

SHERMAN S. STARTZ v. DEPARTMENT OF THE ARMY

Docket # SF-315H-22-0532-I-1

Response

Summary Page

Case Title : SHERMAN S. STARTZ v. DEPARTMENT OF THE ARMY

Docket Number : SF-315H-22-0532-I-1

Pleading Title : Response

Filer's Name : Sherman S. Startz

Filer's Pleading Role : Appellant

Details about the supporting documentation

#	Title/ Description	Mode of Delivery
1	SENT OUT OF ORDER	Uploaded

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Response

Online Interview

1. Would you like to enter the text online or upload a file containing the pleading?

Enter Online

2. Please enter text of your pleading.

THIS MESSAGE WAS INTENDED TO BE SENT YESTERDAY AFTERNOON -- AFTER MISTAKE -- BUT BEFORE TODAYS REQUEST FOR THE COURT ALLOWING MY LATE RESPONSE RESPONSE " PROVING JURISDICTION I was hired as a GS 9 Construction Control Inspector on January 31st 2022. Initially I revealed I suffered from PTSD as a result of several events of my past that were traumatic and leaving me negatively impacted. This condition and trauma had been resurfacing in me and the negative health and psychological effect as a result of horrible treatment from former employers, the most recent being Patrick Constructors; an ALEUT Company. Nevertheless, I did not feel I need to ask for accommodation about wanting to be kept from having to deal with these "employers" • as I was not aware they were working for DPW. After a very short time I realized not only was I still being retaliated against by Patrick Constructors; following the DENNIS KENNEDY verbal assault in my office and then realizing ALEUT was a primary contractor for a specific contracting mechanism; the JOC. I went forward and sought guidance to the situation from the EAP Michael Patton on Fort Wainwright. We discussed suitable approaches to this easily solvable request / accommodation of not being assigned to ALEUT projects We even discussed a release for him to speak to my senior. The very next day I eagerly informed DAVID ZRNA my boss of my stress and history with these companies (Patrick Constructors and ALEUT) and to please work with me and avoid assigning me to their projects because I know they are out to get me and it shows. That ultimately fell on deaf ears. I was only assigned to ALEUT as if to ensure I failed. They did nothing but complain about me when I tried working with them. I would ask why Proper UFC Specifications are not being followed along with other tail tale signs of fraud; materials arriving and being documented on the job and then inferior non approved materials used on the projects. The examples of neglect consistent with fraud and how this was not only wide spread abuse and neglect but encouraged it seemed. People being rewarded for not working so others could capitalize and point blame to "their neglect." • I am not a fall guy for thieves. All of this and the outright weird labeling of me as first a Snitch, Informant, Spy and Mole lends itself to people who have much to hide. The more I dug in the more paranoid everyone was getting but it was hard to identify the key players in the Government. It is obvious ALEUT was up to no good but it was not until the very end did it really look like DAVID ZRNA, JASON WEBB, DENNIS KENNEDY and MATT SCHAFFER were involved. I was getting too close and asking too many questions so I was terminated withing my first year of probation. It is my basic understanding that there are limits to my rights and the agency jurisdiction; however, I believe all persons regardless of tenure are expected to extend basic civil rights

to each other and not demonstrate retaliation in an effort to cover up fraud. I will be happy to speak to an investigator or judge regarding these points. The basic reason for my termination is I did not get along with Co Workers and Contractors. My Coworkers were conditioned to think I was a spy, a bad guy by DAVID ZRNA “ what do you expect? Further; I specifically asked not to be assigned on ALEUT Projects and those were all I got. A recipe for disaster. I believe as a Federal Employee I am protected from this malicious conduct by representatives of the Department of Army regardless of my length of employment. Just because a person is hirer ranking, they can’t treat people like this; be it to cover up fraud or not. Based on everything I have read; the MERIT SYSTEM PROTECTION BOARD has jurisdiction.

3. Does your pleading assert facts that you know from your personal knowledge?

Yes

4. Do you declare, under penalty of perjury, that the facts stated in this pleading are true and correct?

Yes

RESPONSE – PROVING JURISDICTION

I was hired as a GS 9 Construction Control Inspector on January 31st 2022.

Initially I revealed I suffered from PTSD as a result of several events of my past that were traumatic and leaving me negatively impacted. This condition and trauma had been resurfacing in me and the negative health and psychological effect as a result of horrible treatment from former employers, the most recent being Patrick Constructors; an ALEUT Company.

Nevertheless, I did not feel I need to ask for accommodation about wanting to be kept from having to deal with these “employers” as I was not aware they were working for DPW.

After a very short time I realized not only was I still being retaliated against by Patrick Constructors; following the DENNIS KENNEDY verbal assault in my office and then realizing ALEUT was a primary contractor for a specific contracting mechanism; the JOC.

I went forward and sought guidance to the situation from the EAP Michael Patton on Fort Wainwright. We discussed suitable approaches to this easily solvable request / accommodation of not being assigned to ALEUT projects. We even discussed a release for him to speak to my senior. The very next day I eagerly informed DAVID ZRNA my boss of my stress and history with these companies (Patrick Constructors and ALEUT) and to please work with me and avoid assigning me to their projects because I know they are out to get me and it shows. That ultimately fell on deaf ears. I was only assigned to ALEUT as if to ensure I failed. They did nothing but complain about me when I tried working with them. I would ask why Proper UFC Specifications are not being followed along with other tail tale signs of fraud; materials arriving and being documented on the job and then inferior non approved materials used on the projects. The examples of neglect consistent with fraud and how this was not only wide spread abuse and neglect but encouraged it seemed. People being rewarded for not working so others could capitalize and point blame to “their neglect.” I am not a fall guy for thieves.

All of this and the outright weird labeling of me as first a Snitch, Informant, Spy and Mole lends itself to people who have much to hide. The more I dug in the more paranoid everyone was getting but it was hard to identify the key players in the Government. It is obvious ALEUT was up to no good but it was not until the very end did it really look like DAVID ZRNA, JASON WEBB, DENNIS KENNEDY and MATT SCHAFFER were involved. I was getting too close and asking too many questions so I was terminated withing my first year of probation.

It is my basic understanding that there are limits to my rights and the agency jurisdiction; however, I believe all persons regardless of tenure are expected to extend basic civil rights to each other and not demonstrate retaliation in an effort to cover up fraud. I will be happy to speak to an investigator or judge regarding these points.

The basic reason for my termination is I did not get along with Co Workers and Contractors.

My Coworkers were conditioned to think I was a spy, a bad guy by DAVID ZRNA – what do you expect? Further; I specifically asked not to be assigned on ALEUT Projects and those were all I got. A recipe for disaster.

I believe as a Federal Employee I am protected from this malicious conduct by representatives of the Department of Army regardless of my length of employment. Just because a person is hirer ranking, they can't treat people like this; be it to cover up fraud or not.

Based on everything I have read; the MERIT SYSTEM PROTECTION BOARD has jurisdiction.

Certificate Of Service

e-Appeal has handled service of the assembled pleading to MSPB and all of the Parties.

Following is the list of the Parties in the case:

Name & Address	Documents	Method of Service
MSPB: Western Regional Office	Response	e-Appeal / e-Mail
Charles Eiser Agency Representative	Response	e-Appeal / e-Mail
Pacific Region Agency Representative	Response	e-Appeal / e-Mail