

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. Peter J. Bechtel**, 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 Food Technologist
Grade **GS-15** between (date) **May 2000** and (date) **To the present time**
My telephone number during working hours is: **(907) 474-2708**

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.

You Decide:

Do you think Dr. Bechtel pretended to have no knowledge of Dr. Pantoja's unlawful activities as a show of solidarity, or was he motivated by the extra resources he was acquiring as his female co-worker's career was attacked?

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Dr. Bechtel appears to have "forgotten" that at least two of the women being discriminated against (i.e. Drs. Bower and Winton) spoke with him (individually) on several occasions, directly informing him about the illegal activities being perpetrated against the women in the unit.

In fact, since Dr. Bechtel was the sole co-worker of Dr. Bower in ARS's Alaska Aquaculture program, he was well aware of what was happening to the women scientists.

Unfortunately, there is no record (including this affidavit) that Dr. Bechtel was willing to jeopardize his relationship with Dr. Pantoja and the other ARS administrators by revealing the truth about Dr. Pantoja's illegal discrimination against the unit's women.

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(Exhibit

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1. Please state your name for the record.

(Answer) My name is Peter J. Bechtel

2. What is your gender?

(Answer) Male

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

(Answer) I am a Research Food Technologist, GS-15. ~~I am not sure about my occupational series.~~ P.J.B.

4. What are your major duties?

(Answer) My major duties include being the Lead Scientist in Charge of Alaska Fish By-Products Project in Alaska. As a Lead Scientist I am sort of in charge of the project.

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

(Answer) I have been in my present position for about nine years.

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

(Answer) I have been a Federal government employee since May 2000.

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

(Answer) I am assigned to the U.S. Department of Agriculture, Agricultural Research Service, Sub-Arctic Agricultural Research Unit.

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

(Answer) My duty station is at the University of Alaska Fairbanks, North Star Borough, Fairbanks, AK.

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

(Answer) My immediate supervisor is Dr. Alberto Pantoja, Research Leader/

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P.J.B.
Initials

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

(Answer) Dr. Pantoja has been my immediate supervisor since his arrival here in 2004.

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

(Answer) My guess it is someone in the Area Office in Albany, CA. Right now it is a vacant position. It is the Assistant Area Administrator position that is currently being

~~filled by temporary assignments. I believe it is being filled by Mike Bonar who is from~~

~~Idaho. The position was held by Bob Matteri. He was promoted to the Area~~

~~Administrator position just recently.~~

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

(Answer) See my response to Question 11 above.

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

(Answer) I do not work with complainant. She is in a different area than I am in. Our work does not overlap. We have three programs in Alaska. They are the Alaska Genetics Program, Integrated ~~Test~~ Management Program, and the Fish By-Products Program. Complainant is in the Integrated Test Management Program and I am in the Fish By-Products Program. I am the lead scientist for the program I am in and Dr. Pantoja is the lead scientist for the other two programs.

14. How long have you known complainant?

(Answer) I have known complainant ever since she was hired. I attended her seminar when she was a candidate to come to Alaska. I was not on the selection committee.

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

(Answer) I know her as a colleague. I know her as one of the ARS Scientists in Alaska.

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

(Answer) This is a ~~Research Unit that got going~~. It started literally with nothing in 2003 or 2004 when the three units came together. ~~We~~ hired a lot of people. The unit is a new unit. I would say it is ~~moving along~~. Dr Pantoja was hired as the Research Leader. *was small in 2003 or 2004*
making progress and becoming more productive
P.B.

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

(Answer) I have not observed that. I am not sure that I would have observed that. I see Dr. Pantoja but we do not work together a lot. ~~Dr. Pantoja is on the floor above us. I am down a floor and at the other end of the building.~~

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 heard there were some things going on but that is about it.

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 did not know complainant had been issued a letter of caution.

20. Have you been threatened or issued a letter of caution by Dr. Pantoja?

(Answer) No

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

(Answer) No

Not true!
Dr. Bower told him on more than one occasion, and it's likely that Dr. Winton also mentioned it.

P.B.
Initials

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

Dr. Bechtel was told.
He just "forgot".

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

(Answer) I do not have any knowledge of ~~the~~ *specific threats of termination.*

23. Have you been subjected to threats of termination by Dr. Pantoja?

(Answer) No

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

(Answer) No

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

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

(Answer) ~~I am not sure where complainant is going with this.~~ *None*

26. Do you recall in January 2008 a group meeting in which the scientists each gave a presentation on his/her research projects and Dr. Pantoja allegedly asked questions of complainant in a hostile manner and at least two of the scientists tried to intervene?

(Answer) I would not characterize the questions in that light ~~but~~ *and* do no recall the incident very well. *P.B.*

27. ~~Are you aware of a confrontation between complainant and Dr. Pantoja in the parking lot?~~

(Answer) I am sure I was not there.

28. Have you been subjected to public humiliation by Dr. Pantoja?

(Answer) No

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

(Answer) No

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

Dr. Bechtel witnessed abuses against the women scientists on more than one occasion, but he was apparently unwilling to jeopardize his relationship with Dr. Pantoja and the ARS by accurately reporting the events here.

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

(Answer) I am not sure what ^{is meant} she means. We do not have a lot of meetings where we all get together. ~~This is not a common occurrence here.~~ I have not witnessed any disrespectful behavior on the part of Dr. Pantoja.

31. Have you been subjected to disrespectful behavior by Dr. Pantoja?

(Answer) No

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

(Answer) No

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

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

(Answer) I have no knowledge of this claim.

34. Have you been subjected to open hostility by Dr. Pantoja?

(Answer) No

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

(Answer) No

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

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

(Answer) I am not sure what complainant is talking about in terms of intimidation. I am sure there are issues complainant feels very strongly about but ~~my overall impression is that she has not been subjected to intimidation.~~ ^{I would not classify what I have seen as intimidation.}

37. Have you been subjected to intimidation by Dr. Pantoja?

(Answer) No

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

P.B.
Initials

(Answer) No

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

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

(Answer) She was not a Research Leader until just recently when she served a term as Research Leader. Prior to August 2008 in the absence of Dr. Pantoja I was generally assigned the acting Research Leader duties. I travel a great deal so that when I was not available either Dennis Fielding or Steven Seefeldt, long time ARS employees were appointed as acting. Generally speaking those are the three people who did most of the acting responsibilities. ^{In my opinion} Selection was based on experience.

40. Have you been denied the opportunity to act as Research Leader by Dr. Pantoja

(Answer) No ~~because I have been Research Leader two or three times a year~~

41. 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).

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

(Answer) I heard about that. My understanding is that ARS wanted to make a clear distinction between Research Notes and Publications. ~~It is not clear.~~ It is a relatively clear cut matter as I understand it. ~~Someone has to make that decision.~~ ^{have} Most of the journals out there is either a peer reviewed journal or an early publication ^{articles and some also have} ~~is not something that can be done arbitrarily by someone. It is sort of within the framework of the journal in which you are publishing.~~

Initials

43. Are you required to publish two (2) publications a year?

(Answer) I believe the rules right now are one first authorship publication and one that you can be a second or third authorship on the publication. That was a change in our performance evaluations that took place about three (3) years ago.

44. Have your peer reviewed publications been downgraded to research notes by Dr. Pantoja?

(Answer) No. ~~The types of journals we go into most do not have those.~~ We do not publish in those formats very much. ~~Some do much more than others but in our field we don't do a lot of that.~~

P.P.

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

(Answer) No. ~~I think this claim will go back to people that made some decisions, probably the scientists in the agency.~~

P.B.

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

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

(Answer) This has been a real big issue in Alaska. It has to do with the fact of how our money comes in, whether we have permanent money or if the money is earmarked or has the ability to be withdrawn. The agency has told us to basically make a lot of temporary hires ~~with those funds that are not permanent.~~ That had to do with the fact as an example of a project I am ~~on. We had some base money and in addition had some other money that was not base money. We call it "add-on money."~~ If you are hiring from the "add-on money" then you hire temporary people.

P.B.

47. How many permanent and temporary employees do you have?

P.B.
Initials

(Answer) I have a position that is a permanent technician and have had this position since 2000. I also have a post-doctoral fellow and part of a technician that are temporary. The permanent technician position is currently vacant. ~~It was occupied by Lisa Roberts. She was a GS-5 and the position read as a GS-5/6 or GS-5/7. Prior to that the permanent technician position was a GS-5/7/9. The post-doctoral position is temporary and usually is a 2-year position and holds a GS-11 or GS-12 grade level.~~

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P3

This temporary pos: technical position

This person came in as a GS-11 and is now a GS-12. The other is a Chemist, GS-11 temporary position.

PA

48. Have you not been allowed to hire permanent technicians by Dr. Pantoja?

P.B.

(Answer) *No we have one permanent and one temporary technician*

49. 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)

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

(Answer) I was not involved in terms of what she was allowed or not allowed to do. I do not know.

51. Have you not been allowed to hire technicians at GS-5/7 level?

(Answer) No

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

(Answer) No

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

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

(Answer) I have never seen her performance appraisals.

P.B.
Initials

54. Do you feel you have received unfair performance appraisals from Dr. Pantoja?

(Answer) No. We all think we can do better but they have been okay.

55. 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.

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

(Answer) I did not know anything about this until I read the affidavit sent to me by the investigator.

57. Have you communicated EEO issues with anyone and as a result have you been threatened for doing so by Dr. Pantoja?

(Answer) No, I have never been involved with any EEO issues.

58. If you had an EEO issue, do you know who to contact?

(Answer) ~~I should know that~~ I assume that we have an EEO coordinator that I could talk to about that. I guess if someone came to me about an EEO matter I would put him/her in contact with the person who would handle it. I would handle it immediately and contact people in the agency. PB

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

(Answer) No

60. Do you have any additional relevant information?

(Answer)

I have reviewed this statement, which consists of 11 pages, and hereby solemnly swear X affirm that it is true and complete to the best of my knowledge and belief. I understand that the information
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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

[Handwritten Signature]
(Signature of Deponent)

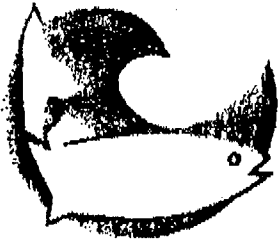
6 MAR 09
(Date)

Signed before me at (Street and City) Fairbanks, Alaska

on this 6 day of March, 2009

[Blank Signature Line]
(Signature of Investigator/Witness)

[Handwritten Initials]
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