

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)

WITNESS AFFIDAVIT

I, Dr. Steven S. Seefeldt am an employee of _____ applicant to _____ former employee of the:

(Agency) U. S. Department of Agriculture
(Office) Agricultural Research Service
(Division) Sub Arctic Agricultural Research Unit
(Branch) University of Alaska Fairbanks
Located in (city and state) Fairbanks, AK 99775

In the capacity of (show both your organization title and the classification of your job, if different):

Research Agronomist

Grade GS-0471-14 between (date) May 2005 and (date) to the present time

My telephone number during working hours is: (907) 474-1898

I HAVE BEEN ADVISED OF THE FOLLOWING:

I am required by Federal regulations and Department of Agriculture policy to cooperate fully and promptly with the investigator who has been assigned to conduct a thorough and impartial investigation into a complaint of discrimination against the Department of Agriculture. I must provide a statement for the investigative report which is true and complete to the best of my knowledge and which discloses all of my first-hand knowledge having a bearing on the merits of the complaint. My statement is provided under oath (or affirmation), without a pledge of confidentiality, in accordance with Equal Employment Opportunity Commission rules and regulations and Department of Agriculture policy. This means that any employee(s) whom I accuse of discrimination or other acts of impropriety may be shown relevant portions of my affidavit and be provided an opportunity to respond for the record. In addition, the complainant and the appropriate Department Officials involved in the EEO complaint process will receive the entire investigative file. I have the right to review my statement prior to signing it and may make initialized corrections if it is incomplete or inaccurate. I have the right to receive a copy of the signed statement.

Having been advised of the above information about my role as a witness in the investigative process, I solemnly swear affirm _____ the statement which follows is true and complete to the best of my knowledge and belief, and addresses the issues and concerns raised with me by the investigator.

1. Please state your name for the record.

(Answer) My name is Steven Spencer Seefeldt.

2. What is your gender?

(Answer) Male.

3. What are your job title, occupational series, and grade?

(Answer) I am a Research Agronomist, GS-0471-14.

4. What are your major duties?

(Answer) My major duties include weed research focused on controlling weeds. I am also affiliate faculty at the University of Alaska Fairbanks. This allows me to be on graduate student committees.

5. How long have you been in your present position? Date?

(Answer) I have been in my present position almost four years, since May 2005.

6. How long have you worked for the Federal government?

(Answer) I have been a Federal government employee for about twenty-two (22) years.

7. What is the organizational name of the unit/branch/section/division to which you are assigned?

(Answer) U.S. Department of Agriculture, Agricultural Research Service, Sub Arctic Agricultural Research Unit, University of Alaska Fairbanks.

8. Where is your duty station located? City/County/State?

(Answer) Fairbanks, North Star Borough, Alaska

9. Who is your immediate supervisor? Name and job title?

(Answer) My immediate supervisor is Alberto Pantoja.

10. How long has h/she been your immediate supervisor?

(Answer) Dr. Pantoja has been my immediate supervisor since my arrival here 4 years ago in May 2005.

11. Who is your second line supervisor? Name, job title, and grade?

(Answer) Andrew Hammond, Area Director. He is located at ARS Pacific West Area, Albany, CA.

12. How long has h/she been your second line supervisor?

(Answer) Dr. Hammond has been my second line supervisor for about two years.

13. Do you work with complainant? If yes, in what capacity?

(Answer) Yes. We are colleagues working in the same unit.

14. How long have you worked with complainant?

(Answer) I have worked with complainant for almost four years.

15. Can you describe what kind of working relationship you have with complainant?

(Answer) We discuss our different experiments, statistical setups, and experimental designs and how we might set up a study to get valid information from it. Complainant has real strengths in this area and I like to bounce my ideas off of her. We are also working on the design of a cooperative project. It is scheduled for the summer after next. It has to do with herbicide use and the effect on micro-flora. Complainant and I get along with each other very well. I would describe our relationship as collegial.

16. How would you describe the work environment where complainant is situated?

(Answer) We have individual offices. I am not good with emotions so it is hard for me to say what the tenor is among the scientists. It varies from day to day and

generally I would say it is okay or average. There are highs and lows and bad times and good. I am speaking for myself and my observations.

17. Complainant alleges her supervisor, Dr. Alberto Pantoja treats females differently from her male counterparts (scientists). What have you observed?

(Answer) I have observed that Dr. Pantoja is more comfortable with male scientists. In the past, Dr. Pantoja would ignore the female scientists. I have a pretty much collegial relationship with everybody in the unit. That is the way I am. I am older than most and have been in ARS for a long time, so people come to me and talk to me a lot about different things. I am a good sounding board. As an example about ignoring the female scientists one time, about two years ago, Lori Winton and I were walking toward the lab, which is in a separate building from where our offices are located. Dr. Pantoja was walking toward us and Dr. Winton told me, "Watch, he won't say, 'hi' to me." As Dr. Pantoja got closer he said, "Hi Steve" and walked on by. Dr. Winton said to me, "See?" I confronted Dr. Pantoja about that later and told him, "You can't do this. It is ridiculous. You're happy to say "Hi" to me but not to the other scientist? He is much better about that now.

18. Were you aware of complainant's allegation of reprisal (opposition to discriminatory practices)? If yes, what knowledge, role, or involvement do you have of this claim?

(Answer) I learned about this later. A lot of what happened to complainant began before I started working here and growing since. For a long time people wanted to choose sides and they all assumed I was on the other side. Then everyone realized I had not picked a side. That is not my way. I just observe things. As people began to

know me, after a lot of conversations over time, they realized I was not on one side or the other.

Whether the agency subjected the complainant to discrimination and harassment, based on sex (female) and reprisal (unspecified prior EEO activity or opposition of discrimination) when:

Claim 1: on February 26, 2008 she was issued a letter of caution

19. What knowledge, role, or involvement did you have with this claim?

(Answer) I was away at the area office doing a shadow assignment. I was gone for about a week. I did not hear about the letter of caution until sometime later. I actually got to see that letter. Complainant showed it to me around April 14, 2008. We talked about it. In the conversation I discussed having had some conflicts with a past boss. There are a certain amount of things one can do to try to make things better, but at some point it is just not possible. Then you just have to move on. I have done that in the past. We talked along that line and I offered her that thought of looking for another position.

I have had problems with Dr. Pantoja but it mostly is a language issue. English is not his first language. He will say something and I will take it to mean what I thought it to mean. Sometimes it was not what he was trying to get across. Then misunderstandings break out. It makes it difficult because you want to have a clear understanding of what was being said. You find out a week later that he thought something else, something completely different. I have had a few misunderstandings with him. There have been three or four and I am still working on a couple of them. I have not been threatened with discipline or a letter of caution,

A couple of times his response about language has been jovial because it was not over a serious issue. I worked in the Peace Corps and I know how difficult it is to communicate in a second language. We would go back and forth on things. One time he actually let me read some of the things he had written just to make sure it said what he really wanted to say. And I had him change a word and explained why.

20. Do you have any additional information related to this claim?

(Answer) I have nothing to add.

Claim 2: she was subjected to threats of termination (dates not provided)

21. What knowledge, role, or involvement did you have with this claim?

(Answer) I have not witnessed this. The only knowledge I have is what Complainant told me.

22. Do you have any additional information related to this claim?

No.

Claim 3: she was subjected to public humiliation (dates not provided)

23. What knowledge, role, or involvement did you have with this claim?

(Answer) On January 15, 2008, all of us did a presentation on each of our research projects. There were some people listening in and we were trying to do a really good job in presenting our research in a coherent and concise fashion. Dr. Pantoja uncharacteristically asked us questions in a hostile way. I have been around the block and when he asked me questions, I had the answers he wanted and that ended the questioning. When the complainant was questioned, she didn't quite understand what he was asking and offered an unsatisfactory answer. Dr. Pantoja repeatedly asked the question and began to speak louder and louder. I found it quite humiliating for the

complainant the way he was asking the same thing and not explaining himself. I was about to stand up and attempt to defend her, but was afraid I would be using profanity put a stop to this situation. Another scientist, Jeff Conn, beat me to it and did it in a much gentler way. The point did not get across to Dr. Pantoja and he has defended his questioning. That is something that has been hard for all of us in the unit. There were two other women scientists who had to give their presentations as well and Dr. Pantoja was just as hard on them as he was with Complainant. This incident particularly struck as concerns the complainant and I was upset about it. Dr. Pantoja's questions were definitely hostile. In a scientific meeting you sometimes get those kinds of questions and you have to be ready for them (Dr. Pantoja's reasoning), but I disagree strongly that it was called for in this meeting. Dr. Pantoja has a little bit of a temper and I have encountered this display a couple of times but was able to work through it. I have seen him treat Jeff Conn in the same way.

24. Do you have any additional information related to this claim?

(Answer) No

Claim 4: she was subjected to disrespectful behavior (dates not provided)

25. What knowledge, role, or involvement did you have with this claim?

(Answer) This is nit picking but given the history I think it is important. On December 5, 2008. we were in the process of developing our five year plan. We had a meeting of our group, the integrate pest management group. That group includes complainant, Alberto Pantoja, Jeff Conn, Dennis Fielding, and me. Dr. Pantoja had brought in a couple of other people from the Forest Service. We were on a short time line and we were trying to get through our presentations quickly. The male scientists

were allowed to make their presentations and then he skipped complainant and went directly to the Forest Service person who then said, "I am uncomfortable going before Lori (Winton). I think I should hear what Lori has to say before I give my presentation." Given the things that had gone on before, it seemed surprising that Dr. Pantoja was happy to skip her, like she wasn't there. He did allow complainant to give her presentation.

26. Do you have any additional information related to this claim?

(Answer) No

Claim 5: she was subjected to open hostility (dates not provided)

27. What knowledge, role, or involvement did you have with this claim?

(Answer) Please refer to my comments regarding the incident on 1/15/08 (question 22 above)

28. Do you have any additional information related to this claim?

(Answer) No

Claim 6: she was subjected to intimidation (dates not provided)

29. What knowledge, role, or involvement did you have with this claim?

(Answer) Please refer to my comments regarding the incident on 1/15/08 (question 22 above).

30. Do you have any additional information related to this claim?

(Answer) No

Claim 7: she was denied the opportunity to act as Research Leader (dates not provided).

31. What knowledge, role, or involvement did you have with this claim?

(Answer) Dr. Pantoja did not allow any of the women to act as Research Leader. That was very clear. At the Palmer site there are two and sometimes three scientists located there. It is about 300 miles away. Nancy Robertson is one of the scientists there and has been all along. Due to the distance from the Fairbanks site no scientist at Palmer were asked to act as Research Leader. It always had been the male scientists situated in Fairbanks. Now, he has had to develop a rotation to include everyone. I believe the change came about because of this process we are in right now. As a result, I believe he was required to change. I don't know for sure but I think it was something he had to do. We have one GS-15 in the group. I just got my GS-14. There are several GS-13s and one GS-12.

32. Do you have any addition information related to this claim?

(Answer) No

Claim 8: she was subjected to having her peer-reviewed publications downgraded to research notes (dates not provided).

33. What knowledge, role, or involvement did you have with this claim?

(Answer) This is something I heard about but I never read the publications. I heard this from complainant but did not witness the incidents and have no direct knowledge. I As a scientist, I have a clear understanding of what a manuscript needs to be in the field that I work. In response to a question about how the publication process works within ARS: Typically, it varies from location to location, but at this location I do a study, do an analysis of the data, and write a draft. Any authors on the paper get to look at the draft. Sometimes these authors will write whole sections of what they have to contribute. Then it goes to 2 or 3 ARS scientists for peer review. These are

scientists who know something about the field you are working in. You tell them what journal you are going for and get their responses back. They will tell you to analyze it this way, change that figure, re-write the introduction and things like that. You make all of the changes that you agree with. There is actually a form that you get back from the scientists and it has written on that what they would like see changed in the paper. You make the changes and the fill out a 115 form. That essentially is the process. The package is then sent to the Research Leader. It includes the comments the other scientists have made, the new manuscript with all of the changes made, and all of the forms for the people who keep track of all of the publications we have. The Research Leader can ask for some changes. Dr. Pantoja is very clear about this. He acknowledges that doesn't know our particular branch of science very well. He expects that I know my science well enough. He mostly reads it for general interest so that he knows what we have been doing. He then signs off on it and it is sent to the journal to start another round of peer review.

A research note is fairly short. There are 5 to 10 citations from other people's work and maybe one figure or table. It will be around 3 pages long. It is general information not so much hypothesis driven research.

34. Do you have any additional information related to this claim?

(Answer) No

Claim 9: she was not allowed to hire permanent technicians (dates and provided).

35. What knowledge, role, or involvement did you have with this claim?

(Answer) There were several people who were not allowed to hire permanent technicians. I believe complainant, Cindy Bower, and possibly Joe Kuhl. I have been

able to hire permanent technicians at the GS-5/7 career level positions. For the longest time our funding was subject to renewal every year. From year to year we did not know if we were going to get funded. I was led to believe as scientists we did not know if we had jobs from one year to the next and it would not be good to be hiring permanent technicians because after a year we might not have jobs. I don't know if that was the right reason to hire temporary technicians. Both complainant and Dr. Bower were only able to hire at GS-5 /6 level and not allowed to hire at the GS-5/7 level. I think these decisions originated at the Area Office in California. I think all of that has changed now that we are on hard funding but I am not 100% sure. The scientists are career employees and if the unit was to close down, ARS would offer alternate sites to work if available, otherwise we are let go.

36. Do you any additional information related to this claim?

(Answer) No

Claim 10: she was not allowed to hire technicians at GS-7 level (dates not provided)

37. What knowledge, role or involvement did you have with this claim?

(Answer) This is correct. Others were able to hire at the GS-5/7 levels. Complainant had an excellent technician, Andrew Krohn, who has moved on to another ARS job in Wisconsin. She had rated his work very highly, outstanding. ARS does not allow you to rate technicians outstanding. It is an unwritten rule. It just doesn't happen. This was a real bone of contention. Dr. Pantoja downgraded all of the "Exceeds" out and made them "Satisfactory." That is tough when you think you have someone who is performing exceptional work and somebody who does not work with the individual turns around and does not agree with the appraisal. That part I do

not agree with. This has happened to me from time to time when a research leader has knocked down a part of my evaluation of a technician.

38. Do you have any additional information related to this claim?

(Answer) No

Claim 11: she received unfair performance appraisals (dates not provided).

39. What knowledge, role, or involvement did you have with this claim?

(Answer) Complainant showed me a couple of her appraisals. I believe she got hammered one time for not being a good supervisor. There was not any evidence of that. In ARS, the research leader pretty much runs the show and has all of the power. I find having this talk with the investigator today is rather scary because as scientists we have very little recourse to anything. Everybody's vote together counts as 1 and the research leader's vote counts as 2. It is just the way the agency runs its business. It makes me nervous to provide this testimony. Someday I would like to aspire to a research leader position and hope no harm comes because of this affidavit.

40. Do you have any additional information related to this claim?

(Answer) No

Claim 12: on September 5, 2008 she was threatened for communicating EEO issues to various other people including the designated contact person for Civil Rights and Workplace Violence issues.

41. What knowledge, role, or involvement did you have with this claim?

(Answer) This is only something I heard about, just second hand knowledge. If I had an EEO problem I could find the information fairly quickly. We have had a whole variety of people come here to provide EEO training, team building, EEO. We

are just told that there is going to be an obligatory meeting and everybody flies in. Sometimes the training is a little bit valuable, but mostly not. I have talked to Dr. Pantajo that it would be nice to have input so that all of us work together and discuss what we need rather than having things imposed on us. We are obliged to get some training every year.

42. Do you have any additional information related to this claim?

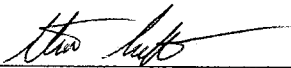
(Answer) No

43. Do you have any additional information:

(Answer) Looking at the situation, it is like a marriage. People have disagreements or disappointments that build up through the years and at some point they don't realize what started it but begin to hate each other. How do you go back and do something about it? I can see a little bit of fault here and a little bit of fault there. How do you fix it? How do you make it work? I try to do a little bit when I talk to Dr. Pantajo or complainant to try to get them to see the other person's side as I see it and how they could make it less acrimonious. Dr. Pantoja has been good about saying, "hello" to complainant of late. I have been amazed sometimes because complainant's office is right across from mine and I hear him greeting complainant with a "Good Morning" that has caught me off guard. It seems whenever there has to be any talking done between complainant and Dr. Pantajo, there has to be a third person in the office, Janis Contento, taking notes. It has not always been this way. This happened at another ARS office where I worked. The notes taken there, as I was told by that complainant, were entirely different from what actually was said. I would be terrified to be put in a situation like that. I know that complainant is absolutely

fastidious. She keeps all of her records, all communications. She has been burned on things and has been questioned on where is the fax or record? This process has been hard on complainant. She lost her partner. She lost a lot of weight. She has suffered from this. At one point I talked to Dr. Pantajo during evaluations when he asked me how he might do things better. I told him that I liked working with complainant. She is intelligent, she knows what she is doing, and she and I have the potential to do collaborative research. I told him that I did not want to work with another pathologist. I don't think he really understood what I was trying to say and turned it around. I tried to be very clear. I think he was seeing it as complainant causing the problems. I told him that the issue the two of them were having was something he had to fix. Just recently I did hear him introducing complainant to someone and in the introduction he complimented her by saying, "She does excellent research."

I have reviewed this statement, which consists of 14 pages, and hereby solemnly X swear _____ affirm that it is true and complete to the best of my knowledge and belief. I understand that the information I have given will not be held confidential and may be shown to the interested parties as well as made a permanent part of the investigation




(Signature of Deponent)

2/3/09

(Date)

Signed before me at (Street and City) 905 N. Koyukuk Dr., Fairbanks, Alaska
on this 3 day of February, 2009



(Signature of Investigator/Witness)