

This material is part of a collection that documents the harassment, discrimination, and retaliation perpetrated against Alaska's women research scientists by their supervisor, with full knowledge (and arguably, "tacit approval") of their federal employer, the USDA Agricultural Research Service (ARS)

Subject: A Request from Alaska-ARS

Date: Tuesday, February 23, 2010 1:25 PM

From: Cindy Bower <Cindy.Bower@ars.usda.gov>

To: <Edward.Knipling@ars.usda.gov>

Cc: <James.Bradley@ars.usda.gov>, <Dave.Love@ars.usda.gov>, <Andrew.Hammond@ars.usda.gov>, <Robert.Matteri@ars.usda.gov>, <Maureen.Whalen@ars.usda.gov> These ARS administrators each had the power (and responsibility) to stop the unlawful civil rights abuses that had been occurring in

Dr. Knipling, Alaska's ARS unit while Alberto Pantoja was in charge.
Although ARS administrative personnel have been previously made aware of the discrimination, retaliation, and harassment against the women research scientists in Alaska, I am again bringing the issue to your attention. I have attached the memorandum of expectation that I sent to my supervisor, which describes some of the recent abuses.

I request that I be provided with a different supervisor, specifically one who:

- a) does not commit acts of unlawful discrimination, retaliation, and harassment against women research scientists
- b) is capable of recognizing discrimination, retaliation, and other harassing behaviors when directly witnessing them
- c) did not personally and professionally benefit through their actions (or by their silence) from the unlawful activities perpetrated against their female peers

Year after year, ARS administrators refused to provide me (and the other female research scientists) with a workplace free from unlawful discrimination, retaliation, and harassment as guaranteed by Title VII of the Civil Rights Act of 1964 (as amended in 1972 by 42 U.S.C. 2000e-16 to include federal civilian employment). This ongoing lack of supervisory accountability is part of a dark history of ARS civil rights abuses against its women employees.

"An age is called Dark not because the light fails to shine, but because people refuse to see it" - James Michener

All I'm requesting is to be assigned an ARS supervisor who follows U.S. laws. Is that really too much to ask?

Thank you for your consideration.

Cindy Bower, Ph.D.
USDA Agricultural Research Service
PO Box 757200
Fairbanks, AK 99775-7200
Phone: (907) 474-6732
Email: Cindy.Bower@ars.usda.gov

Many USDA Agricultural Research Service administrative personnel knew about the unlawful activities being perpetrated against the women research scientists in Alaska. Unfortunately (and inexplicably), they have never provided any reason (or apologies) for their participation in suppressing the civil rights of women research scientists working for the ARS in Alaska

Edward Knipling, ARS Administrator
Antoinette Betschart, Associate Administrator (no longer with the ARS)
James Bradley, ARS Deputy Administrator
Don McLellan, Director of Outreach, Diversity, and Equal Opportunity
Dwayne Buxton, Pacific West Area Director (no longer with the ARS)
Andrew Hammond, Area Director for ARS Pacific West Area
Molly Kretsch, 2008 Acting Associate Area Director for ARS Pacific West Area
Robert Matteri, Associate Area Director for ARS Pacific West Area
Maureen Whalen, Assistant Area Director for ARS Pacific West Area
Karen Brownell, Director for Human Resources (no longer with the ARS)
Dave Love, Director for Human Resources

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From: "Cindy Bower" <Cindy.Bower@ARS.USDA.GOV>

Subject: Memorandum of Expectation

Date: Tue, February 23, 2010 1:12 pm

To: Alberto.Pantoja@ARS.USDA.GOV

Cc: Andrew.Hammond@ARS.USDA.GOV,Robert.Matteri@ARS.USDA.GOV,Maureen.Whalen@ARS.USDA.GOV

February 23, 2010

SUBJECT: Expectation on Following U.S. Civil Rights Laws and Ceasing Your Ongoing Harassment Against Women Scientists

TO: Dr. Alberto Pantoja, Research Leader
Agricultural Research Service
Subarctic Agricultural Research Unit
Fairbanks, Alaska

FROM: Dr. Cindy Bower, Research Food Technologist
Agricultural Research Service
Subarctic Agricultural Research Unit
Fairbanks, Alaska

Alberto,

The purpose of this email is to provide you with the expectation to follow U.S. Civil Rights laws and to cease your ongoing harassment against me.

In recent years, you have committed numerous acts of unlawful discrimination against the women research scientists in your unit (e.g. delegating leadership opportunities only to the men, denying women equal program-building resources, allowing only temporary technicians for women, etc...). The first complaints were filed by the other women scientists starting in 2004, and I filed my first grievance in 2007. However, after filing six administrative grievances I realized that the Pacific West Area was not willing to address civil rights violations, so I filed an informal EEO complaint (with ARS), a formal EEO complaint (with USDA), and finally a complaint with EEOC in January 2009.

Now (a year later), one of Alaska's female research scientists has quit and one has been removed from your supervisory control, leaving me as the sole target of your retaliation, with no relief in sight (i.e. no EEOC Hearing scheduled). You have denied all of my meeting abstracts and travel since October 2009, which is a serious blow to my career. You recently threatened (in writing) to fail me in a critical element of my performance plan if I did not engage in what I (and most, if not all journals) consider to be unethical authorship behavior. You neglected to tell the aquaculture scientists that you'd used our research funds to purchase a vehicle for Kodiak until the vehicle had arrived (several months after its purchase) and then you denied any knowledge of the program's upcoming move to Kodiak. You also excessively complicated (whether directly or through your staff) every issue I brought to your attention (e.g. something as simple as crediting ARS for a student's science fair project), even though you are my supervisor and I am required to inform you of these matters.

Your harassing and destructive management style was astutely described by Dr. Lori Winton (EEOC # 551-2009-00076x) as "Death by 1000 cuts".

Now, I have discovered once again that you are subverting my authority (as ADODR of Specific Cooperative Agreement #58-5341-8-411). As you recall, you previously interfered with that SCA by recommending a deadline extension to

Dr. Andres Soria without consulting me (or even having the professional courtesy to notify me of your action). As usual, I was the last person to be informed. Now I've been told (by Dr. Soria, not by you) that you met with him last week and promised him \$20,000 that was "in the pipeline" so he could continue his gasification research.

I have always specified \$2,500 in my communications with him (and with you), so I'm not certain where Dr. Soria got the \$20,000 figure. Perhaps as fundholder for IPM, you were intending to encumber the additional \$17,500 from your entomology budget. In any case, I am still the ADODR of the gasification project until August 2010, and I resent that you are making promises on my behalf, and then not even mentioning them to me. As you are aware, gasification is NOT in my current 5-year CRIS plan. My gasification project with Dr. Soria achieved a successful conclusion. I extensively discussed this with you while justifying the funding one more paper (about greenhouse design) using \$2,500 drawn from my own research and travel budget. As you well realize, this project was important to bolster my upcoming RPES write up, and your unnecessary delay ensures that the key paper (highlighting my research creativity and innovation in proposing this project) will not be available to the RPES panel.

Since you have been unable to restrain yourself from devaluing my research programs, damaging my professional credibility, and diminishing my impact, I request that you ask to be removed as my supervisor. It is clear that neither of us is satisfied with the current arrangement and this will continue to be an untenable situation until key ARS administrators (and Human Resources personnel) choose to adopt and follow U.S. Civil Rights laws, which prohibit unlawful discrimination against women.

Please let me know if you have any additional questions regarding U.S. Civil Rights Laws and Harassment of Women.

Because you are currently my supervisor, it is my sincere hope that this memorandum impresses upon you the expectations for your performance as a Federal employee in following U.S. Civil Rights Laws. It is also to inform you that any further instance of you not following U.S. Civil Rights Law represents unlawful performance in your role as a supervisor. The Employee Assistance Program can help in a variety of situations, especially since the women scientists under your supervision have (on more than one occasion) expressed fear of becoming victims of workplace violence when you are angry. If you believe that the EAP can be of assistance, you are urged to call the EAP office at 1-800- 222-0364.

If you have any questions or require further clarification, please contact me at 1-907-474-6732 during normal business hours. As usual, if you choose to contact me in person, come with an escort (as has been required since 2008) to assure my general safety in your presence.

Please acknowledge receipt of this email. Thank you.

Cindy

Alberto Pantoja never acknowledged receipt, nor did he stop his unlawful activities against me.

Attachments:

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Type: text/html

Edward Knipling (ARS Administrator) had already ruled in 2008 that my supervisor's unlawful discrimination against women scientists was "a nongrievable matter" within the ARS, so (again) no action was taken to bring the agency into compliance with U.S. Civil Rights laws.