

To: MSPB

8-2-2022

Enclosed following you will find my MSPB Termination Appeal, EEOC Complaint and USAG Informal.
I regret you are getting this late. I actually mailed my appeal on June 30th and have a returned receipt.
Please find the copy of the return receipt enclosed. I sent it to the address on my discharge form to
LABOR and EMPLOYMENT LAW ATTORNEY

Fort Wainwright Law Center

ATTN : APVR-WHA

1046 Marks Road #5700

Fort Wainwright AK 99703-5700

RECEIVED

AUG 04 2022

U.S. MERIT SYSTEMS
PROTECTION BOARD
WESTERN REGIONAL OFFICE

I feel strongly DAVID ZRNA acted irresponsibly and with intent and malice towards me.

Sherman Aug 2, 2022
8-2-2022



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, U.S. ARMY GARRISON ALASKA
1046 MARKS ROAD #6000
FORT WAINWRIGHT, ALASKA 99703-6000

AMIM-AKP-G

27 June 2022

MEMORANDUM FOR: Sherman Startz, Jr, US Army Installation Management CMD,
US Army Garrison Alaska, Directorate of Public Works, Engineering Division, Contract
Management Branch, Fort Wainwright, AK 99703

SUBJECT: Notice of Discharge During Probationary Period

1. This memorandum is to notify you that you will be discharged during your probationary period from your position of Construction Control Inspector, GS-0809-09. The effective date of your discharge will be 27 June 2022.

2. During the probationary period, I must consider your performance and conduct to determine your fitness for continued employment. Your inability to maintain professional working relationships with your coworkers and the Contractors you are assigned to is having a detrimental effect on the organization. Based on your inability to adapt to our working environment, I have decided to terminate your employment during your probationary period.

3. Because of the nature of your appointment, you do not have the right to reply to this notice or to file a grievance. Furthermore, you have only limited appeal rights to the Merit Systems Protection Board (MSPB) as employees serving a probationary period are not considered employees under 5 U.S.C. §7511(a)(1). However, if you believe that this personnel action discriminated against you on the basis of partisan political reasons or marital status you have the right to appeal this decision to the MSPB. **Filing Deadline:** You must file an appeal with the MSPB within **30 calendar days** of the effective date of this action, or the date you received this decision, whichever is later. If the 30th calendar day falls on a Saturday, Sunday, or a Federal holiday, the filing deadline is extended to the next working day.

How to File an Appeal: You can file by mail or facsimile or by using the electronic filing option on the MSPB website. Although an MSPB appeal may be in any format, it must be in writing and contain all of the information specified in the Board's regulations, found in Title 5, Code of Federal Regulations (CFR), Part 1201. The regulations and an appeal form are available on the MSPB's website, <https://www.mspb.gov>. You may file a hard-copy appeal by personal delivery, facsimile, mail or commercial overnight delivery service to the MSPB Western Regional Office at the following address:

Western Regional Office
201 Mission Street
Suite 2310

USPS TRACKING#



9590 9402 7163 1251 3503 83

United States
Postal Service

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

° Sender: Please print your name, address, and ZIP+4® in this box°

Sherman S. Stantz
116 Kelsen Way
Fairbank AK 99709



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Law Ctr.
1046 Marks
Ft WW 99703



9590 9402 7163 1251 3503 83

2. Article Number (Transfer from service label)

7022 0410 0000 5923 2258

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☒ Agent
☐ Addressee

B. Received by (Printed Name)

Gladys DNEW Bloiz

C. Date of Delivery

7/1/22

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Mail
Mail Restricted Delivery

(over \$500)



MERIT SYSTEMS PROTECTION BOARD APPEAL FORM (MSPB FORM 185)

INSTRUCTIONS FOR COMPLETING YOUR APPEAL

MSPB's Authority to Review Employment Related Actions or Decisions

The MSPB (the Board)'s legal authority (jurisdiction) to review employment-related actions or decisions is limited to those matters specifically entrusted to it by law, rule, or regulation. A listing of matters over which the Board has jurisdiction can be found in the Board's regulations at **5 C.F.R. § 1201.3**. The administrative judge assigned to your case will determine whether the Board has jurisdiction over the particular circumstances of your appeal.

Where to Obtain Additional Information

Much more information about the adjudication of appeals before the MSPB, including the Board's regulations, may be found at the Board's website: www.mspb.gov. The Board's regulations are also published in the Code of Federal Regulations, 5 C.F.R. Part 1200 et seq., available in many libraries.

Time Limits for Filing an Appeal

You must file your appeal within **30 calendar days** of the effective date, if any, of the action or decision you are appealing, or the date you received the agency's decision, whichever is later. If you are appealing an expedited removal or transfer from the SES at the Veterans Administration, your time limit is **7 calendar days** and cannot be extended. (Please note that Individual Right of Action (IRA), Uniformed Services Employment and Reemployment Rights (USERRA), and Veterans Employment Opportunities Act (VEOA) appeals have different time limits, as described in **Appendix A**). In limited circumstances, the 30-day filing time limit may be extended if you and the agency mutually agree in writing to try to resolve your dispute through an alternative dispute resolution process before you file an appeal. See **5 C.F.R. § 1201.22(b)-(c)**. The 30-day time limit may also be extended if you have previously filed a formal equal employment opportunity (EEO) complaint regarding the same matter, as described in **Appendix A**. The date of filing is the date your appeal is postmarked, the date of the facsimile (fax) transmission, the date it is delivered to a commercial overnight delivery service, the date of receipt in the regional or field office if you personally deliver it, or the date of submission if you file your appeal electronically. **Do not delay filing your appeal merely because you do not currently have the documents requested in this form.**

Where to File an Appeal

You must file your appeal of the agency's action or decision with the Board's regional or field office responsible for your actual or potential duty station. If you are appealing a retirement or suitability decision by the Office of Personnel Management (OPM), you must file your appeal with the Board's regional or field office responsible for where you live. See **5 C.F.R. § 1201.4(d)** and **1201.22(a)**. For a list of regional and field offices, see **Appendix B**.

Attachments

Please submit only the attachments requested in this form. The filing of an appeal is just the beginning of the adjudication process, and you will have additional opportunities to submit evidence and argument before a decision is issued. Further, the agency will submit all the documents contained in its record of the action. **5 C.F.R. § 1201.25(c)**.

**If you prefer to file your appeal electronically, please visit
MSPB e-Appeal Online — <https://e-appeal.mspb.gov>**

PART 1 - Appellant and Agency Information

Everyone must complete Part 1.

Please type or print legibly.

1. Name (last, first, middle)

Last First M. Initial

Please list your first name as it appears in your official personnel records. For example, if your first name is "William" on your official personnel records, please list it that way on the appeal form, not "Bill" or "Willy."

2. Present address (number and street, city, State, and Zip code)

You must promptly notify the Board in writing of any change in your mailing address while your appeal is pending.

Address:

City: State: Zip Code:

3. Telephone Numbers (include area code) and E-Mail Address

You must promptly notify the Board in writing of any change in your telephone number(s) or e-mail address while your appeal is pending.

Home: Work: Fax: Cell:

e-Mail Address:

4. Name and address of the agency that took the action or made the decision you are appealing (include bureau or division, street address, city, State and Zip code)

Agency Name:

Bureau:

Address:

City: State: Zip Code: Phone Number:

5. Your Federal employment status at the time of the action or decision you are appealing:

☐ Permanent ☐ Temporary ☐ Term
☐ Seasonal ☐ Applicant ☐ Retired
☐ None

6. Type of appointment (if applicable):

☐ Competitive ☐ Excepted
☐ Postal Service ☐ SES
☐ Other (describe):

7. Your position, title, grade, and duty station at the time of the action or decision you are appealing (if applicable):

Occupational Series or Cluster: Position Title:
Grade or Pay Band: Duty Station:

8. Are you entitled to veteran's preference? See 5 U.S.C. § 2108.

☐ Yes ☐ No

9. Length of Federal service (if applicable):

Years Months

10. Were you serving a probationary, trial, or initial service period at the time of the action or decision you are appealing?

☒ Yes ☐ No

11. **HEARING:** You may have a right to a hearing before an administrative judge. If you elect not to have a hearing, the administrative judge will make a decision on the basis of the submissions of the parties. Do you want a hearing?

☒ Yes ☐ No

PART 2 - Agency Personnel Action or Decision (non-retirement)

Complete this part if you are appealing a Federal agency personnel action or decision other than a decision directly addressing your retirement rights or benefits. This includes certain actions that might not otherwise be appealable to the Board: individual right of action (IRA) appeals under the Whistleblower Protection Act (WPA); appeals under the Uniformed Services Employment and Reemployment Rights Act (USERRA); or appeals under the Veterans Employment Opportunities Act (VEOA). An explanation of these three types of appeals is provided in **Appendix A**.

12. Check the box that best describes the agency **personnel action or decision** you are appealing. (If you are appealing more than one action or decision, check each box that applies.)

- | | |
|---|---|
| <input type="checkbox"/> VA SES Removal from civil service | <input type="checkbox"/> VA SES Transfer to general schedule |
| <input type="checkbox"/> Removal (termination after completion of probationary or initial service period) | <input type="checkbox"/> Involuntary resignation |
| <input checked="" type="checkbox"/> Termination during probationary or initial service period | <input type="checkbox"/> Involuntary retirement |
| <input type="checkbox"/> Reduction in grade, pay, or band | <input type="checkbox"/> Denial of within-grade increase |
| <input type="checkbox"/> Suspension for more than 14 days | <input type="checkbox"/> Furlough of 30 days or less |
| <input type="checkbox"/> Failure to restore/reemploy/reinstate or improper restoration/reemployment/reinstatement | <input type="checkbox"/> Separation, demotion or furlough for more than 30 days by reduction in force (RIF) |
| <input type="checkbox"/> Negative suitability determination | <input type="checkbox"/> Other action (describe): |

13. Date you received the agency's final decision letter (if any) (MM/DD/YYYY):

06/27/2022

14. Effective date (if any) of the agency action or decision (MM/DD/YYYY):

06/27/2022

15. Prior to filing this appeal, did you and the agency mutually agree in writing to try to resolve the matter through an alternative dispute resolution (ADR) process?

- ☐ Yes (*attach a copy of the agreement*) ☒ No

16. Explain briefly why you think the agency was wrong in taking this action, including whether you believe the agency engaged in harmful procedural error, committed a prohibited personnel practice, or engaged in one of the other claims listed in **Appendix A**. **Attach the agency's proposal letter, decision letter, and SF-50, if available.** Attach additional sheets if necessary (bearing in mind that there will be later opportunities to supplement your filings).

I disagree with David Zrna conclusion ----- Please see the attached

PART 2 - Agency Personnel Action or Decision (non-retirement) (continued)

17. With respect to the agency personnel action or decision you are appealing, have you, or has anyone on your behalf, filed a grievance under a negotiated grievance procedure provided by a collective bargaining agreement?

☐ Yes ☐ No

If "Yes," **attach a copy of the grievance**, enter the date it was filed, and enter the place where it was filed if different from your answer to question 4 in Part 1.

Agency Name: Date Filed (MM/DD/YYYY):

Bureau:

Address:

City: State: Zip Code:

If a decision on the grievance has been issued, **attach a copy of the decision** and enter the date it was issued (MM/DD/YYYY):

Date Issued (MM/DD/YYYY):

Answer Question 18 ONLY if you are filing an IRA appeal.

18. If you filed a whistleblowing complaint with the Office of Special Counsel (OSC), provide the date on which you did so and the date on which OSC made a decision or terminated its investigation, if applicable. **Attach copies of your complaint and OSC's termination of investigation letter**, notifying you of your right to seek corrective action from the Board.

Date Filed (MM/DD/YYYY):

Date of OSC decision or termination of investigation (MM/DD/YYYY):

Answer Question 19 ONLY if you are filing a USERRA or VEOA appeal.

19. If you filed a complaint with the Department of Labor (DOL), list the date on which you did so, and **attach a copy of your complaint**. If DOL has made a decision on your complaint, list the date of this decision, and **attach a copy of it**. If DOL has not made a decision on your complaint within 60 days from the date you filed it, state whether you have notified DOL of your intent to file an appeal with the Board, and **attach a copy of such notification**.

Date Filed (MM/DD/YYYY):

Has DOL made a decision on your complaint?

☐ Yes ☐ No

If "Yes," enter the date it was made. If "No", state whether you have notified DOL of your intent to file an appeal with the Board, and **attach a copy of such notification**.

Date of DOL decision (MM/DD/YYYY):

☐ Notified DOL of your intent to file an appeal with the Board?

PART 3 - OPM or Agency Retirement Decision

Complete this part if you are appealing a decision of the Office of Personnel Management (OPM) or other Federal agency directly addressing your retirement rights or benefits.

20. In which retirement system are you enrolled?

☐ CSRS ☐ CSRS Offset ☐ FERS

☐ Other, *describe*:

21. Are you a:

☐ Current Employee ☐ Annuitant

☐ Surviving Spouse

☐ Other, *describe*:

22. If retired, date of retirement, or if unknown, approximate date:

Date Retired (MM/DD/YYYY):

23. Describe the retirement decision you are appealing.

24. Have you received a final or reconsideration decision from OPM or another Federal agency?

☐ Yes (*attach a copy*) ☐ No

If "Yes," on what date did you receive the decision?

Date Received (MM/DD/YYYY):

Provide the OPM processing (CSA or CSF) number in your appeal:

OPM Claim Number:

25. Explain briefly why you think OPM or another Federal agency was wrong in making this decision.

PART 4 — Designation of Representative

26. Has an individual or organization agreed to represent you in this proceeding before the Board? (You may designate a representative at any time. However, it is unlikely that the appeals process will be delayed for reasons related to obtaining or maintaining representation. Moreover, you must promptly notify the Board in writing of any change in representation.)

☐ Yes (*Complete the information below and sign*)

☒ No

DESIGNATION:

"I hereby designate to serve as my representative during the course of this appeal. I understand that my representative is authorized to act on my behalf. In addition, I specifically delegate to my representative the authority to settle this appeal on my behalf. I understand that any limitation on this settlement authority must be filed in writing with the Board."

Representative's address (*number and street, city, State and Zip code*)

Address:

City:

State:

Zip Code:

Representative's telephone numbers (*include area code*) and e-mail address

Office:

Fax:

Other:

e-Mail

Address:

SIGN BELOW TO MAKE YOUR DESIGNATION OF REPRESENTATIVE EFFECTIVE

Appellant's Signature

Date (MM/DD/YYYY)

PART 5 - Certification

27. I certify that all of the statements made in this form and any attachments are true, complete, and correct to the best of my knowledge and belief.

Signature of Appellant or Representative

Date (MM/DD/YYYY)

Privacy Act Statement

This form requests personal information that is relevant and necessary to reach a decision in your appeal. The Merit Systems Protection Board collects this information in order to process appeals under its statutory and regulatory authority. Because your appeal is a voluntary action, you are not required to provide any personal information to the Merit Systems Protection Board in connection with your appeal. Conceivably, failure to provide all information essential to reaching a decision in your case could result in the dismissal or denial of your appeal.

Decisions of the Merit Systems Protection Board are available to the public under the provisions of the Freedom of Information Act and are posted to the Merit Systems Protection Board's public website. Some information about the appeal also is used in depersonalized form for statistical purposes. Finally, information from your appeal file may be disclosed as required by law under the provisions of the Freedom of Information Act and the Privacy Act. See 5 U.S.C. §§ 552, 552a.

Public Reporting Burden

The public reporting burden for this collection of information is estimated to vary from 20 minutes to 4 hours, with an average of 60 minutes per response, including time for reviewing the form, searching existing data sources, gathering the data necessary, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden, to Office of the Clerk of the Board, Merit Systems Protection Board, 1615 M Street, N.W., Washington, DC 20419 or by e-mail to mspb@mspb.gov.

APPENDIX A

ADDITIONAL CLAIMS

Harmful Procedural Error: Error by the agency in the application of its procedures that is likely to have caused the agency to reach a conclusion different from the one it would have reached in the absence or cure of the error. The burden is upon the appellant to show that the error was harmful, i.e., that it caused substantial harm or prejudice to his or her rights. 5 C.F.R. § 1201.56(c)(3).

Prohibited Personnel Practices: A claim that the agency action or decision you are challenging was the result of one of the personnel practices prohibited by 5 U.S.C. § 2302(b). Among the prohibited personnel practices most likely to be relevant as an affirmative defense in an MSPB proceeding are: unlawful discrimination under subsection **(b)(1)**; retaliation for protected whistleblowing under subsection **(b)(8)**; and retaliation for other protected activity under subsection **(b)(9)**.

- **Unlawful Discrimination:** A claim that the agency action was the result of prohibited discrimination based on race, color, religion, sex, national origin, disability, age, marital status, political affiliation, genetic information, and retaliation for prior EEO activity. See 5 U.S.C. § 2302(b)(1) and 7702; 5 C.F.R. Part 1201, Subpart E; 29 C.F.R. Part 1630 and Appendix to Part 1630, 42 U.S.C. § 2000ff et seq.; 29 C.F.R. § 1614.302-308. If you filed a formal discrimination complaint, give the date on which you did so, state whether and when the agency issued a final decision on your discrimination complaint, and provide copies of both.
- **Retaliation for whistleblowing activity under 5 U.S.C. § 2302(b)(8) and (b)(9)(A)(i), (B), (C), or (D):** A claim that the agency action was taken in retaliation for the disclosure of information the individual reasonably believes demonstrates a violation of law, rule, or regulation, gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health or safety, or in retaliation for exercise of the right to appeal, complain, or grieve an alleged violation of Subsection **(b)(8)**; for testifying or otherwise lawfully assisting another's right to appeal, complain, or grieve such an alleged violation; for cooperating with or disclosing information to the Inspector General or Special Counsel in accordance with applicable provisions of law; or for refusing to obey an order that would require a violation of law. See 5 C.F.R. § 1209.4(b).
- **Retaliation for other protected activity under 5 U.S.C. § 2302(b)(9)(A)(ii):** A claim that the agency action was taken in retaliation for the exercise of a right, other than with regard to remedying an alleged violation of 5 U.S.C. § 2302(b)(8), such as the filing of an appeal, complaint, or grievance.

Violation of Rights under the Uniformed Services Employment and Reemployment Rights Act (USERRA): A claim that the agency action violated rights and benefits under 38 U.S.C. Chapter 43, by denying initial employment, reemployment, retention in employment, promotion, or any benefit of employment on the basis of membership, application for membership, performance of service, application for service, or obligation to perform service in a uniformed service. See 5 C.F.R. § 1208, Subpart B.

Violation of a Law or Regulation relating to Veterans' Preference pursuant to the Veterans Employment Opportunities Act (VEOA): A claim that the agency action violated rights related to veterans' preference under any statute or regulation. See 5 C.F.R. § 1208, Subpart C; 5 U.S.C. § 3330(a).

Not in accordance with law: A claim that the agency's action was unlawful in its entirety, that is, there is no legal authority for the action.

IRA, USERRA, and VEOA APPEALS

The law provides for three types of appeals in certain situations that might not otherwise be appealable to the MSPB (See 5 C.F.R. § 1201.3(a) for a list of otherwise appealable actions): Individual Right of Action (IRA) appeals under the Whistleblower Protection Act (WPA) and Whistleblower Protection Enhancement Act (WPEA) pursuant to 5 U.S.C. § 1221; appeals under the Uniformed Services Employment and Reemployment Rights Act (USERRA) pursuant to 38 U.S.C. § 4324; and appeals under the Veterans Employment Opportunities Act (VEOA) pursuant to 5 U.S.C. § 3330a.

Note: As previously set forth, allegations of retaliation for whistleblowing, as well as allegations under USERRA and VEOA, may be brought as additional claims in cases that are otherwise appealable to the Board.

IRA Appeals under the WPA and WPEA. Subsection (b)(8) of 5 U.S.C. § 2302 makes it a prohibited personnel practice to threaten, propose, take, or not take a personnel action listed in 5 U.S.C. § 2302(a)(2) because of an individual's disclosure of information that he or she reasonably believes shows a violation of law, rule, or regulation, gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health or safety. Subsections (b)(9)(A)(i), (B), (C), and (D) make it a prohibited personnel practice to threaten, propose, take, or not take a personnel action because an individual exercised the right to appeal, complain, or grieve an alleged violation of Subsection (b)(8); testified or otherwise lawfully assisted another's right to appeal, complain, or grieve such an alleged violation; cooperated with or disclosed information to the Inspector General or Special Counsel in accordance with applicable provisions of law; or refused to obey an order that would require a violation of law. See 5 C.F.R. § 1209.4. If the personnel action allegedly taken in reprisal for making a protected disclosure or engaging in protected activity is not otherwise appealable to the Board, you must first file a whistleblower complaint with the Office of Special Counsel (OSC) and exhaust the procedures of that office, see 5 U.S.C. § 1214(a)(3), before you may file an IRA appeal with the Board under 5 U.S.C. § 1221.

USERRA Appeals. In USERRA appeals, appellants allege that agencies have violated their rights and benefits under 38 U.S.C. Chapter 43, by denying initial employment, reemployment, retention in employment, promotion, or any benefit of employment on the basis of their membership, application for membership, performance of service, application for service, or obligation to perform service in a uniformed service. See 5 C.F.R. § 1208, Subpart B. To pursue redress for a USERRA violation, you may either file a USERRA complaint with the Department of Labor (DOL) or file an appeal with the Board. However, if you first file a USERRA complaint with DOL, you must exhaust DOL procedures before you may file an appeal with the Board. See 5 C.F.R. § 1208.11.

VEOA Appeals. A VEOA appeal is one in which a preference eligible (defined in 5 U.S.C. § 2108) or veteran described in 5 U.S.C. § 3304(f)(1) alleges that a Federal agency violated his or her rights under any statute or regulation relating to veterans' preference. See 5 C.F.R. § 1208, Subpart C. Unless you are making a VEOA claim in an otherwise appealable action, you must file a VEOA complaint with DOL and allow DOL at least 60 days to try to resolve the matter before filing an appeal with the Board.

Time Limits for filing IRA, USERRA, and VEOA Appeals, and following the filing of a Formal EEO Complaint

IRA Appeals. If you are filing an IRA appeal, you must file no later than **65 days** after the date of the Office of Special Counsel (OSC) notice advising you that the Special Counsel will not seek corrective action, or within **60 days** after the date you received the OSC notice, whichever is later. See 5 C.F.R. § 1209.5.

USERRA Appeals. If you are filing a USERRA appeal, there is no time limit for filing. See 5 C.F.R. § 1208.12. If you file a USERRA complaint with the Department of Labor (DOL) first, you must exhaust the procedures of DOL before you may file an appeal with the Board.

VEOA Appeals. If you are filing a VEOA appeal, you must file it within **15 days** after the date you received notice that the Department of Labor (DOL) was unable to resolve the matter. See 5 C.F.R. § 1208.22. Note: Before filing with the Board, you must file a VEOA complaint with the DOL, which is allowed at least **60 days** to try to resolve the matter.

Formal EEO Complaints. If you have previously filed a formal Equal Employment Opportunity (EEO) complaint regarding the same matter, you must file your Board appeal within 30 days after receiving the agency's resolution or final decision as to that complaint, or you may file at any time after 120 days have elapsed from the filing of the complaint in the absence of such an agency resolution or decision. See 5 C.F.R. § 1201.154(b).

APPENDIX B

MSPB Regional and Field Offices

Atlanta Regional Office: 401 West Peachtree Street, N.W., 10th floor, Atlanta, GA 30308-3519
Tel No.: (404) 730-2751; Fax No.: (404) 730-2767

Geographic Area: Alabama; Florida; Georgia; Mississippi; South Carolina; and Tennessee.

Central Regional Office: 230 South Dearborn Street, 31st floor, Chicago, IL 60604-1669
Tel No.: (312) 353-2923; Fax No.: (312) 886-4231

Geographic Area: Illinois; Indiana; Iowa; Kansas City, Kansas; Kentucky; Michigan; Minnesota; Missouri; Ohio; and Wisconsin.

Dallas Regional Office: 1100 Commerce Street, Room 620, Dallas, TX 75242-9979
Tel. No.: (214) 767-0555; Fax No.: (214) 767-0102

Geographic Area: Arkansas; Louisiana; Oklahoma; and Texas.

Denver Field Office: 165 South Union Blvd., Suite 318, Lakewood, CO 80228-2211
Tel. No.: (303) 969-5101; Fax No.: (303) 969-5109

Geographic Area: Arizona; Colorado; Kansas (except Kansas City); Montana; Nebraska; New Mexico; North Dakota; South Dakota; Utah; and Wyoming.

New York Field Office: 26 Federal Plaza, Room 3137-A, New York, NY 10278-0022
Tel. No.: (212) 264-9372; Fax No.: (212) 264-1417

Geographic Area: New Jersey counties of Bergen, Essex, Hudson, and Union; New York; Puerto Rico; and Virgin Islands.

Northeastern Regional Office: 1601 Market Street, Suite 1700, Philadelphia, PA 19103
Tel. No.: (215) 597-9960; Fax No.: (215) 597-3456

Geographic Area: Connecticut; Delaware; Maine; Maryland (except the counties of Montgomery and Prince George's); Massachusetts; New Hampshire; New Jersey (except the counties of Bergen, Essex, Hudson, and Union); Pennsylvania; Rhode Island; Vermont; and West Virginia.

Washington Regional Office: 1901 S. Bell Street, Suite 950, Arlington, VA 22202
Tel. No.: (703) 756-6250; Fax No.: (703) 756-7112

Geographic Area: Maryland counties of Montgomery and Prince George's; North Carolina; Virginia; Washington, DC; and all overseas areas not otherwise covered.

Western Regional Office: 1301 Clay Street, Suite 1380N, Oakland, CA 94612-5217
Tel. No.: (510) 273-7022; Fax No.: (510) 273-7136

Geographic Area: Alaska; California; Hawaii; Idaho; Nevada; Oregon; Washington; and Pacific overseas.



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, U.S. ARMY GARRISON ALASKA
1046 MARKS ROAD #6000
FORT WAINWRIGHT, ALASKA 99703-6000

AMIM-AKG-EE (690-600a)

MEMORANDUM FOR Mr. Sherman Shelby Startz; Jr

SUBJECT: Aggrieved Person's Rights and Responsibilities

1. Purpose. If you believe you have been discriminated against because of your race, color, religion, sex, national origin, age, genetic information, physical or mental disability, and/or subjected to reprisal in an employment matter subject to the control of the Army, you may have a choice of options to pursue your Equal Employment Opportunity (EEO) complaint and have it resolved. The purpose of this memorandum is to advise you, in writing, of those rights and responsibilities.

2. Rights for Employees Outside of a Bargaining Unit. If you are not a member of a bargaining unit covered by a union contract, you have the right to pursue a discrimination complaint under the procedures covered by Army Regulation (AR) 690-600. Your first step under this procedure is to contact an EEO counselor within 45 calendar days of the date of the matter alleged to be discriminatory or, in the case of a personnel action, within 45 calendar days of the effective date of the action. An EEO official, such as the EEO officer, specialist, or assistant, or an EEO counselor may offer you the opportunity to participate in the pre-complaint counseling process or, if determined appropriate, the alternative dispute resolution (ADR) method in lieu of traditional counseling. An individual contacting an EEO official or EEO counselor at the pre-complaint stage is referred to as the "aggrieved."

a. ADR: Mediation is the ADR process preferred by the Department of the Army, however, other methods may be offered as determined by the activity. Mediation is a method by which an objective and impartial person (a trained mediator) facilitates communication between the aggrieved and management to resolve concern(s) or disputes(s). If you are offered and choose to participate in mediation, the pre-complaint period will be extended an additional 60 calendar days from the date you initiate the pre-complaint phase of the EEO complaint process to accomplish the mediation.

(1) If ADR is successful, the participants will sign a negotiated settlement agreement. A signed settlement agreement is binding on both parties.

(2) If ADR is not successful or if some issues remain unresolved after mediation, you will be given a Notice of Right to File a Formal Complaint of Discrimination.

b. Traditional Counseling. If ADR is not offered or you choose not to participate in ADR, the EEO counselor will continue with traditional EEO counseling.

(1) During the initial interview with the assigned EEO counselor, the claim(s) you previously identified during the initial intake interview will be discussed in order to define and record the specific dates and facts of the incidents or personnel actions you allege to be discriminatory. If you present additional matters not initially recorded during the pre-complaint intake interview during the EEO counselor's inquiry, those issues must be recorded in the EEO counselor's report.

(2) You are obligated to cooperate with the EEO counselor in clearly defining the claim(s) and basis(es) for inquiry. The EEO counselor's inquiry is designed to facilitate a satisfactory resolution of your allegations. The EEO counselor will advise you of the results of the inquiry and discuss proposed solutions.

(3) If resolution of your complaint is not achieved, the EEO counselor will conduct a final interview with you within 30 calendar days of the date you initiated the counseling process, unless an extension of the counseling period is executed. The EEO counselor will then issue you a Notice of Right to File a Formal Complaint of Discrimination.

(4) Upon receipt of the Notice of Right to File a Formal Complaint of Discrimination, you may file a formal complaint of discrimination. The EEO counselor will advise you with whom to file your formal complaint and will explain the formal complaint procedures. Formal complaints of discrimination fall under two separate categories, non-mixed complaints and mixed complaints, and each are processed differently.

(a) A non-mixed complaint is one in which actions identified as discriminatory are not appealable to the Merit Systems Protection Board (MSPB). Formal complaint procedures in non-mixed cases include an investigation by the Department of Defense Investigations and Resolution Division (IRD), your choice of requesting either a hearing before an Equal Employment Opportunity Commission (EEOC) administrative judge after which the EEO/Civil Rights Office (Deputy for Compliance and Complaints Review (EEOCCR)) will issue a final action or you may request a decision by the Deputy for EEOCCR without a hearing by an EEOC administrative judge.

(b) A mixed complaint of discrimination is a complaint that stems from an alleged discriminatory action that can be appealed to the MSPB (see paragraph b. below). In mixed complaint cases, you have the right to an investigation by the IRD, however, you do not have a right to a hearing by an EEOC administrative judge. The Deputy for EEOCCR will issue a final agency decision upon completion of the investigation by the DoDOC and will provide you with appeal rights to the MSPB.

b. Merit Systems Protection Board (MSPB). You may pursue a discrimination complaint under the MSPB appeal procedure without using the federal sector EEO complaint process. This procedure is available to you only if the alleged discriminatory action can be appealed to the MSPB. This type of matter is referred to as a mixed case. The case is "mixed" in that it contains an action that may be appealed to MSPB and also alleges the action was discriminatory. Examples of personnel actions that are appealable to the MSPB include, but are not limited to, removal or suspension for more than 14 days of a non-probationary, competitive service employee. If you are subject to a personnel action that is appealable to the MSPB, you will be notified in writing of your right to appeal to the MSPB. The time limit for appeal to the MSPB is 30 calendar days after the effective date of the personnel action that you believe to be discriminatory in nature. Under such an appeal, you are entitled to a hearing by the MSPB. In addition, you may petition the EEOC to review the final decision of the MSPB on the allegation(s) of discrimination.

3. Administrative Grievance Procedures. An employee may not raise allegations of discrimination that are subject to final administrative review by the EEOC in the administrative grievance procedure. (See DoD Directive 1400.25M, Subchapter 771)

4. Additional Option for Age Discrimination in Employment Act of 1967 (ADEA), as amended, discrimination complainants (age 40 and over). In lieu of filing a complaint under this regulation, a mixed case appeal with MSPB (if applicable) or a negotiated grievance (if applicable) as described above, you may elect to bypass the administrative procedure and file a civil action directly in an appropriate US District Court, after first filing a written notice of intent to file a civil action with the EEOC within 180 calendar days of the date of the alleged discriminatory action. Once a timely notice of intent to sue is filed with the EEOC, you must wait at least 30 calendar days before filing a civil action.

a. You must be aware that if you elect to file an administrative complaint rather than filing directly in U.S. District Court, you must exhaust your administrative remedies before you can file a civil action.

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b. In a non-mixed complaint, you will have exhausted your administrative remedies when one of the following occurs:

(1) after receiving notice of the final Army decision on your complaint, if no appeal has been filed; or, after 180 calendar days from the date you filed your complaint with the Army and the Army has failed to issue a final decision and no appeal has been filed; or

(2) after receiving the EEOC's final decision on your appeal; or after 180 calendar days from the date you filed an appeal with the EEOC and the EEOC has not issued a final decision on the appeal.

c. Should you elect to bypass the administrative procedure in an age discrimination complaint, you are responsible for providing the following information in your notice of intent to sue:

(1) The date prepared.

(2) Statement of intent to file a civil action under Section 15(d) of the ADEA, as amended.

(3) Your name, address, and telephone number.

(4) Name, address, and telephone number(s) of your designated representative, if any.

(5) Name and location of the Federal agency or installation where the alleged discriminatory action occurred.

(6) Statement of the nature of the alleged discriminatory action(s)

(7) Date(s) the alleged discriminatory action occurred.

(8) Your signature or the signature of your designated representative.

d. Attorney's fees and costs are not recoverable in the administrative process and compensatory damages are never an available form of relief.

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e. Notices of intent to sue under the ADEA must be submitted to the EEOC by facsimile (202) 663-7022 or sent/hand delivered to the following address:

Equal Employment Opportunity Commission
Office of Federal Operations
P. O. Box 19848 (if sent by mail)
1801 L Street NW (if hand delivered)
Washington, DC 20036

6. Option for Equal Pay Act. If you are alleging sex-based wage discrimination under the Equal Pay Act (EPA), you have the right to go directly to the US District Court even though such claims are also cognizable under Title VII. A civil action must be filed within 2 years of the date of the occurrence, or within 3 years of the date of the alleged violation if the violation is willful. Notwithstanding the two/three year limitations period applicable to the current action under the EPA, in order to present an administrative EPA claim, the aggrieved must contact an EEO counselor within 45 calendar days of the date the aggrieved becomes aware of or reasonably suspects a violation of the EPA. The filing of an administrative complaint does not toll the time for filing a civil action. Attorney's fees and costs and compensatory damages are not recoverable in sex-based wage discrimination claims in the administrative process.

7. Additional Rights under the EEO Process.

a. You have the right to remain anonymous during the counseling. The counselor will refrain from revealing your identity except by your authorization. However, if you choose to participate in ADR, you will not be able to remain anonymous.

b. You have the right to a representative of your choice throughout the complaint process including pre-complaint counseling. This right to a choice of representation will be limited when there is a conflict of interest as defined in AR 690-600. Your right to representation is extended to the ADR process. However, the ADR neutral will decide the extent to which the representative actively participates in ADR. Nonetheless, you will have sufficient time to discuss resolution and review any proposed terms with your representative prior to finalizing a settlement agreement. If your representative is an attorney, all documents will be officially served on your attorney.

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c. If traditional EEO counseling is opted, you have the right to receive in writing within 30 calendar days of the first counseling contact (unless you agree in writing to an extension for counseling) a notice terminating counseling and informing you of:

(1) The right to file a formal individual or class complaint within 15 calendar days of receipt of the notice.

(2) The appropriate official with whom to file a formal complaint, and

(3) Your duty to immediately inform the agency if you retain counsel or a representative.

d. Any extension of the counseling period may not exceed an additional 60 calendar days. When notice is not provided and no extension is secured, you have the right to file a formal complaint of discrimination after the 30th day. Exception: If you agree to participate in mediation and unresolved issues remain after the mediation attempt, the written Notice of Right to File a Formal Complaint of Discrimination will be issued upon completion of the mediation process or within 90 calendar days of the initial contact, whichever comes first.

e. If you file a formal complaint, you have a right to be notified in writing whether the activity EEO officer accepts or dismisses your complaint. If you do not receive written notice within fifteen (15) calendar days of filing a formal complaint, you should contact the EEO officer. If your allegations are dismissed entirely or partially, you will be advised in writing of the basis and rationale for any dismissed allegations.

f. If you file a non-mixed EEO complaint and your allegations are dismissed in their entirety, you will be advised of your right to appeal the dismissal decision to the EEOC. If some but not all of your allegations are dismissed, the dismissed portion of your claim is not appealable to the EEOC until a final decision/action on the entire complaint is issued. However, the dismissed portion is subject to review by an administrative judge if a hearing is requested on the remainder of the complaint.

g. If you file a non-mixed EEO complaint, you have the right to request a hearing before an EEOC administrative judge after 180 calendar days from the filing of a formal complaint or after completion of the investigation, whichever comes first. Further, you have the right to file a civil action in an appropriate US District court:

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(1) within 90 calendar days of receipt of a final agency action/decision if no appeal has been filed

(2) 180 calendar days after filing a formal complaint if an appeal has not been filed and a final agency action/decision has not been issued;

(3) within 90 calendar days of receipt of the EEOC's final decision on an appeal;
or

(4) 180 calendar days after filing an appeal with EEOC if there has been no final decision by the EEOC.

h. If you file a mixed EEO complaint and a final agency decision is not issued within 120 calendar days after filing, you have the right to either appeal the matter to the MSPB or you may file a civil action.

i. If you file a mixed EEO complaint and are dissatisfied with the final agency decision, you have the right to appeal the matter to the MSPB, not the EEOC, within 30 calendar days after receipt of the final agency decision.

j. When you have filed two or more complaints, you have the right to receive in writing a notice that the agency is consolidating your complaints; that the investigation will be completed within the earlier of 180 calendar days after the filing of the last complaint or 360 calendar days of the filing of the first complaint; and that you may request a hearing with an administrative judge at any time after 180 calendar days of the filing of the first complaint.

k. You have the right to amend a pending complaint to add additional incidents or claims that are like or related to those raised in the pending complaint at any time prior to the completion of the investigation. The agency is required to complete its investigation within the earlier of 180 calendar days after the last amendment to the complaint or 360 calendar days after the filing of the original complaint.

8. Responsibilities.

a. You are responsible for cooperating with those individuals involved in the processing of your complaint.

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b. At all times during the administrative processing of your complaint, you are responsible for updating, in writing, the activity EEO officer and the EEOC of any changes to your current mailing address. Failure to keep the agency and the EEOC informed of your current address may result in dismissal of your complaint.

c. You are responsible for filing a formal EEO complaint within 15 calendar days after receipt of the Notice of Right to File a Formal Complaint of Discrimination, in the event that you wish to file a formal complaint at the conclusion of traditional EEO counseling or ADR.

d. You are responsible for electing your avenue of redress. The formal action you file first (an MSPB mixed case appeal, a discrimination complaint under the EEO complaint procedure, or a written grievance under the negotiated grievance procedure) is considered to be an election to proceed only in that forum as to the alleged discrimination. Thus, you should be aware that:

(1) An appeal to the MSPB will not be accepted if you have filed a timely formal complaint in writing under the EEO complaint procedure or a timely written grievance under the negotiated procedure.

(2) A discrimination complaint filed under the EEO complaint procedure will be dismissed if you have first filed a timely appeal to the MSPB or a timely written grievance under the negotiated procedure on the same matter.

e. If you file a formal complaint, you are responsible for informing the EEO officer whether you are represented, by whom, and the address and telephone number(s) of your representative. You must also inform the EEO officer of any change in representation. You are responsible for electing your avenue of redress.

f. If you request a hearing before an EEOC administrative judge, you are responsible for sending your request directly to the appropriate EEOC field office and providing the EEO officer a copy of that request. You are also responsible for certifying to the administrative judge that you provided the EEO officer with a copy of your request for a hearing, including how it was served.

g. You must also be aware that you have a legal obligation to mitigate damages, i.e. on back pay and out of pocket expenses, regardless of whether it is later determined that you were a victim of unlawful discrimination. A successful complainant

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claiming back pay will be paid the amount that would have been earned had it not been for discrimination, less any amount actually earned or could have been earned with due diligence, plus interest. Interest on back pay is not payable to Federal employees or applicants who prevail on employment discrimination claims brought under the Age Discrimination in Employment Act or the Equal Pay Act.

h. The rejection of an offer of resolution made by the agency may result in the limitation of the agency's payment of attorney's fees or costs.

i. You are responsible for serving notice of appeal and a copy of the brief (if any) on the agency, i.e., Deputy for EEOCCR and the agency representative, should you elect to appeal an agency decision to the EEOC, Office of Federal Operations.

9. You are further advised that only matters of discrimination raised in the pre-complaint processing, to include those matters of discrimination like or related to matters of discrimination raised in pre-complaint processing, may be alleged in a subsequent formal complaint filed with Army.


10. If you have any other questions on this matter, you may contact your activity EEO office.

Stacie Mason-Keeley

STACIE MASON-KEELEY

Director, Equal Employment Opportunity

Acknowledgement of Receipt:


Signature of Aggrieved

8-1-2022
Date

USAG Alaska Equal Employment Opportunity (EEO)
Preliminary processing form
for use of the EEO office

PART I. CONTACT INFORMATION:

1. NAME: SHERMAN SHELBY STARTZ
2. PREFERRED MAILING ADDRESS 116 Kelsan Way
3. HOME PHONE: 907-231-9270 WORK PHONE: _____
4. PREFERRED EMAIL: shelbystartz@outlook.com

If you are a current employee, please complete the following on where you work:

5. Department Terminated from DPW - Contract Management Branch 6/27/2022
6. ADDRESS: 3015 Montgomery Fort Wainwright Alaska 99703
7. JOB TITLE, SERIES, GRADE: _____

PART 2. DISCRIMINATION INFORMATION:

Prohibited discrimination includes actions taken based upon your race, sex, color, religion, age (40 and over), national origin, physical and/or mental disability, genetic information, and reprisal (for participation in previously protected EEO activity).

BASIS(ES) OF DISCRIMINATION (CHECK APPROPRIATE BOX/BOXES AND COMPLETE INFORMATION)	
<input type="checkbox"/> RACE (SPECIFY)	<input type="checkbox"/> RELIGION (SPECIFY)
<input type="checkbox"/> COLOR (SPECIFY)	<input type="checkbox"/> NATIONAL ORIGIN (SPECIFY)
<input type="checkbox"/> SEX <input type="checkbox"/> FEMALE <input type="checkbox"/> MALE	<input checked="" type="checkbox"/> DISABILITY <input checked="" type="checkbox"/> MENTAL <input type="checkbox"/> PHYSICAL
<input type="checkbox"/> AGE (SPECIFY DATE OF BIRTH)	<input type="checkbox"/> REPRISAL Applies to persons that have had prior EEO activity, case number if known, and date of activity
<input type="checkbox"/> GENETIC INFORMATION	

ISSUE(S) IN THE COMPLAINT (CHECK APPROPRIATE BOX/BOXES)					
<input type="checkbox"/>	NONSELECTION	<input type="checkbox"/>	AWARDS	<input type="checkbox"/>	RETIREMENT
<input type="checkbox"/>	DETAIL	<input type="checkbox"/>	TIME AND ATTENDANCE	<input type="checkbox"/>	SUSPENSION
<input type="checkbox"/>	REASSIGNMENT	<input checked="" type="checkbox"/>	SEPARATION/TERMINATION	<input type="checkbox"/>	DUTY HOURS
<input checked="" type="checkbox"/>	REPRIMAND	<input type="checkbox"/>	PERFORMANCE APPRAISAL	<input type="checkbox"/>	SEXUAL HARASSMENT
<input checked="" type="checkbox"/>	ASSIGNMENT OF DUTIES	<input checked="" type="checkbox"/>	WORK CONDITIONS	<input type="checkbox"/>	
<input type="checkbox"/>	OTHER (SPECIFY)				

PART 3. EVENT INFORMATION:

Provide BRIEF Description on Who, What, When and Why this has happened.

Please see Attached following *off*

You will be required FOR EACH MANAGEMENT OFFICIAL INVOLVED IN THE allegation the INCIDENT DATE, NAME, TITLE, EMAIL ADDRESS AND A SUMMARY OF Their INVOLVEMENT:

Hire Date 1-31-2022 – 6-27-2022

DAVID ZRNA

Federal Representative and Senior

David J Zrna

Chief Contract Management Branch

DPW/Engineering Division/CMB

Building 3015, RM 214 B

1060 Gaffney Road

Ft Wainwright, Alaska 99703

(907) 361-9762 Office

(907) 378-5601 Mobile

Failed to respond to requests to not be assigned to project involving ALEUT or their other companies, such as PATRICK MECHANICAL after expressing accommodations for my PTSD which was disclosed on my intake paperwork.

Further, after my orientation and expressing this former harassment there; plus, hearing about the benefit of the EAP, in mid-March 2022 I stopped in and met with Michael Patton (Ft Wainwright EAP) whom later introduced me to Wade Falkenberg. We visited about my concerns and I was asked by Michael Patton if he could contact my boss and said of course and signed release paperwork for this and any other future needs. I assume that happened.

Nevertheless, I was only assigned to ALEUT Projects, almost as if the request was used against me.

- Being called an informant
- Mole
- Spy

And being treated as such from day one, all the way through. Which lead to a poor working relationship with my peers.

All of this neglect to simple needs for me lead to this unjustifiable termination.

DAVID ZRNA, representing the Department of Army as my senior acted irresponsibly and with malice.

Shana H. H. H.
8-2-2022

PART 6. UNION

Are you a member of the Collective Bargaining Unit?

☒ YES☐ NO

Have you filed a grievance (Informal or Formal) in this Matter?

☐ YES☒ NO**PART 7. ANONYMITY**

You have the right to remain anonymous at the informal (Counseling) stage of the EEO process. However, electing to remain anonymous may limit the EEO Counselor's ability to discuss the issue with relevant individuals, and could therefore limit the possibility of early settlement. If you have any questions regarding the right to anonymity, you should discuss them with the EEO Counselor before deciding whether to waive your anonymity.

I elect to remain anonymous

☐ YES☒ NO**PART 8. REPRESENTATION**

If you are being represented, please provide the name, title, mailing address and phone number of your representative. If you later retain representation, you have a duty to notify the EEO Office, in writing, of the name, title, address and phone number of your representative.

☒ I waive the right to representation at this time☐ The person listed below represents me

Name of Representative

Representative's Title

Mailing address

Telephone No.

Email Address

PART 9. ALTERNATIVE DISPUTE RESOLUTION (MEDIATION)

You may choose to participate in the Alternative Dispute Resolution Program, and to have your EEO complaint mediated. In mediation, the parties will work with an impartial mediator, outside of the routine EEO administrative process, in an effort to resolve their differences. You should know that:

- a. Mediation is a confidential process;
- b. Mediation is voluntary, and you may elect to participate in mediation at any stage in the EEO process; and
- b. If mediation is unsuccessful, your EEO complaint will be reinstated - you do not give up your right to participate in the EEO complaint process.

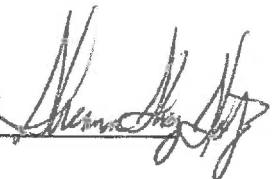
If you choose to participate in mediation, and the mediation is not successful, the EEO Counselor will then issue a Notice of Final Interview, and you will have 15 calendar days from the date of that Notice in which to file a formal complaint of discrimination.

I wish to participate in mediation

☒ YES☐ NO

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Please sign and date: 8/2/2022



WITNESSES

Provide your witness(es) of FIRST HAND KNOWLEDGE i.e. (directly witnesses) (and or Heard) in support of **your ALLEGATION. For each witness you propose, provide the following information.** It is important that you include all the information listed above for each witness you propose. Thank you in advance for your adherence to this guidance.

1a. First Proposed Witness's Name (Last, First):

1b. Witness's Job Title:

1c. Witness's Organization and Duty Station or Location:

1d. Witness's Contact Information:

Commercial telephone number (including area code):

Email address:

Mailing address:

1e. (For example, the witness was involved in the action at issue, was present when the events at issue occurred, or can provide a first-hand account of similar disparate treatment or hostile work environment.):

2a. Second Proposed Witness's Name (Last, First):

2b. Witness's Job Title:

2c. Witness's Organization and Duty Station or Location:

2d. Witness's Contact Information:

Commercial telephone number (including area code):

Email address:

Mailing address:

Therefore, it is important that you include all the information listed above for each witness you propose. And, because the investigator may not be able to interview all the witnesses you propose, it is important that you list them in priority order. Thank you in advance for your adherence to this guidance.)

WITNESSES

1a. NAME (FIRST AND LAST) TROY STONEKING

1b. SUPERVISOR of COR / QA's

1.c ORGANIZATION – DPW CMB

Witness was present during one of two meeting I had with DAVID ZRNA about my concerns with ALEUT and my addressing PTSD and how I would like to not be involved with ALEUT.

2a NAME (FIRST AND LAST) MATT TAYLOR

2b COR / QA – recently moved to another department in DPW – was CMB

2c recently moved to another department in DPW – was CMB

Witness participated in the event prior to DENNIS KENEDY attaching me which was in fact the first passive aggressive attach by ALEUT (Patrick Mechanical) Matt also participated in my discussion with Chief about Steve EMERSON situations – his aggressive behavior to me and spreading rumors.

3a NAME (FIRST AND LAST) TONY FIGUEROA

3b TONY Recently PCS or is about to the GRAND CANYON and PARK SER VICE as a Federal Employee. Tony observed Steve and his hostility as well as responded to some irregularities on ALEUTs part that lead to more hostility towards me by ALEUT.


8-2-2022

Aggrieved Mandatory Paperwork:

Current Position Description (PDF)

Current DPMAPS (PDF)

Current No Fear Training (PDF)

Current Copies of your SF 50-52 (PDF)


Copy of Personnel Action(s) i.e (Written Warning(s), Suspension, Decision(s) (PDF)

Copy of redress to Personnel Action(s) (PDF)

Current Organization Chart (PDF)

Copy of any supporting Email to issue (PDF)



 <h2 style="text-align: center;">ARMY POSITION DESCRIPTION</h2>		
PD#: EV496104	Sequence#: VARIES	Replaces PD#:
CONSTRUCTION CONTROL INSPECTOR GS-0809-09		
POSITION LOCATION: <div style="display: flex; justify-content: space-between;"> <div> Servicing CPAC: ALASKA CPAC Installation: VARIES Region: WEST </div> <div> Agency: VARIES Army Command: VARIES Command Code: VARIES </div> </div>		
POSITION CLASSIFICATION STANDARDS USED IN CLASSIFYING/GRADING POSITION: Citation 1: OPM PCS TECHNICAL WORK ENGINEERING AND ARCHITECTURE GROUP, MAY 2007		
<p>Supervisory Certification: <i>I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships, and that the position is necessary to carry out Government functions for which I am responsible. This certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.</i></p> <div style="display: flex; justify-content: space-between;"> Supervisor's Name: DAVID J. ZRNA Date Certified: 04/20/2020 </div>		
<p>Classification Review: <i>This position has been classified/graded as required by Title 5, U.S. Code in conformance with standard published by the U.S. Office of Personnel Management or if no published standards apply directly, consistently with the most applicable published standards.</i></p> <div style="display: flex; justify-content: space-between;"> Classified By: CYNTHIA LIGHT Date Classified: 11/17/2017 </div>		
<p>Position Cursory Review: <i>This position description (PD) has been reviewed and it is determined that: the major duties equal 100%; the statement Performs other duties as assigned (PODAA) is present; where applicable, the factors, levels, and points are identified directly under PODAA, add up correctly, and the Point Range for the grade is present; and, the Conditions of Employment are located in the Conditions of Employment & Notes section, and if required, Temporary Duty Travel (TDY) of 25% or more (may be less if requested by management), is included. The PD is in the format of the classification standard of record, and the standard(s) is/are cited properly, and the title/series/grade are properly determined based on the standard. The FLSA is correct and when it is determined</i></p>		

that the position is Exempt, a complete explanation is provided, and all outdated/obsolete forms are removed. (All position descriptions require a cursory review upon initial verification in FASCLASS and may be reviewed again every 5 years thereafter, or before if OPM issues a new classification standard or guide).

Reviewed By: CYNTHIA LIGHT

Date Reviewed: 04/20/2020

<p>POSITION INFORMATION: Cyber Workforce:</p> <ul style="list-style-type: none"> • Primary Work Role: VARIES • Additional Work Role 1: VARIES • Additional Work Role 2: VARIES <p>FLSA: NON-EXEMPT FLSA Worksheet: NON EXEMPT FLSA Appeal: NO Bus Code: VARIES DCIPS PD: NO</p> <ul style="list-style-type: none"> • Mission Category: • Work Category: • Work Level: <p>Acquisition Position: NO</p> <ul style="list-style-type: none"> • CAP: • Career Category: • Career Level: <p>Functional Code: 00 Interdisciplinary: NO Supervisor Status: VARIES PD Status: VERIFIED DCA Override: NO</p>	<p>CONDITION OF EMPLOYMENT: Drug Test Required: VARIES Financial Mgmt Cert: VARIES Position Designation: VARIES Position Sensitivity: VARIES Sec. Clearance Level: VARIES Sec. Access (Child Care Bkgd Check): VARIES Emergency Essential: Requires Access to Firearms: VARIES Personnel Reliability Position: VARIES Information Assurance: N Influenza Vaccination: NO Financial Disclosure: NO Enterprise Position: VARIES</p>	<p>POSITION ASSIGNMENT: Competitive Area: VARIES Competitive Level: VARIES Career Program: VARIES Career Ladder PD: NO Target Grade/FPL: 09 Career Pos 1: Career Pos 2: Career Pos 3: Career Pos 4: Career Pos 5: Career Pos 6:</p>
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POSITION DUTIES:

Serves as Construction Control Inspector responsible for the quality assurance in a variety of maintenance, repair, renovation, and minor construction projects; and services, by contract, within administrative, training, barracks, dining, medical, recreational, range, utility, and transportation facilities. The incumbent interprets contract specifications and other directives to resolve problems.

1. The incumbent is independently responsible for maintaining surveillance, on a day-to-day basis, over the full range of technical support and field engineering activities associated with specific phases of maintenance, repair, renovation, and minor construction projects. Inspects, reviews, and certifies general maintenance, repair, and construction contracts of normal difficulty to ensure compliance with plans, specifications, and acceptable construction practices. Examines foundation excavation and construction; construction and erection of form walls; and the quality, placement, and curing of concrete. Checks structural steel for placement and compliance with shop drawings; checks roofing materials and observes the erection of roof trusses, joists, and coverings; and inspects lumber and millwork for proper size, finish, grade, moisture content, and

installation. Checks plumbing work such as sewer and water lines, fixtures, and appliances; inspects heating system including piping, radiators, and controls; inspects electrical work such as installation of wiring, cables, fixtures, and circuits; checks paint, glass, hardware, and other materials; and inspects exterior utilities, including underground water systems, sanitary and storm sewer systems, gas mains, and electrical distribution systems. Examines extensions and replacement of overhead or underground exterior electrical distribution systems, transformer stations, and electrical equipment systems. Performs construction inspections of roads, runways, walks, and parking areas for conformance to plans, specifications, agency policies, and acceptable construction practices. Inspects sub-grade, flexible base, moisture content, compaction, cleanliness, and freedom from undesirable materials, proper grade lines, ditch grade, drainage, and drainage structures; and inclusion and arrangement of reinforcing steel prior to placement of asphalt or concrete. Inspects mixture of materials such as soils, gravel, crushed stone, and soil test prescribed in contract covering density, proportions, dimensions, quantities, and quality. 30%

2. Independently monitors contractor performance and notifies Project Manager (PM), Contracting Officer Representative (COR), and Supervisor of contractors' noncompliance with contract documents. Provides supporting documentation, ensure and assist contractors in complying with contract plans and specifications, and makes recommendations for improved methods and techniques for construction which are considered beneficial in obtaining the best possible construction work and conform to established precedents that do not involve added cost or engineering design and are consistent with contract plans and specifications. On a daily basis, the incumbent tracks and maintains documentation of contractors progress through Quality Assurance Reports (QAR) and notes any decisions, recommendations, or suggestions made regarding contractors' performance and status of projects to the PM, COR, and Supervisor. The incumbent ensure contractors are in compliance with all applicable health and safety regulations and use prudence in stoppage of work when violations are of a nature which may result in loss of life or limb and notifies the PM, COR, and Supervisor immediately after the stoppage of work occurs. Recognizes when problems should be referred to supervisor for assistance. This position requires the incumbent to be proficient in several computer programs to access reports and other computer base documents. 30%

3. Represents the Directorate of Public Works (DPW) as the construction representative. Obtains contract documents at beginning of projects to review plans, specifications, and shop drawings for complete understanding of project and provides written comments or questions to the PM for clarity. Actively participates in post award (pre-construction) conferences to discuss principal construction features and requirements in terms of methods and equipment operations, construction scheduling, progress reporting, work acceptance procedures, safety measures, and other matters related to contractual performance. Incumbent reviews contractors' proposed working schedules to ensure awareness of critical path items which require detailed inspection and approval before work may continue. Assists the PM with the coordination of contractors, facility users, and other agencies with facility access, utility outages, road closures, disposal of waste materials (i.e., conventional and hazardous), and storage of construction materials and equipment to allow for an uninterrupted flow of progress. 20%

4. Incumbent is independently responsible for maintaining surveillance, on a day-to-day basis, on any one of the Installation's Service Contracts to include custodial, refuse, range hood cleaning, grease interceptor pumping/cleaning, elevator maintenance, load testing, and traffic signals. The incumbent inspects and ensures that the work meets quality requirements identified in the contract and ensures that facility managers comply with the contract provisions regarding adequate building access, safety, utilities, and initiates proper action to correct problems encountered. Monitors and inspects safety practices of contractor to ensure compliance with applicable (Post, OSHA, etc.) safety requirements.

Investigates complaints and informs COR of deficiencies and provides documentation that will support appropriate claims. Assists COR in the resolution of problem areas arising from user complaints with regard to contract services. Prepares accurate and detailed inspection reports on all factors pertaining to the services provided indicating work accomplished, noted deficiencies, shortage of supplies, manner of employee performance, user complaints, corrective action taken, safety and security violations, and any other item reflecting contract non-compliance which are used as the basis for verifying requests for payment. Identifies cost savings situations and provides proper documentation for possible consideration by the COR to incorporate changes to existing services contracts. Provides technical information to the COR regarding supplies and equipment introduced by the contractor. Keeps the COR and Supervisor informed of schedule status and problems encountered which may result in controversial situation. 20%

Performs other duties as assigned.

Factor 1: Knowledge Required by the Position - Level 1-6, 950 Points

Practical knowledge and skill in applying a wide range of specialized methods, techniques, procedures, policies, costs, materials, and equipment relating to construction. Must have practical knowledge of mechanical and electrical engineering and architecture work to review and analyze project plans and specifications. Knowledge and skill to plan and accomplish complete projects or studies; resolve a variety of complex problems; ensure adherence to safety standards and environmental regulations. Skill and ability to observe and investigate all construction phases to ensure compliance with contract schedules, specifications, and shop drawings. Ability to read and interpret engineering/architectural plans and specifications.

Factor 2: Supervisory Controls - Level 2-3, 275 Points

Supervisor assigns responsibilities in terms of priorities and overall objectives. The incumbent independently plans and carries out assignments in conformance with accepted policies and practices; resolves commonly encountered work problems and deviations by exercising judgment in selecting appropriate instructions, policies, guidelines, or accepted practices; and brings controversial information and findings to the supervisor's attention for direction. The supervisor reviews completed work for conformity with policy, the appropriateness of the employee's approach, technical soundness, and adherence to deadlines.

Factor 3: Guidelines - Level 3-3, 275 Points

Incumbent uses a number of engineering references such as Army regulations, technical manuals, codes, handbooks, specifications, catalogs, contract specifications, surveillance plans, policies/procedures, government procurement regulations, quality assurance directives, and other technical references. The incumbent has the responsibility to adapt and extend these procedural guides and regulations to the assignments and any particular situation involved. In some cases, regular guidance may not be completely applicable to a situation, nor provide specific guidance. The incumbent must exercise independent judgment in interpreting guidelines and in adapting them to specific assignments.

Factor 4: Complexity - Level 4-3, 150 Points

Work consists of a number of different processes related to inspecting the electrical, mechanical, and structural aspects of construction of multi-story office or residential buildings of moderate size and conventional design. The employee selects the appropriate process from many alternatives to schedule work, interpret plans and specifications, select work methods, and ensure the acceptability of materials and workmanship. Exercises

independent judgment to resolve problems resulting from different and unrelated construction processes and methods employed by multiple contractors.

Factor 5: Scope and Effect - Level 5-3, 150 Points

Responsible for the surveillance of assigned construction projects which require using a wide variety of standardized inspection methods, procedures, and techniques. The proper design and specification for all construction and services contracts have a direct effect on the quality and the service provided to these communities. The work further affects the capability of the installation to meet mission requirements by the timeliness and acceptability of facilities for use.

Factors 6&7: Personal Contacts/Purpose of Contacts - Level 2B, 75 Points

Personal contacts are within and outside the immediate organization usually in a moderate structured setting. The purpose of the contacts is to plan, coordinate, or advise on work efforts or to resolve operating problems by influencing or motivating individuals or groups who are working toward mutual goals and who have basically cooperative attitudes.

Factor 8: Physical Demands - Level 8-2, 20 Points

The work involves moderate physical demands in terms of inspections, investigations, and surveys of facilities, which may involve climbing ladders, scaffolds, and stairs. This normally requires long periods of standing, walking, crawling, stooping, and bending.

Factor 9: Work Environment - Level 9-2, 20 Points

The work is performed inside and outdoors in all types of weather conditions, as well as, in an office setting doing paper work and in conference rooms for pre-construction meetings in well lighted, heated and ventilated space. Work is accomplished in a construction environment involving noise, dirt, fumes, high and low temperatures, and hazardous material and conditions. The work involves a fair amount of discomfort associated with construction sites and incumbent must wear safety equipment such as hard hats.

Total Points: 1915

Point Range: 1855-2100

Grade: GS-09

Fair Labor Standards Act (FLSA) Determination = (NON EXEMPT)

- ☐ **1. Availability Pay Exemption** - (e.g., Criminal Investigators, U.S. Customs and Border Protection pilots who are also Law Enforcement Officers).
- ☐ **2. Foreign Exemption** - (Note: Puerto Rico and certain other locations do not qualify for this exemption - See 5 CFR 551.104 for a list of Nonexempt areas.)
- ☐ **3. Executive Exemption:**
 - ☐ a. Exercises appropriate management responsibility (primary duty) over a recognized organizational unit with a continuing function, AND
 - ☐ b. Customarily and regularly directs 2 or more employees, AND
 - ☐ c. Has the authority to make or recommend hiring, firing, or other status-change decisions, when such recommendations have particular weight.

Note: Shared supervision or "matrix management" responsibility for a project team does not meet the above criteria. Limited "assistant manager" functions or "acting in the absence" of the manager does not meet the above criteria.

☐ **4. Professional Exemption:**

- ☐ a. Professional work (primary duty)
- ☐ b. Learned Professional, (See 5 CFR, 551.208) (Registered Nurses, Dental Hygienists, Physician's Assistants, Medical Technologists, Teachers, Attorneys, Physicians, Dentists, Podiatrists, Optometrists, Engineers, Architects, and Accountants at the independent level as just some of the typical examples of exempt professionals). Or
- ☐ c. Creative Professional, (See 5 CFR, 551.209) (The primary duty requires invention and originality in a recognized artistic field (music, writing, etc.) and does not typically include newspapers or other media or work subject to control by the organization are just some examples of Creative Professionals). Or
- ☐ d. Computer Employee, (See 5 CFR, 551.210) (must meet salary test and perform such duties as system analysis, program/system design, or program/system testing, documentation, and modification). Computer manufacture or repair is excluded (non-exempt work).

☐ **5. Administrative Exemption:**

- ☐ a. Primary duty consistent with 5 CFR 551 (e.g.; non-manual work directly related to the management or general business operations of the employer or its customers), AND job duties require exercise of discretion & independent judgment.

☒ **FLSA Conclusion:**

- ☐ Exempt
- ☒ Non Exempt

FLSA Comments/Explanations:

Position does not meet any exemption criteria.

CONDITIONS OF EMPLOYMENT & NOTES:

1. Must be able to obtain and maintain a valid state driver's license.
2. Use of Personal Protective Equipment is required.
3. The position may require TDY travel up to 5%.

POSITION EVALUATION:

Comp Level: 0005

11-Feb-201: Review PD - CLight CHRA AK

I. REFERENCE: OPM PCS TECHNICAL WORK ENGINEERING AND ARCHITECTURE GROUP, MAY 2007

II. SERIES AND TITLE DETERMINATION: The primary purpose of the position is to inspect the work performed by contractors during specific phases of maintenance, repair, renovation, and minor construction projects. The incumbent uses practical knowledge of

engineering principles when inspecting, reviewing, interpreting, and certifying general maintenance, repair, and construction contracts. The incumbent ensures work is in compliance with plans specifications and other directives to resolve problems and acceptable construction practices. Performance of the work requires the incumbent to independently monitor daily performance of construction workers and sites for safety compliance within specifications of the contract, installation, and other safety regulations. The position requires knowledge of construction practices, methods, techniques, and equipment, as well as, on-site inspections of construction work for compliance with plans and specifications. This position is covered by the Construction Control Technical Series, 0809. Therefore, the title of this position, as directed by the Reference above, is Construction Control Inspector.

III. GRADE DETERMINATION:

Factor 1 - Knowledge Required by the Position - The position requires the incumbent to provide technical work in basic architectural, mechanical, and electrical engineering to review and analyze project plans and specifications. The incumbent must use knowledge of, and skill in applying, a wide range of specialized methods, techniques, procedures, policies, costs, materials, and equipment relating to construction work. The work requires the incumbent to independently identify actual or potential problems and determine the necessity for changes or remedial action to resolve difficult but well-precedent, factual, procedural, and reoccurring issues. The incumbent observes, investigates, and ensures adherence to contract schedules, specifications, and shop drawings are to safety standards and environmental regulations during all phases of the construction work and makes recommendations for changes in construction work to meet field conditions. The level of knowledge of and skill in applying standardized, analytical, and evaluative methods and techniques required for the position meets level 1-6.

The position does not meet level 1-7. The work at level 1-7 involves developing innovative or new work methods, approaches, or procedures to provide comprehensive management advisory and technical services on substantive functions, practices, and recommend appropriate solutions to resolve complex interrelated problems and issues. Unlike level 1-7, the work of this position does not require comprehensive, intensive, and practical knowledge of, and extensive experience and skills in applying a wide range of concepts, practices, regulations, policies, and precedents. Instead, this position requires the incumbent to use a full range of technical support and activities associated with specific phases of maintenance, repair, renovation, and minor construction projects. This factor is credited level 1-6, for 950 points.

Factor 2 - Supervisory Controls - The supervisor assigns responsibilities, outlines or discusses possible problem areas, and defines objectives, priorities, and deadlines. The supervisor provides assistance on controversial and unusual situation with no clear precedents. The work is performed independently by applying a thorough knowledge of established procedures and accepted construction practices. Therefore the supervisory controls meet level 2-3.

The position does not meet level 2-4. The work at this level requires the incumbent and supervisor to develop a mutually acceptable project plan which typically includes identification of the work to be done, the scope of the project, and deadlines for its completion. The employee resolves most of the conflicts that arise, coordinates with staff and line management personnel during all phases of the project, and interprets regulations or policy frequently on own initiative. At level 2-4, completed work is reviewed for soundness of overall approach, effectiveness in producing results, the feasibility of recommendations, and adherence to requirements by the supervisor and line management officials whose programs and employees would be affected by the implementation of the recommendations. Unlike level 2-4, the completed work of this position is reviewed for

conformity with policy, technical soundness, and adherence to deadlines set by the supervisor. This factor is credited level 2-3, for 275 points.

Factor 3 – Guidelines - Guidelines consists of a variety of published Army regulations, technical manuals, handbooks, specifications, surveillance plans, policies and procedures, government procurement regulations, quality assurance directives, and other specialized references. The position requires the incumbent to use judgment and initiative in choosing, interpreting, and adapting available guidelines and precedents to specific issues or subject studied by established policies and accepted practices. The incumbent researches regulations and makes recommendations for changes to procedures to improve the reliability of data, enhance services, correct deficiencies, and solve problems. The type of guidance and use of judgment required by the position meets that of Level 3-3.

The position does not meet level 3-4. At this level, the position requires the use of broad regulatory guidelines. Level 3-4 requires the incumbent to use initiative and resourcefulness in deviating from, refining, or extending traditional methods and practices, or in developing and recommending new or substantially modified methods, criteria, or policies. Unlike level 3-4, this position does not require deviation from established methods to modify, adapt, and/or refine broader guidelines to resolve complex issues and problems. This factor is credited with level 3-3, for 275 points.

Factor 4 -- Complexity - The primary work consists of a number of different processes related to inspecting the electrical, mechanical, and structural aspects of numerous buildings of moderate size and conventional design. The employee exercises independent judgment to resolve problems resulting from different and unrelated construction processes and practices employed by multiple contractors. The complexity of the work meets level 4-3.

The position does not meet level 4-4 because at this level the analysis of work frequently entails application of qualitative and quantitative analytical techniques and the employee exercises seasoned judgment and skills to interpret considerable, incomplete, or conflicting data. Unlike the complexity of the work at level 4-4, this position's work consists of analyzing the subject, phase, or issues involved in each assignment to inspect, review, and certify general maintenance, repair, and construction contracts of normal difficulty to ensure compliance with plans, specifications, and acceptable construction practices. However, the incumbent keeps the COR and Supervisor informed of problems encountered which may result in controversial situations. This factor is credited with level 4-3, for 150 points.

Factor 5 – Scope and Effect - The scope of the work involves applying a considerable number of different basic but established methods, procedures, and techniques to support construction operations. The work affects personal safety of the workers and the quality and timeliness of services provided by a contractor. The scope and impact of the work for the position meet level 5-3.

The position does not meet level 5-4. At this level, the work involves establishing criteria, formulating projects, assessing program effectiveness, or analyzing a variety of unusual conditions, problems, or questions. The work affects the effectiveness and acceptability of personal safety, a wide range of operating systems and facilities, agency activities, or the operation of other agencies. Unlike level 5-4, the work of this position is limited to the personal safety of the workers and the quality and timeliness of services provided by a contractor. This factor is credited with level 5-3, for 150 points.

Factor 6/7 - Personal Contacts/Purpose of Contacts:

Personal Contacts

The position requires the incumbent to have personal contact with managers, subject matter specialist, administrative individuals, and private contractors within and outside the immediate installation, support activities, and the general public in a moderately structured settings. The personal contacts meet level 6-2.

The personal contacts does not meet level 6-3. At this level personal contacts are with individuals or groups from outside the agency, including consultants, contractors, vendors, or representatives of professional associations, in moderately unstructured settings.

Purpose of Contacts

The purpose of the contact is to exchange information, coordinate work efforts, and to discuss established, changed, or new plans and programs; and to provide advice, answer questions, and resolve problems related to construction operations with cooperative attitudes. The purpose for contacts meet level 7-B.

The position does not meet level 7-C. At this level, contacts are in a moderately unstructured settings to influence, motivate, or persuade persons or groups who are typically skeptical, resistant, or uncooperative, and who must be approached skillfully to obtain the desired effect. Unlike level 7-C, the incumbent refers all controversial issues to the supervisor. This factor is credited with level 6-2/7-B, for 75 points.

Factor 8 – Physical Demands - The work requires some physical exertion in which the incumbent must conduct regular and recurring construction, industrial, and outdoor facility sites visits where physical exertion such as prolonged standing, bending and stooping to observe work operations. The physical demands of the position of duties meet level 8-2.

The position does not meet Level 8-3. At level 8-3, the work requires considerable and strenuous physical exertion such as heavy lifting of objects weighing more than 50 pounds. This factor is credited with level 8-2, for 20 points.

Factor 9 – Work Environment - The work environment involves regular and recurring exposure to moderate risks or discomforts inside or outside in all types of weather conditions in a construction environment involving noise, dirt, fumes, high and low temperatures, and hazardous material and conditions that require special safety precautions. The incumbent must use protective clothing and gear. The work environment meets level 9-2.

The position does not meet Level 9-3 because the work environment at this level involves high risks of exposure to potentially dangerous situations or unusual environmental stress requiring a range of safety and other precautions where conditions cannot be controlled such as working at great heights under extreme outdoor weather conditions. This factor is credited Level 9-2, for 20 points.

Total Points: 1915
GS-09 Range: 1855-2100

IV. FINAL CLASSIFICATION: Construction Control Inspector, GS-0809-09

V. FLSA: Non-exempt

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) STARTZ, JR, SHERMAN S.		2. Social Security Number 572-17-5981	3. Date of Birth 05-31-1961	4. Effective Date 02-08-2022																																					
FIRST ACTION		SECOND ACTION																																							
5-A. Code 5-B. Nature of Action 881 FEGLI Chg		6-A. Code 6-B. Nature of Action																																							
5-C. Code 5-D. Legal Authority DPM 5 U.S.C Chapter 87		6-C. Code 6-D. Legal Authority																																							
5-E. Code 5-F. Legal Authority		6-E. Code 6-F. Legal Authority																																							
7. FROM: Position Title and Number CONSTRUCTION CONTROL INSPECTOR 496104 - 4280800		15. TO: Position Title and Number CONSTRUCTION CONTROL INSPECTOR 496104 - 4280800																																							
8. Pay Plan GS	9. Occ. Code 0809	10. Grade or Level 09	11. Step or Rate 01	12. Total Salary \$61,424.00	13. Pay Basis PA	16. Pay Plan GS	17. Occ. Code 0809	18. Grade or Level 09	19. Step or Rate 01	20. Total Salary/Award \$61,424.00	21. Pay Basis PA																														
12A. Basic Pay \$47,097.00	12B. Locality Adj. \$14,327.00	12C. Adj. Basic Pay \$61,424.00	12D. Other Pay \$0	20A. Basic Pay \$47,097.00	20B. Locality Adj. \$14,327.00	20C. Adj. Basic Pay \$61,424.00	20D. Other Pay \$0	14. Name and Location of Position's Organization US ARMY INSTALLATION MANAGEMENT CMD US ARMY GARRISON ALASKA DIRECTORATE OF PUBLIC WORKS ENGINEERING DIVISION CONTRACT MANAGEMENT BRANCH FORT WAINWRIGHT, AK 99703 4PAAC				22. Name and Location of Position's Organization US ARMY INSTALLATION MANAGEMENT CMD US ARMY GARRISON ALASKA DIRECTORATE OF PUBLIC WORKS ENGINEERING DIVISION CONTRACT MANAGEMENT BRANCH FORT WAINWRIGHT, AK 99703 4PAAC																													
EMPLOYEE DATA						23. Veterans Preference																																			
1 - None 3 - 10-Point/Disability 5 - 10-Point/Other 2 - 5-Point 4 - 10-Point/Compensable 6 - 10-Point/Compensable/30%						24. Tenure 2 0 - None 2 - Conditional 1 - Permanent 3 - Indefinite						25. Agency Use 26. Veterans Pref for RIF YES X NO																													
27. FEGLI D0 Basic + Option A						28. Annuitant Indicator 9 Not Applicable						29. Pay Rate Determinant 0																													
30. Retirement Plan KF FERS (FRAE) FICA						31. Service Comp. Date (Leave) 01-31-2022						32. Work Schedule F Full-Time						33. Part-Time Hours Per Biweekly Pay Period																							
POSITION DATA						34. Position Occupied						35. FLSA Category						36. Appropriation Code						37. Bargaining Unit Status																	
1 1 - Competitive Service 3 - SES General 2 - Excepted Service 4 - SES Career						N E - Exempt N - Nonexempt						131079A0000						AR2029																							
38. Duty Station Code 020801090						39. Duty Station (City - County - State or Overseas Location) FORT WAINWRIGHT / FAIRBANKS NORTH STAR / ALASKA						40. AGENCY DATA						41. PON# OA						42.						43.						44. TDA DATA XA/W6L7AA/051C/12					
45. Remarks																																									

46. Employing Department or Agency U.S. Army Installation Management Command(ARXA)			50. Signature/Authentication and Title of Approving Official Debbie L. Forrester		
47. Agency Code ARXA	48. Personnel Office ID 2289	49. Approval Date 02-08-2022	Designated Approving Authority		

TURN OVER FOR IMPORTANT INFORMATION
5-Part

1 - Employee Copy - Keep for Future Reference

Editions Prior to 7/91 Are Not Usable After
6/30/93
NSN 7540-01-233-6236

NOTICE TO EMPLOYEE

This is your copy of the official notice of a personnel action. Keep it with your records because it could be used to make employment, pay, and qualifications decisions about you in the future.

The Action

- Blocks 5-B and 6-B describe the personnel action(s) that occurred.
- Blocks 15-22 show the position and organization to which you are assigned.

Pay

- When the personnel action is an award or bonus, block 20 shows the amount of that one-time cash payment. When the action is not an award or bonus, block 12 shows your former total annual salary, and block 20 shows your new total annual salary (block 20C plus 20D). The amount in blocks 12 and 20 do NOT include any one-time cash payments (such as performance awards and recruitment or relocation bonuses) or payments that may vary from one pay period to the next (such as overtime pay), or other forms of premium pay.
- Block 20A is the scheduled amount for your grade and step, including any special salary rate you receive. It does NOT include any locality-based pay. This rate of pay serves as the basis for determining your rate of pay upon promotion, change to a lower grade, or reassignment, and is used for pay retention purposes.
- Block 20B is the annual dollar amount of your Interim Geographic Adjustment or, beginning in 1994, your locality-based comparability payment.
- Block 20C is your Adjusted Basic Pay, the total of blocks 20A and 20B. It serves as the basis for computing your retirement benefits, life insurance, premium pay, and severance pay.
- Block 20D is the total dollar amount of any Retention Allowances, Supervisory Differentials, and Staffing Differentials that are listed in the remarks block. These payments are made in the same manner as basic pay, but are not a part of basic pay for any purpose.

Block 24 - Tenure

- Identifies the nature of your appointment and is used to determine your rights during a reduction in force (RIF). Tenure groups are explained in more detail in subchapter 26 of FPM Supplement 296-33 and RIF is explained in FPM Supplement 351-1; both should be available for review in your personnel office.

Block 26 - Veterans Preference for RIF

- Indicates whether you have preference for reduction-in-force purposes.

Block 30 - Retirement Plan

- **FICA** - Social Security System
- **CS** - Civil Service Retirement System
- **CS-Spec** - Civil Service Retirement System for law enforcement and firefighter personnel
- **FS** - Foreign Service Retirement and Disability System
- **FERS** - Federal Employees' Retirement System
- **FERS-Reserve Tech** - Federal Employees' Retirement System for National Guard Reserve Technicians
- **FERS-ATC** - Federal Employees' Retirement System for Air Traffic Controllers
- **FERS-Spec** - Federal Employees' Retirement System for law enforcement and firefighter personnel
- **FSPS** - Foreign Service Pension System

Block 31 - Service Computation Date (Leave)

- Shows when your Federal service began unless you have prior creditable service. If so, this date is constructed to include your total years, months and days of prior creditable civilian and military service.
- Full-time employees with fewer than 3 years of service earn 4 hours of annual leave each pay period; those with 3 or more years but less than 15 years earn 6 hours each pay period; and those with 15 or more years earn 8 hours each pay period.
- Your earnings and leave statement or your time and attendance card will show the rate at which you earn leave and your current unused leave balance.

Block 32 - Work Schedule

- Your work schedule is established by your supervisor.
- A full-time employee works on a prearranged scheduled tour of duty that is usually 40 hours per week. A part-time employee has a prearranged scheduled tour of duty that is usually between 16 and 32 hours per week. An intermittent employee has no prearranged scheduled tour of duty and works when needed.
- Full-time and part-time employees whose appointments are for 90 days or more are usually eligible to earn annual leave; intermittent employees are not.
- Seasonal employees work on an annually recurring basis for periods of less than 12 months each year; they may have a full-time, a part-time, or an intermittent schedule during their work season.
- On-call employees work during periods of heavy workload and are in pay status for at least 6 months of each year; they may have either a full-time or a part-time schedule when they are in pay status.

Block 33 - Part-time Hours Per Biweekly Pay Period

- Indicates the number of hours a part-time employee is scheduled to work during a two-week pay period.

Block 34 - Position Occupied

- Identifies the employment system under which you are serving -- the Competitive Service, the Excepted Service, or the Senior Executive Service (SES).
- The employment system determines your eligibility to move to other jobs in the Federal service, your rights in disciplinary and adverse actions, and your eligibility for reemployment if you leave Federal service.

Block 35 - FLSA Category

- Exempt employees are not covered by the minimum wage and overtime Law (the Fair Labor Standards Act); nonexempt employees are covered.

Block 37 - Bargaining Unit Status

- Identifies a bargaining unit to which you belong, whether or not you are actually a member of a labor organization. Code "7777" indicates you are eligible but not in a bargaining unit; code "8888" indicates you are ineligible for inclusion in a bargaining unit.

Block 38 and 39 - Duty Station

- Identifies the city, county, and state or the overseas location, where you actually work.

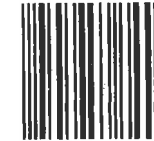
OTHER INFORMATION

- If your appointment entitles you to elect health benefits or life insurance, and you have not been provided materials explaining the programs available and the enrollment forms, contact your personnel specialist.
- Your personnel specialist will also tell you if your position is covered by an agreement between an employee organization (union) and your agency. If you are eligible to and elect to join an employee organization, you can elect to have your dues withheld from your salary.
- If you have questions or need more information about your rights and benefits, ask your supervisor or your personnel office.
- Definitions for any coded data in Blocks 1-24, 27-39 and 45-50 may be found in Federal Personnel Manual Supplement 292-1.

It is your responsibility to read all the information on the front of this notice and tell your personnel office immediately if there is an error in it.



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99709	8/4/22	\$ 26.95	
Date Accepted (MM/DD/YY)	Scheduled Delivery Time	Insurance Fee	COD Fee
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Time Accepted	10:30 AM Delivery Fee	Return Receipt Fee	Live Animal Transportation Fee
1430 PM	\$	\$ 3.25	\$
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9 lbs.		JTK	

DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt (MM/DD/YY)	Time	Employee Signature
	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Attempt (MM/DD/YY)	Time	Employee Signature
	<input type="checkbox"/> AM <input type="checkbox"/> PM	