



# AFGE Council 238

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December 8, 2022

Dear Administrator Michael Regan,

We, the undersigned EPA workers, are writing to ask for your support to impose a fairer promotion framework at EPA.

## 1. EPA Career Ladder Pay Scale

The Issue: EPA workers should earn the pay that captures the complexity and difficulty of the work required by their positions. More challenging work hasn't gone away—instead, employees are performing more difficult work without being paid at a rate that competes with the private sector. Career ladder positions at EPA are classified with a “full performance level,” the grade at which the career ladder tops off. By refusing to consider extending career ladders in bargaining the Master Collective Bargaining Agreement (MCBA), the Agency is devaluing the work of EPA employees.

Why It Matters: The Inflation Reduction Act (IRA) and the Infrastructure Investment and Jobs Act (IIJA) require a robust and effective EPA workforce that performs higher graded work than previously assigned to accomplish the complex tasks President Biden has assigned to EPA.

This is an equal pay issue: The Agency is getting the benefit of a lower-paid workforce tasked with more complex work but not earning the pay that they deserve.

This is a retention issue: Skilled employees are leaving the Agency for other employers (private and federal) that will pay them what they are worth.

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This is a recruitment issue: The Agency is working to attract quality employees but the career path at EPA doesn't pay as much as other comparable jobs within the federal government. Twenty-five percent of EPA's job offers to talented recruits are being turned down.

This is morale issue: Dedicated EPA employees are not being recognized for the quality and value of their work to advance EPA's mission.

What Can Be Done: The Agency should identify the areas of career ladder disparity and raise the salaries of EPA employees by extending career ladders.

## 2. Merit Promotion for Everyone at EPA

The Issue: The Agency refuses to allow merit to govern promotions of attorneys or to apply its own merit promotion policy to attorneys.

Why it matters: The Agency is failing to ensure fair and open competition attorney promotions by committing to do so under the Master Collective Bargaining Agreement (MCBA).

This is a fairness issue: Lack of competition in attorney promotions risks arbitrary action and personal favoritism.

This is a DEIA issue: Failure to fairly compete all promotions allows implicit bias to influence promotion selections, a documented Agency problem.

This is a vulnerability issue: The absence of free and fair competition for promotions invites corruption.

This is a morale issue: Employees are less motivated for excellence if advancement does not depend on merit.

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What Can Be Done: At the bargaining table, AFGE is proposing to include merit principles promotions for attorneys in the MCBA, eliminating non-competed promotions.

We think promotions at EPA should be fair and based on the hard work we actually do. At the bargaining table, we ask you to recognize that our expertise is desperately needed in the moment and is tied our common goal of a healthy and productive nation.

Thank you for your vocal support of EPA employees. We commend your efforts to shape the EPA workforce to meet the demands of the climate crisis.

Together in Protection of the Environment,

The Employees of AFGE Council 238

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