

CANDOER News



A quarterly Newsletter dedicated to Communicators AND Others Enjoying Retirement

April 2015

Spring Issue

Volume 15 - Number 1

Inside this issue

CANDOER's Corner	1
By Bob Catlin	
Troubled Times	2
By Jim Prosser	
Holy Attire	3
By John Lamadri	
Humor	3
Received from Rob Robinson	
Kavalla, Greece - October 1961	4
By Charles Christian	
Smoking Ban	5
By Jacques Roman	

Welcome to the latest issue of the Newsletter dedicated to the **CANDOERs** (Communicators **AND** Others Enjoying Retirement). This **Newsletter** will be published quarterly. New issues will be posted on the Web for your reading enjoyment on or about, January 15, April 15, July 15, and October 15.

The **CANDOER** web site and **Newsletter** may be viewed at: www.candoer.org.

The success of this newsletter depends on you. I need story contributors.

Do you have an interesting article, a nostalgia item, or a real life story you

would like to share with others? If you do, please send it to me at the following e-mail address: candoercat@gmail.com

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The PDF file and Microsoft Word document will allow you to download and print the newsletter exactly as if I had printed it and mailed it to you.

CANDOER's Corner

We have had an extra cold winter here in Southern Maryland. Temperatures as low as 0 and wind chill temperatures as low as -25F. Here it is April First and still spring hasn't arrived. Am sure I have said this before, but I am going to say it again, I

HATE COLD WEATHER!

I am sure those of you who live further north may have seen temperatures far colder than ours, but the low temperatures we experienced this winter set many records. Something I would prefer not to see, ever again!

I had to take the boat motor up to the B.A.S.S. Pro Shop for a check-up after this last fishing season was over. I kept getting a low oil pressure warning. The technician could not get the motor to do the same thing while being tested, so I guess I will have to take it out and run it until it really has a problem.

This is an extra-long issue, 15 pages. I received a long story from **Jacques Roman** that I did not want to break up into several parts. Thanks **Jacques!**

I want to thank those of you have helped me to keep this publication alive by contributing your stories. It is you, the **CANDOERs** that keep this Newsletter going.

The humor article in this quarters issue was received from **Rob Robinson**.

Troubled Times

By James F. Prosser

Rudy Garcia's article, in the previous edition of the **CANDOER** News, about his unintended and unexpected extended TDY in Khartoum brought to my mind a similar experience I had back in the early 1960s when I was posted to Leopoldville in the former Belgian Congo.

Those who followed the news at the time will recall that terrible things were happening in the Congo, and that it was a very dangerous place to be.

Shortly after arrival at post, a brazen robbery took place which alerted my wife and I just how bad it was in the Congo. La Devinier (The Riddle) restaurant, isolated in a suburb, was a place frequented by foreigners. One evening a heavily armed gang of robbers entered the restaurant and forced all occupants to strip themselves completely naked. The gang then stripped everyone of all jewelry along with wallets, and clothing, stuffed it into bags and

departed with the booty. That certainly eliminated the possibility of a chase. Welcome to Leopoldville.

A few days later an embassy officer in our neighborhood was awakened one night by the sound of thieves forcing their way into his house by trying to remove the iron grill door from the entry. Fortuitously having a loaded weapon in his bedroom, he opened the window and fired all his ammunition in the darkness towards the entrance. The thieves took off and the officer went back to bed. At first light of day, he found one dead Congolese on his front lawn. Taking his most vital possessions, he drove down to the Congo River ferry crossing, took the next ferry to Brazzaville just across the Congo River. He went to our embassy there and reported the incident back to the embassy in Leopoldville. He was advised to remain in Brazzaville until the Department of State had him transferred out of Africa. So, you get the idea this was not the best place to live or work.

Of all the Foreign Service assignments I had in my career, Leopoldville was far and away the most difficult and dangerous. For a communicator, the hours were extremely long (16-18 hour days for weeks on end) and always stressful. Somehow, I managed to deal with the situation.

My tour was completed in September 1964, but an acceptable replacement for me still had not been identified, so I could not leave.

There was an important family wedding taking place back home in Green Bay, Wisconsin, but it was impossible for me to attend. So, my wife Mary went ahead of me and stayed there until I was eventually replaced and caught up with her at Christmas 1964.

At that very time, in the Congo, a rebellion was taking place. The American Consulate in Stanleyville (about 700 miles from Leopoldville) was captured and all the American employees were held hostage by the Simba warriors. They included three communicators, Jim Stauffer, Larry Parks, and Ernie Ruehle.

Eventually the Congolese, American and Belgian governments mounted a military operation to rescue all. It was successful, but the employees suffered greatly at the hands of their captors for almost three months.

At this point I received a letter from Mary saying that she was pregnant! Wonderful! Our son Stephen, was eventually born in Brussels, Belgium, lived his scholastic life abroad with us and after graduating college, joined the Foreign Service where he is still working today!

My replacement (Dick Sharp) arrived early in December 1964. I departed the post a few days later. What a relief that was!

But I still was not out of danger. All flights out of Leopoldville to Europe and the USA departed around midnight. Communications technician Walter Hunter (RIP) and his wife Ruth organized a dinner party for me that evening prior to heading for the airport. At about 9 p.m., the Embassy facilitator and friend (Guy Maihieu) came to pick me up. Walking with him in the darkness across the lawn to the car, I stepped on what I thought was a garden hose, but it moved and turned out to be a black mamba! That's a two-step snake, one bite and two steps later you are dead! Fortunately it went one way and I the other - quickly.

At the airport, Guy Maihieu, knowing how I liked the local pili-pili hot sauce, gave me a pint jar of his home made pili-pili. Wonderful!

Alitalia to Rome departed on time, but my Congo troubles were not over. After a plane change in Rome, I arrived at Munich, my first stopover in Europe. Upon arriving at my hotel and opening my suitcase I found that the jar of pili-pili sauce came open and leaked all that red sauce over everything. Basically the suitcase and all in it had to be trashed on the spot.

The only clothing I had was what I had on at the time. Keep in mind I had just come from the tropics and it is cold and snowy in Munich in December! My luck changed when I was able to go to the

nearby US Army PX and come out dressed in warm clothing and a winter coat!

* * * * *

The above ends what I would describe as the bad news chapter of this extended assignment. In the next issue is the good news chapter describing what happened on the rest of the way home to Green Bay for home leave.

Holy Attire

By John Lemandri

One weekend in The Hague, Holland, I cut my hair in the style of a monk, then donned a brown robe with hood and large silver cross, while my friend Marsha wore a nun's habit with rosary. As we drove home from a costume party that evening, we stopped at a light as an elderly Dutch couple pulled up beside us. They smiled. We, in turn smiled back, as I gave the sign of the cross and bestowed my blessings upon them. I then turned to Marsha, put my arms around her, and planted the biggest kiss I could muster right on her lips. You should have seen the look of shock and disbelief on the faces of that elderly couple. To this day I am certain they gave up all hope of Godly salvation.

Humor

In ancient Israel, it came to pass that a trader by the name of Abraham Com did take unto himself a healthy young wife by the name of Dorothy.

Dot Com was a comely woman, Large of breast, broad of shoulder and long of leg. Indeed, she was often called Amazon Dot Com.

And she said unto Abraham, her husband, "Why dost thou travel so far from town to town with thy goods when thou canst trade without ever leaving thy tent?"

And Abraham did look at her as though she were several saddle bags short of a camel load, but simply said, "How, dear?"

And Dot replied, "I will place drums in all the towns and drums in between to send messages saying what you have for sale,

and they will reply telling you who hath the best price. The sale can be made on the drums and delivery made by Uriah's Pony Stable (UPS)."

Abraham thought long and decided he would let Dot have her way with the drums. And the drums rang out and were an immediate success. Abraham sold all the goods he had at the top price, without ever having to move from his tent.

To prevent neighboring countries from overhearing what the drums were saying, Dot devised a system that only she and the drummers knew. It was known as Must Send Drum Over Sound (MSDOS), and she also developed a language to transmit ideas and pictures - Hebrew To The People (HTTP).

And the young men did take to Dot Com's trading as doth the greedy horsefly take to camel dung. They were called Nomadic Ecclesiastical Rich Dominican Sybarites, or NERDS.

And lo, the land was so feverish with joy at the new riches and the deafening sound of drums that no one noticed that the real riches were going to that enterprising drum dealer, Brother William of Gates, who bought off every drum maker in the land.

Indeed he did insist on drums to be made that would work only with Brother Gates' drumheads and drumsticks.

And Dot did say, "Oh, Abraham, what we have started is being taken over by others."

And Abraham looked out over the Bay of Ezekiel, or eBay as it came to be known.

He said, "We need a name that reflects what we are."

And Dot replied, "Young Ambitious Hebrew Owner Operators."

"YAHOO," said Abraham.

And because it was Dot's idea, they named it YAHOO Dot Com.

Abraham's cousin, Joshua, being the young Gregarious Energetic Educated Kid (GEEK) that he was, soon started using Dot's drums to locate things around the countryside.

It soon became known as God's Own Official Guide to Locating Everything (GOOGLE).

That is how it all began.

And that's the truth.

Kavalla, Greece - October 1961

By Charles Christian

Kavalla was the principal seaport in eastern Macedonia that was known as Neapolis in biblical times. Here Paul first set foot in Europe and made his first convert to Christianity. Her name was Lydia and she was a merchant of purple dye. It happened in the ancient city of Philippi which is inland on top of the high mesa area just behind Kavalla.

I was asked to take a classified pouch of material to our man in Kavalla, who was a Greek-American from Lowell, MA, Peter Koromilas. Pete was there with the Greek CIA (KYP) and with a Greek Army intelligence unit housed in a large white villa on the shore just west of the city.

I arrived late afternoon on a Friday via an Olympic Airlines DC-3 and immediately turned over the pouch to Pete and went to the small hotel I would stay in overnight. I then return to Athens in the morning on a flight. Fog came in and settled around the airport and I had to wait for it to clear on Monday before I could return. (Sob!) The hotel was on the city square adjacent to the sea not unlike the Spanish city of Monterey, CA is to the Bay of Monterey. Kavalla was small and unspoiled back then like all of Greece was as the tourist influx had yet to start in the county and the economy was such that everything was very cheap for Americans who lived there. Pete arranged for me to have a Greek Army Jeep for the weekend to go exploring around the local area. I remember going behind the city to the still useable Roman road, the Via Egnatia, that ran from the Adriatic Sea to the city of Byzantium (now Istanbul). On the road I saw the house that Mohamed Ali, the Pasha of Egypt and Sudan in the early 1800's, was born in.

I then went to Philippi. I parked in the

fog and started walking into the city and there was not a soul around and it was a little spooky. I then heard the sound of a few people in the distance who were just barely visible. When I got to where they were they were gone! The city was not unlike the ruins of Pompeii outside of Naples and it seems to me that all the old Roman cities are in about the same condition that I have visited over the years.

There is a story that is worth repeating here. Prior to 1912, when Macedonia finally got its independence from Turkey, there had been a long period of guerrilla type activity by local Greek patriots against the Bulgarians and Turks who occupied northern Greece. As a matter of fact, I have an old muzzle loading percussion pistol that looks like a pirate pistol from the late 1800's that has its former Greek owner's initials on top of it and with about ten notches in its wooden stock to denote the killing of that many of the occupiers. The seller told me it was from Northern Greece and was obviously used in the fight for the area's freedom from the Ottoman Empire of Turkey.

The Greek consul to Macedonia back then was stationed in the city of Salonika (Thessalonica) and was a secret leader of the movement against the Ottoman Empire occupation. His name was also Mr. Koromilas. In Salonika the Museum of the Macedonia Struggle is located on Koromilas Street. I never thought to ask Pete if he was related. Regardless he must have greatly benefited locally as a result of his last name.

Pete's agency connection was known to the Communist country of nearby Bulgaria and Radio Sofia who would at times make snide comments about Mr. Korom, the name he used locally.

Last I heard Pete was an old man living in retirement in a residential senior apartment in Washington D.C.

And so ended another of the many interesting experiences I had during my agency career overseas.

Smoking Ban By Jacques Roman

Ever wonder why on-the-job smoking is prohibited today? If you don't remember, find out what happened in 1978-79, and read three articles that were written about my grievance about smoking in the workplace, when I first joined the Foreign Service.

Hope you find this reading interesting. It may even bring back some nostalgic memories.

In 1978, Jacques Roman, a newly hired federal employee employed as communications officer with the United States Foreign service at the American Embassy in Abidjan, Ivory Coast, filed a formal grievance against the Department of State for refusing to ban smoking within the confines of the Communications and Records office where he worked.

Being new to government, he objected to fellow workers' on-the-job smoking and refused to accept the established grin-and-bear policy dictated by the Bureau of Personnel. He was able to successfully broadcast his discontent of the non-existent smoking policies within the Department of State to other federal employees, by providing official details of his grievance to three well-known federal publications to tell his story. As a result, numerous similar grievances were filed throughout the federal government.

Mr. Roman hired an attorney who, along with sympathetic journalists, was able to convey the message to administrators that on-the-job smoking would no longer be tolerated by federal employees.

In 1993, smoking was banned throughout all General Services Administration (GSA) controlled buildings and overseas Federal Building Office (FBO) facilities.

State Department Newsletter - July 1978

THE NEW MILITANCY

"Do you mind if I smoke?"

Yes. "

"Wait - what did you say?"

"Yes, I do mind if you smoke."

"Look, I was only being polite. I didn't expect ..."

"Well, you asked me, so I told you."

"Don't try to force your idiosyncrasies on me."

"Why should you force yours on me?"

"Thanks. Next time I won't ask-I'll just light up. "

"You're welcome. Next time I won't wait to be asked-I'll just tell you. "

- (Refrain overheard by a roving reporter.)

Those who are following the action between smokers and nonsmokers in the Department and the Foreign Service are having difficulty scoring the latest bout, which began in Abidjan (Round 1), moving from that West African post to the Foreign Service Grievance Board in Washington (Round 2) and then to the Bureau of Personnel (Round 3, where the bell is just now sounding). Did Jacques Roman really lose the first two rounds, as he would have everyone believe, or did the support communications officer, who insists that tobacco smoke literally makes him sick, fight to a draw, as the other side maintains? What are the odds on Round 3?

This is a bout well worth watching because, confusing as the scoring is; it's the first match to go on record officially at State, and the first with the prospect of going the full distance. In other words, when smokers were driven off the elevators in the Department building and out of a section of the cafeteria here, and then out of some medical waiting rooms here and abroad and a few other such places-those were quick knockouts.

The smokers lost some turf but didn't seem to mind terribly. Perhaps 98% of the territory was still theirs. And the action did not get inscribed in the record books-which is to say that the Department's regulations have, on the whole, remained hospitable to smokers. But the action that began at the U.S. mission in the Ivory Coast has escalated to a point where it has the potential (get ready for a pun) of changing

the entire working atmosphere of the Foreign Service and the Department.

The challenger, Mr. Roman, is from Santa Monica, Calif. He's 39 years old. He was in a small business there, the drudgery of which, he told the NEWSLETTER in a telephone interview, "finally began to get to me." He related: "My wife and I discussed the situation and we thought about how we could enjoy life and see the world." So, capitalizing on some things he had learned in the military 15 years earlier, he qualified for the Service and was assigned to Abidjan.

That was in May 1977. Back in Santa Monica, where Mr. Roman was champion, whenever a controversy would arise as to whose rights were paramount-the smoker's or the nonsmoker's-Mr. Roman always won. "I was my own boss in the business," he explained, "and I just didn't permit smoking in my office." He continued: "I'm not against smoking. If anyone wishes to poison himself, that's his own prerogative. I just don't want to be infected with the same poison. "

But when he arrived in Abidjan, Mr. Roman, of course, was no longer his own boss. He joined three other employees in the communications section, and all three smoked. Mr. Roman objected. Discussion followed, and it was decreed that smoking would be off limits in a confined area where the four worked, but not in the rest of their work space. The others accepted the compromise-but Mr. Roman said he could not, and he filed a formal grievance.

He summed up part of his position in a letter to the board on February 6. "In this day and age," he wrote, "when so much is being spent on anti-smoking campaigns, how can anyone remain oblivious to the serious dangers resulting from the exposure to tobacco smoke?"

It is the Department's duty, as my employer, to insure and guarantee my right to a work environment free from any humanly controllable contaminants which will endanger my health. If smoking can be banned in the Bonn and Department's communications sections 'because of the

nature of the equipment,' then, most certainly the same can be applied to my health-if tobacco smoke is dangerous to computers, I fail to understand why it is not considered dangerous to me. Until a means is discovered for people to smoke without contaminating others with their offending fumes, then it is only logical that smoking be prohibited in the presence of objecting parties ... I must be guaranteed an environment without contaminants at all times and wherever I may be in the performance of my duties. This is a right which I consider to be fundamental and absolute, and the right for the smoker to pollute the air which I breathe is not. I am sure fair-minded and intelligent people can only be in agreement with that."

In earlier communications with the board and his superiors Mr. Roman had been equally emphatic.

January 4: "The only resolution I will accept is the total elimination of smoke from my working environment ... I take frequent 'breathing' breaks in order to alleviate the acute discomfort I have to bear, causing some disruption in my work performance

Needless to say, my morale is not at an all-time high."

November 30: "It is not possible to isolate me to the Code Room permanently because my work requires my presence throughout this entire small office. I often cross paths with my fellow co-workers who wander about the room cigarette in hand blowing smoke wherever they please . . . What gives smokers the right to assume that I must tolerate the presence of their contaminants because THEY 'have chosen to smoke.' I have as much right, as a non-smoker, to this employment as does the smoker."

November 22: "... Suffering acute discomfort dizziness, and nausea every day since I started performing my duties . . ."

July 27, 1977: "... I am nauseated, disgusted, humiliated and just plain sick of being subjected to breathing foul contaminated air."

The case was decided by the grievance

board on April 3. Normally, proceedings of the board are confidential; no names are disclosed. (The board from time to time does summarize significant cases, excising names and other identifying material, and releases these summaries for publication in the NEWSLETTER.) However, in this case, Mr. Roman himself made his grievance public, providing the NEWSLETTER with copies of papers that were under his control. "I'm fighting not just for myself," he told a reporter, "but for all the nonsmokers in this agency and other federal agencies."

Following are excerpts from the board's ruling, made available by Mr. Roman:

Mr. Roman requests that the Department be ordered to issue regulations prohibiting employees from smoking in close communal working areas, and mandating that a smoke free environment be maintained throughout entire work areas where there are persons who object to smoking. If the Department is unable to issue such a regulation, he demands that smoking be banned in his presence while he is performing his assigned duties ... "He asked the Charge d' Affaires to declare the entire C&R Section a no-smoking area unless ventilation could be installed which would prevent smoke from spreading beyond a defined radius ...

The Charge, in an attempt to work out a compromise, asked the employees of the C&R Section to refrain from smoking in the confined code room area of the Section. He refused, however, to abolish smoking in other parts of the C&R Section, stating that he felt such a step would work a hardship on those persons in the section who smoked. The Charge warned Mr. Roman that unauthorized absences on his part would be charged to leave without pay . . .

The Department, in its final review of the grievance dated November 15, 1977, found that the Charge had acted responsibly in developing a compromise which tried to take everyone's needs into consideration.

It concluded that no further action was required.

GRIEVANT'S POSITION

Mr. Roman implies that his objection to smoke should have been known by the Department prior to his employment: his objections were registered on his pre-employment Standard Form (SF)-I77, dated April 4, 1976. He contends, on the other hand, that 'Before arriving at the Department I was not aware that the Department did not have a clear and concise policy pertaining to smoking in areas shared by several people.'

Mr. Roman complains that he is being discriminated against by being compelled 'whether [he] likes it or not,' to work with people who smoke. The Department, he says, gives little or no protection to the non-smoker, thereby, in essence, endorsing smoking and denying the non-smoker his right.

Mr. Roman states that the compromise arrangement made by the Charge in Abidjan is not satisfactory given the fact that he must spend 75% of his time in that part of the Section where smoking is permitted. He alleges that the air conditioning system in the C& R Section does not exhaust smoke rapidly enough to provide a smoke-free environment.

DEPARTMENT'S POSITION

The Department states that attempts by the post to meet Mr. Roman's objections have been reasonable. It points out that the Charge banned smoking in the code room of the C&R Section, even though the entire section, including the code room, is air conditioned and, he felt, well ventilated.

The Charge also discussed Mr. Roman's intolerance to smoke with the post doctor. The doctor suggests that Mr. Roman is unusually sensitive to tobacco smoke; he could not, however, identify a specific medical problem caused by Mr. Roman's exposure to smoke.

The Department points out that, prior to assignment abroad, Mr. Roman attended training classes in which smokers were present. While Mr. Roman complained of the smoking, his training supervisor made no attempt to curb it or to give the impression that it would be curbed at

Foreign Service posts abroad.

The Department points out that the only existing regulations governing smoking in government installations are contained in guidelines issued by the General Services Administration (GSA Bulletin FPMR 0-143, dated September 17, 1976).

Paragraph 6e of the guidelines which pertains to 'Work Areas' reads:

The establishment of no smoking work areas in large open space with many employees (e.g., engineering and drafting offices, typing pools, and card punch areas) should be thoroughly investigated. Supervisors should plan work space in such a way that employees who desire a no smoking area can be accommodated, provided that: (1) Efficiency of work units will not be impaired; (2) additional space will not be required; and (3) costly alterations to the space or procurement of additional office equipment will not be necessary. The no smoking areas should be identified by appropriate signs. In establishing and continuing a smoking policy in work areas under their jurisdiction, supervisors should strive to maintain an equitable balance between the rights of nonsmokers and those of smokers.

The Department concludes that, unless and until legislation is passed or regulations published prohibiting smoking in any area where there is an objecting nonsmoker, nonsmokers are left with a choice as to whether or not to continue employment in an environment where other individuals have chosen to smoke.

DISCUSSION AND FINDINGS

The Board concludes from an examination of the record in this case that there has been no violation of any law, regulation, or published policy which would empower the Board to take action in this case. The Board examined in particular the bulletin (FPMR 0-143 of September 17, 1976) from GSA to the heads of Federal agencies which sets out guidelines for controlling smoking in GSA-controlled buildings and facilities. The Board could find no infraction of these guidelines in Mr. Roman's case.

The Board would like to urge the Charge, who has made a conscientious effort to arrive at a compromise arrangement, to continue to seek a mutually-agreeable solution to a problem which, from the evidence, is of such extreme distress to the grievant.

DETERMINATION

On the basis of the evidence in the Record of Proceedings and the findings stated in this memorandum, the Board is unable to sustain Mr. Roman's grievance."

While this ruling of the board did knock Mr. Roman down, he did not take the count. Only a month later he was off the canvas and ready to start Round 3 with a two-fisted counterattack.

On June 5, from Abidjan, he asked the board to reopen his case so he could introduce new evidence-namely restrictions on smoking that had been put into effect by the Departments of Defense and Health, Education and Welfare. And on June 7, in Washington, Mr. Roman's attorney, Edward H. Comer, mailed a long letter to Director General Harry G. Barnes Jr., who is also State's personnel director.

The letter cites the findings of the U.S. surgeon general on smoking, and also "numerous studies" which have shown, according to the lawyer, "that the passive inhalation of smoke and other contaminants given off by burning tobacco is deleterious to human health." In addition, the letter cites a case decided only last March I by the U.S. District Court in *Washington-Federal Employees for Non-Smokers' Rights v. United States of America*. ". . . The Court firmly believes," this inconclusive ruling said, "that such matters are better left to the legislative or administrative process ..."

With the court deferring to the two other branches of government, the letter continues, it is now up to the Department of State to "formally adopt a rulemaking or other appropriate administrative procedure to consider the extent to which the Department should regulate [smoking] ... We anticipate that numerous Department employees would support these views .. .

In addition, other persons may wish to present a contrary position ..."

Sanford Watzman

FEDERAL TIMES SEPTEMBER 25, 1978

State Dept. Smoke Signal Signify Pain, Workers Say

An undetermined number of State Department employees are pursuing an effort to convince management to establish stringent anti-smoking restrictions in departmental facilities here and abroad.

The battle between smokers and non-smokers, which has raged within State during the past two or three years, has escalated sharply, with the non-smokers seeking limits akin to those in large federal agencies, including the Department of Defense and the Department of Health, Education and Welfare.

One employee who has solicited the assistance of an attorney to impress on the department the importance of smoking curbs is Jacques Roman, who is stationed at the U.S. Embassy at Abidjan in Africa's Ivory Coast.

Attorney Edward Comer, who has written the Department of State on behalf of Roman, said that unlike a number of other agencies, State has no regulation that would set up smoking limits.

Roman had filed a grievance with the department and has repeatedly asked the department to establish certain anti-smoking curbs to no avail. "We are not asking the department to prohibit smoking entirely," Comer said. "We are simply asking for the kind of restrictions that both DoD and HEW already have. If nobody objects to smoking within a certain area, then there is no problem.

In response to a recent letter from Comer, Harry G. Barnes Jr., director general of the Foreign Service said: "I am unaware of any widespread difficulty on the part of deputy chief of missions and administrative officers in resolving such issues. There appears to be little need at this time to produce and coordinate policy

guidance on this matter."

Comer said that to convince the department that a smoking problem does exist, Roman has initiated a petition which has been signed by about 80 percent of the employees at the Abidjan post, and the signatures include those of many workers who smoke themselves.

Roman has contended that he is required to work in close, poorly ventilated quarters with several with smokers. He has protested that their tobacco smoke pollutes the air he must breathe, irritates his body and is hazardous to his health.

In a letter to the Foreign Service grievance board in February, Roman said:

It is the department's duty, as my employer, to insure and guarantee my right to a work environment free from any humanly controllable contaminants which will endanger my health," Roman added. "If smoking can be banned in the Bonn and Department's communications sections 'because of the nature of the equipment,' then, most certainly the same can be applied to my health.

"If tobacco smoke is dangerous to computers, I fail to understand why it is not considered dangerous to me," he said.

Roman was adamant in emphasizing that the only resolution of the problem he would accept "is the total elimination of smoke from my working environment."

In writing on behalf of Roman -- who apparently is particularly sensitive to tobacco smoke -- and on behalf of other Department of State employees who are members of Federal Employees for Non-Smokers Rights (FENSR), Comer contended that the department "is obligated to ensure that Mr. Roman and his fellow worker have a safe and healthy environment in which to work."

Comer noted that as a result of studies confirming the danger arising from smoking, HEW -- which serves as the federal agency with the principal responsibility for maintaining the nation's health, prohibits smoking in all conference rooms, classrooms, auditoriums, libraries, elevators and shuttle vehicles.

In addition, Chapter 1-60, 1-60-40 of HEW General Administration Regulation prohibits smoking in work areas where an "employee objects in writing to tobacco smoke in the immediate work environment on the basis that it is having an adverse effect on his or her health."

HEW secretary Joseph Califano has personally requested that all agency heads, including the secretary of State, adopt similar regulations.

Comer said that DoD has adopted similar regulations, because it "recognizes the right of individuals working or visiting in DoD occupied buildings to an environment reasonably free of contaminants."

A DoD spokesman said that efforts are made to monitor areas to assure no violations of the smoking ban. He added that smoking is restricted to staff lounges, private offices and specially designated areas. Although acknowledging, that smoking is permitted in private offices, the spokesman cited a provision of the regulation which stipulates that "in common work places shared by smokers and non-smokers, smoking shall be permitted if ventilation is adequate to remove smoke from a work area and provide an environment that is healthful."

That same guideline adds that "work space may be planned to accommodate the preferences of each group, provided that efficiency of work units will not be impaired and additional space or costly alterations are not required."

DoD also said that as a general rule, a minimum ventilation rate of ten cubic feet of fresh air per person is recommended to remove smoke from a work area and provide for a healthful environment. There is no limitation on smoking in hallways, lobbies and restrooms "as persons are not in these areas for long periods of time."

Asked about penalties for smoking in no smoking areas, the DoD spokesman acknowledged that the written regulations do not spell out punishment -- but he added that an offender could be subjected to some sort of disciplinary action as would be the case involving violations of any

other kind of regulation.

Anti-smoking proponents emphasize the stringent restrictions in both HEW and DoD because together, these two agencies are the government's two largest federal employers, totaling more than 1.1 million workers.

During the past couple of years, the Department of State has taken some actions to alleviate non-smoker complaints. State, for example, has banned smoking in elevators, medical waiting rooms here and abroad and has sectioned off parts of the main cafeteria for non-smokers.

In response to non-smokers' complaints, State's position is that the attempts by the Abidjan post to meet Roman's objections have been "reasonable," citing as an example the fact that the chargé d' affaires at that post banned smoking in the code room of the communications and records section, "even though the entire section, including the code room, is air conditioned and well ventilated."

In addition, State points out that the only existing regulations governing smoking in government installations are contained in guidelines issued by the General Services Administration, specifically GSA Bulletin, FPMR D-143, dated September 17, 1976.

Paragraph 6e of those guidelines, which pertains to work areas, stipulates:

"The establishment of no smoking work areas in large open space with many employees should be thoroughly investigated. Supervisors should plan work space in such a way that employees who desire a no smoking area can be accommodated, provided that: (1) Efficiency of work units will not be impaired. (2) Additional space will not be required. (3) Costly alterations to the space or procurement of additional office equipment will not be necessary."

The Foreign Service Grievance Board in ruling on the Roman complaint said "the department concludes that, unless and until legislation is passed or regulations published prohibiting smoking in any area where there is an objecting non-smoker,

nonsmokers are left with a choice as to whether or not to continue employment in an environment where other individuals have chosen to smoke."

The board decided that in examining the record of the Roman case, "there has been no violation of any law, regulation or published policy which would empower the board to take action in this case."

Adding that it particularly examined the GSA guidelines -- which have been scored as inadequate by protesting nonsmokers -- the board said it "could find no infraction" of these guidelines insofar as the Roman case is concerned.

However, the board urged the chargé d' affaires at the Abidjan post to make "a conscientious effort to arrive at a compromise arrangement, to continue to seek a mutually-agreeable solution to a problem which, from the evidence; is of such extreme distress to the grievant."

Foreign Service Journal - February 1979

May I Light Up

By Lucien Agniez

In at a season which finds the query "may I light up?" answered more often than not with a blunt and occasionally profane negative, it's hardly surprising that the State Department seems to be left holding (the expression should be forgiven) a smoking bomb.

The bomb ticks away down in Abidjan on the Ivory Coast. The man who built it is Jacques Roman, a support communications officer in his first Foreign Service post with the department. During his indoctrination period in Washington, Jacques Roman quietly insisted that tobacco smoke made him ill-and that it was injurious to his health. Friends and colleagues by and large accommodated him by refraining from smoking in his presence.

In May of 1977, Roman was assigned to Abidjan, where, a complacent department assumed, he would adapt to whatever conditions the environment imposed. Instead, Roman kept repeating, again and

again, that he did not wish to inhale the smoke that three fellow employees of the communications section exhaled.

Discussions followed; a compromise was proposed: smoking would be off limits in one small area where all four worked-but permissible in the rest of their work space. Surely, the charge' reasoned, that was fair enough. Not so, said Jacques Roman. He maintained he spent three-fourths of his time in the smoking area and that his air space was, fouled with smoke. So he appealed to the Department for relief. Summarily rejected, he filed a formal grievance.

"How can anyone," he asked in a letter to the grievance board, "in this day and age when so much is being spent on anti-smoking campaigns, remain oblivious to the serious dangers resulting from tobacco smoke? It is the Department's duty, as my employer, to insure and guarantee my right to a work environment free from any humanly controllable contaminants which will endanger my health."

He raised another issue: " If smoking can be banned in the Bonn (Germany) and in the Department's communications section 'because of the nature' of the equipment, then most certainly the same can be applied to my health. If tobacco smoke is dangerous to computers, I fail to understand why it is not considered dangerous to me . . . I am sure fair-minded and intelligent people can only be in agreement with that."

The grievance board's shrift to Roman was not quite as short as the department's. In nine pages of bland whey dished up on April 3, 1978, the board nonetheless gave upstart Roman the back of its collective hand. Excerpts from that communication mark the milestones of Roman's dogged effort to control the air he breathes:

"The charge, in an attempt to work out a compromise, asked the employees of the C & R section to refrain from smoking in the confined code room area. He refused, however, to abolish smoking in other parts of the C &. R section, stating that he felt such a step would work a hardship on those

persons in the section who smoked.

The charge warned Mr. Roman that unauthorized absences on his part would be charged to leave without pay.

"Mr. Roman, dissatisfied with the arrangements made by the charge, forwarded his grievance to the Department on August 1, 1977.

"The department, in its final review of the grievance dated November 15, 1977, found that the charge had acted responsibly in developing a compromise which tried to take everyone's needs into consideration.

It concluded that no further action was required.

"Equally dissatisfied with the department's response, Mr. Roman submitted his grievance to the board ...

"The Department states that attempts by the post to meet Mr. Roman's objections have been reasonable ...

"The charge also discussed Mr. Roman's intolerance to smoke with the post doctor. The doctor suggests that Mr. Roman is unusually sensitive to tobacco smoke; he could not, however, identify a specific medical problem caused by Mr. Roman's exposure to smoke.

"The department points out that the only existing regulations governing smoking in government installations are contained in guidelines issued by the General Services Administration ...

"The department concludes that, unless and until legislation is passed or regulations published prohibiting smoking in any area where there is an objecting nonsmoker, nonsmokers are left with a choice as to whether or not to continue employment in an environment where other individuals have chosen to smoke ..."

On page seven, the board got around to its "Discussion and Findings" - "The board concludes from an examination of the record in this case that there has been no violation of any law, regulation or published policy which would empower the board to take action in this case (sic). The board examined in particular the bulletin (F P M R D-143 of September 17, 1976) from GSA to

the heads of federal agencies which sets out guidelines for controlling smoking 10 GSA controlled buildings and facilities.

The board could find no infraction of these guidelines in Mr. Roman's case. The board would like to urge the charge, which has made a conscientious effort to arrive at a compromise arrangement, to continue to seek a mutually agreeable solution to a problem which, from the evidence, is of such extreme distress to the grievant."

Anticlimactically, the board made its "Determination" - "On the basis of the evidence in the Record of Proceedings the findings stated in this memorandum, the board is unable to sustain Mr. Roman's grievance."

Signing off for the board were: John W. McConnell, Presiding Member; Rufus Z. Smith, Member; and Walter L. Swierczek, Member.

If Jacques Roman was naive in expecting the grievance board to function as an entity independent of the Department, the rush of events which followed the verdict suggest that the Department may have underestimated Jacques Roman.

From Abidjan, he hired a lawyer. He entered into detailed correspondence with officials of the Departments of Health, Education and Welfare and of Defense.

He circulated a petition in Abidjan which resulted in a majority vote to ban smoking in offices there, a majority which included many smokers. And he pledged an all-out fight until the rights of non-smokers to breathe uncontaminated air were recognized.

A quick glance at Roman's file could have convinced anybody he is not a man to be taken lightly. He was born in Antwerp in 1939 of German Jewish parents. His father survived several Nazi concentration camps. His mother fled with him to Brussels and worked as a domestic with false papers provided by the underground.

Roman himself was cared for by a Catholic family who sheltered him at grave risk.

After the war the family was reunited

and in 1952 immigrated to the United States.

Jacques Roman believed in paying his dues; in 1959, barely 20, he joined the Marines and served in Okinawa and Japan. Upon discharge he worked in his father's painting-contract business in California, and then took a job in Paris with a stock brokerage firm as a teletypist-a skill acquired in the Marines.

After a year, he returned to the United States and started a small business which offered computerized financial services; but he tired of it, sold out to his partner and entered the Foreign Service.

His lawyer, Edward H. Comer, continues to press for reconsideration of the board's decision on smoking and the effort began at the top-with Director General of the Foreign Service and Director of Personnel Harry G. Barnes, Jr.

In a six-page letter to Barnes on June 7, 1978, Comer stated-"The Department of State is obligated to ensure that Mr. Roman and his fellow workers have a safe and healthy environment in which to work. As part of this obligation to its employees, the department must consider the health hazards and physical irritation of tobacco smoke and in particular must protect those employees who are sensitive to it."

The letter cited in great detail the Surgeon General's ruling on the hazards of smoking and numerous studies in support of it. It also cited HEW's strict bans on smoking in conference rooms, classrooms, auditoriums, libraries, elevators and shuttle vehicles. Similar rules have been adopted, Comer pointed out, by the Department of Defense. He added-"The secretary of HEW recently personally requested that the heads of all federal agencies, including the secretary of state, adopt similar regulations to ensure the healthfulness of the working environment for their employees and the public."

"In view of the strong evidence," Comer continued, "that the contaminants from tobacco smoke in the workplace can and do profoundly harm the health, wellbeing and efficiency of the nonsmokers, it is

imperative that the Department take all possible action necessary to fulfill its obligation to provide a safe and healthy work environment for its employees."

Just a bit more than three weeks later, Barnes dismissed Comer in three paragraphs-"Thank you for your letter. It pulls together into a logical whole the question of regulation of smoking as it pertains to the Department of State. As you note, the courts and our own grievance board view this as a matter to be settled administratively. Current procedure delegates such regulation to chiefs of mission.

"In view of the wide variety of working conditions encountered by department employees at more than 250 posts abroad, I feel that a decentralized regulatory posture is eminently wise and sensible in this instance. A department-wide hearing might serve to illustrate the difficulty of effective and evenhanded central administration of smoking regulations, but it would serve no other useful purpose at this time.

"I support the view that Mr. Roman should seek an informal accommodation of his problem and do not believe it to be appropriate to insert myself into discussions pertaining thereto."

Undaunted, Comer waded in with another letter dated July 24, 1978. He said, in part - "I would like to make clear that we have not requested that the Department establish a central regulatory administration in Washington to consider all complaints and grievances relating to smoking. We feel the Department's current grievance procedures, which permit these types of issues to be resolved locally, could be adequate ... However, specific guidance from your office as to the standards which should be applied to resolve such issues would be of great assistance to him (Roman) and to the Department's administrative officers.

"Therefore, could you please identify for me the standards and criteria which DC, MS and other State Department administrative officials must apply when faced with

grievances or complaints relating to smoke and tobacco contamination?

I am particularly interested in receiving copies of all documents and guidelines which advise these officials how to resolve such complaints and which purport to protect the health and comfort of employees who are harmed by or object to tobacco smoke."

This time, in just over two weeks, Barnes got back to Comer in a letter of two lean and clean paragraphs-"This is in response to your letter of July 24 suggesting that a set of standards be established for use in resolving grievances arising from smoking. I am unaware of any widespread difficulty on the part of OCMs and administrative officers in resolving such issues. There appears to be little need at this time to produce and coordinate policy guidance on this matter ... Accordingly, your suggested review of existing policy does not appear to be warranted. You may be sure that the bureau of personnel will continue to monitor the smoking issue and revise policy as needed."

It was a time-tested department remedy for dealing with awkward problems. In denying that "any widespread difficulty" existed, Barnes seemed to be banking on the disappearance of the difficulty in question. His response offered no target at all. It was purely arms and elbows; nobody could lay a glove on it.

Meanwhile, however, pressures were building on other fronts. In the spring, Jimmy Connors and Bjorn Borg had shocked fans at the Grand Prix Masters tennis final at Madison Square Garden by having the public address announcer ask that everyone refrain from smoking. After a startled pause the fans burst into spontaneous cheering.

The state of New Jersey shortly thereafter announced a ban on smoking in all public buildings, including the gambling casinos of Atlantic City.

At the University of California in July, patients suffering from angina pectoris were found to suffer aggravated chest pains when performing exercise after

breathing smoke-contaminated air.

In August, the American Medical Association released a report, 14 years in preparation at a research cost of 15 million dollars which tagged cigarette smoking and smoke as responsible for or exacerbating to maladies ranging from indigestion to cancer.

Posters bearing the lurid message "Kindly Keep Your Butt Out of Here" showed up in California in early autumn-but failed to persuade voters in November to ban smoking in all work areas except private offices.

Still, in a country which has bent over backwards to accommodate minorities, lobbies, pressure groups, women's lib, gay rights and assorted others, there is more than a little suspicion that Jacques Roman is in the vanguard of a new movement whose time has come.

In Abidjan, he continues his one-man assault on promiscuous smoking amid speculation that only a handful of veteran pipe-and-cigar men stand between him and unconditional surrender of the department's smokers.

See you next quarter!

KEEP THE STORIES COMING!

Be safe and enjoy life!