

March 2, 2008

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Comments Regarding: OSC File No. DI-07-1993

When I contacted the Workers Compensation department to let them know I had been pressured into filing a false report, they directed me to file a complaint with the U.S. Office of Special Counsel. I did so, and did not know what to expect. I was pleased that I was taken seriously and treated with respect by both the Office of Special Counsel and the investigators sent out by the Department of the Interior.

I am glad to see that action was taken to provide a safer environment for the USGS employees, and that people will be properly instructed now as to the handling and storing of explosives. I have heard that formal training now occurs and that proper storage is now being arranged.

There are a few problems I can see with the scope of the investigation.

- I was surprised that the railroad companies were not contacted.
- I was also equally surprised that the only people interviewed were current employees of USGS, and specifically those who still work for John Takekawa. I have heard (admittedly second hand) that he met with those employees and prepped them on what he wanted them to say to the investigators. I know he tried to reach me prior to my meeting, but it was on a day I had taken off so I was not able to talk with him. Even if this was not the case, only interviewing those who are still employed by Takekawa is not a full investigation, as those investigated would not want to jeopardize their temporary positions with him. Those who have left may have done so, in part, due to similar frustrations and no longer need to worry about retribution from Takekawa. In particular, I am concerned that the following people, many of whom I personally know wanted to be interviewed, were not:
 - Matt Wilson
 - Lindsay Dembosz
 - Ann Murphy
 - Jennifer MacLean
 - Dominique Monie

Matt Wilson, for example, saw the explosives stored improperly, as recently as February third of this year (sitting in a cardboard box in the middle of the 505 warehouse).

- There are also other employees in other agencies that were not interviewed that witnessed negligence on the part of USGS and it's safety, especially in regards to the rocket nets
 - Sara Stoner-Duncan
 - Terry Addlesbach
 - John Henderson
- I was disappointed that Takekawa's repetitive mishandling of Workers Compensation was not investigated. In a large part I feel this both witnesses to and supports the laxidasical approach he has shown toward his employee's safety.

I also wanted to put on record a few corrections, especially in regards to Takekawa's interview.

- I was not injured in the foot, and Jennifer MacLean did not have a panic attack.
- The explosives were not properly stored in the warehouse, or in a truck parked outside.
- In between projects the explosives were not returned to Dixon, and were still found in boxes or tackle boxes in the warehouse, not marked.
- Takekawa is highly unaware of what happens in the field, and in the three years I was there, I saw him in our south bay station only twice.
- Job Hazard analyses were not in the vehicles, nor did they cover the train crossings or the use of explosives.
- I was never given another option to the Railroad crossing, or told that if I did not want to cross, I did not have to.

To also clarify, neither myself, nor the other whistleblower (of whom I am aware) filed this report because we were disgruntled about a termination of our temporary employment. I filed my original complaint in May of 2007 when I had months of employment left, and if I had not found another job, could have been employed with USGS still. I filed because my concerns over the safety of my crew had grown larger with more incidents that I saw, and Takekawa's neglect to properly care for those under him became incredibly apparent when he asked me to falsify my Workers Compensation form to keep him out of trouble.

I sincerely thank you for the time and efforts of the Office of Special Counsel. Stressful as this has been, it was gratifying to see that something was done and my concerns were not lost in a bureaucratic shuffle.

Thank you,

Angela Rex
~Angela Rex

March 2, 2008

Comments Regarding: OSC File No. DI-07-2225

I am glad to hear that the United States Geological Survey (USGS), San Francisco Bay Estuary Field Station (SFBEFS), Vallejo, CA is taking employee safety more seriously. I am also happy to learn that employees are now given the option to avoid potentially hazardous activities.

However, I believe the investigation into the railroad matter is incomplete. For a complete investigation, Union Pacific Railroad officials should have been interviewed about the safety and legality of non-railroad personnel using railroad property for non-railroad business. Nicole Athearn stated in her interview that Clyde Morris, Don Edwards San Francisco Bay National Wildlife Refuge manager, mentioned using the railroad to access salt ponds. If Morris received written permission to use the railroad as an access point, a copy of this document should have been included in the investigative report.

Additionally, this investigation should have included a review of Federal and State railroad safety and trespass laws. According to the Federal Railroad Administration, the U.S. Department of Transportation, and the Federal Highway Administration, trespassing on railroad property is a serious concern. In the year 2000, the U.S. railroad industry experienced nearly 900 trespassing casualties and approximately 500 fatalities. The investigative report should have clearly demonstrated that USGS use of the railroad crossing is legal, in addition to being safe.

I also thought the interview portion of the investigation was incomplete. The only people interviewed were employees currently working for USGS at the time of the investigation, who may have reason not to speak out against their current supervisor. A few current SFBEFS employees were not interviewed at the time of the investigation, and no reasons were given for not including them. It also doesn't appear that any effort was made to contact former employees or interns for their input. Considering all the interviewees were questioned about incidents involving former employees and interns, it would have made sense to contact and interview the people under discussion, in addition to contacting other former employees and interns.

Again, it's wonderful that employees are made more aware of potential safety hazards and are given the option of not participating in potentially dangerous activities. However, I do think the investigation surrounding train-crossing use could be more robust than it currently is.