

**TESTIMONY OF BRIAN D. HEALY, FISHERIES PROGRAM MANAGER, GRAND CANYON NATIONAL PARK,
BEFORE THE HOUSE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM**

SEPTEMBER 22, 2016

Chairman Chaffetz, Ranking Member Cummings, and members of the Committee, thank you for allowing me to testify today.

As the fisheries program manager at Grand Canyon National Park (GCNP), I'm responsible for conserving and protecting aquatic resources, which includes a leading role in the implementation of conservation measures designed to offset impacts of Glen Canyon Dam operations on endangered fish species downstream of the dam, in support of the Glen Canyon Dam Adaptive Management Program. The purpose of this program, established in 1992 with the passage of the Grand Canyon Protection Act, is to maintain or improve the natural and cultural resource conditions (and recreation) for which GCNP and Glen Canyon National Recreation Area were established, while providing water and hydroelectric power to millions of people in seven Southwestern states.

The GCNP fisheries program consists of 2 full-time TERM biologists, a part-time TERM technician, and between 30 and 40 intermittent technicians and volunteers, in addition to myself. To complete our work, we must rely on support services provided by the former river River District, Grand Canyon Aviation (helicopter services), Facilities Management, and others. Most NPS employees believe in the National Park Service (NPS) mission, are hardworking, selfless, and are willing to cooperate to meet Grand Canyon's management goals, while taking great pride in their work for the American people. Nevertheless, as this committee has seen in the Office of Inspector General's (OIG) report on the Grand Canyon River District, there are a few exceptions.

My testimony today may anger some of my co-workers and some managers. Based on my personal experiences and experiences reported to me by my employees or co-workers, I feel as if my career, and possibly my safety and the safety of other Grand Canyon employees may be at some risk, even though there are numerous legal protections in place for whistleblowers and for those who report workplace harassment. Thus, I am using extreme caution in how I characterize these experiences, to protect privacy of individuals. Nevertheless, I can also provide a full statement with details to this committee, upon request.

My written testimony of my own experiences will reinforce, and expand upon, the culture of harassment and bullying that was reported by the OIG. It will also highlight the past failures of managers to respond, some reprisal, and a general lack of compliance with workplace violence and anti-harassment policies. However, I will also mention the unprecedented commitment by NPS managers in the Regional Office to improve our culture and lead the NPS forward in 2016. Our new Superintendent, Chris Lehnertz, has strengthened this commitment, by pledging to make Grand Canyon a leader in the NPS in improving the work environment for all employees. In her first days at Grand Canyon, in an all-employee email, she indicated that we have much work to do – this summer the Intermountain Region of the NPS received almost 100 complaints or concerns related to workplace issues at Grand Canyon, and has opened 40 cases as a result. I will detail other workplace improvement efforts and my understanding of their progress, and the impact on the work environment at Grand Canyon.

Cultural change is difficult and will take time. For example, even as a problem employee implicated by the OIG has recently been removed from duty, the promotion or transfer of managers that have been perceived to be implicated in wrong-doing may continue, challenging employee morale and confidence in NPS leadership. Accountability for misconduct is needed.

I'm honored to be here, and I hope that my testimony assists this committee in understanding the pervasive cultural problems at GCNP, which may extend across the NPS. I feel as if I'm representing not only my employees at this hearing, but the interests of the thirteen courageous individuals that initially shed a very public light on Grand Canyon's River District, and many from other Grand Canyon workgroups that have confided in me and asked for assistance with their own hostile work environment issues. I sincerely hope that this testimony will lead to continued positive change in the agency.

NPS Response to the Office of Inspector General Report

Introduction

The NPS response to the OIG report was released on February 11, 2016, and I received it on February 17, 2016. The NPS response letter, signed by Intermountain Regional Director, Sue Masica (subject: Grand Canyon National Park – Response to the Office of Inspector General Report, Case No. PI-14-0695-I), contained action items to address 18 issues that were identified by the OIG's investigation. Action items were listed by Director Masica under the following headings, including "Management", "Personnel", "Field Operations", "Training", "Other."

I am in a unique position to comment on the implementation of the actions outlined in the NPS response letter because I had planned to conduct more river trips than any other program, in support of our fisheries management activities in 2016, including the first trip of the season in March. In addition, I have reported multiple instances of harassment of my employees, and in some cases employees in other workgroups, beginning in 2009, and then again between 2013 and 2014. Thus, I can comment on the appearance of some recent personnel actions, or lack thereof, and the impact on employee morale and confidence in leadership. My understanding of the progress toward implementation of each action item, as of September 14, 2016, is described below.

Because I understand that this testimony will be made public on the Committee's website, I have referred to individuals throughout this testimony by such individual's position. If the Committee has any trouble identifying the individuals to whom I have referred herein, I will gladly answer any questions that may arise.

Management and Personnel Actions

The OIG found that claims of sexual harassment had not been handled appropriately by Grand Canyon managers, which is ultimately the responsibility of the park's Superintendent and Deputy Superintendent. Disciplinary actions were suggested by the Regional Director as a response to this issue. In addition, the findings of an investigation of sexual harassment in the River District in 2013 were never properly reviewed, and disciplinary actions may be appropriate in that case as well. Finally, the OIG found that the majority of harassment incidents were perpetrated by 4 employees of the river district, and one of the employees remained in his position at the river district, at the time of the release of the report. I lack firsthand knowledge of several of the action items involving disciplinary actions, due to employee privacy protections. However, as Deputy Inspector General Mary Kendall stated in her testimony to this committee in June, *"the appearance of rewarding bad behavior is not the desired outcome – nor a proper deterrent."* I will summarize my understanding and perception of the progress on these action items.

On May 17, 2016, Superintendent Dave Uberuaga sent an all-employee email that stated that Director Jarvis proposed moving him out of his leadership position at Grand Canyon to a position in Washington, D.C., and he chose to retire instead. He took full responsibility for failing to properly address sexual harassment issues within the river district, however, in general, employees feel that the Deputy Superintendent was delegated the authority, and thus responsible, for addressing these

complaints. Uberuaga's replacement began working at Grand Canyon at the end of August, which is encouraging to many employees. I and others are optimistic for change.

The Deputy Superintendent remains in her position at Grand Canyon, in my direct chain of command. The OIG publicly reported on the Deputy's role in breaching the confidentiality of the 13 individuals that sent the letter to Secretary Jewell in the fall of 2014 outlining a history of sexual harassment spanning many years. In contrast to Uberuaga's public acceptance of responsibility for the findings of the OIG report, his Deputy has not publicly taken responsibility for her role, and by remaining in her position, the lack of trust and confidence in NPS senior management is perpetuated.

The Superintendent and Deputy also failed to mitigate a hostile work environment that had developed associated with the NPS River District that I reported in the spring of 2015, as the OIG investigation was underway. They insisted that we continued to work with the River District after we completed a trip in March that resulted in an EEO investigation of a boat operator, and an inappropriate, retaliatory, law enforcement investigation that appeared to target my employee, a Fisheries Biologist. He had been falsely accused of misconduct by the River District Patrol Supervisor (a law enforcement ranger) after I informed the River District Supervisor that we were preparing a complaint, which related to fraudulent, unauthorized overtime charges, and inappropriate charges to a cooperator account. I requested that an impartial third party conduct the investigation due to the perceived conflict of interest, however I received no response. The Deputy Superintendent then criticized my supervisor when she suggested we may file a complaint. The former River District Patrol Supervisor, who was removed from river operations while the OIG investigation was being completed, retired during the spring of 2015, after making these false accusations against my employee. I do not believe disciplinary action was taken for these false accusations.

The Supervisor of the former River District, has recently received what appeared to be a temporary promotion to Chief Ranger at another NPS unit. According to one of my employees with firsthand knowledge, and the OIG, he breached the confidentiality of sexual harassment victims, not once, but twice (2012 and in September, 2014), and also denied the knowledge of a sexual harassment incident involving a fisheries biologist that was reported to him, and which led to the continued exposure of the victim to harassment on September, 2014 river trip. As a supervisor of alleged victims, I am aware of allegations shared with Secretary Jewell, however I do not possess full knowledge of the progress on the review of the 2013 investigation, or the current status of disciplinary actions associated with the review. I believe the 2013 investigation may implicate the Supervisor in additional misconduct.

Action items also highlighted the continued employment of a Boat Operator implicated in the OIG report, and suggests “*appropriate disciplinary or personnel action to remove this employee*” from the river work environment. The remaining boat operator has been removed from his position, as of late August. On August 24, 2016, the Boat Operator sent me and at least 50 others an email on August 24 stating that: “*NPS wants to fire me and has proposed an adverse disciplinary action of removal. I am NOT guilty of these charges and have retained legal representation to help me in my fight.*” I do not have full knowledge of the status of the appeal process, per privacy rules. However, the publicity surrounding this action may serve to warn others that misconduct is not tolerated.

As part of this training that was proposed as an action item (see below), we were encouraged to complete more rigorous background checks for applicants for vacant positions and potential volunteers, and to disclose known cases of misconduct in response to reference checks by hiring officials from other offices. In the past, we were discouraged by human resources staff from disclosing misconduct issues during reference checks. The guidance that I received during this sexual harassment training for supervisors in June, 2016 proved to be critical to responding to an inquiry from a colleague, who was approached by a former Grand Canyon River District employee to inquire about opportunities for volunteering to operate boats on his river trips. I felt comfortable sharing the public version of the OIG report, and I expressed my concerns on a follow-up phone call. On the advice of the Office of Solicitor, we have also incorporated questions into our reference check procedures for job applicants related to past misconduct.

Field Operations

In response to the OIG findings, GCNP and NPS Intermountain Region managers believed that contracting logistical support for river support would mitigate potential abuses of authority by the law enforcement staff operating the River District. I agree with the finding of Regional Director Sue Masica, that there are, and have been, opportunities for abuse of authority by the River District law enforcement unit. My employees and I have experienced this abuse (e.g., law enforcement investigations of my staff in retaliation for reporting misuse of funds/fraudulent time charges), and the OIG has provided others (e.g., issuing citations in retaliation against commercial outfitters that reported harassment). I believe the intent of this action item was to provide for a safe means to support NPS mission-related work on the Colorado River that would have been supported by the NPS River District, while a review of the river support operation was completed (see action item #12 in Masica’s memo).

Due to the extreme difficulties in coordinating our work with River District Supervisor and Patrol Supervisor, I had argued for a similar contracting approach after a fisheries trip in March 2015, when 1) my employee was falsely accused of misconduct; 2) a Boat Operator with at least one previous complaint by a young woman was allowed to operate a boat on the trip and bullied and harassed a female trip participant throughout the trip; and 3) another Boat Operator had an angry outburst at my employee. The approach I had argued for included contracting of river equipment and using fisheries staff that had the appropriate skills, to operate boats. This would remove my staff from the hostile work environment at the River District, and increase the efficiency of the work by cutting down on the number of staff.

In 2015, we were allowed to conduct one trip, in April, with an NPS Fisheries Biologist with boat operation experience as the boat operator, using rental boat equipment. It was a productive, efficient, safe, and harassment-free trip. I made the following arguments for continuing to conduct river trips in this way:

- I needed to remove my staff from the hostile work environment
- River Administrative trip Standard Operating Procedures were not being adhered to by the River District
- Potential fraudulent charges were being made to cooperator accounts
- OIG investigation may result in a “stand-down” of River operations
- River District may not have sufficient staff to support trips

Despite the success of this trip, and the reasonable arguments listed above, the Superintendent and Deputy Superintendent insisted that my office continue working with the River District to conduct river trips.

I argued for the approach above (rental equipment and trusted/skilled biologists as boat operators) to Superintendent Uberuaga in February, 2016. I insisted that we may not have control over who the operators would be if they were provided by a contractor. He denied my request and stated that I shouldn't try to make sense of it, we just need to show that we are complying with the direction coming from the Regional Office. I was also concerned we would not be able to compete and award a contract on such short notice (my first trip was in 2-3 weeks from that point).

My primary concern is for the safety of my employees and contract biologists, and I believe the implementation of this item, requiring contracting out ALL logistical support, including boat operators,

does not necessarily mitigate the potential for safety or harassment issues on contracted river trips for the following reasons:

- The NPS has no control over the assignment of a particular Boat Operator to a trip. To minimize safety risks, we can however, cancel a trip, or cancel the contract if a Boat Operator with a history of problems is assigned to a trip, but then the work does not get completed, and the NPS would have to pay for the trip anyway. For example, to my knowledge, ex-NPS River District Boat Operators could theoretically be hired by the current contractor. We would have to cancel the work if a former NPS operator implicated by the OIG's investigation was assigned.
- Boat Operators receive no, or minimal, training in DOI and NPS policy related to anti-harassment and sexual harassment, or workplace violence. We currently provide copies of these policies to Boat Operators and require that they sign an acknowledgement form affirming their receipt and understanding of these policies, but no training is provided.
- The current contractor appears to have difficulty finding Boat Operators to fill our trips, and did not comply with contract requirements to provide us signed acknowledgement forms prior to the launch of our last trip (September 5th). I am not confident in his hiring and boat operator screening processes.

Due to the nature of my program, and the necessity of river support to complete our fisheries work, I have been closely involved in the implementation of the efforts to contract river logistical support, beginning in March, 2016. Three contracts have been awarded this summer, including an indefinite quantities contract for up to 5 years. When I expressed my concerns about one of the contracts that NPS entered with a company that would provide river logistical support for my staff, **I was warned that I could face disciplinary action** for discussing the current river contract, outside of the NPS.

This past spring, I wrote contract Scope of Work documents and proposals for 2 different contracts for logistical and boat operator support of 5 fisheries river trips, and also assisted with and reviewed contract requirements for an indefinite quantities contract which would support fisheries (4 more trips in 2016), vegetation, wildlife, archaeology, and educational trips conducted by the NPS for up to 5 years. The first contracts for trips between March and June (5) were awarded to reputable local Grand Canyon river outfitters, and the trips proved to be successful.

I am not entirely comfortable with the current contractor, and the performance of several of his boat operators on a related contract. I was asked to review the lowest-bid proposal that was submitted

by a local company for the 5-year indefinite quantities contract by the Contracting Officer on May 18, 2016. The business does not operate commercial river outfitting services in Grand Canyon, but the owner coordinates boat operators for river work, with rental equipment. I noted that there have been several issues related to alcohol abuse, and NPS regulation violations, by the operators, on a related contract. In addition, some illegal drug use was noted during reference checks on boat operators, and by a cooperating Tribe. The problems had been reported to me by current and former employees of the contractor, professional colleagues from other state and federal management agencies, and my employees.

Given the past record, I believed the award of the contract to this company could pose a potential safety risk for my employees, and raised the concern with the Contracting Office prior to the award. The Contracting Officer told me he would evaluate past performance of the contractor through the Small Business Administration, including gathering of statements from witnesses, however, a thorough investigation did not appear to occur. I was informed in writing that my concerns were not considered when the contract was awarded.

Feeling as if this was yet another precedent-setting occasion where safety and conduct concerns raised by NPS employees were ignored, I followed up with supervisors, Employee Relations staff, and the Office of the Solicitor. In doing so, it was confirmed that we have very limited ability to control who the contractor hires as a boat operator. During this time, I was discouraged by the Contracting Officer from addressing my concerns. The Contracting Officer attempted to prevent me from speaking on a conference call by interrupting and saying that *"Brian is sticking his nose in places where it doesn't belong."* Nevertheless, the solicitor believed I had raised a serious issue, and suggested that he might propose cancelling the contract out of "convenience of the government" if safety concerns were not addressed by the company and that he would discuss the issue with the OIG. My supervisors told me that I was "empowered to speak up" when I see something wrong.

Later, a decision was made to cancel the first trip, as a result of the "red flags" and employee safety concerns, which cost the NPS funds, and resulted in our work being compromised. The trip was cancelled due to the lack of availability of dependable drug testing results, and feeling as if the contractor was not being cooperative in providing the results or information on his drug screening process, along with the many "red flags" that had arisen. Since the cancellation deadline in the contract had passed, the NPS also had to pay the contractor for the cancelled trip.

Several NPS employees, including myself, worked to address the safety related deficiencies in the Scope of Work for the contract. We included language that stated that alcohol and illegal drugs were prohibited, that Boat Operators were required to adhere to GCNP behavioral standards, that all NPS or DOI policies related sexual harassment, anti-harassment, and EEO and zero tolerance for discrimination must be adhered to, and that the contractor would need to supply qualifications and drug testing certifications 14 days in advance. However, a fisheries river trip launched on September 5, and we had not received the acknowledgement of policies form, or qualifications for the boat operator, and thus the contractor was out of compliance.

The dissolution of the River District also resulted in collateral damage to employees of the River District that had not been accused of wrongdoing, to my knowledge. A trusted female intermittent Boat Operator, the River District Warehouse Manager, and a River Ranger, all had their duties changed or were furloughed, in the case of the Boat Operator. As mentioned above, the River District Supervisor received what appeared to be a temporary promotion to another NPS unit, which does not seem equitable, given his lack of competence in addressing sexual harassment issues within the River District. Recently, however, I learned that he was not given the permanent position, and will be coming back to Grand Canyon.

Another component of field operational improvements proposed by the Regional Director included “prohibition of alcohol” on trips, greater communication of conduct and expectations during pre-trip meetings, trip reports, daily check-ins, post trip de-briefs and trip reports, and the adoption of standard uniforms. Many of the operational changes mentioned in the response memo were in place prior to the completion of the OIG’s investigation, although we have initiated post-trip debriefs with trip participants. Many NPS employees feel that requiring a standard uniform on river trips would not lead to less harassment, and point out that the River District employees that were sexually harassing woman on river trips were often in a standard river uniform. It appears to be a form of victim blaming, and is insulting to the victims. It should not matter what a person is wearing – they should never be subjected to sexual harassment. Nevertheless, we have designed and ordered standard shirts with the NPS logo on them.

I personally believe the alcohol ban is acceptable, and it may minimize safety concerns. However I do not believe that banning alcohol is a solution to the issue of lack of accountability of employees for bad behavior. The Deputy Superintendent told me at a meeting this spring that she believed alcohol

was the root cause of all the problems on the river, but I disagreed. Lack of employee accountability for misconduct is the main issue that needs to be addressed, in my opinion.

Finally, the NPS-Intermountain Region has convened a panel of NPS staff to review the river operations. I, and many of my colleagues, including one at USGS, were interviewed by the panel in August. This is a great step forward. The report is due in October 1st, and I hope to receive the full report and findings. Many of my co-workers and I believe that we need to reform the River District, as a non-law enforcement function, while others believe contracting a commercial river outfitting company is the best option. There are many good boat operators and staff that had resigned from the River District in the past due to the bullying behavior by the Patrol Supervisor, and due to sexual harassment. Many employees and members of the community believe that Grand Canyon should have the best river unit in the federal service, and we should be able to recruit highly skilled, professional, and responsible individuals to staff and supervise the unit.

Training

I believe I was given poor guidance related to harassment and a potential EEO case by Employee Relations and other managers on multiple occasions, and the OIG investigation affirms these issues. In the NPS response to the OIG investigation, training related to sexual harassment, confidentiality, EEO, and other topics is proposed for NPS leadership (e.g., superintendents), supervisors, employees, human resources, and employee relations staff.

There has been great progress on the implementation of training modules. All supervisors at Grand Canyon National Park were required to attend a training entitled "Sexual Harassment Training for Federal Supervisors & Managers." This training was conducted by Amy Duin, Office of the Solicitor. I attended this training on June 6, 2016. The training provided guidance on understanding confidentiality, the definition of sexual harassment and examples of what specific actions constitute harassment, impacts of sexual harassment on the employee(s), retaliation, and other aspects. In addition, as discussed above, the trainers provided specific guidance on reference checks for potential employees, which I found helpful. All Grand Canyon employees (not only supervisors) were provided sexual harassment training later in the summer. Amy Duin, DOI - Office of Solicitor, informed me on September 6 that she was holding a training seminar for employee relations personnel during the week of September 12th in Georgia.

Other (proposed Ombudsman)

The Regional Director recognized, in her response, that employees have not felt comfortable reporting issues through their chain of command. I find this to be particularly true for myself and others that have reported issues to me, or that have asked me for assistance when witnesses or victims felt uncomfortable approaching their supervisors. Employees at Grand Canyon completed a survey in 2015, and the survey found that only 37% of employees agree or strongly agreed with the statement: *“I can express my concerns regarding park management issues without fear of retaliation.”* Multiple co-workers or employees (particularly TERM employees) that witnessed or were victims of workplace violence or sexual harassment have told me they feared that if she reported it, they might not be chosen for a permanent position, or would face reprisal. Others had the same fears related to their participation in investigations, despite whistleblower protections.

To respond to these concerns, Regional Director Sue Masica and Associate Regional Director for Workforce Management, Annette Martinez, visited GCNP to speak with employees in March. She offered all employees a chance to meet with the two of them confidentially for 20 minutes. I and other employees were able to take advantage of this time (on March 23), and as a result, they heard clearly that there were other issues at GCNP, outside the River District, and an investigation by a contractor was initiated in April.

It is suggested in the response letter that EEO and grievance procedures need to be respected, however, I don't believe the NPS grievance procedure is effective, in its current condition. For example, when my initial “informal” grievance was submitted as described below, and a thorough investigation was not completed, my only recourse was to file another grievance.

The establishment of an ombudsman, or some other type of impartial third party contact, is probably one of the most important action items that the NPS can take to alleviate fears of reprisal or retaliation by managers or co-workers when they have experienced harassment or workplace violence. I don't believe most employees feel comfortable reporting issues, particularly if they are in a TERM position, which is viewed as vulnerable. TERM employees do not feel they have the same protections of permanent employees, and 2 high performing TERM employees (my coworkers) were terminated after they filed sexual harassment reports, which appeared to be retaliation by many employees.

Finally, I found it troubling that Director Jarvis reinforced the idea that very little can be done to “remove” an NPS employee, during his testimony in June. He states several times that discipline or “firing” an NPS employee is extremely difficult, and yet, our policies related to sexual harassment and

workplace violence, which are distributed to all employees annually, state clearly that violators “*will be subject to disciplinary action, up to and including termination of employment.*” It appears that policy does allow for removal for misconduct, however there appears to be reluctance among managers to enforce the policies, which undermines employee confidence, and ultimately, discourages reporting.

My Efforts to Report Workplace Violence and Harassment and the Management Response

Harassment and workplace violence are not limited to the River District at Grand Canyon. Some members of the other workgroups, including a Program Manager, have a reputation as “bullies” at the park. However, as in the case of the River District, managers at the Deputy Superintendent and Superintendent level have responded inadequately to reports of harassment, intimidation, and threatening gestures, which fit the policy definition of workplace violence (i.e., DOI Personnel Bulletin NO; 1-12).

The Deputy Superintendent was the responsible “grievance official” assigned to the administrative grievance that I had filed in November of 2013 after one my Fisheries Technicians was physically assaulted by a member of the Trail Crew and then subjected to harassment and intimidation by other members of this work group in retaliation for her reporting the assault to law enforcement. Upon learning of the assault, the supervisor of the perpetrator called the assault victim in the bunkhouse and urged her not to report the incident to law enforcement, and she refused this request, and reported it, and the individual was prosecuted. I had requested an investigation as part of the grievance, which was granted by the Deputy Superintendent.

The Deputy Superintendent failed to follow through with the investigation, despite my numerous attempts to urge management and Intermountain Region Employee Relations staff to follow through. Over a period of several months, between January and July, 2014, I attempted to coordinate a meeting with the Facilities Chief, and my supervisors. I believe this lack of follow-through led to additional workplace violence perpetrated by the Program Manager of this workgroup, against non-fisheries employees and a female Division Chief, in 2014.

On August 22, 2014, a witness confided in me that Trail Crew Program Manager used a misogynistic slur to refer to a female Division Chief in a loud “rant”, and then displayed frightening behavior (loud outbursts) and made threatening comments toward the individual that had reported the use of the slur. Witnesses and the Division Chief all mentioned they felt threatened by these acts. Per my

responsibilities consistent with DOI policy, I immediately reported the incident to the Superintendent in an email, who had not heard of the incident.

The Chief of the Facilities Division, who supervises the Trail Crew, made excuses for the Program Manager's behavior, including the recently reported threats (e.g., *"That's just the way he is"*), and the hostile behavior was observed again, days later in a meeting. Meanwhile, after pursuing a restraining order, one of the targets of the threatening behavior, was later threatened a second time by the Program Manager, and she left her position because she did not feel safe at Grand Canyon.

As of February, 2015, the investigation that was granted as grievance relief by the Deputy Superintendent, had still not occurred 14 months later, and I informed the Superintendent and Deputy, in writing, that I did not see a way forward to resolving the issues without cooperation of park leadership, including the Chief and Deputy Chief of the Facilities Division. The Deputy Superintendent stated that she did not know that the investigation had not occurred, despite her responsibility as the designated grievance official.

While I was commended for speaking out on these issues, I was also discouraged by my supervisors from reporting additional incidents, and from continuing to urge managers to follow-up on our 2013 hostile work environment grievance, because the Deputy Superintendent considered me to be "a whiner." In fiscal year 2016, the Deputy also pressured my supervisor to lower my 2015 performance rating because of *"Brian's problems with the River District and the Trail Crew."* I did not know where else to turn, except the OIG, but I was not aware of that avenue until after the 2014 OIG investigation began. The OIG was focused on the River District, and it is unclear if details of my reports of the hostile work environment that occurred involving Trail Crew members were included in their report.

In general, I believe management has biases for and against certain workgroups, and considers some employees "too important to lose." This was the case for Grand Canyon boat operators implicated in harassment cases, and I believe it is also the case for the Trail Crew program manager. Excuses are made for behavior that would be considered misconduct, and others are defended, by supervisors. Some supervisors, such as the supervisor of the River District, have acted defensively multiple times in the past when I had attempted to make complaints about employees' conduct.

In summary, GCNP park managers in the Superintendent's office as well as in the River District and Facilities Management Division, have not appropriately handled reports of harassment and misconduct. In my experience between 2009 and 2015, a minimum of 10 supervisors in the chain of

command failed to follow DOI or NPS policies related to reports of harassment and workplace violence. This does not include 2 supervisors that were also implicated in misconduct reports or investigations. All but 3 of these supervisors, and 1 supervisor that is the subject of hostile work environment reports, have retired (7) or were transferred or promoted (1 permanent promotion, 1 temporary promotion) to other positions outside GCNP.

Impacts of Harassment and the River District Investigation

The impacts of the harassment and hostilities in the workplace, as well as the publication of the OIG report on the River District are profound, but are difficult to convey in written words. Shock, disgust, anger, and fear are common emotions felt among my co-workers, and in the community. However, many were not surprised. As discussed in the media and in the OIG report, confidentiality of sexual harassment victims was breached (at least twice), and 2 alleged victims were later terminated. Whether the OIG could confirm retaliation or not, it appears to be retaliation in the eyes of employees, which has the effect of discouraging reports, and mistrust of management.

Employees that have witnessed workplace violence or reported sexual harassment have told me that they have felt fearful of retaliation by the person whose behavior they reported. After or during the investigations (or inquiries) completed by the NPS in the past, there has been limited or nonexistent follow-up with the victims and witnesses, leaving witnesses and victims feeling as if nothing has happened, and there is no reason to believe the hostile working environment has been mitigated.

The toxic work environment has led to decreased employee morale, productivity, confidence in leadership, and feelings of anxiety, particularly among those that were victims of harassment, or that had the courage to report alleged misconduct, despite fears of retaliation. I estimate that I have spent an average of 50-75% of my time on these issues, since 2013. In addition, I have lost multiple outstanding employees, including a full time employee, as a result of the hostile work environment that is pervasive in the park.

The reputation of GCNP and the NPS has been severely tarnished as well. I believe our tarnished reputation is reflected in questions I've received on recent reference checks and interviews to refill a Fisheries Biologist position. Multiple candidates asked whether we have resolved all the issues with our River District, and a supervisor, knowing our work involves extensive time on the river, told me he was concerned for his employee's wellbeing, if he were to be selected for the position at Grand Canyon.

I also believe that our lack of effective hiring practice has led to excessive changes in personnel, leading to numerous “acting” employees in key leadership positions. For example, it took many months to refill key supervisory positions in several work Divisions at Grand Canyon, including the Science and Resource Management, Facilities and Maintenance Division, and the Visitor and Resource Protection Division, which oversaw the River District.

Policy is clear related to sexual harassment and workplace violence. I believe that in many cases, if managers adhered to policy and held employees accountable for their misconduct, working conditions would improve, and that would lead to increased productivity, and improved retention and recruitment of employees.

In closing, I’m optimistic that we have a new Superintendent willing to discuss these issues openly. By all accounts, she is a strong leader, and had been known to “do the right thing.” Without her support, I would not feel comfortable here today. I am looking forward to working with her and other NPS employees to improve the working conditions at Grand Canyon.

BIOGRAPHICAL SKETCH

Brian D. Healy – Fisheries Program Manager, Grand Canyon National Park

In his current position as the Fisheries Program Manager for Grand Canyon National Park, which he has held since 2009, Brian has led the development and implementation of a complex, scientifically rigorous fisheries management program. Projects include those designed to offset the impacts of Glen Canyon Dam operations on endangered fish species, which assists the Bureau of Reclamation and the Department of Interior in meeting Endangered Species Act obligations while allowing for the delivery of water and power to millions of Americans in the desert southwest. As the first full-time dedicated fisheries biologist hired by Grand Canyon National Park, he serves as the park's fisheries expert, providing advice and direction to Department of Interior managers on park aquatic resource related issues, and as the alternate National Park Service representative to the Glen Canyon Dam Adaptive Management Program's Technical Working Group. The success of the program requires close consultation and collaboration with several American Indian Tribes, and almost 20 stakeholders including state and federal management agencies, nongovernmental organizations, recreational interests, and water and power providers. Brian's successful management of the park's fisheries program led to the "Intermountain Region - Regional Director's Award for Professional Excellence in Natural Resources," in 2011. Brian was also awarded the 2011 "Partnership Award" by the U. S. Fish and Wildlife Service's Arizona Fish and Wildlife Conservation Office.

Prior to his position at Grand Canyon, Brian served as a fish biologist for the Chippewa National Forest in Cass Lake and Blackduck, Minnesota beginning in 2000, and then as the east zone fisheries biologist for the White River National Forest in Colorado from September, 2003 to June, 2009. Brian served on interdisciplinary teams tasked with developing timber, recreation, ski area, water diversion, mining, and other natural resources management projects, while minimizing impacts to aquatic resources. He led the development of aquatic monitoring protocols for the Chippewa and White River National Forests, and projects to improve fish habitat, through collaboration with many state and federal agencies, local governments, and non-governmental organizations. Brian also provided expert written testimony representing the U. S. Forest Service to the State of Colorado's Water Quality Control Commission for consideration during hearings on water quality standards for streams. Brian's inclusive approach to finding solutions to aquatic issues led to his "Rise to the Future: Collaborative Aquatic Resource Stewardship Award," presented by the Chief of the U.S. Forest Service in 2006.

Brian received his Bachelor of Science degree in 1998 from the University of Wisconsin – Eau Claire, and his Master of Science degree in Wildlife and Fisheries Sciences, Fisheries Ecology and Management, from Texas A&M University in 2002.