



June 25, 2020

The Honorable Collin Peterson  
U.S. House of Representatives  
2204 Rayburn House Office Building  
Washington, DC 20515

To Representative Peterson:

We are writing to you as the Chair of the House Agriculture Committee because of our deep concerns about the USDA Food and Nutrition Service's flawed plans for reopening its offices in the National Capital Region. Chapter 226 of the National Treasury Employees' Union represents nearly 400 agency employees in the National Capital Region. The Union reached out to the agency on June 2<sup>nd</sup> to negotiate a safe and responsible reopening plan, but the agency has thus far refused to bargain in good faith. We would appreciate your assistance in asking that the agency pause its current, dangerous reopening plans and work with the union to reach an agreement that puts employee safety first.

The Union has become increasingly alarmed as agency leadership has moved forward with its plan for reopening despite the vast majority of employees being involved in administrative work that has always been perfectly suitable for telework. The agency's reopening plan ignores critical considerations required for employees to return to work safely. For instance, the agency has not committed to directly informing employees if someone at their worksite has tested positive for COVID-19, and further indicates that, in the event of a positive COVID-19 test at a worksite, an employee's contacts will be traced by USDA employees without public health training for only the preceding three days prior to the positive test, contradicting CDC recommendations. Moreover, because the agency is not following its own "Reopening Playbook," it is not clear how accommodations will be made for employees who are high-risk or who live with or care for a family member who is high-risk. The agency has also provided no assurances to employees with unexpected care-giving responsibilities because of closures (e.g., daycare) resulting from the pandemic.

Thus far, the agency's primary communications have been focused on its plans to, for instance, clean copy machines and elevators twice a day (rather than the normal daily cleaning). This approach is not sufficient to provide the appropriate certainty to employees – including those who may be especially vulnerable to severe health impacts from COVID-19 or may live with a family member who is at high risk. Additionally, it appears unlikely that the agency has or is providing the necessary equipment and resources to implement even the insufficient plan that they have put forward. For example, the agency has stated that they only expect to provide two to three facemasks per employee for the remainder of the COVID-19 crisis and that these facemasks will only be provided upon employee request. Furthermore, the agency has not established a clear policy addressing individuals in agency buildings that refuse to wear facemasks. All of these problems are exacerbated by the agency's refusal to sit down with the Union and bargain a safe and rational reopening strategy.

Additionally, many agency employees rely on public transportation to commute to work in the National Capital Region. Such public transportation service has been curtailed during the pandemic and the use of public transportation is recognized as a high risk activity. The agency has ignored this risk and offered no flexibilities for employees that rely on public transportation to commute to work. For over three months,



agency employees have been engaged in vital mission work, much of it directly related to assisting the American people in this time of unprecedented economic dislocation, while operating at 100% telework. These employees have been lauded by agency leadership for tremendous success and customer service while working from home. Therefore, there is no clear reason to rush employees back into the office in an unsafe way.

At this point, the agency has refused to even engage in a discussion with the Union about how best to reopen the agency's offices while keeping employees safe. Given the rushed reopening process – which could result in complete reopening of agency worksites in the National Capital Region as early as July 6<sup>th</sup> – we respectfully request your assistance in urging the agency to suspend its efforts to move forward with further reopening and to work with the Union to secure a path forward that will prioritize the safety of employees.

Sincerely,

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