seek your support of S.1704, the Ranger Fair Housing Act of 1991.

As a Park Ranger, I can tell you the housing problem in the National Park Service is in dire need of the attention afforded to it by this bill. Many quality employees are leaving the Service because of low pay and poor housing, taking with them the knowledge and experience needed to manage our National Parks effectively in the future. The deteriorating condition of many NPS housing units is creating serious recruitment, retention, and morale problems in the agency.

Many Park Service employees make only \$1,300 to \$1,600 a month. The Park Service then requires many of these employees to live in government housing as a condition of their employment. Yet in many cases the Park Service is charging almost twice the national average in rent, in percentage of gross income.

In a case quoted by Senator Wallop, author of the bill, a ranger making \$1,300 a month pays \$599 a month to the government for a house which he is required to live in, leaving \$701 for taxes, utilities and food. This tragedy is often the rule rather than the exception in NPS areas throughout the country.

In California, where state law prohibits housing migrant workers in tents, some rangers are still housed in tents. Rangers live in converted shipping containers and in mouse-infested dorms. Throughout the system housing units are in poor and often unsafe conditions.

This bill requires the Secretary of Interior to provide safe, appropriate employee housing at rental rates that do not exceed the national average rate paid by renters. It is fair, requires no additional appropriations, and for the future of the parks, it is necessary.

Please sign on as a co-sponsor of this important bill, and let me know of your intentions to do so.

Sincerely:

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# The LE Workforce

Continued from page 4

I must admit to one question related to a hypothetical FTO program. Are there enough truly active parks to provide an adequate training base? Nevertheless potential FTO parks need to be identified. One thing I would argue is that successful completion of a FTO program does not make a journeyman ranger. That would take years more experience in active parks, and that should be considered the basis for selecting supervisory and specialist personnel.

Our present practice in promoting personnel does not provide for a consistent standard of technical proficiency. We promote personnel to supervisory positions who have not gained necessary experience at lower levels. We promote people the same way we hire people; we review a list of people who simply demonstrated interest in a particular job and select one of them, whether or not any are qualified. Production of good supervisory personnel should be based on progressive development of technical proficiency in law enforcement. For a candidate for first level supervisor this should require a number of years as a field ranger in active parks and specialized training, not just the haphazard 40 hour courses.

Candidates for supervisory positions should be required to declare their candidacy well in advance. Once having done that and been accepted in the supervisor training program, the training and experience for supervisor candidates should be controlled by a supervisor development board. Finally supervisor candidates should be required to take a written exam and submit to an oral board. Those who successfully completed the program would be placed on a qualified list. Promotions should be obtained from this list. Promotion to second and third supervisor level would be conducted progressively.

Does this sound too tough? All too often now, we promote rangers who have not developed the necessary technical proficiency and knowledge, rangers who have not been assigned to active parks and afforded the opportunity to develop the necessary knowledge. Rangers who do not want to undergo this kind of rigorous development should not have to.

To balance this kind of program and to provide incentive for effective competition for quality candidates a pay scale is needed that enables rangers to make a decent living before and after retirement at the journeyman level. Enforcement rangers need a special pay scale. Something only Congress can provide.

It has been a sticking point with OPM that, under our authorities act, law enforcement was not intended to be the sole duty of specific persons. This is unfortunate residual thinking supported by many in park service management. The truth is that law enforcement has been the primary duty if not sole duty of specifically commissioned persons for many years.

However, many of our national park service areas do not have a need for full time law enforcement officers. And in terms of gaining knowledge and experience in law enforcement, it will come only very slowly in these less active parks. Employees with commissions in these parks are generally assigned to interpretation and resource management.

Some consideration should be given to a new class of law enforcement commission, a reserve commission, to support the

incidental needs of these parks. Employees could hold a reserve commission, but it would be clear that their primary job is in another field. Many employees will probably take exception to this concept, but if we are serious about providing a strong development structure for our full time law enforcement personnel, then we must be clear about defining just who the full time law enforcement personnel are.

All too often national park service management only perceives law enforcement as minor law enforcement. They conceive park service enforcement programs as focusing on parking tickets and traffic tickets. Enforcement in our national parks is actually a vast underdeveloped field. With existing personnel resources we presently are only able to develop patrol organizations that enforce basic codes. Some parks maintain a few investigators to provide follow-up services and investigation in a few popular areas, and generally we focus on the same codes as local jurisdictions. What we rarely do is afford resources for resource protection patrol and investigation. No blame should be attached to this. Our small ranger staffs have all they can handle in the number of crimes against people and property arriving with the huge visitation to our national parks and recreation areas. We need to have a separate resource protection branch, and it should not be buried in the resource management division. Chief rangers in active parks should not have to choose between the urgent demands of his basic patrol and investigation operations and his or her obligation to provide for resource protection law enforcement.

Investigation is also an underdeveloped field. Many parks, including most active parks, do not have a body of investigators to follow-up on initial reports taken by patrol officers. We need investigators to conduct follow-up activities. Patrol officers do not have enough time to do this. There is still room for more drug enforcement investigation. Commercial activities associated with our parks have created opportunities begging for investigation. This is a sensitive area, and NPS association with money making interests is the basis for one argument that the enforcement ranger force should be separate from the rest of the national park service. In the area of resource protection, ranger investigation is almost totally undeveloped. We need special teams in ARPA investigation; local rangers can not even begin to confront this field. Investigation of poaching and similar illegal activities should not stop at the park boundary. Environmental crime is a new field with high public recognition, but if the national park service is not capable of active investigation of environmental crimes, to protect its own interest, then the public will increasingly see the national park service as irrelevant to resource protection.

I have emphasized the phrase technical proficiency. That should be our definition of professionalism. Many rangers like to participate in law enforcement, fire, emergency medical service, and rescue. That's great, but law enforcement alone is a very technical field and needs further personnel development for the benefit of our national parks. And so do these other fields. I am not convinced that technical proficiency is possible without requiring rangers to select a branch in which they desire to principally work and develop. To serve our parks adequately, we really need to have two branches in the protection division. A fire/rescue branch and an enforcement branch.



## Chapter Activity Highlights

### Lake Mead

The Chapter has established a checking account and a savings account. An AT&T calling card is on order.

By-laws were approved for submission to the Lodge.

Committees exist on On-Call/Overtime, Housing, Safety, Membership, Finance, and Community Outreach.

The Community Outreach committee has identified three projects: Community CPR programs, Adopt-A-Cove or Highway, Developing a Boating Safety/Drowning Prevention program.

The development of fund-raising programs is in the works.

Next Meeting 6:30 November 13 at Cottonwood Cove.

### Death Valley

Participated in National Conference in Pittsburgh.

Working on helping park seek concurrent jurisdiction.

Adopting the concealed weapons policy set up in Yosemite for Death Valley use.

Setting up special account for the community to handle funding the DARE program.

### Grand Canyon

Program setting up laundry facility for seasonals adopted by park.

Research into public assistance for rangers resulted in benefits for members.

Welcomed new U.S. Magistrate at a lunch meeting.

T-Shirt fund raiser very successful.

Starting contest for chapter logo.

### Glen Canyon

Initial meeting held, officers to be elected, by laws needed.

### Western Lodge (Yosemite)

Adopt-A-Highway initial clean up to be initiated.

### Eastern Rangers Lodge

Board Meeting Held

### Shenandoah

Initial meeting held

### Great Smoky

Initial Meeting Held

## Free Heptavax From The Military

The Eastern Lodge has found that free hepatitis vaccinations are available to rangers involved with EMS through local military medical facilities. Contact the Eastern Lodge for details.

## NPS: Money, Money Everywhere

The National Park Service has used \$1.9 million in government money on projects that benefitted private concessioners and other businesses, according to an article in The Federal Times.

## Lodge Adopts Two Highways

The Western Lodge has joined the Adopt A Highway program, selecting two highways that enter Yosemite for roadside cleanup.

Millions of park visitors will see the lodge's name on large signs on Highway's 120 and 41 as they enter and leave the park.

Jeff Lynn is the coordinator for the lodge's role in the program. Jeff came up with the idea, contacted the agency, and volunteered to lead the work effort. Thanks, Jeff, for all your work.

## Pittsburgh Conference Summary

### President Bush Addresses FOP Convention

By Chris Cruz, Vice President, Western Lodge

The last couple of months have been busy months as far as the National Park Ranger Lodges # 60 and #23. August 11-15, 1991 were dates of the National FOP Conference held in Pittsburgh, PA.

I am happy to report that the National Conference was a good learning experience as well as very productive. This conference was attended by approximately 2,600 delegates( Law Enforcement Officers) from all over the United States as well as Ireland. There were six National Park Rangers who attended this conference, that is quite an improvement from just 1 in Oklahoma 2 years ago. Those who attended were J.R. Tomasovic, Chris Cruz, Yosemite; Eric Inman, Death Valley; Dan Kirschner, Grand Canyon; Janet Bachmann, Blue Ridge; and Bob Martin, Shennandoah. The conference sessions went from 8)4 with no lunch break and we attended many meetings before and after the regular conference.

Here are some of the Highlights:

- \* President George Bush was the Keynote Speaker. He talked about the legislation in Congress that would further support the needs of Law Enforcement Officer and spoke forcefully against criminals.
- \* Other Speakers included Sophie Masloff, Mayor of Pittsburgh; Federal Drug Policy Coordinator Bob Martinez, ATF Director Steven Higgins; John Walsh, Star of "America's Most Wanted," and former Presidential Press Secretary James Brady, who thanked FOP for supporting the Brady Bill on Gun Control.
- \* The current officers were re-elected for another year. They have worked with our Lodges and understand our problems. For the first time a joint meeting occurred between the member of Lodge 23 and 60. We spent 3 hours one evening discussing topics of mutual concern and sharing many ideas for the future of our National Park Ranger Lodges. We discussed the following topics: Having a Lodge Liaison Officer, Communications, forming chapters nationwide in various park areas, fund raising, Press coverage, NPS-9 Rewrite, Development of a nationwide agenda, setting up a reference library, and the starting of a FOP/NPS Logo Contest
- \* Information was passed on to us about the "brake failure problems" in the 1991 Caprices and evidence linking cancer with the use of traffic Radar.
- \* FOP Auxiliary did a presentation on the 1991 National Law Enforcement Memorial Activities.
- \* Another noteworthy presentation was made by West Virginia State Trooper Ron Watkins who survived an explosion when a car he was investigating was wired with twelve sticks of dynamite to the dome light.
- \* All of us spent alot of time talking to other delegates and educating them as to conditions in the National Park Service. Our fellow officers support our cause and are appalled at our low pay and lack of 20 year retirement. The press coverage that we received as a result of President Jackson's letter to News-week earlier has generated even more press coverage.
- \* We received the unanimous support of the entire conference delegation in passing a resolution to place an FOP representa-

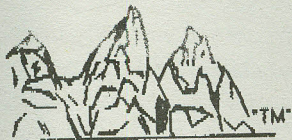


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tive on the OPM Task Force on Law Enforcement Pay Reform. The OPM has since taken the recommendation.

\* Through our efforts the National FOP Board has formed a Federal Officer Labor Council and we have a Park Ranger on that Council. Bob Martin of Shenandoah will be representing us on that Council. Since the National Conference, we have sent a packet to the OPM Task Force on Law Enforcement Pay Reform. This packet included sample position descriptions for Public Safety Officers and Pay Comparison with outside agencies, showing in some cases as much as a 38% pay differential. The bulk of this project was taken on by Dan Kirschner of Grand Canyon. Dan, Thanks for all your hard work. Our Brothers and Sisters at Grand Canyon also worked with National Public Radio and the NBC Today show on some programs that have since aired and brought positive response. The National Public Radio broadcast triggered a response from the FOP National Insurance Coordinator John Cippolla who is interested in working with us to develop a reasonable health insurance plan for our seasonals.

I would still like to receive any comments concerning changes to NPS-9 — I am working on putting our response together for WASO.



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## Now Is The Time For WASO To Designate 6c Positions

By Dan Kirschner, Grand Canyon Public Safety Officers Association

Editors note: This is a draft of a position paper to be considered by the Western Lodge. It is being presented here for comment before a vote for adoption.

**POSITION:** The National Park Rangers Lodge strongly endorses Enhanced Annuity/Early Retirement Coverage for all National Park Service (NPS) employees whose primary duties include the performance of fire control and law enforcement activities.

Because of the provisions of the 1990 Federal Law Enforcement Pay Reform Act, specifically the provision which authorizes and budgets a pay increase, Lodge #23 strongly urges the Washington Office (WASO) to take the lead in identifying and designating all existing 6(c) coverage qualified Positions before January 1, 1992.

**HISTORY:** In 1947 and 1948, the Congress of the United States of America, passed legislation mandating early retirement and enhanced annuities for federal employees whose primary duties included law enforcement. In 1972, Congress accorded the same retirement benefits to federal fire control personnel. In 1974, Congress passed Public Law (PL) 93-350, which further reinforced congressional intent to provide early retirement and enhanced annuity retirement benefits to the aforementioned federal employees.

Congressional intent for passing these laws is threefold.

One: Congress has recognized these activities as being inherently more dangerous than most other occupations.

Two: these occupations are best performed by younger, more vigorous, people.

Three: people who perform these duties at the federal level are under-compensated for the duties and services they perform when compared to state and local agencies.

Testimony made to Congress in support of the aforementioned legislation is voluminous and on file.

PL 93-350 also mandated that all federal agencies identify all positions that should be "covered" in order to increase retirement deductions. In 1976, the National Park Service (NPS) mistakenly concluded it had no positions that qualified for "coverage."

The Office of Personnel Management (OPM), formerly the Civil Service Commission (CSC), is on record as being opposed to all law enforcement and fire control enhanced annuity and early retirement programs. OPM has stated, in Congressional hearings, that it believes federal law enforcement and fire control employees are adequately compensated for the dangers they face through higher salaries. Numerous pay studies refute OPM's



# Retirement Coverage

Continued from previous page

position and Congress has consistently overruled OPM when it comes to early retirement and enhanced annuity programs for federal law enforcement and fire control personnel.

Congressional and executive concern about retention and low pay for federal law enforcement officers resulted in the formation of the National Advisory Commission on Law Enforcement. This Commission concluded that federal law enforcement officer pay needs to be increased at all levels, but primarily at the entry level. The Commission's final report not only called for better pay, but also advised the formation of a compensation system specifically designed for federal law enforcement officers. These recommendations were adopted into law by passage of the 1990 Federal Law Enforcement Pay Reform Act (FLPRA).

The 1990 Federal Law Enforcement Pay Reform Act requires many changes in how federal law enforcement officers are compensated. Two of the key congressional mandates are of immediate importance. One directive calls for federal law enforcement officer pay to increase on January 1, 1992. This increase is congressionally authorized and funded at no expense to the agency. A second directive requires OPM to develop a separate pay system for federal law enforcement officers. OPM used its delegated authority to expand this directive into making suggestions for the creation of a separate system for all federal protective service occupations. As part of this directive, OPM has set up a Task Force to study and make recommendation regarding federal protective service compensation.

With the formation of this Task Force, the WASO personnel office was concerned whether it should look at the designation of current positions for inclusion under 6(c) coverage. WASO personnel stated that the NPS was going to wait to see what the Task Force recommendations were regarding pay and retirement issues before taking action on identifying current positions that were qualified for 6(c) coverage.

Another reason for WASO wanting to wait appears to be because WASO wants to see how individual employees claims for 6(c) coverage for prior service will fare at the OPM level. The reason individual employees had to make claims for 6(c) coverage for prior service was because at the same time Congress was concerned about fair pay for and the retention of federal law enforcement officers, OPM was in the process of enacting rules and regulations that would prohibit employees from claiming 6(c) coverage for prior service.

In 1988, OPM proposed rules and regulations designed to prohibit Civil Service Retirement System (CSRS) employees from claiming 6(c) coverage for prior service. OPM claimed the reason for these new rules and regulations was to improve the administration of the coverage program, but included in these same rules was a provision that all coverage requests for prior service, going back more than one year, had to be submitted by a

certain date. If these coverage requests were not submitted by the announced deadline, the employee could never claim coverage for this past service period.) In the end, after receiving numerous comments, OPM announced March 31, 1990 as the established deadline for submitting requests for "coverage." WASO received approximately 650 submittals (Packages) or requests for coverage for past service.

Over a year and a half later, in September/October of 1991, some of these Packages have finally made their way to OPM via the U.S. Department of Interior (USDI). A significant number of these Packages have received positive recommendations for past coverage by the NPS and USDI and have been forwarded to OPM for final decision. While these Packages are finally meeting with approval, many current employees, in positions that will no doubt qualify for 6(c) coverage, may miss a substantial pay increase on January 1, 1992 because the NPS has not yet identified and submitted existing positions for 6(c) coverage.

The pay increase is tied to specific positions through its designation as a 6(c) covered position.

Since OPM has announced that its Task Force will not be addressing retirement issues (Federal Times Vol.27, No.33) — that is, what positions qualify for 6(c) coverage — each agency must now make its own determination and recommendations.

6(c) coverage is what determines which positions will get the congressionally mandated automatic pay raises.

With respect to the January 1, 1992 pay raise, and because many NPS positions are being approved for past service coverage, the NPS could find itself treating employees unfairly by not identifying and designating existing 6(c) positions. This failure will probably lead to many administrative and possible legal actions seeking back pay. To avoid the administrative nightmare of having to deal with the back pay issue, Lodge #23 suggests that the NPS move quickly to amend all existing positions that qualify for 6(c) coverage. This action should be taken in a manner similar to the way drug testing position descriptions were modified. That is, an amendment showing the position as being qualified for, and designated as, a 6 (c) position should be attached to each PD and submitted for approval by OPM.

While this process may require the immediate use of a substantial amount of personnel time, it will certainly result in the use of less time than the filing of claims for back pay would require.

Chapter Presidents: Discuss this with your members, then contact your Lodge with comments on this position paper soon. Members in parks without chapters are also encouraged to comment.



# AUO Pay — How It Worked

by George Durkee, Guard, Western Lodge

As a result of efforts by the FOP ranger lodges, Administratively Uncontrollable Overtime (AUO) was used for the first time by the park service to compensate qualifying rangers in Yosemite and Sequoia Parks this past summer. Backcountry rangers in both parks, whose duties and location require them to be available 24 hours a day, received differentials of 15% and 20% added to their base pay.

Although implementation met with more than a little confusion and a number of glitches, rangers in both parks felt it went far towards fairer compensation for work performed outside of a person's regular shift.

For the last several years, backcountry rangers in both parks felt they were working a substantial amount of uncompensated overtime. Their quarters were backcountry ranger stations and, as such, they were constantly approached during off-duty hours to answer questions, give out band aids and read maps for visitors. In addition, they would often respond to minor law enforcement and SAR situations while off duty. Where the incidents required less than 30 minutes, or seemed minor in nature, the rangers rarely applied for overtime.

When several rangers began logging the time spent in off duty incidents, it was found that their uncompensated time averaged 5 to 10 hours per week. Working with the FOP, rangers in these parks submitted their time logs and asked that they be compensated for such work.

Meeting with each park's chief ranger, district ranger, and personnel officer, it was decided that AUO best met the needs for compensating these rangers. The Federal Personnel Manual reads: "An employee in a position in which the hours of duty cannot be controlled administratively, and which requires substantial amounts of irregular, unscheduled, overtime duty with the employee generally being responsible for recognizing, without supervision, circumstances which require him to remain on duty...."

Exempt employees receive a flat percentage for AUO based on their records or estimates of off duty hours worked. Non-exempt employees receive the differential but, in addition, are compensated for the actual extra hours worked. Because of the way this is calculated, this ends up being roughly half pay for the actual hours over 40 plus whatever AUO percentage was decided on. Calling in, keeping track of and calculating the pay for those extra hours is a source of some frustration and confusion to rangers and timekeepers. It also took some time before the Service's payroll computer would recognize and pay AUO.

Under regulations for AUO, employees can receive time and a half for scheduled overtime, but not for unscheduled or emergency overtime, as the latter is considered covered by the AUO percentage.

When considering whether to attempt to adopt AUO, individual rangers should also look at how much emergency overtime they make in a normal season or year. If the amount is greater than 25% of their base pay, AUO is probably not the best way of compensating work outside of a regular shift. Also frustrating to some is working on a major SAR or other incident

and being paid only half pay for those hours. This is still open to some interpretation. One park has decided that if a supervisor directs an employee to perform work, such as on a major SAR, then that is scheduled overtime, and so paid at time and a half. Rangers covered by AUO also have to take a longer term view: if they're not making full pay on a major search, they're finally getting paid for all the hours that have never been paid before.

Also on the positive side, a major precedent has been set; the NPS payroll computer can now pay AUO; and several dozen rangers in two parks are finally receiving fair compensation for work done.

Remember: under the Fair Labor Standards Act, not only must an employee be compensated for any work done for the Service, but it is the Agency's responsibility to tell the employee not to work where it knows or has reason to know that uncompensated work is being performed. It is our responsibility as employees to go beyond complaining about working conditions and to take action in stopping unfair practices. Such action needn't be confrontational or antagonistic. Again and again, the FOP has shown that, working together, field rangers and management can come to mutually satisfactory solutions to problems. Call us at 209/372-9216 if you need help or advice on problems in your park.



## Notes From The Lodge Secretary

Several problems have been brought to our attention involving the expiration of lodge membership. Western Lodge membership expiration dates are on the mailing label of your newsletter. The mailing list computer should note if your membership is expired, reminding you to renew. Eastern Lodge members renew at the first of the year.

If there is any error regarding your membership, or if you are not receiving newsletters, please contact the lodge as soon as possible.

Please renew your membership before the expiration date. This saves us time, postage and material costs in reminding you to renew.

Please notify the Lodge when you change addresses. Newsletters are sent bulk mail and are not forwarded. By notifying us, your State and National Lodge magazines will also be forwarded. If you are not receiving these magazines, notify us.

Membership cards for 1992 will be sent out around the first of the year. Western Lodge members will also receive 1992 FOP member decals.



## Yosemite Members File For Back Pay For Past "On-Call" Scheduling

Several members and other rangers in Yosemite National Park have filed claims with the government for back pay owed them for being scheduled "On Call" in Yosemite without being paid.

The ruling by OPM on the first claim is expected to be favorable, according a source within OPM.

For several years prior to formation of the FOP lodge, rangers in Yosemite had been scheduled for "on call" assignment, meaning that they were expected to be at home or by a phone, ready to respond within minutes to emergency callout.

Lodge research into the Fair Labor Standards Act revealed that the park's on-call policy was in violation of federal labor law. The park's chief ranger denied that this was the case, but changed the callout policy.

In a potential settlement of the Yosemite Tenant's Association suit, rangers agreed not to file for back pay if they were not billed for back rent. When back rent bills arrived, rangers began filing for back pay.

Several parks throughout the system, most notoriously Yellowstone National Park, still violate federal labor law with an unpaid on-call policy.

NPS was put on notice two years ago when Greg Jackson, now president of the Western Lodge, wrote the Director advising him that unpaid on call existed in several parks.

Sources say that the pending favorable back pay ruling is now a cause of concern in Washington, because claims could run into

the thousands of dollars for each ranger.

Potentially a hundred or more rangers are or were affected by unpaid on call and due back pay.

The Western Lodge will publish a guideline "How To File For Back On-Call Pay" in the next edition of The Protection Ranger.

For information on ending unpaid on-call in your park, call the Western Lodge at 209/372-9216 and ask for our Ending On-Call briefing paper.

Information on how to claim back pay will be included in our next issue.

## Random Drug Testing Begins At Western Lodge Headquarters

The Park Service began its random drug testing program by testing U.S. Park Police narcotics officers and rangers in Yosemite, the park where the Fraternal Order of Police's Western Lodge is based.

Top Interior Department officials were on hand for the administration of the program.

The FOP originally was an outspoken critic of the drug testing program in its early stages. Court rulings and divided views among the membership has dropped this opposition off the Lodge's agenda. The Lodge still advocates improving the seasonal drug testing program because of the financial burdens it places on many seasonals.

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