

Meindl, Max

From: Walters, Albert
Sent: Saturday, October 6, 2018 8:06 AM
To: Asaro, Karen; Meindl, Max
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Good morning Ms. Asaro,

My availability for a discussion with Mr. Meindl over the next 2 weeks is:

October 11, 2018 – From 10:00am until 2:00pm
October 12, 2018 – From 10:00am until 2:00pm
October 15, 2018 – From 11:00am until 3:00pm
October 17, 2018 – From 1:00pm until 2:00pm
October 19, 2018 – From 10:00am until 2:00pm

Thanks,

Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV

From: Asaro, Karen
Sent: Sunday, September 30, 2018 12:10 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>; Walters, Albert <Albert.Walters@fema.dhs.gov>
Subject: HS-FEMA-02488-2018 EEO Complaint

Hello Mr. Meindl and Mr. Walters,

I received an email from Erik Skinner, OER, on Friday letting me know that things are on track for scheduling the mediation conference call.

I will be at a mediation conference this week (week of Oct. 1) and unavailable for mediation. If you could send me some dates you are available the week of Oct. 8 and the week of Oct. 15, I will coordinate with all of our schedules, and confirm the first date/time that works for everyone.

Thank you for your assistance with scheduling and I look forward to hearing from you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472

Phone: 571 431-2863

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Meindl, Max

From: Asaro, Karen
Sent: Sunday, September 30, 2018 12:10 PM
To: Meindl, Max; Walters, Albert
Subject: HS-FEMA-02488-2018 EEO Complaint

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I will be at a mediation conference this week (week of Oct. 1) and unavailable for mediation. If you could send me some dates you are available the week of Oct. 8 and the week of Oct. 15, I will coordinate with all of our schedules, and confirm the first date/time that works for everyone.

Thank you for your assistance with scheduling and I look forward to hearing from you,

Karen

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FEMA Alternative Dispute Resolution Division
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Washington, DC 20472
Phone: 571 431-2863

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Meindl, Max

From: Meindl, Max
Sent: Thursday, September 13, 2018 9:00 AM
To: Walters, Albert
Subject: ADDITIONAL STATEMENT
Attachments: Albert.pdf

For the file.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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Meindl, Max

From: Meindl, Max
Sent: Wednesday, September 12, 2018 1:28 PM
To: Walters, Albert
Subject: sit with comms
Attachments: RE: M. Meindl Sit-with; RE: M. Meindl Sit-with; RE: M. Meindl Sit-with; RE: M. Meindl Sit-with

For your information, the sit with email chain that triggered the harassment filing.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

Subject: Canceled: M. Meindl Sit-with
Location: Houston office- Rm 225, conference call number provided

Start: Wed 8/15/2018 2:00 PM
End: Wed 8/15/2018 2:30 PM
Show Time As: Free

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Harrison, Jade
Required Attendees: Meindl, Max; Terry, Detra; Slie, Brian

Importance: High

Brian,

You can use the below number to conference in tomorrow.

Conference Call number:
1-800-320-4330

PIN: 892515

Meindl, Max

From: Meindl, Max
Sent: Wednesday, September 12, 2018 1:19 PM
To: Walters, Albert
Subject: cover email

Albert,
Per your request.

I am, after a couple of weeks of considerable handwringing and possible/potential blowback considerations, hereby submitting the attached complaint, although I am very concerned about retaliation.

I have been falsely accused, in my opinion, and it appears the parties involved are escalating the issue to the possible detriment of my employment.

I categorically deny the allegations and assertions as put forth.

I have had a very successful tenure with FEMA since 09/2017 when deployed to the Beaumont East team.

I was a high producer of “applicant signed projects” and continue to do the same here as demonstrated in the Grants Manager Metrics.

I never had any problem with “communications” until all of the sudden I can’t seem to do anything correct in my current deployment here in Houston.

I am dismayed with the process and attitude of the parties, the guilty until proven innocent prevailing mindset is inherently unfair.

A sit-with summary by TK Shadowens before my meeting with the DPAG could best described as “Fiction” because we never discussed the items in his summary report and I advised he and DPAG of the same.

Show me a specific example of the alleged “communication” or “body language” issue.

I have been falsely accused and convicted without any consideration for my perspective or statements to clarify.

I am submitting this to you as HR in confidence and would like to request a contact to the EEO group so I can file with them also because I feel this issue revolves around my disability and needs to be addressed.

I would also request a contact to ADR so I can pursue that avenue as well.

Please contact me with any questions, guidance, advice if required.

Please advise soonest.

Thank you in advance.

Max Meindl
832-293-3671

FEMA PDMG
Houston PA
202-374-9426

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Asaro, Karen
Sent: Wednesday, September 12, 2018 9:55 AM
To: Walters, Albert; Meindl, Max
Subject: RE: EEO Mediation

Hello Mr. Walters,

I assumed as much and just wanted to clarify for Mr. Meindl that your meeting was not the mediation session since he forwarded the meeting request to me.

Thanks,
Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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From: Walters, Albert
Sent: Wednesday, September 12, 2018 10:53 AM
To: Asaro, Karen <Karen.Asaro@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Re: EEO Mediation

Karen,

This meeting is in reference to a harassment complaint Max has filed.

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From: Asaro, Karen
Sent: Wednesday, September 12, 2018 9:23:57 AM
To: Meindl, Max; Walters, Albert
Subject: EEO Mediation

Hello Mr. Meindl and Mr. Walters,

Mr. Meindl forwarded a meeting request to me which as I understand it, Mr. Walters is requesting a meeting with Mr. Meindl to discuss the EEO complaint.

I am writing to clarify that this meeting is NOT part of the mediation conference call I am trying to schedule once I know both parties' availability.

Thank you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
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Meindl, Max

From: Walters, Albert
Sent: Wednesday, September 12, 2018 9:53 AM
To: Asaro, Karen; Meindl, Max
Subject: Re: EEO Mediation

Karen,

This meeting is in reference to a harassment complaint Max has filed.

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From: Asaro, Karen
Sent: Wednesday, September 12, 2018 9:23:57 AM
To: Meindl, Max; Walters, Albert
Subject: EEO Mediation

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Meindl, Max

From: Asaro, Karen
Sent: Wednesday, September 12, 2018 9:24 AM
To: Meindl, Max; Walters, Albert
Subject: EEO Mediation

Hello Mr. Meindl and Mr. Walters,

Mr. Meindl forwarded a meeting request to me which as I understand it, Mr. Walters is requesting a meeting with Mr. Meindl to discuss the EEO complaint.

I am writing to clarify that this meeting is NOT part of the mediation conference call I am trying to schedule once I know both parties' availability.

Thank you,

Karen

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FEMA Alternative Dispute Resolution Division
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Meindl, Max

From: Meindl, Max
Sent: Wednesday, September 12, 2018 9:23 AM
To: Walters, Albert
Subject: Accepted: Statement Concerning - Harassment

Meindl, Max

Subject: Statement Concerning - Harassment
Location: My Office

Start: Wed 9/12/2018 1:00 PM
End: Wed 9/12/2018 2:00 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Walters, Albert
Required Attendees: Walters, Albert; Meindl, Max
Optional Attendees: Asaro, Karen; Jordan, Lakeisha

Good Evening Max,

I would like to get your statement concerning your complaint. Please be prepared to discuss the issue..

Albert

Meindl, Max

Subject: Statement Concerning - Harassment
Location: My Office

Start: Wed 9/12/2018 1:00 PM
End: Wed 9/12/2018 2:00 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Walters, Albert
Required Attendees: Walters, Albert; Meindl, Max
Optional Attendees: Asaro, Karen; Jordan, Lakeisha

Good Evening Max,

I would like to get your statement concerning your complaint. Please be prepared to discuss the issue..

Albert

Meindl, Max

Subject: Statement Concerning - Harassment
Location: My Office

Start: Wed 9/12/2018 1:00 PM
End: Wed 9/12/2018 2:00 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Walters, Albert
Required Attendees: Walters, Albert; Meindl, Max
Optional Attendees: Asaro, Karen; Jordan, Lakeisha

Good Evening Max,

I would like to get your statement concerning your complaint. Please be prepared to discuss the issue..

Albert

Meindl, Max

From: Meindl, Max
Sent: Thursday, September 6, 2018 9:36 AM
To: Asaro, Karen
Subject: RE: mediation conference call

10-4

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Asaro, Karen
Sent: Thursday, September 6, 2018 8:35 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: mediation conference call

Hello Mr. Meindl,

I am still waiting to hear back from Mr. Walters regarding his availability. I will let you know once I have heard from him.

Thanks,
Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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From: Meindl, Max
Sent: Tuesday, September 4, 2018 3:13 PM
To: Asaro, Karen <Karen.Asaro@fema.dhs.gov>
Subject: RE: mediation conference call

1. Thursday before 1:00 PM,
2. Wed. next week 09:00 to 15:00,
3. Thursday next week 09:00 to 15:00.

I am in the office until about noon tomorrow but not sure about availability of a tele-conference room or anything.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
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From: Asaro, Karen
Sent: Tuesday, September 4, 2018 1:56 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: mediation conference call

Hello Mr. Meindl,

Thank you for speaking with me today regarding the mediation conference call. If you can send me several dates that you are available for scheduling mediation, I will coordinate with Mr. Walters' availability and confirm the earliest date that works with everyone's schedule.

Thank you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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From: Meindl, Max
Sent: Tuesday, September 4, 2018 3:13 PM
To: Asaro, Karen <Karen.Asaro@fema.dhs.gov>
Subject: RE: mediation conference call

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Meindl, Max

From: Meindl, Max
Sent: Wednesday, September 5, 2018 6:37 PM
To: Jones, Patricia
Subject: Re: IBD

Done

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From: Jones, Patricia
Sent: Wednesday, September 5, 2018 3:12:18 PM
To: Meindl, Max
Cc: Boone, William; Slie, Brian
Subject: IBD

Good Afternoon,

We have recently sent out your IBD, you can locate this in FED HR. As of today yours has not been signed. Please go into this site by COB tomorrow and sign these documents. They will be reviewed on Friday by the Branch Director and Chief of Staff.

Should you need assistance please contact me,

Thanks so much,

Trisha

Patricia Jones
PA Ops Support Crew Leader
DR-4332-TX
202-706-2160 FEMA

Patricia.jones1@fema.dhs.gov



If nothing ever changed there'd be no Butterflies..

With honor and integrity, we will safeguard the American people, our homeland, and our values.

Meindl, Max

From: Jones, Patricia
Sent: Wednesday, September 5, 2018 3:16 PM
To: Meindl, Max
Subject: IDP's

Importance: High

This is correcting the Subject line of the last email.
It should read IDP. Sorry for the error

Trisha

Patricia Jones
PA Ops Support Crew Leader
DR-4332-TX
202-706-2160 FEMA

Patricia.jones1@fema.dhs.gov



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Meindl, Max

From: Jones, Patricia
Sent: Wednesday, September 5, 2018 3:12 PM
To: Meindl, Max
Cc: Boone, William; Slie, Brian
Subject: IBD

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Meindl, Max

From: Jones, Patricia
Sent: Wednesday, September 5, 2018 3:08 PM
To: Meindl, Max
Cc: Boone, William; Slie, Brian
Subject: IBD

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202-706-2160 FEMA

Patricia.jones1@fema.dhs.gov



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Meindl, Max

From: Meindl, Max
Sent: Wednesday, September 5, 2018 10:55 AM
To: Jordan, Lakeisha
Subject: RE: Request for Availability - OER AHU Intake
Attachments: Max Meindl-affidavit-signed.pdf

FYI

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Jordan, Lakeisha
Sent: Wednesday, September 5, 2018 10:08 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Request for Availability - OER AHU Intake

Good morning, Max,

Thank you for your response. Are you still available to speak this morning before noon? If so, I will give you a call.

If you are no longer available today, I will send you a calendar invite to speak tomorrow around 10:30AM.

Thanks,

Lakeisha Jordan
Office of Equal Rights | FEMA
(202) 531-2978

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From: Meindl, Max
Sent: Tuesday, September 4, 2018 4:34 PM
To: Jordan, Lakeisha <lakeisha.jordan@fema.dhs.gov>
Subject: RE: Request for Availability - OER AHU Intake

Tomorrow before noon, Thursday before noon.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
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202-374-9426
max.meindl@fema.dhs.gov



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From: Jordan, Lakeisha
Sent: Tuesday, September 4, 2018 3:31 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Request for Availability - OER AHU Intake

Good afternoon, Max,

I am an EEO Specialist in the Office of Equal Rights and your case was recently reassigned to me to conduct an intake on behalf of the Anti-Harassment Unit (AHU). I would like to briefly speak to you to obtain the preliminary facts of your case.

Can you please let me know the best available times to reach you this week, along with your phone number?

Thanks,

Lakeisha Jordan
Office of Equal Rights | FEMA
(202) 531-2978

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Meindl, Max

From: Jordan, Lakeisha
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To: Meindl, Max
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From: Meindl, Max
Sent: Tuesday, September 4, 2018 4:34 PM
To: Jordan, Lakeisha <lakeisha.jordan@fema.dhs.gov>
Subject: RE: Request for Availability - OER AHU Intake

Tomorrow before noon, Thursday before noon.

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Program Delivery Manager | Houston TRO
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max.meindl@fema.dhs.gov



FEMA

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From: Jordan, Lakeisha
Sent: Tuesday, September 4, 2018 3:31 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Request for Availability - OER AHU Intake

Good afternoon, Max,

I am an EEO Specialist in the Office of Equal Rights and your case was recently reassigned to me to conduct an intake on behalf of the Anti-Harassment Unit (AHU). I would like to briefly speak to you to obtain the preliminary facts of your case.

Can you please let me know the best available times to reach you this week, along with your phone number?

Thanks,

Lakeisha Jordan
Office of Equal Rights | FEMA
(202) 531-2978

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Meindl, Max

From: Meindl, Max
Sent: Tuesday, September 4, 2018 3:34 PM
To: Jordan, Lakeisha
Subject: RE: Request for Availability - OER AHU Intake

Tomorrow before noon, Thursday before noon.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Jordan, Lakeisha
Sent: Tuesday, September 4, 2018 3:31 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Request for Availability - OER AHU Intake

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Thanks,

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Meindl, Max

From: Jordan, Lakeisha
Sent: Tuesday, September 4, 2018 3:31 PM
To: Meindl, Max
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Meindl, Max

From: Meindl, Max
Sent: Tuesday, September 4, 2018 2:13 PM
To: Asaro, Karen
Subject: RE: mediation conference call

1. Thursday before 1:00 PM,
2. Wed. next week 09:00 to 15:00,
3. Thursday next week 09:00 to 15:00.

I am in the office until about noon tomorrow but not sure about availability of a tele-conference room or anything.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Asaro, Karen
Sent: Tuesday, September 4, 2018 1:56 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: mediation conference call

Hello Mr. Meindl,

Thank you for speaking with me today regarding the mediation conference call. If you can send me several dates that you are available for scheduling mediation, I will coordinate with Mr. Walters' availability and confirm the earliest date that works with everyone's schedule.

Thank you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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Meindl, Max

From: Asaro, Karen
Sent: Tuesday, September 4, 2018 1:56 PM
To: Meindl, Max
Subject: mediation conference call

Hello Mr. Meindl,

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Thank you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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Meindl, Max

From: Asaro, Karen
Sent: Tuesday, September 4, 2018 9:50 AM
To: Meindl, Max
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Sounds good. I have a staff meeting from 12-1 pm (Eastern).

Look forward to speaking with you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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From: Meindl, Max
Sent: Tuesday, September 4, 2018 10:39 AM
To: Asaro, Karen <Karen.Asaro@fema.dhs.gov>
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Let me catch up a bit on my projects and will call early afternoon.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Asaro, Karen
Sent: Monday, September 3, 2018 9:29 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: HS-FEMA-02488-2018 EEO Complaint

Hello Mr. Meindl,

The Office of Equal Rights (OER) has referred your EEO Complaint to the Alternative Dispute Resolution (ADR) Division for mediation. I wanted to let you know that I am the mediator assigned. I was hoping we could talk tomorrow, Tuesday, September 4. My schedule is flexible so if you want to give me a call when you have time, I can be reached at 571 431-2863. If you happen to get my voice mail when you call, I probably will be on another call. Just leave a call back number and I will return your call as soon as I am free.

Thank you and I look forward to talking with you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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Meindl, Max

From: Meindl, Max
Sent: Tuesday, September 4, 2018 9:39 AM
To: Asaro, Karen
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

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Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
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202-374-9426
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From: Asaro, Karen
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Thank you and I look forward to talking with you,

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500 C Street, SW, Suite 4NE 2407
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Phone: 571 431-2863

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From: Asaro, Karen
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Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
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Phone: 571 431-2863

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Meindl, Max

From: Swann, Mary
Sent: Tuesday, August 28, 2018 1:59 PM
To: Meindl, Max
Subject: RE: Request of Additional Information

Hello Mr. Meindl,

Thank you for your response.

Respectfully,

*Mary Swann, EEO Specialist
DHS-FEMA-OER
3900 Karina Lane, Room 242
Denton, TX 76202
(940) 891-8573 (Ofc)
(540) 504-2712 (eFAX)
mary.swann@fema.dhs.gov*

From: Meindl, Max
Sent: Tuesday, August 28, 2018 1:27 PM
To: Swann, Mary <Mary.Swann@fema.dhs.gov>
Subject: RE: Request of Additional Information

Ms. Swann,
Per your request:

Please provide the following requested information by close of business today.
*I am in the process of contacting the responsible management official (RMO) regarding your claims.
In your response to remedies/resolutions, you stated indeterminate.
I will need you to provide some type/form of resolution to provide the RMO upon my contact.*

Also, please provide
- the name and title of Ms. Harrison's supervisor.

*Brian C. Slie
Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
940.368.9270 Cell
Brian.slie@fema.dhs.gov*

- the names and titles of the management officials in your chain of command.

*Detra Terry, Task Force Lead
Detra S. Terry
Public Assistance-PDM/DIS
DR-4332-TX
202.718.0109 / iFEMA cell*

*detra.terry@fema.dhs.gov
Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV*

- and, please spell out the acronyms you have used throughout your report.

<i>DPAG</i>	<i>Deputy Public Assistance Group Lead</i>
<i>TAC PDMG</i>	<i>Technical Assistance Contractor Program Delivery Manager</i>
<i>PAPG</i>	<i>Public Assistance Policy Guide</i>
<i>JFO</i>	<i>Joint Field Office</i>
<i>TFL</i>	<i>Task Force Lead</i>
<i>PDMG</i>	<i>Program Delivery Manager</i>

If you have questions, feel free to contact me at (940) 891-8573.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Swann, Mary
Sent: Tuesday, August 28, 2018 9:43 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Request of Additional Information

Good morning Mr. Meindl,

Hope things are going well.

Please provide the following requested information by close of business today. I am in the process of contacting the responsible management official (RMO) regarding your claims. In your response to remedies/resolutions, you stated indeterminate. I will need you to provide some type/form of resolution to provide the RMO upon my contact.

Also, please provide

- the name and title of Ms. Harrison's supervisor.
- the names and titles of the management officials in your chain of command.
- and, please spell out the acronyms you have used throughout your report.

If you have questions, feel free to contact me at (940) 891-8573.

Thank you in advance for your response and cooperation.

Respectfully,

*Mary Swann, EEO Specialist
DHS-FEMA Office of Equal Rights
3900 Karina Lane, Room 242
Denton, TX 76202
(940) 891-8573 (Ofc)
(540) 504-2712 (eFAX)
mary.swann@fema.dhs.gov*

Meindl, Max

From: Meindl, Max
Sent: Tuesday, August 28, 2018 1:27 PM
To: Swann, Mary
Subject: RE: Request of Additional Information

Ms. Swann,
Per your request:

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Also, please provide

- the name and title of Ms. Harrison's supervisor.

Brian C. Slie
Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
940.368.9270 Cell
Brian.slie@fema.dhs.gov

- the names and titles of the management officials in your chain of command.

Detra Terry, Task Force Lead
Detra S. Terry
Public Assistance-PDM/DIS
DR-4332-TX
202.718.0109/iFEMA cell
detra.terry@fema.dhs.gov
Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
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- and, please spell out the acronyms you have used throughout your report.

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<i>JFO</i>	<i>Joint Field Office</i>
<i>TFL</i>	<i>Task Force Lead</i>
<i>PDMG</i>	<i>Program Delivery Manager</i>

If you have questions, feel free to contact me at (940) 891-8573.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426



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From: Swann, Mary
Sent: Tuesday, August 28, 2018 9:43 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Request of Additional Information

Good morning Mr. Meindl,

Hope things are going well.

Please provide the following requested information by close of business today. I am in the process of contacting the responsible management official (RMO) regarding your claims. In your response to remedies/resolutions, you stated indeterminate. I will need you to provide some type/form of resolution to provide the RMO upon my contact.

Also, please provide

- the name and title of Ms. Harrison's supervisor.
- the names and titles of the management officials in your chain of command.
- and, please spell out the acronyms you have used throughout your report.

If you have questions, feel free to contact me at (940) 891-8573.

Thank you in advance for your response and cooperation.

Respectfully,

*Mary Swann, EEO Specialist
DHS-FEMA Office of Equal Rights
3900 Karina Lane, Room 242
Denton, TX 76202
(940) 891-8573 (Ofc)
(540) 504-2712 (eFAX)
mary.swann@fema.dhs.gov*

Meindl, Max

From: Meindl, Max
Sent: Tuesday, August 28, 2018 11:43 AM
To: Henri, Foudiya
Cc: Goudy, Douglas
Subject: RE: Max Meindl request for Reasonable Accommodation

Hello Max,

What is the name of your Supervisor please?_ DETRA TERRY

Was the RA request sent to the Supervisor? YES

If yes please let me know.

Also sent to: *From: Meindl, Max*

Sent: Thursday, August 23, 2018 2:11 PM

To: Terry, Detra <detra.terry@fema.dhs.gov>

Cc: Oke, Nicole <nicolette.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; femamax@gmail.com

Subject: RA

I can assist with the RA request ONLY.

For Informal Complaint assistance please contact Doug Goudy directly.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Henri, Foudiya
Sent: Tuesday, August 28, 2018 11:28 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>
Subject: Max Meindl request for Reasonable Accommodation
Importance: High

Hello Max,

What is the name of your Supervisor please? _____ . Was the RA request sent to the Supervisor? If yes please let me know. I can assist with the RA request ONLY.

For Informal Complaint assistance please contact Doug Goudy directly.

Thank you,
Foudiya Henri
202-394-4633 Cell

From: Meindl, Max
Sent: Thursday, August 23, 2018 2:11 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Cc: Oke, Nicole <nicolette.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; femamax@gmail.com
Subject: RA

Detra,
RA form attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Swann, Mary
Sent: Tuesday, August 28, 2018 9:43 AM
To: Meindl, Max
Subject: Request of Additional Information

Good morning Mr. Meindl,

Hope things are going well.

Please provide the following requested information by close of business today. I am in the process of contacting the responsible management official (RMO) regarding your claims. In your response to remedies/resolutions, you stated indeterminate. I will need you to provide some type/form of resolution to provide the RMO upon my contact.

Also, please provide

- the name and title of Ms. Harrison's supervisor.
- the names and titles of the management officials in your chain of command.
- and, please spell out the acronyms you have used throughout your report.

If you have questions, feel free to contact me at (940) 891-8573.

Thank you in advance for your response and cooperation.

Respectfully,

*Mary Swann, EEO Specialist
DHS-FEMA Office of Equal Rights
3900 Karina Lane, Room 242
Denton, TX 76202
(940) 891-8573 (Ofc)
(540) 504-2712 (eFAX)
mary.swann@fema.dhs.gov*

Meindl, Max

From: femamax@gmail.com
Sent: Sunday, August 26, 2018 3:42 PM
To: Meindl, Max
Subject: PIP
Attachments: fema255-0-1.doc.docx

Meindl, Max

From: Meindl, Max
Sent: Thursday, August 23, 2018 3:18 PM
To: Swann, Mary
Subject: RE: Potential EEO Complaint
Attachments: Consent.pdf; EEO Complainants Rights Responsibilities (002)-signed.pdf; EEO Counselor Checklist (002)-signed.pdf; Max Meindl-affidavit-signed.pdf

If you believe you have been discriminated against and wish to pursue the EEO process, please provide the following information

1. your name, title and contact phone number;
a. *Max Meindl, PMP, Emergency Management Specialist (PDMG), 832-293-3671*
2. your work address and home address (do not provide a P.O. Box number);
a. *8223 Willowplace Blvd, Houston TX. (work)*
b. *5 E. Austin, Bellville, TX 77418 (home)*
3. basis(es) of the alleged discrimination;
a. if age is the basis, provide date of birth; *06/21/1951*
b. if disability is the basis, provide the name of disability; *coronary Artery Disease, possible/leading to Congestive Heart Failure (CHF)*
c. if retaliation is the basis, provide date of prior EEO Activity or the incident you believe to be discriminatory; *Believe retaliation was for my determination of applicant eligibility in contravention to prevailing thought. The issue with an applicant, City of Bellaire, pursuant my determination of a policy issue in contradiction to the prevailing point of view and that of the TAC PDMG. The apparent consensus for the issue at hand was that the applicant was not eligible for a specific claimed damage. After reviewing the available information in the PAPG and information sent from the JFO, I concluded that the applicant could possibly be eligible and proffered the opinion that asking or advising them to withdraw the claim was incorrect and not supported by the information I had reviewed and that it would be a disservice to the applicant to have them withdraw the claim as opposed to the issuance of a Determination Memo (DM). With a DM, the applicant at least retains the right to appeal whereas a withdrawal would result in no right to appeal, if I understand the process correctly. I had previously obtained approval from the Task Lead to submit an official "Policy Inquiry" to the policy team to obtain further clarification and direction. We, TFL and I, discussed the issue and agreed that waiting for the policy clarification would be the appropriate path to take.*
4. a brief bullet list of each incident you believe to be discriminatory to include
a. name(s) of the alleged discriminating party;
 Jade Harrison
c. date(s) of the incident; and
i. *July 26th 2018*
d. name(s) of any witness to the alleged discrimination;
i. *T.K. Shadowens*
e. remedies/resolution to resolve your issues.
i. *indeterminate*

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Swann, Mary
Sent: Monday, August 20, 2018 1:09 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: FW: Potential EEO Complaint

Good afternoon Mr. Meindl,

I will need your signature on each form (except "your Right to Equal Opportunity) before proceeding with the EEO process. If you have questions, please call.

Respectfully,

*Mary Swann, EEO Specialist
Informal Team Unit
Office of Equal Rights
3900 Karina Lane
Denton, TX 76202
(940) 891-8573 (ofc)
(540) 504-2712 (efax)
mary.swann@fema.dhs.gov*

From: Swann, Mary
Sent: Thursday, August 16, 2018 11:13 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: FW: Potential EEO Complaint

Good Morning,

I apologize, did not include the EEO forms. See attachments.

Respectfully,

*Mary Swann, EEO Specialist
Informal Team Unit
Office of Equal Rights
3900 Karina Lane
Denton, TX 76202
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mary.swann@fema.dhs.gov*

From: Swann, Mary
Sent: Thursday, August 16, 2018 11:09 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Potential EEO Complaint

Good Morning,

My name is Mary Swann, EEO Counselor in the Office of Equal Rights (OER). Please let me know if you will be available on Monday, August 20, 2018 at 11:30am CST to discuss your potential request for EEO Counseling. If the time is not convenient, provide a time. I have attached the EEO Counseling forms (ADR Consent, Counseling Checklist, and Complainant's Rights and Responsibilities) for your review before the scheduled meeting. I will review the forms with you and address any questions you may have during the meeting. I also attached a copy of FEMA OER flyer "Your Right to Equal Opportunity" which gives a brief explanation of the EEO Counseling process. I will remind you that an individual has 45 days from the date of the alleged discriminatory incident to request EEO counseling.

If you believe you have been discriminated against and wish to pursue the EEO process, please provide the following information

- your name, title and contact phone number;
- your work address and home address (do not provide a P.O. Box number);
- basis(es) of the alleged discrimination;
 - if age is the basis, provide date of birth;
 - if disability is the basis, provide the name of disability;
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- a brief bullet list of each incident you believe to be discriminatory to include
 - name(s) of the alleged discriminating party;
 - date(s) of the incident; and
 - name(s) of any witness to the alleged discrimination;
- remedies/resolution to resolve your issues.

Thank you in advance for your response.

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(940) 891-8573 (ofc)
(540) 504-2712 (efax)
mary.swann@fema.dhs.gov*

Meindl, Max

From: Goudy, Douglas
Sent: Thursday, August 23, 2018 1:11 PM
To: Meindl, Max
Subject: Automatic reply: RA

I'm currently out of the office returning August 27, 2018. If you require immediate assistance please call (202) 212-3535 and follow prompt to leave message for the Informal Unit.

Meindl, Max

From: Meindl, Max
Sent: Tuesday, August 21, 2018 2:53 PM
To: Denton Setter, Aileen
Subject: Accepted: Conversation

Meindl, Max

From: Meindl, Max
Sent: Tuesday, August 21, 2018 10:00 AM
To: Jones, Patricia
Subject: RE: Conference Call for IDP's

Trisha,
Thank you so much for the update.
Have a great day!

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Jones, Patricia
Sent: Tuesday, August 21, 2018 9:49 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Conference Call for IDP's

Mr Meindl,

The IDP form has been uploaded into FED HR Navigator. You will be able to go there and digitally sign your IDB, Plan and 2nd Quarter. The 308 is an expectation plan. These are generic forms that need to be signed. Bill Boone will be getting with you in a few months and proceed with the process.

If you need assistance please reach out to me.

Thanks,
Trisha

Patricia Jones 'Trisha'
PA Operation Support Crew Leader
DR-4332-TX
202-706-2160 FEMA

Patricia.jones1@fema.dhs.gov



FEMA

If nothing ever changed there'd be no Butterflies...

With honor and integrity, we will safeguard the American people, our homeland, and our values.

From: Meindl, Max
Sent: Friday, August 17, 2018 4:27 PM
To: Jones, Patricia <patricia.jones1@fema.dhs.gov>
Subject: Re: Conference Call for IDP's

Per ATS and DTS I was off today and missed the call. Please advise.

Get [Outlook for iOS](#)

From: Jones, Patricia
Sent: Friday, August 17, 2018 9:21:18 AM
To: Boone, William; Atchison, Randy; Bambe, Dayo; Bazemore, Ronetta; Boyko, Brent; Carnes, Lingeria; Clebourn-McPherson, Toya; Cress, Jack; In, Anthony; Kirk, Denise; Malbrough, Alfred; Meindl, Max; Nash, Julie; Pennisi, Emma; Riley Jr, Bernard; Terry, Detra; Walker, Daniel; White, Richard; Wick, Timothy; Wiltse, David
Subject: Conference Call for IDP's
When: Friday, August 17, 2018 10:00 AM-11:00 AM.
Where: 1-800-320-4330 PIN 654321#

Conference Call for IDP's
1-800-320-4330
PIN 654321#

Meindl, Max

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Thanks,
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Patricia Jones 'Trisha'

PA Operation Support Crew Leader
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Patricia.jones1@fema.dhs.gov



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Where: 1-800-320-4330 PIN 654321#

Conference Call for IDP's
1-800-320-4330

PIN 654321#

Meindl, Max

From: Meindl, Max
Sent: Monday, August 20, 2018 5:45 PM
To: femamax@gmail.com
Subject: Fwd: Potential EEO Complaint

Get [Outlook for iOS](#)

From: Meindl, Max
Sent: Monday, August 20, 2018 1:22:42 PM
To: Swann, Mary
Subject: RE: Potential EEO Complaint

Will do, in the field with an applicant for the afternoon.
Will do soonest.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Sent: Monday, August 20, 2018 1:09 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: FW: Potential EEO Complaint

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Respectfully,

*Mary Swann, EEO Specialist
Informal Team Unit
Office of Equal Rights*

*3900 Karina Lane
Denton, TX 76202
(940) 891-8573 (ofc)
(540) 504-2712 (efax)
mary.swann@fema.dhs.gov*

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Subject: FW: Potential EEO Complaint

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Respectfully,

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- remedies/resolution to resolve your issues.

Thank you in advance for your response.

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mary.swann@fema.dhs.gov*

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From: Meindl, Max
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Subject: RE: Potential EEO Complaint

Will do, in the field with an applicant for the afternoon.
Will do soonest.

Max J Meindl, PMP
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mary.swann@fema.dhs.gov*

Meindl, Max

From: Swann, Mary
Sent: Monday, August 20, 2018 1:09 PM
To: Meindl, Max
Subject: FW: Potential EEO Complaint
Attachments: Your Right to Equal Opportunity 07 - 18.pdf; ADR.pdf; EEO Counselor Checklist.pdf; EEO Complainants Rights Responsibilities.pdf

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Denton, TX 76202
(940) 891-8573 (ofc)
(540) 504-2712 (efax)
mary.swann@fema.dhs.gov*

Meindl, Max

From: Meindl, Max
Sent: Monday, August 20, 2018 11:15 AM
To: Meindl, Max
Subject: sick

, close to heading to the emergency room today (Sunday), took nitro pills, condition stabilized, but concerning. Received Blue Cross docs on Saturday so hope to get to a non VA doctor/cardiologist soonest.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Meindl, Max
Sent: Friday, August 17, 2018 4:27 PM
To: Jones, Patricia
Subject: Re: Conference Call for IDP's

Per ATS and DTS I was off today and missed the call. Please advise.

Get [Outlook for iOS](#)

From: Jones, Patricia
Sent: Friday, August 17, 2018 9:21:18 AM
To: Boone, William; Atchison, Randy; Bambe, Dayo; Bazemore, Ronetta; Boyko, Brent; Carnes, Lingeria; Clebourn-McPherson, Toya; Cress, Jack; In, Anthony; Kirk, Denise; Malbrough, Alfred; Meindl, Max; Nash, Julie; Pennisi, Emma; Riley Jr, Bernard; Terry, Detra; Walker, Daniel; White, Richard; Wick, Timothy; Wiltse, David
Subject: Conference Call for IDP's
When: Friday, August 17, 2018 10:00 AM-11:00 AM.
Where: 1-800-320-4330 PIN 654321#

Conference Call for IDP's

1-800-320-4330

PIN 654321#

Meindl, Max

Subject: Conference Call for IDP's
Location: 1-800-320-4330 PIN 654321#

Start: Fri 8/17/2018 10:00 AM
End: Fri 8/17/2018 11:00 AM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Jones, Patricia
Required Attendees: Jones, Patricia; Boone, William; Atchison, Randy; Bambe, Dayo; Bazemore, Ronetta; Boyko, Brent; Carnes, Lingeria; Clebourn-McPherson, Toya; Cress, Jack; In, Anthony; Kirk, Denise; Malbrough, Alfred; Meindl, Max; Nash, Julie; Pennisi, Emma; Riley Jr, Bernard; Terry, Detra; Walker, Daniel; White, Richard; Wick, Timothy; Wiltse, David
Optional Attendees: McKnight Jr, Thomas

Conference Call for IDP's
1-800-320-4330
PIN 654321#

Meindl, Max

From: Henri, Foudiya
Sent: Thursday, August 16, 2018 9:51 AM
To: Avery, Darlene; femamax@gmail.com; Meindl, Max
Cc: Oke, Nicole; McPhie, Regina; FEMA-Reasonable-Accommodation; Oke, Nicole; Goudy, Douglas
Subject: RE: Complaint
Attachments: blank FEMA Form 256-0-1.pdf

Just tried calling Mr. Max on 832-293-3671. You may call contact me at 202-394-4633 Cell for assistance should you believe you need a Reasonable Accommodation. FEMA employees may make a request at any time.

Attached is the FEMA FORM 256-0-1 that all employees may use to document their request. The employee completes PAGE #1 and signs the bottom. Employee provides to Supervisor. If any documentation is provided that contains medical it must be password protected. Documentation only needs to be specific to the request. Please copy FEMA Reasonable Accommodation Mailbox when you forward the request.

For further assistance with a complaint I have copied the Informal Unit Chief, Ms. Oke and Team Lead, Mr. Goudy. You may contact them directly at 202-212-3535, Hit Option #6.

Thank you,

Foudiya Henri
EEO Specialist / RA Coordinator
Office of Equal Rights
500 C St. SW Washington DC

iPhone: 202.394.4633 | Desk: 202.212.4490 | 540.504.2068 | e- foudiya.henri@fema.dhs.gov |
e- fema-reasonable-accommodation@fema.dhs.gov Click to request an accommodation

From: Avery, Darlene [mailto:darlene.avery@hq.dhs.gov]
Sent: Thursday, August 16, 2018 8:02 AM
To: femamax@gmail.com; Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Oke, Nicole <nicole.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>
Subject: RE: Complaint

Max Meindl

Our HQ's EEO office has received the attached email regarding disability and alleged discrimination inquiries. Our office do not process complaints or disability items for FEMA employees.

As a FEMA employee, the process is for you to reach out to the FEMA's Office of Equal Rights (OER). I am forwarding your email to the Reasonable Accommodations Program Manager, Foudiya Henri and the Information Complaints Manager/staff, Nicole Oke, Regina McPhie to learn how best they can assist you in processing your requests.

I encourage you to reach out to them if you have further questions or would like to begin the Informal complaints process.

Regards,

Darlene Avery, MBA

Program Manager, Disability/Reasonable Accommodation

Darlene.Avery@hq.dhs.gov

202-357-1204 (office)

202-357-1188 (fax)

From: femamax@gmail.com <femamax@gmail.com>

Sent: Wednesday, August 15, 2018 4:27 PM

To: Avery, Darlene <darlene.avery@hq.dhs.gov>

Subject: FW: Complaint

I am, after a couple of weeks of considerable handwrapping and possible/potential blowback considerations, hereby submitting the attached complaint, although I am very concerned about retaliation.

I have been falsely accused, in my opinion, and it appears the parties involved are escalating the issue to the possible detriment of my employment.

I categorically deny the allegations and assertions as put forth.

I have had a very successful tenure with **FEMA since 09/2017** when deployed to the Beaumont East team.

I was a high producer of “applicant signed projects” and continue to do the same here as demonstrated in the Grants Manager Metrics.

I never had any problem with “communications” until all of the sudden I can’t seem to do anything correct in my current deployment here in Houston.

I am dismayed with the process and attitude of the parties, the guilty until proven innocent prevailing mindset is inherently unfair.

A sit-with summary by TK Shadowens before my meeting with the DPAG could best described as “Fiction” because we never discussed the items in his summary report and I advised he and DPAG of the same.

Show me a specific example of the alleged “communication” or “body language” issue.

I have been falsely accused and convicted without any consideration for my perspective or statements to clarify.

I am submitting this to you as HR in confidence and would like to request a contact to the EEO group so I can file with them also because **I feel this issue revolves around my disability and needs to be addressed.**

I would also request a contact to ADR so I can pursue that avenue as well.

Please contact me with any questions, guidance, advice if required.

Please advise soonest.

Thank you in advance.

Max Meindl

832-293-3671

FEMA PDMG

Houston PA

202-374-9426

Meindl, Max

From: Avery, Darlene <darlene.avery@hq.dhs.gov>
Sent: Thursday, August 16, 2018 7:02 AM
To: femamax@gmail.com; Meindl, Max
Cc: Oke, Nicole; McPhie, Regina; Henri, Foudiya
Subject: RE: Complaint
Attachments: FW: Complaint

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Regards,

Darlene Avery, MBA
Program Manager, Disability/Reasonable Accommodation
Darlene.Avery@hq.dhs.gov
202-357-1204 (office)
202-357-1188 (fax)

From: femamax@gmail.com <femamax@gmail.com>
Sent: Wednesday, August 15, 2018 4:27 PM
To: Avery, Darlene <darlene.avery@hq.dhs.gov>
Subject: FW: Complaint

I am, after a couple of weeks of considerable handwringing and possible/potential blowback considerations, hereby submitting the attached complaint, although I am very concerned about retaliation.

I have been falsely accused, in my opinion, and it appears the parties involved are escalating the issue to the possible detriment of my employment.

I categorically deny the allegations and assertions as put forth.

I have had a very successful tenure with **FEMA since 09/2017** when deployed to the Beaumont East team.

I was a high producer of "applicant signed projects" and continue to do the same here as demonstrated in the Grants Manager Metrics.

I never had any problem with "communications" until all of the sudden I can't seem to do anything correct in my current deployment here in Houston.

I am dismayed with the process and attitude of the parties, the guilty until proven innocent prevailing mindset is inherently unfair.

A sit-with summary by TK Shadowens before my meeting with the DPAG could best described as "Fiction" because we never discussed the items in his summary report and I advised he and DPAG of the same.

Show me a specific example of the alleged "communication" or "body language" issue.

I have been falsely accused and convicted without any consideration for my perspective or statements to clarify.

I am submitting this to you as HR in confidence and would like to request a contact to the EEO group so I can file with them also because I feel this issue revolves around my disability and needs to be addressed.

I would also request a contact to ADR so I can pursue that avenue as well.

Please contact me with any questions, guidance, advice if required.

Please advise soonest.

Thank you in advance.

Max Meindl

832-293-3671

FEMA PDMG

Houston PA

202-374-9426

Meindl, Max

From: Meindl, Max
Sent: Thursday, August 16, 2018 7:06 AM
To: Terry, Detra
Subject: Sick day

Going to VA clinic

Get [Outlook for iOS](#)

Meindl, Max

From: Meindl, Max
Sent: Wednesday, August 15, 2018 4:49 PM
To: femamax@gmail.com
Subject: Fwd: Sit With 7/27/2018 with PDM Max Meindl

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From: Harrison, Jade
Sent: Friday, August 3, 2018 2:12:55 PM
To: Meindl, Max; Shadowens, Timothy
Subject: Re: Sit With 7/27/2018 with PDM Max Meindl

Max,

This is a recap of the sit-with you had with Kirk this week. All of which led up to the sit-with.

Jade Harrison
Deputy Public Assistance Group Supervisor
DR-4333 Harvey
504-908-5357
Jade.Harrison@fema.dhs.gov

From: "Meindl, Max" <max.meindl@fema.dhs.gov>
Date: Friday, August 3, 2018 at 9:11:46 AM
To: "Shadowens, Timothy" <timothy.k.shadowens@fema.dhs.gov>
Cc: "Harrison, Jade" <Jade.Harrison@fema.dhs.gov>
Subject: RE: Sit With 7/27/2018 with PDM Max Meindl

I respectfully disagree with elements of this summary.
It is inaccurate and states as fact, elements not in evidence.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

WARNING: This email contains FOR OFFICIAL USE ONLY (FOUO) OR PRIVACY DATA. It may contain information exempt from public release under the Freedom of Information Act (5 U.S.C. 552). The information contained herein must be controlled, stored, handled, transmitted,

From: Shadowens, Timothy
Sent: Thursday, August 2, 2018 7:10 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Harrison, Jade <Jade.Harrison@fema.dhs.gov>
Subject: Sit With 7/27/2018 with PDM Max Meindl

Sit With 7/27/2018 with PDM Max Meindl: Regarding City of Bellaire project #26570 the Evergreen Traffic Signal Cabinets & Controls PDM Mr. Meindl was asked by leadership not to send this project back to the CRC. As this project once was sent to the CRC, and the CRC sent it back to the field office for a review of eligibility. This project is in question of does the possible reimbursement fall under FHWA or FEMA. This was a transition of projects from TFL Berti and PDM Plunkett. The expectation was for Mr. Meindl to work and to collaborate with his teammates during this transition period.

Mr. Meindl researched the eligibility reviewing the PAPPG, FHWA (TFL Berti and PDM Plunkett provided this as well), and involved the State counterparts. Mr. Meindl felt after his research that the project was eligible and advanced it back to the CRC. The CRC immediately called back to the field office confused why this project was sent back to them.

Current Status: This project was sent to the LRO for a policy determination/policy inquiry. I did call CRC TFL Andrew Makardetsh at the CRC since the project is still active in the CRC. Mr. Makardetsh stated that this project as came back and forth from the field office. Mr. Makardetsh stated they (CRC) have forwarded this to the TRO for a Determination Memo submission. I stated to Mr. Makardetsh that I felt it is best to keep the current status this way, but I will notify my DPAG for her final decision.

- In addition, I also attended in person the Weekly Meeting with the PDM and the Applicant. The Applicant stated they would appreciate it if we obtain an official review from the FEMA policy team and draft a determination memo.

TFL Kirk Shadowens Sit With - Actions to Mr. Meindl:

- The expectation was for Mr. Meindl was to follow instructions and guidance from all leadership. TFL and other leaders expressed to Mr. Meindl several times the situation of the projects and what next steps to take. Mr. Meindl did not execute to this, as Mr. Meindl chose to do what he felt the next process step was to do. As Mr. Meindl should have not advanced this project to the CRC, until his TFL granted him permission. The expectation moving forward is for Mr. Meindl to notify and involve is TFL or leadership before advancing projects to the CRC.
- The expectation was for Mr. Meindl to work and to collaborate with his teammates during this transition period. Mr. Meindl was communicated from TFL Berti and I that he was expected to work in a team effort with the PDM Plunkett. The team effort was requested to Mr. Meindl so that he could gain full status of the transition projects. Mr. Meindl during this timeframe displayed poor interaction with staff, communication with staff, and displayed poor interaction with his peers and leaders. The expectation moving forward is for Mr. Meindl to work with all teammates and leadership. Mr. Meindl needs to involve all teammates when asked, and allow those teammates to help assist him with their updated project status, so that the execution of project completion is established by an efficient manner.

Regards,

Kirk Shadowens
FEMA Task Force Leader
Harris County Branch DR-4332-TX
Timothy.K.Shadowens@FEMA.DHS.Gov
202-802-3384 mobile

Meindl, Max

From: Meindl, Max
Sent: Wednesday, August 15, 2018 3:01 PM
To: femamax@gmail.com
Subject: Fwd: Not On My Watch (Part 2): Employee Resources
Attachments: FactSheet_Harassment_Employees.pdf; FactSheet_Harassment_Supervisors and Managers.pdf

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From: Meindl, Max
Sent: Thursday, August 2, 2018 1:11:23 PM
To: femamax@gmail.com
Subject: Fwd: Not On My Watch (Part 2): Employee Resources

From: "Office of the Administrator" <officeoftheadministrator@fema.dhs.gov>
Date: Wednesday, August 1, 2018 at 2:55:08 PM
To: "FEMA-ALL" <FEMA-ALL@fema.dhs.gov>
Subject: Not On My Watch (Part 2): Employee Resources

FEMA Team,

I would like to reiterate that ensuring FEMA maintains a safe work environment is extremely important to me and to my leadership team. As stated in my previous message, you should know that FEMA has a zero-tolerance policy for all types of harassment. If you feel you have been harassed or if you witness inappropriate behavior by anyone against a fellow employee, I am asking you to report it. I am attaching two documents that provide information on where you can do so.

I recognize that you may find it difficult to make allegations about discrimination or harassment of any type. You may feel concerned that you are at risk and worry about how filing a complaint may impact your career. I want to assure you that any employee can file a complaint without fear of reprisal because I have a zero-tolerance policy against retaliation.

Sexual harassment isn't limited to just making inappropriate advances. It also includes any unwelcome verbal or physical behavior that creates a hostile work environment whether it occurs inside or outside the workplace or through social media platforms. No one should be subjected to any such behavior by anyone you may come into contact with as part of your job, including managers, co-workers, contractors or Agency partners.

When allegations of this type are brought to the Agency's attention, I can assure you that they will be investigated promptly, and upon conclusion, appropriate action will be taken. As mentioned in Monday's message, my leadership team is establishing an Office of Professional Responsibility to ensure expeditious, fair, and objective follow-up and resolution of allegations of misconduct.

The attached documents will answer questions about the steps to report harassment claims. There is also useful information on reporting an incident to the Anti-Harassment Unit. Counseling services and health and wellness advisors are available to all FEMA employees who may not have received the support they needed in the past.

As I've said before, everyone in this Agency is responsible for creating a culture of trust, mutual respect, and dignity in our treatment of employees and for all of those we serve. I will accept nothing less.

It's important to note that the few individuals participating in this behavior by no means define the majority of the honorable, well-intentioned, and well-qualified employees who give this Agency their best every day. I want you to know I appreciate your efforts and I will always support and defend you.

Meindl, Max

From: Slie, Brian
Sent: Wednesday, August 15, 2018 2:35 PM
To: Harrison, Jade; Meindl, Max; Terry, Detra
Subject: RE: M. Meindl Sit-with

Thank you, Jade.

Brian C. Slie
Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
940.368.9270 Cell
Brian.slie@fema.dhs.gov

-----Original Appointment-----

From: Harrison, Jade
Sent: Wednesday, August 15, 2018 2:19 PM
To: Meindl, Max; Terry, Detra; Slie, Brian
Subject: Canceled: M. Meindl Sit-with
When: Wednesday, August 15, 2018 2:00 PM-2:30 PM (UTC-06:00) Central Time (US & Canada).
Where: Houston office- Rm 225, conference call number provided
Importance: High

Brian,

You can use the below number to conference in tomorrow.

Conference Call number:
1-800-320-4330

PIN: 892515

Meindl, Max

From: Meindl, Max
Sent: Wednesday, August 15, 2018 2:30 PM
To: femamax@gmail.com
Subject: Fwd: Branch II 205a and 207 8-13-18
Attachments: FEMA-4332-DR-TX Branch II 205A 08-13-2018.pdf; FEMA-4332-DR-TX- Branch II 207 08132018.pdf

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From: Jiles, Adeaner
Sent: Tuesday, August 14, 2018 8:06:08 AM
To: FEMA-4332-DR-TX-Branch-II-All-Hands
Subject: Branch II 205a and 207 8-13-18

Good morning all,

See attached for final 205a and 207 for Branch II as of 8-13-18.

Best,

Liam R Bassford
Planning Specialist (PLSP)
Branch II Office
Texas Hurricane Harvey
FEMA-4332-DR-TX
(202) 465-0432
liam.bassford.2@fema.dhs.gov
[Click here to enter the Virtual Situation Room](#)

To be removed from this all-hands list, please press Ctrl and click [here](#).

Meindl, Max

Subject: Canceled: M. Meindl Sit-with
Location: Houston office- Rm 225, conference call number provided

Start: Wed 8/15/2018 2:00 PM
End: Wed 8/15/2018 2:30 PM
Show Time As: Free

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Harrison, Jade
Required Attendees: Meindl, Max; Terry, Detra; Slie, Brian

Importance: High

Brian,

You can use the below number to conference in tomorrow.

Conference Call number:
1-800-320-4330

PIN: 892515

Meindl, Max

From: Meindl, Max
Sent: Wednesday, August 15, 2018 1:58 PM
To: femamax@gmail.com
Subject: Fwd: IDPs
Attachments: FEMA Form 255-0-1 IDP.PDF

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From: Jones, Patricia
Sent: Wednesday, August 15, 2018 12:16:45 PM
To: Meindl, Max
Subject: IDPs

Good Afternoon Max,

I will be having a call on Thursday or Friday to discuss performance plans and IDPs (Individual Development Plan). I have attached an example IDP for your use. You will need to complete the IDP and return to me ASAP but no later than noon tomorrow 8/16. You will need to sign and date the form as well.

A meeting invite with conference pin will be sent out via email.

Regards,
Trisha

Patricia Jones 'Trisha'
PA Operation Support Crew Leader
DR-4332-TX
202-706-2160 FEMA

Patricia.jones1@fema.dhs.gov



*If nothing ever changed there'd be no Butterflies...
With honor and integrity, we will safeguard the American people, our homeland, and our values.*

Meindl, Max

From: Jones, Patricia
Sent: Wednesday, August 15, 2018 1:40 PM
To: Atchison, Randy; Bambe, Dayo; Bazemore, Ronetta; Boyko, Brent; Carnes, Lingeria;
Clebourn-McPherson, Toya; Cress, Jack; In, Anthony; Kirk, Denise; Malbrough, Alfred;
Meindl, Max; Nash, Julie; Pennisi, Emma; Riley Jr, Bernard; Terry, Detra; Teston, Sheree;
Walker, Daniel; White, Richard; Wick, Timothy; Wiltse, David
Subject: IDPs

Good Afternoon,

To answer some of the questions about the Form sent out, Bill wants you to fill out the top information and then list one or more training sessions you may be interested in.

Do not worry about the cost, etc.

Scan and email them back to me please.

Many Thanks,
Trisha

Patricia Jones 'Trisha'

PA Operation Support Crew Leader
DR-4332-TX
202-706-2160 FEMA

Patricia.jones1@fema.dhs.gov



*If nothing ever changed there'd be no Butterflies...
With honor and integrity, we will safeguard the American people, our homeland, and our values.*

Meindl, Max

From: Jones, Patricia
Sent: Wednesday, August 15, 2018 12:17 PM
To: Meindl, Max
Subject: IDPs
Attachments: FEMA Form 255-0-1 IDP.PDF

Good Afternoon Max,

I will be having a call on Thursday or Friday to discuss performance plans and IDPs (Individual Development Plan). I have attached an example IDP for your use. You will need to complete the IDP and return to me ASAP but no later than noon tomorrow 8/16. You will need to sign and date the form as well.

A meeting invite with conference pin will be sent out via email.

Regards,
Trisha

Patricia Jones 'Trisha'

PA Operation Support Crew Leader
DR-4332-TX
202-706-2160 FEMA

Patricia.jones1@fema.dhs.gov



If nothing ever changed there'd be no Butterflies...

With honor and integrity, we will safeguard the American people, our homeland, and our values.

Meindl, Max

From: Harrison, Jade
Sent: Wednesday, August 15, 2018 11:20 AM
To: Terry, Detra; Slie, Brian; Meindl, Max
Cc: Boone, William
Subject: RE: M. Meindl Sit-with

Hi Brian,

Should I move forward and reschedule the sit-with for tomorrow? and if so, please advise when you are available.

Jade Harrison

Deputy Public Assistance Group Supervisor
FEMA- Public Assistance
DR-4332-TX
Jade.Harrison@fema.dhs.gov
(504) 908-5357 (Mobile)

From: Terry, Detra
Sent: Wednesday, August 15, 2018 9:30 AM
To: Slie, Brian <Brian.Slie@fema.dhs.gov>; Harrison, Jade <Jade.Harrison@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Boone, William <William.Boone@fema.dhs.gov>
Subject: RE: M. Meindl Sit-with

Yes, he informed me this morning.

Thanks,

Detra

202.718.0109 | fCMA cell
detra.terry@fema.dhs.gov

From: Slie, Brian
Sent: Wednesday, August 15, 2018 9:28 AM
To: Terry, Detra <detra.terry@fema.dhs.gov>; Harrison, Jade <Jade.Harrison@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Boone, William <William.Boone@fema.dhs.gov>
Subject: RE: M. Meindl Sit-with

Good Morning Detra,

Thank you for the visibility. Did Mr. Meindl request a sick day after he was informed that there would be a sit-with today?

Thank you,

Brian

Brian C. Slie
Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
940.368.9270 Cell
Brian.slie@fema.dhs.gov

From: Terry, Detra
Sent: Wednesday, August 15, 2018 8:35 AM
To: Harrison, Jade <Jade.Harrison@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>; Slie, Brian <Brian.Slie@fema.dhs.gov>
Subject: RE: M. Meindl Sit-with

Good Morning,

Mr. Meindl will not be able attend today's sit-with as he has taken a sick day (8/15/2018). Meeting will be rescheduled at a later date.

Thanks,

Detra

202.718.0109|*iFEM*A cell
detra.terry@fema.dhs.gov

-----Original Appointment-----

From: Harrison, Jade
Sent: Tuesday, August 14, 2018 6:38 PM
To: Meindl, Max; Terry, Detra; Slie, Brian
Subject: M. Meindl Sit-with
When: Wednesday, August 15, 2018 2:00 PM-2:30 PM (UTC-06:00) Central Time (US & Canada).
Where: Houston office- Rm 225, conference call number provided

Brian,

You can use the below number to conference in tomorrow.

Conference Call number:
1-800-320-4330

PIN: 892515

Meindl, Max

From: Terry, Detra
Sent: Wednesday, August 15, 2018 9:30 AM
To: Slie, Brian; Harrison, Jade; Meindl, Max
Cc: Boone, William
Subject: RE: M. Meindl Sit-with

Yes, he informed me this morning.

Thanks,

Detra

202.718.0109|~~iFEMA~~ cell
detra.terry@fema.dhs.gov

From: Slie, Brian
Sent: Wednesday, August 15, 2018 9:28 AM
To: Terry, Detra <detra.terry@fema.dhs.gov>; Harrison, Jade <Jade.Harrison@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Boone, William <William.Boone@fema.dhs.gov>
Subject: RE: M. Meindl Sit-with

Good Morning Detra,

Thank you for the visibility. Did Mr. Meindl request a sick day after he was informed that there would be a sit-with today?

Thank you,

Brian

Brian C. Slie
Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
940.368.9270 Cell
Brian.slie@fema.dhs.gov

From: Terry, Detra
Sent: Wednesday, August 15, 2018 8:35 AM
To: Harrison, Jade <Jade.Harrison@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>; Slie, Brian <Brian.Slie@fema.dhs.gov>
Subject: RE: M. Meindl Sit-with

Good Morning,

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Thanks,

Detra

202.718.0109|~~iFEMA cell~~
detra.terry@fema.dhs.gov

-----Original Appointment-----

From: Harrison, Jade

Sent: Tuesday, August 14, 2018 6:38 PM

To: Meindl, Max; Terry, Detra; Slie, Brian

Subject: M. Meindl Sit-with

When: Wednesday, August 15, 2018 2:00 PM-2:30 PM (UTC-06:00) Central Time (US & Canada).

Where: Houston office- Rm 225, conference call number provided

Brian,

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Conference Call number:

1-800-320-4330

PIN: 892515

Meindl, Max

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To: Terry, Detra; Harrison, Jade; Meindl, Max
Cc: Boone, William
Subject: RE: M. Meindl Sit-with

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Thank you,

Brian

Brian C. Slie
Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
940.368.9270 Cell
Brian.slie@fema.dhs.gov

From: Terry, Detra
Sent: Wednesday, August 15, 2018 8:35 AM
To: Harrison, Jade <Jade.Harrison@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>; Slie, Brian <Brian.Slie@fema.dhs.gov>
Subject: RE: M. Meindl Sit-with

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Thanks,

Detra

202.718.0109|*iFEM*A cell
detra.terry@fema.dhs.gov

-----Original Appointment-----

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Sent: Tuesday, August 14, 2018 6:38 PM
To: Meindl, Max; Terry, Detra; Slie, Brian
Subject: M. Meindl Sit-with

When: Wednesday, August 15, 2018 2:00 PM-2:30 PM (UTC-06:00) Central Time (US & Canada).

Where: Houston office- Rm 225, conference call number provided

Brian,

You can use the below number to conference in tomorrow.

Conference Call number:

1-800-320-4330

PIN: 892515

Meindl, Max

From: Terry, Detra
Sent: Wednesday, August 15, 2018 8:35 AM
To: Harrison, Jade; Meindl, Max; Slie, Brian
Subject: RE: M. Meindl Sit-with

Good Morning,

Mr. Meindl will not be able attend today's sit-with as he has taken a sick day (8/15/2018). Meeting will be rescheduled at a later date.

Thanks,
Detra

202.718.0109|~~iFEMA cell~~
detra.terry@fema.dhs.gov

-----Original Appointment-----

From: Harrison, Jade
Sent: Tuesday, August 14, 2018 6:38 PM
To: Meindl, Max; Terry, Detra; Slie, Brian
Subject: M. Meindl Sit-with
When: Wednesday, August 15, 2018 2:00 PM-2:30 PM (UTC-06:00) Central Time (US & Canada).
Where: Houston office- Rm 225, conference call number provided

Brian,

You can use the below number to conference in tomorrow.

Conference Call number:
1-800-320-4330

PIN: 892515

Meindl, Max

From: Meindl, Max
Sent: Wednesday, August 15, 2018 7:57 AM
To: Terry, Detra
Subject: Sick day

Not well, sick day

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Meindl, Max

From: Meindl, Max
Sent: Thursday, August 9, 2018 7:31 AM
To: Harrison, Jade
Subject: Re: Freeway Manor Baptist Church

Sounds great

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From: Harrison, Jade
Sent: Wednesday, August 8, 2018 6:34:25 PM
To: Meindl, Max
Subject: RE: Freeway Manor Baptist Church

Max,

Thank you for the offer. I'll be catching up on some stuff before I leave next week. However, maybe next week we can get together for a group lunch. Thank so much!

Jade Harrison

Deputy Public Assistance Group Supervisor
FEMA- Public Assistance
DR-4332-TX
Jade.Harrison@fema.dhs.gov
(504) 908-5357 (Mobile)

From: Meindl, Max
Sent: Wednesday, August 8, 2018 5:56 PM
To: Harrison, Jade <Jade.Harrison@fema.dhs.gov>
Subject: Re: Freeway Manor Baptist Church

Jade, if you're available tomorrow for lunch I'd like to treat you to lunch before you demob. Marcus, Mary Margaret and possibly Detra are going to Churascos for lunch. Just over 249, South American cuisine, my way of saying thanks.

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From: Meindl, Max
Sent: Wednesday, August 8, 2018 5:25:43 PM
To: Harrison, Jade
Subject: Re: Freeway Manor Baptist Church

I can't seem to withdraw because it's "pending late damage submission review ". Can you send it back somehow?

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From: Harrison, Jade
Sent: Wednesday, August 8, 2018 2:35:51 PM
To: Meindl, Max
Subject: RE: Freeway Manor Baptist Church

Ok. Please remove the late submission in the Grants Manger today.

Jade Harrison

Deputy Public Assistance Group Supervisor
FEMA- Public Assistance
DR-4332-TX
Jade.Harrison@fema.dhs.gov
(504) 908-5357 (Mobile)

From: Meindl, Max
Sent: Wednesday, August 8, 2018 2:15 PM
To: Harrison, Jade <Jade.Harrison@fema.dhs.gov>
Subject: Re: Freeway Manor Baptist Church

JH, applicant just clarified that the building I identified as the classrooms on google earth I sent to you is what they call the warehouse so no need for adding new DI, appreciate your assistance and attentiveness. The existing DI should capture everything.

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From: Meindl, Max
Sent: Wednesday, August 8, 2018 2:07:23 PM
To: Harrison, Jade
Subject: Re: Freeway Manor Baptist Church

I'm not sure how it was missed but I'll find out

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From: Harrison, Jade
Sent: Wednesday, August 8, 2018 1:51:49 PM
To: Meindl, Max
Subject: RE: Freeway Manor Baptist Church

Max,

What is the Applicant's reason for not submitting the building within the 60 day DI deadline?

Jade Harrison

Deputy Public Assistance Group Supervisor
FEMA- Public Assistance
DR-4332-TX
Jade.Harrison@fema.dhs.gov
(504) 908-5357 (Mobile)

From: Meindl, Max
Sent: Wednesday, August 8, 2018 8:54 AM
To: Harrison, Jade <Jade.Harrison@fema.dhs.gov>
Subject: RE: Freeway Manor Baptist Church

FYI



Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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contain information exempt from public release under the Freedom of Information Act (5 U.S.C. 552). The information contained herein must be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO/PII information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official.

From: Harrison, Jade
Sent: Tuesday, August 7, 2018 6:27 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Freeway Manor Baptist Church

Max,

I reviewed the late submission for the Applicant and it's for the School, Classroom building/wing which is located at the address 2300 Rodney. This address is the same location as the two other line items submitted

under this Applicant. Instead of creating a new line item, I think its best to expand the damage line items currently under the profile.

In addition, you may also consider expanding the one damage line item to consolidate the damages for both of the current line for the church and warehouse.

Please review. We can discuss further on tomorrow.

Jade Harrison

Deputy Public Assistance Group Supervisor

FEMA- Public Assistance

DR-4332-TX

Jade.Harrison@fema.dhs.gov

(504) 908-5357 (Mobile)

Meindl, Max

From: Meindl, Max
Sent: Wednesday, August 8, 2018 5:56 PM
To: Harrison, Jade
Subject: Re: Freeway Manor Baptist Church

Jade, if you're available tomorrow for lunch I'd like to treat you to lunch before you demob. Marcus, Mary Margaret and possibly Detra are going to Churascos for lunch. Just over 249, South American cuisine, my way of saying thanks.

Get [Outlook for iOS](#)

From: Meindl, Max
Sent: Wednesday, August 8, 2018 5:25:43 PM
To: Harrison, Jade
Subject: Re: Freeway Manor Baptist Church

I can't seem to withdraw because it's "pending late damage submission review ". Can you send it back somehow?

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From: Harrison, Jade
Sent: Wednesday, August 8, 2018 2:35:51 PM
To: Meindl, Max
Subject: RE: Freeway Manor Baptist Church

Ok. Please remove the late submission in the Grants Manger today.

Jade Harrison

Deputy Public Assistance Group Supervisor
FEMA- Public Assistance
DR-4332-TX
Jade.Harrison@fema.dhs.gov
(504) 908-5357 (Mobile)

From: Meindl, Max
Sent: Wednesday, August 8, 2018 2:15 PM
To: Harrison, Jade <Jade.Harrison@fema.dhs.gov>
Subject: Re: Freeway Manor Baptist Church

JH, applicant just clarified that the building I identified as the classrooms on google earth I sent to you is what they call the warehouse so no need for adding new DI, appreciate your assistance and attentiveness. The existing DI should capture everything.

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From: Meindl, Max
Sent: Wednesday, August 8, 2018 2:07:23 PM

To: Harrison, Jade
Subject: Re: Freeway Manor Baptist Church

I'm not sure how it was missed but I'll find out

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From: Harrison, Jade
Sent: Wednesday, August 8, 2018 1:51:49 PM
To: Meindl, Max
Subject: RE: Freeway Manor Baptist Church

Max,

What is the Applicant's reason for not submitting the building within the 60 day DI deadline?

Jade Harrison
Deputy Public Assistance Group Supervisor
FEMA- Public Assistance
DR-4332-TX
Jade.Harrison@fema.dhs.gov
(504) 908-5357 (Mobile)

From: Meindl, Max
Sent: Wednesday, August 8, 2018 8:54 AM
To: Harrison, Jade <Jade.Harrison@fema.dhs.gov>
Subject: RE: Freeway Manor Baptist Church

FYI



Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate

Public Assistance Division

FEMA/HQ

202-374-9426

max.meindl@fema.dhs.gov



FEMA

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From: Harrison, Jade

Sent: Tuesday, August 7, 2018 6:27 PM

To: Meindl, Max <max.meindl@fema.dhs.gov>

Subject: Freeway Manor Baptist Church

Max,

I reviewed the late submission for the Applicant and it's for the School, Classroom building/wing which is located at the address 2300 Rodney. This address is the same location as the two other line items submitted under this Applicant. Instead of creating a new line item, I think its best to expand the damage line items currently under the profile.

In addition, you may also consider expanding the one damage line item to consolidate the damages for both of the current line for the church and warehouse.

Please review. We can discuss further on tomorrow.

Jade Harrison

Deputy Public Assistance Group Supervisor

FEMA- Public Assistance

DR-4332-TX

Jade.Harrison@fema.dhs.gov

(504) 908-5357 (Mobile)

Meindl, Max

From: Meindl, Max
Sent: Wednesday, August 8, 2018 5:26 PM
To: Harrison, Jade
Subject: Re: Freeway Manor Baptist Church

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FEMA- Public Assistance
DR-4332-TX
Jade.Harrison@fema.dhs.gov
(504) 908-5357 (Mobile)

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Jade Harrison

Deputy Public Assistance Group Supervisor

FEMA- Public Assistance

DR-4332-TX

Jade.Harrison@fema.dhs.gov

(504) 908-5357 (Mobile)

From: Meindl, Max

Sent: Wednesday, August 8, 2018 8:54 AM

To: Harrison, Jade <Jade.Harrison@fema.dhs.gov>

Subject: RE: Freeway Manor Baptist Church

FYI



Max J Meindl, PMP

Program Delivery Manager | Houston TRO

DHS | FEMA-Recovery Directorate

Public Assistance Division

FEMA/HQ

202-374-9426

max.meindl@fema.dhs.gov



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(504) 908-5357 (Mobile)

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From: Harrison, Jade
Sent: Wednesday, August 8, 2018 1:51:49 PM
To: Meindl, Max
Subject: RE: Freeway Manor Baptist Church

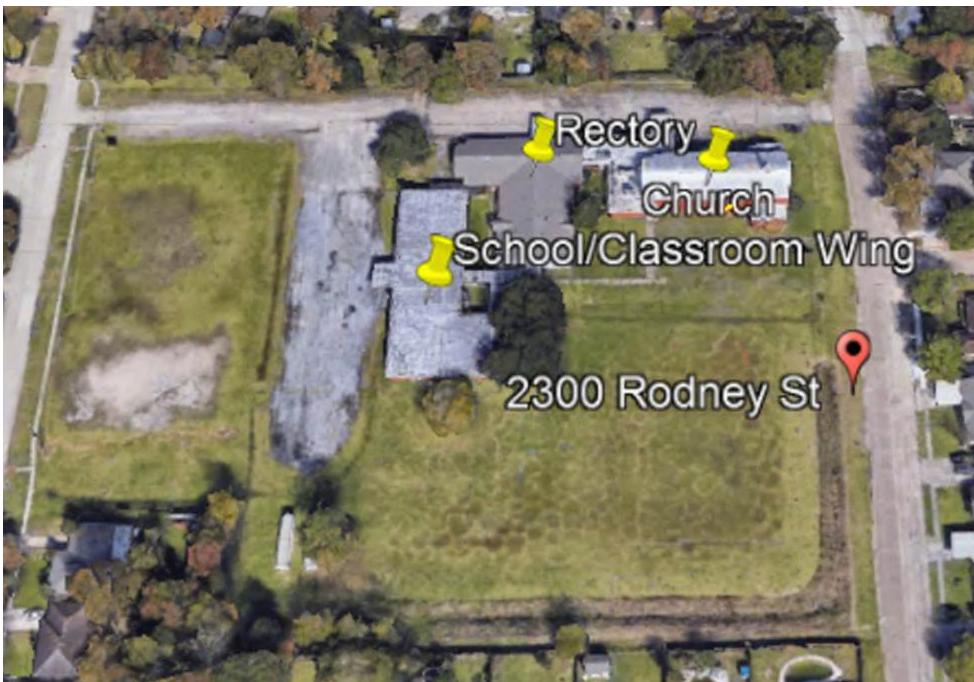
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Jade Harrison
Deputy Public Assistance Group Supervisor
FEMA- Public Assistance
DR-4332-TX
Jade.Harrison@fema.dhs.gov
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Jade Harrison

Deputy Public Assistance Group Supervisor

FEMA- Public Assistance

DR-4332-TX

Jade.Harrison@fema.dhs.gov

(504) 908-5357 (Mobile)

Meindl, Max

From: Meindl, Max
Sent: Thursday, August 2, 2018 1:11 PM
To: femamax@gmail.com
Subject: Fwd: Not On My Watch (Part 2): Employee Resources
Attachments: FactSheet_Harassment_Employees.pdf; FactSheet_Harassment_Supervisors and Managers.pdf

From: "Office of the Administrator" <officeoftheadministrator@fema.dhs.gov>
Date: Wednesday, August 1, 2018 at 2:55:08 PM
To: "FEMA-ALL" <FEMA-ALL@fema.dhs.gov>
Subject: Not On My Watch (Part 2): Employee Resources

FEMA Team,

I would like to reiterate that ensuring FEMA maintains a safe work environment is extremely important to me and to my leadership team. As stated in my previous message, you should know that FEMA has a zero-tolerance policy for all types of harassment. If you feel you have been harassed or if you witness inappropriate behavior by anyone against a fellow employee, I am asking you to report it. I am attaching two documents that provide information on where you can do so.

I recognize that you may find it difficult to make allegations about discrimination or harassment of any type. You may feel concerned that you are at risk and worry about how filing a complaint may impact your career. I want to assure you that any employee can file a complaint without fear of reprisal because I have a zero-tolerance policy against retaliation.

Sexual harassment isn't limited to just making inappropriate advances. It also includes any unwelcome verbal or physical behavior that creates a hostile work environment whether it occurs inside or outside the workplace or through social media platforms. No one should be subjected to any such behavior by anyone you may come into contact with as part of your job, including managers, co-workers, contractors or Agency partners.

When allegations of this type are brought to the Agency's attention, I can assure you that they will be investigated promptly, and upon conclusion, appropriate action will be taken. As mentioned in Monday's message, my leadership team is establishing an Office of Professional Responsibility to ensure expeditious, fair, and objective follow-up and resolution of allegations of misconduct.

The attached documents will answer questions about the steps to report harassment claims. There is also useful information on reporting an incident to the Anti-Harassment Unit. Counseling services and health and wellness advisors are available to all FEMA employees who may not have received the support they needed in the past.

As I've said before, everyone in this Agency is responsible for creating a culture of trust, mutual respect, and dignity in our treatment of employees and for all of those we serve. I will accept nothing less.

It's important to note that the few individuals participating in this behavior by no means define the majority of the honorable, well-intentioned, and well-qualified employees who give this Agency their best every day. I want you to know I appreciate your efforts and I will always support and defend you.

**Certification of Health Care Provider for
Employee's Serious Health Condition
(Family and Medical Leave Act)**

U.S. Department of Labor

Wage and Hour Division



DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR; RETURN TO THE PATIENT

OMB Control Number: 1235-0003
Expires: 5/31/2018

SECTION I: For Completion by the EMPLOYER

INSTRUCTIONS to the EMPLOYER: The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA protections because of a need for leave due to a serious health condition to submit a medical certification issued by the employee's health care provider. Please complete Section I before giving this form to your employee. Your response is voluntary. While you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308. Employers must generally maintain records and documents relating to medical certifications, recertifications, or medical histories of employees created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies, and in accordance with 29 C.F.R. § 1635.9, if the Genetic Information Nondiscrimination Act applies.

Employer name and contact: Max J Meindl

Employee's job title: Emergency Management Specialist

Regular work schedule: 40 hour week, 9-5:30

Employee's essential job functions: Emergency Management, recovery services, program delivery manager assisting applicants with federal grant application for recovery from Hurricane Harvey, office/computer work and field visits/meetings.

Check if job description is attached:

SECTION II: For Completion by the EMPLOYEE

INSTRUCTIONS to the EMPLOYEE: Please complete Section II before giving this form to your medical provider. The FMLA permits an employer to require that you submit a timely, complete, and sufficient medical certification to support a request for FMLA leave due to your own serious health condition. If requested by your employer, your response is required to obtain or retain the benefit of FMLA protections. 29 U.S.C. §§ 2613, 2614(c)(3). Failure to provide a complete and sufficient medical certification may result in a denial of your FMLA request. 20 C.F.R. § 825.313. Your employer must give you at least 15 calendar days to return this form. 29 C.F.R. § 825.305(b).

Your name: Max J Meindl

First

Middle

Last

SECTION III: For Completion by the HEALTH CARE PROVIDER

INSTRUCTIONS to the HEALTH CARE PROVIDER: Your patient has requested leave under the FMLA. Answer, fully and completely, all applicable parts. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage. Limit your responses to the condition for which the employee is seeking leave. Do not provide information about genetic tests, as defined in 29 C.F.R. § 1635.3(f), genetic services, as defined in 29 C.F.R. § 1635.3(e), or the manifestation of disease or disorder in the employee's family members, 29 C.F.R. § 1635.3(b). Please be sure to sign the form on the last page.

Provider's name and business address: C. Christophe Gay, M.D., 235 W. Palm, Bellville TX 77418

Type of practice / Medical specialty: Family Practice

Telephone: (979) 865-8484

Fax: (979) 865-8686

EXPLANATION OF MEDICAL CONDITION

1. Approximate date condition commenced: 08/04/2009

Probable duration of condition: Indeterminate, perpetual

Mark below as applicable:

Was the patient admitted for an overnight stay in a hospital, hospice, or residential medical care facility?

 No Yes. If so, dates of admission:

08/04/2009 (stent surgery) 05/27/2013 (stent surgery), pending surgery-

Date(s) you treated the patient for condition:

10/22/2018, 02/06/2019

Will the patient need to have treatment visits at least twice per year due to the condition? No Yes.

Was medication, other than over-the-counter medication, prescribed? No Yes.

Was the patient referred to other health care provider(s) for evaluation or treatment (e.g., physical therapist)?

 No Yes. If so, state the nature of such treatments and expected duration of treatment:

Cardiologist, testing, evaluation and surgery

2. Is the medical condition pregnancy? No Yes. If so, expected delivery date: _____

3. Use the information provided by the employer in Section I to answer this question. If the employer fails to provide a list of the employee's essential functions or a job description, answer these questions based upon the employee's own description of his/her job functions.

Is the employee unable to perform any of his/her job functions due to the condition: No Yes.

If so, identify the job functions the employee is unable to perform:

4. Describe other relevant medical facts, if any, related to the condition for which the employee seeks leave (such medical facts may include symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment):

Problem: Abnormal cardiovascular function study, R94.30, Active 274525000

Problem: Arteriosclerosis of native coronary artery w/ angina pectoris, I25.119, Active 194828000

Problem: Edema, R60.9, Active 79654002

Problem: Arteriosclerosis of native coronary artery w/ angina pectoris

Problem: Abnormal cardiovascular function study (ICD-10 - R94.30)

Arteriosclerosis of native coronary artery w/ angina pectoris: Stress test with apical moderate ischemia.

PART B: AMOUNT OF LEAVE NEEDED

5. Will the employee be incapacitated for a single continuous period of time due to his/her medical condition, including any time for treatment and recovery? No Yes.

If so, estimate the beginning and ending dates for the period of incapacity: a few days after heart surgery

6. Will the employee need to attend follow-up treatment appointments or work part-time or on a reduced schedule because of the employee's medical condition? No Yes.

If so, are the treatments or the reduced number of hours of work medically necessary?
 No Yes.

Estimate treatment schedule, if any, including the dates of any scheduled appointments and the time required for each appointment, including any recovery period:

indeterminate, predicated on physical condition of patient

Estimate the part-time or reduced work schedule the employee needs, if any:

1-2 hour(s) per day; 5 days per week from indeterminate through indeterminate

7. Will the condition cause episodic flare-ups periodically preventing the employee from performing his/her job functions? No Yes.

Is it medically necessary for the employee to be absent from work during the flare-ups?

No Yes. If so, explain:

issues associated with heart condition

Based upon the patient's medical history and your knowledge of the medical condition, estimate the frequency of flare-ups and the duration of related incapacity that the patient may have over the next 6 months (e.g., 1 episode every 3 months lasting 1-2 days):

Frequency : times per week(s) month(s)

Duration: ¹ hours or day(s) per episode

ADDITIONAL INFORMATION: IDENTIFY QUESTION NUMBER WITH YOUR ADDITIONAL ANSWER

Records statement from Cardiologist: He has an old LAD and RCA stents. Will further risk stratify with a LHC. We spoke about LHC. Risks include but not limited to: death, stroke, MI, need for emergency surgery, need for transfusion, groin hematoma, retroperitoneal bleed, anemia, infection. All questions were answered. Patient agrees to proceed with the above procedure. We spoke about possible PCI. Risks include but not limited to: Stroke, death, vessel dissection, perforation, need for emergency surgery, failed intervention, need for repeat procedure, restenosis & acute stent thrombosis. All questions were answered. Pt agrees to proceed w/

procedure. DES if needed. Right radial access.

Abnormal cardiovascular function study Apical ischemia.

Arteriosclerosis of native coronary artery w/ angina pectoris I25.119 ; Abnormal cardiovascular function study R94.30 ;

Signature of Health Care Provider

Date _____

4 Mar 19

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 20 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210. **DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR; RETURN TO THE PATIENT.**

femamax@gmail.com

From: Meindl, Max <max.meindl@fema.dhs.gov>
Sent: Wednesday, March 6, 2019 2:03 PM
To: Oke, Nicole
Subject: RE: Reasonable Accommodation (RA) request

I had to submit my FMLA paperwork today, to cover all the bases, to deal with the RA nonactivity, again a penalty option, considering it is a no pay option.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Oke, Nicole
Sent: Wednesday, March 6, 2019 1:48 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Reasonable Accommodation (RA) request

Mr. Meindl,

I am in training today. Let's talk tomorrow. Did you request fulltime telework?

Thanks,

Nicole

From: Meindl, Max
Sent: Wednesday, March 6, 2019 2:45 PM
To: Oke, Nicole <nicole.oke@fema.dhs.gov>
Cc: femamax@gmail.com
Subject: RE: Reasonable Accommodation (RA) request

Nicole,

Why is the RA process so ignored/abused by the process?

I've done everything required on my end yet the "institution" can't seem to take the request seriously nor process the request pursuant to DHS/FEMA policy.

This seems unjust, unfair and unreasonable to an individual requesting/requiring a timely response to a request. Instead of a reasonable accommodation, so I can be allowed to do a couple of hours of telework before driving 60 miles to the office, I am required to take "leave without pay" on a regular basis resulting in a diminished paycheck. All in all, it seems as if the default position of DHS/FEMA is to stall and/or decline any request, for whatever reason. I would expect or request that the process, mine specifically, be looked in to, and to identify process disconnects and put eyes on a way to improve the process, especially the timeliness requirements or lack thereof

According to policy:

FEMA Manual 1430.1 Chg.1 December 3, 2002

4-4

Chapter 5

Time Frames

5-1. Processing Requests. FEMA will process requests for reasonable accommodation and provide accommodations, where they are appropriate, in as short a time frame as reasonably possible. FEMA recognizes, however, that the time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information. Time frames for processing requests and providing reasonable accommodation where no supporting information is required are as follows:

a. Requests from applicants for employment should be expedited when necessary to ensure the applicant's ability to compete for the position. However, these requests should not exceed ten (10) business days.

b. If a request from an employee is processed by the supervisor, the request should be processed, and the accommodation, if granted, provided within 15 business days from the date of receipt of the request. Requests for accommodation should be expedited when the accommodation is needed to enable the employee to participate in an Agency activity scheduled to occur in the near future.

(1) If the decision maker believes that it is necessary to obtain medical information to determine whether the requesting individual has a disability and/or to identify the functional limitations, the decision maker will request the information as soon as possible after his or her receipt of the request for accommodation. FEMA recognizes that the need for documentation may not become apparent until after the interactive process has begun.

(2) In cases where medical documentation is needed, the accommodation, if granted, will be provided within ten (10) business days for an applicant, and within 15 business days for an employee, from the date the decision maker receives the relevant information, absent any extenuating circumstances.

c. Where the Disability Program Manager is the decision maker on a request for reasonable accommodation, he/she will make a decision on the request and the accommodation, if granted, will be provided within 15 business days from the date of the request. If medical documentation is necessary, the decision will be made within 15 business days of receipt of the medical information, absent any extenuating circumstances.

We are going on 132 business days since AUGUST 23rd 2018 and 196 calendar days.

Unreasonable and unnecessary.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Oke, Nicole

Sent: Monday, March 4, 2019 5:57 AM

To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Reasonable Accommodation (RA) request

Dear Mr. Meindl,

I apologize for the delay. You should have a response by close of business this week.

Respectfully,

Nicole

Nicole Oke
Informal Unit Chief, Office of Equal Rights
DHS/Federal Emergency Management Agency
500 C Street, SW Room 4SW-0915
Washington, DC 20472-3505
Cell: 202.717.1595
E-mail: nicole.oke@fema.dhs.gov



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From: Meindl, Max
Sent: Wednesday, February 27, 2019 5:00 PM
To: Oke, Nicole <nicole.oke@fema.dhs.gov>; Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; Johnson, Jo Linda <jolinda.johnson@fema.dhs.gov>; Peterkin, Donna <donna.peterkin@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; Terry, Detra <detra.terry@fema.dhs.gov>; rick@guerradays.com; Slie, Brian <Brian.Slie@fema.dhs.gov>; McAllister, Jamie <jamie.mcallister@fema.dhs.gov>
Subject: RE: Reasonable Accommodation (RA) request

Nicole,

As of this date I've yet to receive an answer to my RA request filed in August of 2018.

I am at a loss trying to understand how FEMA/DHS policy can be so blatantly ignored/violated in such a casual manner by so many.

My request was based on a serious heart condition requiring a bit of flexibility in my morning schedule to accommodate issues I face daily.

My heart surgery, which was scheduled for 01/25/2019, had to be postponed/rescheduled for a different time, but I am hoping it will be soon.

My simple request to FEMA/DHS was for some understanding and flexibility to assist me over the past 6 months, in a challenging time, and the FEMA team, thus far, has deemed me insignificant and not worthy of a response nor consideration of assistance.

Can you explain this?

NOTE: Equal Rights Office policy requires the agency to provide requested Reasonable Accommodation within 10 days, barring extenuating circumstances.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
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max.meindl@fema.dhs.gov



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From: Oke, Nicole
Sent: Tuesday, February 12, 2019 2:22 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>; Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; Johnson, Jo Linda <jojinda.johnson@fema.dhs.gov>; Peterkin, Donna <donna.peterkin@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-brritt@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Fouadiya <Fouadiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>
Subject: RE: Reasonable Accommodation (RA) request

Dear Mr. Meindl,

I will research the matter and circle back with a response and next steps.

Respectfully,

Nicole

Nicole Oke
Informal Unit Chief, Office of Equal Rights
DHS/Federal Emergency Management Agency
500 C Street, SW Room 4SW-0915
Washington, DC 20472-3505
Cell: 202.717.1595
E-mail: nicole.oke@fema.dhs.gov



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From: Meindl, Max
Sent: Tuesday, February 12, 2019 2:49 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; Johnson, Jo Linda <jolinda.johnson@fema.dhs.gov>; Peterkin, Donna <donna.peterkin@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Oke, Nicole <nicole.oke@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Fouidiya <Fouidiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>
Subject: RE: Reasonable Accommodation (RA) request

To whom it may concern,
Feb 12th 2019

On or about August 27th, 2018, I submitted a Reasonable Accommodation (RA) request for consideration/processing. As of this date, I've received no answer, up or down, concerning my request. Although the RA request has passed through many hands/personnel from Washington D/C. to Houston to Austin, no one has seen it important enough to respond to my RA request. When considering that nearly SIX (6) months have passed since my initial RA request, it would be safe to say that policy governing this specific RA request has not been complied with. I am respectfully requesting that a response to my RA request be provided forthwith as required by FEMA policy. I am at a loss in trying to understand the lack of response, in a timely manner, as required by policy. Would someone, willing to take ownership, please respond to the RA on file since August 13th, 2018? All requested and required information has been provided per policy to Winston D. Brathwaite, J.D., Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov, and if you have any questions, please feel free to contact me. As a veteran and senior citizen with a documented disability in my files, it is incumbent upon someone to step forward and address this egregious oversight/situation soonest.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Meindl, Max

Sent: Wednesday, December 12, 2018 4:09 PM

To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; McAllister, Jamie <jamie.mcallister@fema.dhs.gov>; Slie, Brian <Brian.Slie@fema.dhs.gov>

Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Oke, Nicole <nicole.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; Merritt, Lisa <lisa.merritt@fema.dhs.gov>

Subject: Reasonable Accommodation (RA) request

To whom it may concern,

December 12th, 2018

On or about August 23th, 2018, I submitted a Reasonable Accommodation (RA) request for consideration/processing.

As of this date, I've received no answer, up or down, concerning my request.

Although the RA request has passed through many hands/personnel from Washington D/C. to Houston to Austin, no one has seen it important enough to respond to my RA request.

When considering that nearly four (4) months have passed since my initial RA request, it would be safe to say that policy governing this specific RA request has not been complied with.

I am respectfully requesting that a response to my RA request be provided forthwith as required by FEMA policy.

I am at a loss in trying to understand the lack of response, in a timely manner, as required by policy.

Would someone, willing to take ownership, please respond to the RA on file since August 13th, 2018?

All requested and required information has been provided per policy to Winston D. Brathwaite, J.D., Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov, and if you have any questions, please feel free to contact me.

As a veteran and senior citizen with a documented disability in my files, it is incumbent upon someone to step forward and address this egregious oversight/situation soonest.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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Meindl, Max

From: Meindl, Max
Sent: Thursday, August 23, 2018 1:08 PM
To: Terry, Detra
Subject: RA
Attachments: Reasonable Accommodation-FEMA Form 256-0-1-08232018.pdf

See attached

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Meindl, Max
Sent: Thursday, August 23, 2018 1:11 PM
To: Terry, Detra
Cc: Oke, Nicole; McPhie, Regina; FEMA-Reasonable-Accommodation; Goudy, Douglas; Henri, Foudiya; Avery, Darlene; femamax@gmail.com
Subject: RA
Attachments: Reasonable Accomodation-FEMA Form 256-0-1-08232018.pdf

Detra,
RA form attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: FEMA-Reasonable-Accommodation
Sent: Thursday, August 23, 2018 9:22 PM
To: Meindl, Max
Cc: FEMA-Reasonable-Accommodation; Maddox Britt, Sandra
Subject: RE: RA
Attachments: RA INFORMATION SHEET-empl.doc

Max:

The Office of Equal Rights/Reasonable Accommodation Unit has received your reasonable accommodation (RA) request. The case has been assigned to Sandra Maddox Britt, Reasonable Accommodation Analyst. Please fill out the attached information sheet to complete your file and send to her. Ms. Maddox-Britt will contact you soon to facilitate the RA process. If you have any questions, Ms. Maddox-Britt will assist. I have omitted the other individuals you copied in the e-mail. The RA process is a confidential one and only individuals with the need to know should be involved.

Respectfully,

Luz A. Fernandez

Equal Rights Specialist | AEP/RA Lead | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0915, Washington, DC 20472-3505 | Desk: 202.212.2740 | Mobile: 202.805.8638 | Efax: 540.504.2816 | Fax: 202.646.4320 | Luz.Fernandez@fema.dhs.gov

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From: Meindl, Max
Sent: Thursday, August 23, 2018 2:11 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Cc: Oke, Nicole <nicole.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; femamax@gmail.com
Subject: RA

Detra,
RA form attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: FEMA-Reasonable-Accommodation
Sent: Thursday, August 23, 2018 9:26 PM
To: Meindl, Max; Terry, Detra
Cc: Oke, Nicole; McPhie, Regina; FEMA-Reasonable-Accommodation; Goudy, Douglas; Henri, Fouadiya; Avery, Darlene; femamax@gmail.com
Subject: RE: RA

Case assigned to Sandra Maddox-Britt.

From: Meindl, Max
Sent: Thursday, August 23, 2018 2:11 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Cc: Oke, Nicole <nicole.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Fouadiya <Fouadiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; femamax@gmail.com
Subject: RA

Detra,
RA form attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Henri, Foudiya
Sent: Tuesday, August 28, 2018 11:28 AM
To: Meindl, Max
Cc: Goudy, Douglas
Subject: Max Meindl request for Reasonable Accommodation

Importance: High

Hello Max,

What is the name of your Supervisor please? _____ . Was the RA request sent to the Supervisor? If yes please let me know. I can assist with the RA request ONLY.

For Informal Complaint assistance please contact Doug Goudy directly.

Thank you,
Foudiya Henri
202-394-4633 Cell

From: Meindl, Max
Sent: Thursday, August 23, 2018 2:11 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Cc: Oke, Nicole <nicolette.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; femamax@gmail.com
Subject: RA

Detra,
RA form attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Maddox Britt, Sandra
Sent: Wednesday, August 29, 2018 9:31 AM
To: Meindl, Max
Subject: RE: RA Request (Meindl)
Attachments: FEMA Form 256-0-1.pdf

Hello Mr. Meindl

I have received an email from Ms. Fernandez indicating that you have an RA request. The document attached to the email, however, is blank. Can you please send me the form you completed?

Also, who is your Supervisor of Record, and did you provide the form to your supervisor of Record?

Thank you
Sandra Britt
202-412-4787

From: FEMA-Reasonable-Accommodation
Sent: Thursday, August 23, 2018 10:22 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>
Subject: RE: RA

Max:

The Office of Equal Rights/Reasonable Accommodation Unit has received your reasonable accommodation (RA) request. The case has been assigned to Sandra Maddox Britt, Reasonable Accommodation Analyst. Please fill out the attached information sheet to complete your file and send to her. Ms. Maddox-Britt will contact you soon to facilitate the RA process. If you have any questions, Ms. Maddox-Britt will assist. I have omitted the other individuals you copied in the e-mail. The RA process is a confidential one and only individuals with the need to know should be involved.

Respectfully,

Luz A. Fernandez

Equal Rights Specialist | AEP/RA Lead | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0915, Washington, DC 20472-3505 |
Desk: 202.212.2740 | Mobile: 202.805.8638 | Efax: 540.504.2816 | Fax: 202.646.4320 | Luz.Fernandez@fema.dhs.gov

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From: Meindl, Max
Sent: Thursday, August 23, 2018 2:11 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Cc: Oke, Nicole <nicolette.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; femamax@gmail.com
Subject: RA

Detra,

RA form attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Meindl, Max
Sent: Wednesday, August 29, 2018 9:38 AM
To: Maddox Britt, Sandra
Subject: RE: RA Request (Meindl)
Attachments: Reasonable Accommodation-FEMA Form 256-0-1-08232018.pdf

Yes, I provided it to my supervisor.

My chain of command as I understand it:

Detra Terry, Task Force Lead

Detra S. Terry

Public Assistance-PDM/DIS

DR-4332-TX

202.718.0109/iFEMA cell

detra.terry@fema.dhs.gov

Albert P. Walters III

Public Assistance Group Supervisor

Disaster 4332 – Harvey

Cell Phone 504-570-4412

Albert.Walters@FEMA.DHS.GOV

Max J Meindl, PMP

Program Delivery Manager | Houston TRO

DHS | FEMA-Recovery Directorate

Public Assistance Division

FEMA/HQ

202-374-9426

max.meindl@fema.dhs.gov



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From: Maddox Britt, Sandra

Sent: Wednesday, August 29, 2018 9:31 AM

To: Meindl, Max <max.meindl@fema.dhs.gov>

Subject: RE: RA Request (Meindl)

Hello Mr. Meindl

I have received an email from Ms. Fernandez indicating that you have an RA request. The document attached to the email, however, is blank. Can you please send me the form you completed?

Also, who is your Supervisor of Record, and did you provide the form to your supervisor of Record?

Thank you

Sandra Britt

202-412-4787

From: FEMA-Reasonable-Accommodation
Sent: Thursday, August 23, 2018 10:22 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>
Subject: RE: RA

Max:

The Office of Equal Rights/Reasonable Accommodation Unit has received your reasonable accommodation (RA) request. The case has been assigned to Sandra Maddox Britt, Reasonable Accommodation Analyst. Please fill out the attached information sheet to complete your file and send to her. Ms. Maddox-Britt will contact you soon to facilitate the RA process. If you have any questions, Ms. Maddox-Britt will assist. I have omitted the other individuals you copied in the e-mail. The RA process is a confidential one and only individuals with the need to know should be involved.

Respectfully,

Luz A. Fernandez

Equal Rights Specialist | AEP/RA Lead | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0915, Washington, DC 20472-3505 | Desk: 202.212.2740 | Mobile: 202.805.8638 | Efax: 540.504.2816 | Fax: 202.646.4320 | Luz.Fernandez@fema.dhs.gov

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From: Meindl, Max
Sent: Thursday, August 23, 2018 2:11 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Cc: Oke, Nicole <nicolette.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; femamax@gmail.com
Subject: RA

Detra,
RA form attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Maddox Britt, Sandra
Sent: Thursday, September 6, 2018 4:35 PM
To: Meindl, Max
Subject: RE: RA Request (Meindl)

Who is your supervisor?

From: Meindl, Max
Sent: Wednesday, August 29, 2018 10:38 AM
To: Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>
Subject: RE: RA Request (Meindl)

Yes, I provided it to my supervisor.

My chain of command as I understand it:

Detra Terry, Task Force Lead
Detra S. Terry
Public Assistance-PDM/DIS
DR-4332-TX
202.718.0109/iFEMA cell
detra.terry@fema.dhs.gov

Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Maddox Britt, Sandra
Sent: Wednesday, August 29, 2018 9:31 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: RA Request (Meindl)

Hello Mr. Meindl

I have received an email from Ms. Fernandez indicating that you have an RA request. The document attached to the email, however, is blank. Can you please send me the form you completed?

Also, who is your Supervisor of Record, and did you provide the form to your supervisor of Record?

Thank you
Sandra Britt
[202-412-4787](#)

From: FEMA-Reasonable-Accommodation
Sent: Thursday, August 23, 2018 10:22 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>
Subject: RE: RA

Max:

The Office of Equal Rights/Reasonable Accommodation Unit has received your reasonable accommodation (RA) request. The case has been assigned to Sandra Maddox Britt, Reasonable Accommodation Analyst. Please fill out the attached information sheet to complete your file and send to her. Ms. Maddox-Britt will contact you soon to facilitate the RA process. If you have any questions, Ms. Maddox-Britt will assist. I have omitted the other individuals you copied in the e-mail. The RA process is a confidential one and only individuals with the need to know should be involved.

Respectfully,

Luz A. Fernandez

Equal Rights Specialist | AEP/RA Lead | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0915, Washington, DC 20472-3505 |
Desk: 202.212.2740 | Mobile: 202.805.8638 | Efax: 540.504.2816 | Fax: 202.646.4320 | Luz.Fernandez@fema.dhs.gov

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From: Meindl, Max
Sent: Thursday, August 23, 2018 2:11 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Cc: Oke, Nicole <nicole.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; femamax@gmail.com
Subject: RA

Detra,
RA form attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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Meindl, Max

From: Maddox Britt, Sandra
Sent: Thursday, September 6, 2018 4:37 PM
To: Meindl, Max
Subject: RE: RA Request (Meindl)

Never mind, I thought the name below was your signature block. So you are in PA at HQ? If so, I need to refer you to PA's RA POCs.

From: Meindl, Max
Sent: Wednesday, August 29, 2018 10:38 AM
To: Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>
Subject: RE: RA Request (Meindl)

Yes, I provided it to my supervisor.

My chain of command as I understand it:

Detra Terry, Task Force Lead

Detra S. Terry

Public Assistance-PDM/DIS

DR-4332-TX

202.718.0109/iFEMA cell

detra.terry@fema.dhs.gov

Albert P. Walters III

Public Assistance Group Supervisor

Disaster 4332 – Harvey

Cell Phone 504-570-4412

Albert.Walters@FEMA.DHS.GOV

Max J Meindl, PMP

Program Delivery Manager | Houston TRO

DHS | FEMA-Recovery Directorate

Public Assistance Division

FEMA/HQ

202-374-9426

max.meindl@fema.dhs.gov



FEMA

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From: Maddox Britt, Sandra
Sent: Wednesday, August 29, 2018 9:31 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: RA Request (Meindl)

Hello Mr. Meindl

I have received an email from Ms. Fernandez indicating that you have an RA request. The document attached to the email, however, is blank. Can you please send me the form you completed?

Also, who is your Supervisor of Record, and did you provide the form to your supervisor of Record?

Thank you
Sandra Britt
202-412-4787

From: FEMA-Reasonable-Accommodation
Sent: Thursday, August 23, 2018 10:22 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>
Subject: RE: RA

Max:

The Office of Equal Rights/Reasonable Accommodation Unit has received your reasonable accommodation (RA) request. The case has been assigned to Sandra Maddox Britt, Reasonable Accommodation Analyst. Please fill out the attached information sheet to complete your file and send to her. Ms. Maddox-Britt will contact you soon to facilitate the RA process. If you have any questions, Ms. Maddox-Britt will assist. I have omitted the other individuals you copied in the e-mail. The RA process is a confidential one and only individuals with the need to know should be involved.

Respectfully,

Luz A. Fernandez

Equal Rights Specialist | AEP/RA Lead | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0915, Washington, DC 20472-3505 |
Desk: 202.212.2740 | Mobile: 202.805.8638 | Efax: 540.504.2816 | Fax: 202.646.4320 | Luz.Fernandez@fema.dhs.gov

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From: Meindl, Max
Sent: Thursday, August 23, 2018 2:11 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Cc: Oke, Nicole <nicole.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; femamax@gmail.com
Subject: RA

Detra,
RA form attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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Meindl, Max

From: Meindl, Max
Sent: Thursday, September 6, 2018 4:39 PM
To: Maddox Britt, Sandra
Subject: Re: RA Request (Meindl)

Houston Recovery Office, PA

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From: Maddox Britt, Sandra
Sent: Thursday, September 6, 2018 4:36:49 PM
To: Meindl, Max
Subject: RE: RA Request (Meindl)

Never mind, I thought the name below was your signature block. So you are in PA at HQ? If so, I need to refer you to PA's RA POCs.

From: Meindl, Max
Sent: Wednesday, August 29, 2018 10:38 AM
To: Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>
Subject: RE: RA Request (Meindl)

Yes, I provided it to my supervisor.

My chain of command as I understand it:

Detra Terry, Task Force Lead
Detra S. Terry
Public Assistance-PDM/DIS
DR-4332-TX
202.718.0109/iFEMA cell
detra.terry@fema.dhs.gov

Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Maddox Britt, Sandra
Sent: Wednesday, August 29, 2018 9:31 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: RA Request (Meindl)

Hello Mr. Meindl

I have received an email from Ms. Fernandez indicating that you have an RA request. The document attached to the email, however, is blank. Can you please send me the form you completed?

Also, who is your Supervisor of Record, and did you provide the form to your supervisor of Record?

Thank you
Sandra Britt
202-412-4787

From: FEMA-Reasonable-Accommodation
Sent: Thursday, August 23, 2018 10:22 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>
Subject: RE: RA

Max:

The Office of Equal Rights/Reasonable Accommodation Unit has received your reasonable accommodation (RA) request. The case has been assigned to Sandra Maddox Britt, Reasonable Accommodation Analyst. Please fill out the attached information sheet to complete your file and send to her. Ms. Maddox-Britt will contact you soon to facilitate the RA process. If you have any questions, Ms. Maddox-Britt will assist. I have omitted the other individuals you copied in the e-mail. The RA process is a confidential one and only individuals with the need to know should be involved.

Respectfully,

Luz A. Fernandez

Equal Rights Specialist | AEP/RA Lead | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0915, Washington, DC 20472-3505 |
Desk: 202.212.2740 | Mobile: 202.805.8638 | Efax: 540.504.2816 | Fax: 202.646.4320 | Luz.Fernandez@fema.dhs.gov

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From: Meindl, Max
Sent: Thursday, August 23, 2018 2:11 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Cc: Oke, Nicole <nicolette.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Fouidiya <Fouidiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; femamax@gmail.com
Subject: RA

Detra,
RA form attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Maddox Britt, Sandra
Sent: Thursday, September 6, 2018 4:52 PM
To: Meindl, Max
Subject: RE: RA Request (Meindl)

Please forward your medical documentation to me.

From: Meindl, Max
Sent: Wednesday, August 29, 2018 10:38 AM
To: Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>
Subject: RE: RA Request (Meindl)

Yes, I provided it to my supervisor.

My chain of command as I understand it:

Detra Terry, Task Force Lead
Detra S. Terry
Public Assistance-PDM/DIS
DR-4332-TX
202.718.0109/iFEMA cell
detra.terry@fema.dhs.gov

Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Maddox Britt, Sandra
Sent: Wednesday, August 29, 2018 9:31 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: RA Request (Meindl)

Hello Mr. Meindl

I have received an email from Ms. Fernandez indicating that you have an RA request. The document attached to the email, however, is blank. Can you please send me the form you completed?

Also, who is your Supervisor of Record, and did you provide the form to your supervisor of Record?

Thank you
Sandra Britt
[202-412-4787](#)

From: FEMA-Reasonable-Accommodation
Sent: Thursday, August 23, 2018 10:22 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>
Subject: RE: RA

Max:

The Office of Equal Rights/Reasonable Accommodation Unit has received your reasonable accommodation (RA) request. The case has been assigned to Sandra Maddox Britt, Reasonable Accommodation Analyst. Please fill out the attached information sheet to complete your file and send to her. Ms. Maddox-Britt will contact you soon to facilitate the RA process. If you have any questions, Ms. Maddox-Britt will assist. I have omitted the other individuals you copied in the e-mail. The RA process is a confidential one and only individuals with the need to know should be involved.

Respectfully,

Luz A. Fernandez

Equal Rights Specialist | AEP/RA Lead | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0915, Washington, DC 20472-3505 |
Desk: 202.212.2740 | Mobile: 202.805.8638 | Efax: 540.504.2816 | Fax: 202.646.4320 | Luz.Fernandez@fema.dhs.gov

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From: Meindl, Max
Sent: Thursday, August 23, 2018 2:11 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Cc: Oke, Nicole <nicole.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; femamax@gmail.com
Subject: RA

Detra,
RA form attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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Meindl, Max

From: Meindl, Max
Sent: Thursday, September 6, 2018 5:08 PM
To: Maddox Britt, Sandra
Subject: Re: RA Request (Meindl)

Sent from personal email in confidence

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From: Maddox Britt, Sandra
Sent: Thursday, September 6, 2018 4:51:43 PM
To: Meindl, Max
Subject: RE: RA Request (Meindl)

Please forward your medical documentation to me.

From: Meindl, Max
Sent: Wednesday, August 29, 2018 10:38 AM
To: Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>
Subject: RE: RA Request (Meindl)

Yes, I provided it to my supervisor.

My chain of command as I understand it:

Detra Terry, Task Force Lead

Detra S. Terry

Public Assistance-PDM/DIS

DR-4332-TX

202.718.0109/iFEMA cell

detra.terry@fema.dhs.gov

Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
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From: Maddox Britt, Sandra
Sent: Wednesday, August 29, 2018 9:31 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: RA Request (Meindl)

Hello Mr. Meindl

I have received an email from Ms. Fernandez indicating that you have an RA request. The document attached to the email, however, is blank. Can you please send me the form you completed?

Also, who is your Supervisor of Record, and did you provide the form to your supervisor of Record?

Thank you
Sandra Britt
202-412-4787

From: FEMA-Reasonable-Accommodation
Sent: Thursday, August 23, 2018 10:22 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>
Subject: RE: RA

Max:

The Office of Equal Rights/Reasonable Accommodation Unit has received your reasonable accommodation (RA) request. The case has been assigned to Sandra Maddox Britt, Reasonable Accommodation Analyst. Please fill out the attached information sheet to complete your file and send to her. Ms. Maddox-Britt will contact you soon to facilitate the RA process. If you have any questions, Ms. Maddox-Britt will assist. I have omitted the other individuals you copied in the e-mail. The RA process is a confidential one and only individuals with the need to know should be involved.

Respectfully,

Luz A. Fernandez

Equal Rights Specialist | AEP/RA Lead | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0915, Washington, DC 20472-3505 |
Desk: 202.212.2740 | Mobile: 202.805.8638 | Efax: 540.504.2816 | Fax: 202.646.4320 | Luz.Fernandez@fema.dhs.gov

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From: Meindl, Max
Sent: Thursday, August 23, 2018 2:11 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Cc: Oke, Nicole <nicolette.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Fouidiya <Fouidiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; femamax@gmail.com
Subject: RA

Detra,
RA form attached.

Max J Meindl, PMP

Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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Meindl, Max

From: Merritt, Lisa
Sent: Monday, September 17, 2018 2:11 PM
To: Meindl, Max
Subject: Reasonable Accommodation Request

Importance: High

Hello Max,

I have received your 256 Reasonable Accommodation Request Form. In addition, we will need supporting documentation from your health care provider (on letterhead) to provide to Office of Equal Rights. Below is the information that should be included in the letter for a reasonable accommodation request:

- The nature, severity, or duration of your impairment/disability
- The extent to which the impairment/disability limits your ability to perform your job
- Why you require the particular Reasonable Accommodation (what tools do you need to do your job i.e. chair, vehicle upgrade / please be very specific)
- How the accommodation you requested will assist you in performing the essential functions of the job

Please give me a call, so we can discuss.

Thank you,

Cadre Management Team

Public Assistance Division

Field Support Branch

FEMA/HQ

Reservists Line: 202-212-1028

FEMA-PA-Reservist-Program@fema.dhs.gov

Meindl, Max

From: Merritt, Lisa
Sent: Thursday, October 4, 2018 1:12 PM
To: Meindl, Max
Subject: RE: Reasonable Accommodation Request

Hello Max,

I reached out last week and left another voicemail. Do you have any questions about the RA process? Anything we need to go over together?

Thank you,

Lisa Merritt | Asst. Reservist Program Manager
Public Assistance Division
Field Support Branch
FEMA | HQ
202-212-2524 | lisa.merritt@fema.dhs.gov
FEMA-PA-Reservist-Program@fema.dhs.gov

From: Merritt, Lisa
Sent: Wednesday, September 26, 2018 1:29 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Reasonable Accommodation Request

Hello Max,

I wanted to follow up on your reasonable accommodation. Please give me a call, so I can answer any questions you may have.

Thank you,

Lisa Merritt | Asst. Reservist Program Manager
Public Assistance Division
Field Support Branch
FEMA | HQ
202-212-2524 | lisa.merritt@fema.dhs.gov
FEMA-PA-Reservist-Program@fema.dhs.gov

From: Merritt, Lisa
Sent: Monday, September 17, 2018 3:11 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Reasonable Accommodation Request
Importance: High

Hello Max,

I have received your 256 Reasonable Accommodation Request Form. In addition, we will need supporting documentation from your health care provider (on letterhead) to provide to Office of Equal Rights. Below is the information that should be included in the letter for a reasonable accommodation request:

- The nature, severity, or duration of your impairment/disability
- The extent to which the impairment/disability limits your ability to perform your job
- Why you require the particular Reasonable Accommodation (what tools do you need to do your job i.e. chair, vehicle upgrade / please be very specific)
- How the accommodation you requested will assist you in performing the essential functions of the job

Please give me a call, so we can discuss.

Thank you,

Cadre Management Team

Public Assistance Division

Field Support Branch

FEMA/HQ

Reservists Line: 202-212-1028

FEMA-PA-Reservist-Program@fema.dhs.gov

Meindl, Max

From: Meindl, Max
Sent: Thursday, October 4, 2018 1:16 PM
To: Merritt, Lisa
Subject: RE: Reasonable Accommodation Request

I have to meet with a cardiologist to obtain requested paperwork.

The VA does not seem to be interested in putting anything in writing so I am having to see a provider outside the VA system.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Merritt, Lisa
Sent: Thursday, October 4, 2018 1:12 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Reasonable Accommodation Request

Hello Max,

I reached out last week and left another voicemail. Do you have any questions about the RA process? Anything we need to go over together?

Thank you,

Lisa Merritt | Asst. Reservist Program Manager
Public Assistance Division
Field Support Branch
FEMA | HQ
202-212-2524 | lisa.merritt@fema.dhs.gov
FEMA-PA-Reservist-Program@fema.dhs.gov

From: Merritt, Lisa
Sent: Wednesday, September 26, 2018 1:29 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Reasonable Accommodation Request

Hello Max,

I wanted to follow up on your reasonable accommodation. Please give me a call, so I can answer any questions you may have.

Thank you,

Lisa Merritt | Asst. Reservist Program Manager
Public Assistance Division
Field Support Branch
FEMA | HQ
202-212-2524 | lisa.merritt@fema.dhs.gov
FEMA-PA-Reservist-Program@fema.dhs.gov

From: Merritt, Lisa
Sent: Monday, September 17, 2018 3:11 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Reasonable Accommodation Request
Importance: High

Hello Max,

I have received your 256 Reasonable Accommodation Request Form. In addition, we will need supporting documentation from your health care provider (on letterhead) to provide to Office of Equal Rights. Below is the information that should be included in the letter for a reasonable accommodation request:

- The nature, severity, or duration of your impairment/disability
- The extent to which the impairment/disability limits your ability to perform your job
- Why you require the particular Reasonable Accommodation (what tools do you need to do your job i.e. chair, vehicle upgrade / please be very specific)
- How the accommodation you requested will assist you in performing the essential functions of the job

Please give me a call, so we can discuss.

Thank you,

Cadre Management Team
Public Assistance Division
Field Support Branch
FEMA/HQ
Reservists Line: 202-212-1028
FEMA-PA-Reservist-Program@fema.dhs.gov

Meindl, Max

From: Merritt, Lisa
Sent: Thursday, October 4, 2018 1:23 PM
To: Meindl, Max
Subject: RE: Reasonable Accommodation Request

Ok, I'm just making sure I can answer any questions you may have. The note needs to be very descriptive and provide all information that I sent to you in bullet points.

Thank you,

Lisa Merritt | Asst. Reservist Program Manager
Public Assistance Division
Field Support Branch
FEMA | HQ
202-212-2524 | lisa.merritt@fema.dhs.gov
FEMA-PA-Reservist-Program@fema.dhs.gov

From: Meindl, Max
Sent: Thursday, October 4, 2018 2:16 PM
To: Merritt, Lisa <lisa.merritt@fema.dhs.gov>
Subject: RE: Reasonable Accommodation Request

I have to meet with a cardiologist to obtain requested paperwork.

The VA does not seem to be interested in putting anything in writing so I am having to see a provider outside the VA system.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Merritt, Lisa
Sent: Thursday, October 4, 2018 1:12 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Reasonable Accommodation Request

Hello Max,

I reached out last week and left another voicemail. Do you have any questions about the RA process? Anything we need to go over together?

Thank you,

Lisa Merritt | Asst. Reservist Program Manager
Public Assistance Division
Field Support Branch
FEMA | HQ
202-212-2524 | lisa.merritt@fema.dhs.gov
FEMA-PA-Reservist-Program@fema.dhs.gov

From: Merritt, Lisa
Sent: Wednesday, September 26, 2018 1:29 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Reasonable Accommodation Request

Hello Max,

I wanted to follow up on your reasonable accommodation. Please give me a call, so I can answer any questions you may have.

Thank you,

Lisa Merritt | Asst. Reservist Program Manager
Public Assistance Division
Field Support Branch
FEMA | HQ
202-212-2524 | lisa.merritt@fema.dhs.gov
FEMA-PA-Reservist-Program@fema.dhs.gov

From: Merritt, Lisa
Sent: Monday, September 17, 2018 3:11 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Reasonable Accommodation Request
Importance: High

Hello Max,

I have received your 256 Reasonable Accommodation Request Form. In addition, we will need supporting documentation from your health care provider (on letterhead) to provide to Office of Equal Rights. Below is the information that should be included in the letter for a reasonable accommodation request:

- The nature, severity, or duration of your impairment/disability
- The extent to which the impairment/disability limits your ability to perform your job
- Why you require the particular Reasonable Accommodation (what tools do you need to do your job i.e. chair, vehicle upgrade / please be very specific)
- How the accommodation you requested will assist you in performing the essential functions of the job

Please give me a call, so we can discuss.

Thank you,

Cadre Management Team

Public Assistance Division

Field Support Branch

FEMA/HQ

Reservists Line: 202-212-1028

FEMA-PA-Reservist-Program@fema.dhs.gov

Meindl, Max

From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:06 PM
To: Meindl, Max
Cc: FEMA-Reasonable-Accommodation
Subject: RA Request
Attachments: RA INFORMATION SHEET-Vista.doc; blank FEMA Form 256-0-1.pdf

Greetings, Mr. Meindl:

My name is Winston Brathwaite. I am a Reasonable Accommodation Analyst in the Office of Equal Rights. It has come to my attention that you may have recently applied for a reasonable accommodation. If that is the case, I will be the analyst assigned to your case. I have attached to this email for your convenience the RA information sheet, and a blank FEMA 256 Form. Once I have received these 2 completed forms, I will begin to expeditiously process your request.

The reasonable accommodation (RA) request process is a confidential one that must not be shared with anyone that does not have a need to know. Besides the supervisor of record (SOR) no other individual should be included or copied in the process, to preserve confidentiality. The RA process starts with the request of the employee for a reasonable accommodation (RA). The request can be done in any way, verbally, email, letter, etc. The SOR should request that the employee fill out a 256-0-1 form (Request for Reasonable Accommodation), attached, indicating what they are requesting as an accommodation, the reason for the request and if the request is time sensitive. The employee must sign and date the request. When an individual requests an RA, there should be an interactive process (meeting) between the SOR and the employee to better understand the employee's request and needs. If the disability is not obvious (visible), the SOR requests the employee to provide medical documentation to support the specific need for the RA requested. Sufficient medical information provides the following information:

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Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Meindl, Max
Sent: Monday, October 15, 2018 1:16 PM
To: Brathwaite, Winston
Cc: FEMA-Reasonable-Accommodation
Subject: RE: RA Request
Attachments: Reasonable Accommodation-FEMA Form 256-0-1-08232018.pdf

Previously sent to my supervisor as follows:

*From: Meindl, Max
Sent: Thursday, August 23, 2018 1:08 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RA
See attached
Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov*

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:06 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RA Request

Greetings, Mr. Meindl:

My name is Winston Brathwaite. I am a Reasonable Accommodation Analyst in the Office of Equal Rights. It has come to my attention that you may have recently applied for a reasonable accommodation. If that is the case, I will be the analyst assigned to your case. I have attached to this email for your convenience the RA information sheet, and a blank FEMA 256 Form. Once I have received these 2 completed forms, I will begin to expeditiously process your request.

The reasonable accommodation (RA) request process is a confidential one that must not be shared with anyone that does not have a need to know. Besides the supervisor of record (SOR) no other individual should be included or copied in the process, to

preserve confidentiality. The RA process starts with the request of the employee for a reasonable accommodation (RA). The request can be done in any way, verbally, email, letter, etc. The SOR should request that the employee fill out a 256-0-1 form (Request for Reasonable Accommodation), attached, indicating what they are requesting as an accommodation, the reason for the request and if the request is time sensitive. The employee must sign and date the request. When an individual requests an RA, there should be an interactive process (meeting) between the SOR and the employee to better understand the employee's request and needs. If the disability is not obvious (visible), the SOR requests the employee to provide medical documentation to support the specific need for the RA requested. Sufficient medical information provides the following information:

- Nature, severity and duration of the disability
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- How the impairment of the major life activity or activities affects the performance of the essential functions of the individual's position
- Limitations that the disability imposes on the individual as related to the performance of the essential functions of the individual's position
- How the RA requested will assist the employee in the performance of the essential functions of the position

In FEMA, the supervisor of record (SOR) is the individual that makes the decision of approving, denying or granting an alternate RA, after having an interactive discussion with the employee. OER staff can participate as facilitators, or neutral parties in the interactive discussion, if needed. The RA Analysts in the Office of Equal Rights (OER) RA Unit assist/facilitate the process. As the RA Analyst for this case, I will provide advice regarding the law, the policy and procedure and can provide assistance with the language of the response to the RA, if needed. If you need further assistance, or have any questions, please let me know.

Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:18 PM
To: Meindl, Max
Cc: FEMA-Reasonable-Accommodation
Subject: RE: RA Request

Thanks for your response, Mr. Meindl. I will follow up with your supervisor.

Best,
Winston

From: Meindl, Max
Sent: Monday, October 15, 2018 2:16 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RE: RA Request

Previously sent to my supervisor as follows:

*From: Meindl, Max
Sent: Thursday, August 23, 2018 1:08 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RA
See attached
Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov*

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:06 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RA Request

Greetings, Mr. Meindl:

My name is Winston Brathwaite. I am a Reasonable Accommodation Analyst in the Office of Equal Rights. It has come to my attention that you may have recently applied for a reasonable accommodation. If that is the case, I will be the analyst assigned to your case. I have attached to this email for your convenience the RA information sheet, and a blank FEMA 256 Form. Once I have received these 2 completed forms, I will begin to expeditiously process your request.

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Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Meindl, Max
Sent: Monday, October 15, 2018 2:02 PM
To: Brathwaite, Winston
Cc: FEMA-Reasonable-Accommodation
Subject: RE: RA Request
Attachments: RA INFORMATION SHEET-Vista-Meindl.doc; RA information.pdf; Reasonable Accommodation-FEMA Form 256-0-1-08232018.pdf

FYI

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:18 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RE: RA Request

Thanks for your response, Mr. Meindl. I will follow up with your supervisor.

Best,
Winston

From: Meindl, Max
Sent: Monday, October 15, 2018 2:16 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RE: RA Request

Previously sent to my supervisor as follows:

*From: Meindl, Max
Sent: Thursday, August 23, 2018 1:08 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RA
See attached
Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division*

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RA Request

Greetings, Mr. Meindl:

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RA Analyst for this case, I will provide advice regarding the law, the policy and procedure and can provide assistance with the language of the response to the RA, if needed. If you need further assistance, or have any questions, please let me know.

Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Brathwaite, Winston
Sent: Monday, October 15, 2018 2:08 PM
To: Meindl, Max
Cc: FEMA-Reasonable-Accommodation; Terry, Detra
Subject: RE: RA Request

Thank you Mr. Meindl.

Ms. Terry, there is no need to request that Mr. Meindl complete the information form any longer. Thank you.

Best,
Winston

From: Meindl, Max
Sent: Monday, October 15, 2018 3:02 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RE: RA Request

FYI

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:18 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RE: RA Request

Thanks for your response, Mr. Meindl. I will follow up with your supervisor.

Best,
Winston

From: Meindl, Max
Sent: Monday, October 15, 2018 2:16 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>

Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>

Subject: RE: RA Request

Previously sent to my supervisor as follows:

*From: Meindl, Max
Sent: Thursday, August 23, 2018 1:08 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RA
See attached
Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov*

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
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From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:06 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RA Request

Greetings, Mr. Meindl:

My name is Winston Brathwaite. I am a Reasonable Accommodation Analyst in the Office of Equal Rights. It has come to my attention that you may have recently applied for a reasonable accommodation. If that is the case, I will be the analyst assigned to your case. I have attached to this email for your convenience the RA information sheet, and a blank FEMA 256 Form. Once I have received these 2 completed forms, I will begin to expeditiously process your request.

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request and needs. If the disability is not obvious (visible), the SOR requests the employee to provide medical documentation to support the specific need for the RA requested. Sufficient medical information provides the following information:

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Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA| DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Meindl, Max
Sent: Monday, October 15, 2018 2:10 PM
To: Brathwaite, Winston
Cc: FEMA-Reasonable-Accommodation; Terry, Detra
Subject: RE: RA Request

10-4, thank you Winston, appreciate your efforts.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Brathwaite, Winston
Sent: Monday, October 15, 2018 2:08 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RE: RA Request

Thank you Mr. Meindl.

Ms. Terry, there is no need to request that Mr. Meindl complete the information form any longer. Thank you.

Best,
Winston

From: Meindl, Max
Sent: Monday, October 15, 2018 3:02 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RE: RA Request

FYI

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426



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From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:18 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RE: RA Request

Thanks for your response, Mr. Meindl. I will follow up with your supervisor.

Best,
Winston

From: Meindl, Max
Sent: Monday, October 15, 2018 2:16 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RE: RA Request

Previously sent to my supervisor as follows:

*From: Meindl, Max
Sent: Thursday, August 23, 2018 1:08 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RA
See attached
Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov*

Max J Meindl, PMP
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From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:06 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RA Request

Greetings, Mr. Meindl:

My name is Winston Brathwaite. I am a Reasonable Accommodation Analyst in the Office of Equal Rights. It has come to my attention that you may have recently applied for a reasonable accommodation. If that is the case, I will be the analyst assigned to your case. I have attached to this email for your convenience the RA information sheet, and a blank FEMA 256 Form. Once I have received these 2 completed forms, I will begin to expeditiously process your request.

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Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Meindl, Max
Sent: Sunday, October 21, 2018 2:43 PM
To: femamax@gmail.com
Subject: Fwd: Reasonable Accommodation Request

Get [Outlook for iOS](#)

From: Merritt, Lisa
Sent: Thursday, October 4, 2018 1:23:25 PM
To: Meindl, Max
Subject: RE: Reasonable Accommodation Request

Ok, I'm just making sure I can answer any questions you may have. The note needs to be very descriptive and provide all information that I sent to you in bullet points.

Thank you,

Lisa Merritt | Asst. Reservist Program Manager
Public Assistance Division
Field Support Branch
FEMA | HQ
202-212-2524 | lisa.merritt@fema.dhs.gov
FEMA-PA-Reservist-Program@fema.dhs.gov

From: Meindl, Max
Sent: Thursday, October 4, 2018 2:16 PM
To: Merritt, Lisa <lisa.merritt@fema.dhs.gov>
Subject: RE: Reasonable Accommodation Request

I have to meet with a cardiologist to obtain requested paperwork.

The VA does not seem to be interested in putting anything in writing so I am having to see a provider outside the VA system.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Merritt, Lisa
Sent: Thursday, October 4, 2018 1:12 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Reasonable Accommodation Request

Hello Max,

I reached out last week and left another voicemail. Do you have any questions about the RA process? Anything we need to go over together?

Thank you,

Lisa Merritt | Asst. Reservist Program Manager
Public Assistance Division
Field Support Branch
FEMA | HQ
202-212-2524 | lisa.merritt@fema.dhs.gov
FEMA-PA-Reservist-Program@fema.dhs.gov

From: Merritt, Lisa
Sent: Wednesday, September 26, 2018 1:29 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Reasonable Accommodation Request

Hello Max,

I wanted to follow up on your reasonable accommodation. Please give me a call, so I can answer any questions you may have.

Thank you,

Lisa Merritt | Asst. Reservist Program Manager
Public Assistance Division
Field Support Branch
FEMA | HQ
202-212-2524 | lisa.merritt@fema.dhs.gov
FEMA-PA-Reservist-Program@fema.dhs.gov

From: Merritt, Lisa
Sent: Monday, September 17, 2018 3:11 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Reasonable Accommodation Request
Importance: High

Hello Max,

I have received your 256 Reasonable Accommodation Request Form. In addition, we will need supporting documentation from your health care provider (on letterhead) to provide to Office of Equal Rights. Below is the information that should be included in the letter for a reasonable accommodation request:

- The nature, severity, or duration of your impairment/disability
- The extent to which the impairment/disability limits your ability to perform your job
- Why you require the particular Reasonable Accommodation (what tools do you need to do your job i.e. chair, vehicle upgrade / please be very specific)
- How the accommodation you requested will assist you in performing the essential functions of the job

Please give me a call, so we can discuss.

Thank you,

Cadre Management Team

Public Assistance Division

Field Support Branch

FEMA/HQ

Reservists Line: 202-212-1028

FEMA-PA-Reservist-Program@fema.dhs.gov

Meindl, Max

From: Meindl, Max
Sent: Wednesday, October 24, 2018 10:57 AM
To: Brathwaite, Winston
Subject: RE: RA Request
Attachments: 2018_10_24_10_52_27.pdf; RA information.pdf

Winston,
Appreciate your correspondence and assistance.
Documents attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:06 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RA Request

Greetings, Mr. Meindl:

My name is Winston Brathwaite. I am a Reasonable Accommodation Analyst in the Office of Equal Rights. It has come to my attention that you may have recently applied for a reasonable accommodation. If that is the case, I will be the analyst assigned to your case. I have attached to this email for your convenience the RA information sheet, and a blank FEMA 256 Form. Once I have received these 2 completed forms, I will begin to expeditiously process your request.

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Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Brathwaite, Winston
Sent: Wednesday, October 24, 2018 11:13 AM
To: Meindl, Max
Cc: Terry, Detra
Subject: RE: RA Request
Attachments: blank FEMA Form 256-0-1.pdf

Thank you, Mr. Meindl:

Did you fill out the 256 Form as well? I don't see one for you on file. I have attached it to this email for your convenience. Also, for future reference, due to the confidential nature of the RA process, when sending medical documents, please password protect them. Once I receive the completed 256 Form, I will begin processing your request. Have a great day.

Respectfully,
Winston

From: Meindl, Max
Sent: Wednesday, October 24, 2018 11:57 AM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>
Subject: RE: RA Request

Winston,
Appreciate your correspondence and assistance.
Documents attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:06 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RA Request

Greetings, Mr. Meindl:

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Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Meindl, Max
Sent: Thursday, October 25, 2018 8:43 AM
To: Brathwaite, Winston
Subject: RE: RA Request
Attachments: Dr. Gay.pdf

It is included as page 2 and 3 of behind the doctors letter (2018-10-24-10-52-27 file), I've included it again for you.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Brathwaite, Winston
Sent: Wednesday, October 24, 2018 11:13 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RE: RA Request

Thank you, Mr. Meindl:

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Respectfully,
Winston

From: Meindl, Max
Sent: Wednesday, October 24, 2018 11:57 AM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>
Subject: RE: RA Request

Winston,
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Documents attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division



FEMA

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Respectfully,

Winston D. Brathwaite, J.D.

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Meindl, Max

From: Meindl, Max
Sent: Thursday, October 25, 2018 8:44 AM
To: Brathwaite, Winston
Subject: RE: RA Request
Attachments: Reasonable Accommodation-FEMA Form 256-0-1-08232018-10252018.pdf

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Brathwaite, Winston
Sent: Wednesday, October 24, 2018 11:13 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RE: RA Request

Thank you, Mr. Meindl:

Did you fill out the 256 Form as well? I don't see one for you on file. I have attached it to this email for your convenience. Also, for future reference, due to the confidential nature of the RA process, when sending medical documents, please password protect them. Once I receive the completed 256 Form, I will begin processing your request. Have a great day.

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Winston

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Subject: RE: RA Request

Winston,
Appreciate your correspondence and assistance.
Documents attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
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FEMA

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From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:06 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RA Request

Greetings, Mr. Meindl:

My name is Winston Brathwaite. I am a Reasonable Accommodation Analyst in the Office of Equal Rights. It has come to my attention that you may have recently applied for a reasonable accommodation. If that is the case, I will be the analyst assigned to your case. I have attached to this email for your convenience the RA information sheet, and a blank FEMA 256 Form. Once I have received these 2 completed forms, I will begin to expeditiously process your request.

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Winston D. Brathwaite, J.D.

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Meindl, Max

From: Meindl, Max
Sent: Thursday, October 25, 2018 8:45 AM
To: Brathwaite, Winston
Subject: FW: RA Request
Attachments: RA INFORMATION SHEET-Vista-Meindl.doc; RA information.pdf; Reasonable Accommodation-FEMA Form 256-0-1-08232018.pdf

I sent this email to you on the 15th.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Meindl, Max
Sent: Monday, October 15, 2018 2:02 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RE: RA Request

FYI

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:18 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>

Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>

Subject: RE: RA Request

Thanks for your response, Mr. Meindl. I will follow up with your supervisor.

Best,
Winston

From: Meindl, Max

Sent: Monday, October 15, 2018 2:16 PM

To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>

Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>

Subject: RE: RA Request

Previously sent to my supervisor as follows:

From: Meindl, Max

Sent: Thursday, August 23, 2018 1:08 PM

To: Terry, Detra <detra.terry@fema.dhs.gov>

Subject: RA

See attached

Max J Meindl, PMP

Program Delivery Manager | Houston TRO

DHS | FEMA-Recovery Directorate

Public Assistance Division

FEMA/HQ

202-374-9426

max.meindl@fema.dhs.gov

Max J Meindl, PMP

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From: Brathwaite, Winston

Sent: Monday, October 15, 2018 1:06 PM

To: Meindl, Max <max.meindl@fema.dhs.gov>

Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>

Subject: RA Request

Greetings, Mr. Meindl:

My name is Winston Brathwaite. I am a Reasonable Accommodation Analyst in the Office of Equal Rights. It has come to my attention that you may have recently applied for a reasonable accommodation. If that is the case, I will be the analyst assigned

to your case. I have attached to this email for your convenience the RA information sheet, and a blank FEMA 256 Form. Once I have received these 2 completed forms, I will begin to expeditiously process your request.

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Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Meindl, Max
Sent: Thursday, October 25, 2018 9:28 AM
To: Brathwaite, Winston
Subject: RE: RA Request

Winston,
Forgot to thank you for your efforts.
Have a wonderful day....

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Sent: Wednesday, October 24, 2018 11:13 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RE: RA Request

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Winston

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Sent: Wednesday, October 24, 2018 11:57 AM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>
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Documents attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO



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Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RA Request

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Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Brathwaite, Winston
Sent: Thursday, October 25, 2018 9:33 AM
To: Meindl, Max
Subject: RE: RA Request

Thank you Max. Have these been sent to your SOR, Ms. Detra Terry?

Best,
Winston

From: Meindl, Max
Sent: Thursday, October 25, 2018 10:28 AM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>
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Meindl, Max

From: Meindl, Max
Sent: Thursday, October 25, 2018 10:35 AM
To: Brathwaite, Winston
Subject: RE: RA Request

At this time, just to you Winston.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
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To: Meindl, Max <max.meindl@fema.dhs.gov>

Greetings, Mr. Meindl:

My name is Winston Brathwaite. I am a Reasonable Accommodation Analyst in the Office of Equal Rights. It has come to my attention that you may have recently applied for a reasonable accommodation. If that is the case, I will be the analyst assigned to your case. I have attached to this email for your convenience the RA information sheet, and a blank FEMA 256 Form. Once I have received these 2 completed forms, I will begin to expeditiously process your request.

The reasonable accommodation (RA) request process is a confidential one that must not be shared with anyone that does not have a need to know. Besides the supervisor of record (SOR) no other individual should be included or copied in the process, to preserve confidentiality. The RA process starts with the request of the employee for a reasonable accommodation (RA). The request can be done in any way, verbally, email, letter, etc. The SOR should request that the employee fill out a 256-0-1 form (Request for Reasonable Accommodation), attached, indicating what they are requesting as an accommodation, the reason for the request and if the request is time sensitive. The employee must sign and date the request. When an individual requests an RA, there should be an interactive process (meeting) between the SOR and the employee to better understand the employee's request and needs. If the disability is not obvious (visible), the SOR requests the employee to provide medical documentation to support the specific need for the RA requested. Sufficient medical information provides the following information:

- Nature, severity and duration of the disability
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- How the impairment of the major life activity or activities affects the performance of the essential functions of the individual's position
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In FEMA, the supervisor of record (SOR) is the individual that makes the decision of approving, denying or granting an alternate RA, after having an interactive discussion with the employee. OER staff can participate as facilitators, or neutral parties in the interactive discussion, if needed. The RA Analysts in the Office of Equal Rights (OER) RA Unit assist/facilitate the process. As the RA Analyst for this case, I will provide advice regarding the law, the policy and procedure and can provide assistance with the language of the response to the RA, if needed. If you need further assistance, or have any questions, please let me know.

Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Meindl, Max
Sent: Thursday, October 25, 2018 4:39 PM
To: TERRY, DETRA S.
Subject: FW: RA Request
Attachments: Reasonable Accommodation-FEMA Form 256-0-1-08232018-10252018.pdf

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Meindl, Max
Sent: Thursday, October 25, 2018 8:43 AM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>
Subject: RE: RA Request

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Brathwaite, Winston
Sent: Wednesday, October 24, 2018 11:13 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>

Cc: Terry, Detra <detra.terry@fema.dhs.gov>

Subject: RE: RA Request

Thank you, Mr. Meindl:

Did you fill out the 256 Form as well? I don't see one for you on file. I have attached it to this email for your convenience. Also, for future reference, due to the confidential nature of the RA process, when sending medical documents, please password protect them. Once I receive the completed 256 Form, I will begin processing your request. Have a great day.

Respectfully,

Winston

From: Meindl, Max

Sent: Wednesday, October 24, 2018 11:57 AM

To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>

Subject: RE: RA Request

Winston,

Appreciate your correspondence and assistance.

Documents attached.

Max J Meindl, PMP

Program Delivery Manager | Houston TRO

DHS | FEMA-Recovery Directorate

Public Assistance Division

FEMA/HQ

202-374-9426

max.meindl@fema.dhs.gov



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From: Brathwaite, Winston

Sent: Monday, October 15, 2018 1:06 PM

To: Meindl, Max <max.meindl@fema.dhs.gov>

Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>

Subject: RA Request

Greetings, Mr. Meindl:

My name is Winston Brathwaite. I am a Reasonable Accommodation Analyst in the Office of Equal Rights. It has come to my attention that you may have recently applied for a reasonable accommodation. If that is the case, I will be the analyst assigned to your case. I have attached to this email for your convenience the RA information sheet, and a blank FEMA 256 Form. Once I have received these 2 completed forms, I will begin to expeditiously process your request.

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(Request for Reasonable Accommodation), attached, indicating what they are requesting as an accommodation, the reason for the request and if the request is time sensitive. The employee must sign and date the request. When an individual requests an RA, there should be an interactive process (meeting) between the SOR and the employee to better understand the employee's request and needs. If the disability is not obvious (visible), the SOR requests the employee to provide medical documentation to support the specific need for the RA requested. Sufficient medical information provides the following information:

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Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Meindl, Max
Sent: Wednesday, November 7, 2018 4:10 PM
To: Brathwaite, Winston; Merritt, Lisa; Henri, Foudiya; Goudy, Douglas
Cc: FEMA-Reasonable-Accommodation; Asaro, Karen; TERRY, DETRA S.; femamax@gmail.com
Subject: RE: RA Request

Winston,

I was just advised by my TFL (Detra Terry) that you were going to be closing my RA request and that I could open a new case. That is not acceptable to me.

I filed my initial RA on AUGUST 23rd 2018 and here we are on November 7th, 2018 with no resolution nor response.

I find that a tad unacceptable and would like to inquire as to why my request cannot be handled in a timely manner, approved or denied.

According to policy:

FEMA Manual 1430.1 Chg.1 December 3, 2002

4-4

Chapter 5

Time Frames

5-1. Processing Requests. FEMA will process requests for reasonable accommodation and provide accommodations, where they are appropriate, in as short a time frame as reasonably possible. FEMA recognizes, however, that the time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information. Time frames for processing requests and providing reasonable accommodation where no supporting information is required are as follows:

a. Requests from applicants for employment should be expedited when necessary to ensure the applicant's ability to compete for the position. However, these requests should not exceed ten (10) business days.

b. If a request from an employee is processed by the supervisor, the request should be processed, and the accommodation, if granted, provided within 15 business days from the date of receipt of the request. Requests for accommodation should be expedited when the accommodation is needed to enable the employee to participate in an Agency activity scheduled to occur in the near future.

(1) If the decision maker believes that it is necessary to obtain medical information to determine whether the requesting individual has a disability and/or to identify the functional limitations, the decision maker will request the information as soon as possible after his or her receipt of the request for accommodation. FEMA recognizes that the need for documentation may not become apparent until after the interactive process has begun.

(2) In cases where medical documentation is needed, the accommodation, if granted, will be provided within ten (10) business days for an applicant, and within 15 business days for an employee, from the date the decision maker receives the relevant information, absent any extenuating circumstances.

c. Where the Disability Program Manager is the decision maker on a request for reasonable accommodation, he/she will make a decision on the request and the accommodation, if granted, will be provided within 15 business days from the date of the request. If medical documentation is necessary, the decision will be made within 15 business days of receipt of the medical information, absent any extenuating circumstances.

All requested appropriate documentation has been provided as requested including my doctors statement.

Please advise soonest.

Max J Meindl, PMP

Program Delivery Manager | Houston TRO

DHS | FEMA-Recovery Directorate

Public Assistance Division

FEMA/HQ

202-374-9426

max.meindl@fema.dhs.gov



FEMA

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From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:06 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RA Request

Greetings, Mr. Meindl:

My name is Winston Brathwaite. I am a Reasonable Accommodation Analyst in the Office of Equal Rights. It has come to my attention that you may have recently applied for a reasonable accommodation. If that is the case, I will be the analyst assigned to your case. I have attached to this email for your convenience the RA information sheet, and a blank FEMA 256 Form. Once I have received these 2 completed forms, I will begin to expeditiously process your request.

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- How the RA requested will assist the employee in the performance of the essential functions of the position

In FEMA, the supervisor of record (SOR) is the individual that makes the decision of approving, denying or granting an alternate RA, after having an interactive discussion with the employee. OER staff can participate as facilitators, or neutral parties in the interactive discussion, if needed. The RA Analysts in the Office of Equal Rights (OER) RA Unit assist/facilitate the process. As the RA Analyst for this case, I will provide advice regarding the law, the policy and procedure and can provide assistance with the language of the response to the RA, if needed. If you need further assistance, or have any questions, please let me know.

Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Brathwaite, Winston
Sent: Thursday, November 8, 2018 6:47 AM
To: Meindl, Max
Cc: Terry, Detra
Subject: FW: RA Request

Greetings, Mr. Meindl:

Please see the email string below. Supervisors of Record have 30 days within which to render a decision on a reasonable accommodation request. As you mentioned in your email to me, your request was submitted in August. It is now going on almost 120 days with no decision rendered. We cannot allow this case to languish any further. If the SOR is prepared to render a decision the case can be processed and closed. If not, the case will be closed until the SOR is prepared to render a decision. I hope this helps.

Respectfully,
Winston

From: Brathwaite, Winston
Sent: Wednesday, November 7, 2018 12:10 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: FW: RA Request

From: Brathwaite, Winston
Sent: Wednesday, November 7, 2018 12:06 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>
Subject: RE: RA Request

Greetings, Ms. Terry. I have not heard anything back. I will therefore close this case. If you are the employee want to proceed, a new case can be opened. Thank you.

Respectfully,
Winston

From: Brathwaite, Winston
Sent: Wednesday, October 31, 2018 11:03 AM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RE: RA Request

Greetings, Ms. Terry:

Following up on the below e-mail. Please let me know the status. Thank you.

Regards,
Winston

From: Brathwaite, Winston
Sent: Thursday, October 25, 2018 2:44 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: FW: RA Request

Greetings, Ms. Terry:

Here are the RA documents you will need to review in order to make the determination to grant or deny Mr. Max Meindl's reasonable accommodation request. As the SOR, you are the deciding official. Page 2 of the 256 form should be completed by you. Please indicate in box #2 if the request is approved or denied. In box #16, please provide an explanation of what is being granted, why it is being granted, and for what period of time. If you have any questions, please let me know.

Respectfully,
Winston

From: Meindl, Max
Sent: Thursday, October 25, 2018 9:45 AM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>
Subject: FW: RA Request

I sent this email to you on the 15th.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Meindl, Max
Sent: Monday, October 15, 2018 2:02 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RE: RA Request

FYI

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:18 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RE: RA Request

Thanks for your response, Mr. Meindl. I will follow up with your supervisor.

Best,
Winston

From: Meindl, Max
Sent: Monday, October 15, 2018 2:16 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RE: RA Request

Previously sent to my supervisor as follows:

*From: Meindl, Max
Sent: Thursday, August 23, 2018 1:08 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RA
See attached
Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov*

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
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max.meindl@fema.dhs.gov



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From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:06 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RA Request

Greetings, Mr. Meindl:

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Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Merritt, Lisa
Sent: Thursday, November 8, 2018 6:51 AM
To: Meindl, Max; Brathwaite, Winston; Henri, Foudiya
Subject: RE: RA Request

Good morning Max,

I spoke with you several weeks ago and discussed that we received your RA Request Form, but no healthcare documentation. At that time, you said you would need to meet with a cardiologist to obtain requested paperwork. We are more than happy to assist you with the process. Will you be able to provide documentation shortly? Would you like to have another discussion as to what is required in the physician's note? I believe you are requesting a reasonable accommodation to telework. Have you spoke with field leadership and Equal Rights to see if they can accommodate this request and work from an alternative location?

Thank you,

Lisa Merritt | Asst. Reservist Program Manager
Public Assistance Division
Field Support Branch
FEMA | HQ
202-212-2524 | lisa.merritt@fema.dhs.gov
FEMA-PA-Reservist-Program@fema.dhs.gov

From: Meindl, Max
Sent: Wednesday, November 7, 2018 5:10 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; Merritt, Lisa <lisa.merritt@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Asaro, Karen <Karen.Asaro@fema.dhs.gov>; Terry, Detra <detra.terry@fema.dhs.gov>; femamax@gmail.com
Subject: RE: RA Request

Winston,
I was just advised by my TFL (Detra Terry) that you were going to be closing my RA request and that I could open a new case. That is not acceptable to me.
I filed my initial RA on AUGUST 23rd 2018 and here we are on November 7th, 2018 with no resolution nor response. I find that a tad unacceptable and would like to inquire as to why my request cannot be handled in a timely manner, approved or denied.

According to policy:

FEMA Manual 1430.1 Chg.1 December 3, 2002

4-4

Chapter 5

Time Frames

5-1. Processing Requests. FEMA will process requests for reasonable accommodation and provide accommodations, where they are appropriate, in as short a time frame as reasonably possible. FEMA recognizes, however, that the time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information. Time frames for processing requests and providing reasonable accommodation where no supporting information is required are as follows:
a. Requests from applicants for employment should be expedited when necessary to ensure the applicant's ability to compete for the position. However, these requests should not exceed ten (10) business days.

b. If a request from an employee is processed by the supervisor, the request should be processed, and the accommodation, if granted, provided within 15 business days from the date of receipt of the request. Requests for accommodation should be expedited when the accommodation is needed to enable the employee to participate in an Agency activity scheduled to occur in the near future.

(1) If the decision maker believes that it is necessary to obtain medical information to determine whether the requesting individual has a disability and/or to identify the functional limitations, the decision maker will request the information as soon as possible after his or her receipt of the request for accommodation. FEMA recognizes that the need for documentation may not become apparent until after the interactive process has begun.

(2) In cases where medical documentation is needed, the accommodation, if granted, will be provided within ten (10) business days for an applicant, and within 15 business days for an employee, from the date the decision maker receives the relevant information, absent any extenuating circumstances.

c. Where the Disability Program Manager is the decision maker on a request for reasonable accommodation, he/she will make a decision on the request and the accommodation, if granted, will be provided within 15 business days from the date of the request. If medical documentation is necessary, the decision will be made within 15 business days of receipt of the medical information, absent any extenuating circumstances.

All requested appropriate documentation has been provided as requested including my doctors statement.

Please advise soonest.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Brathwaite, Winston
Sent: Monday, October 15, 2018 1:06 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>
Subject: RA Request

Greetings, Mr. Meindl:

My name is Winston Brathwaite. I am a Reasonable Accommodation Analyst in the Office of Equal Rights. It has come to my attention that you may have recently applied for a reasonable accommodation. If that is the case, I will be the analyst assigned to your case. I have attached to this email for your convenience the RA information sheet, and a blank FEMA 256 Form. Once I have received these 2 completed forms, I will begin to expeditiously process your request.

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Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Brathwaite, Winston
Sent: Thursday, November 8, 2018 6:54 AM
To: Merritt, Lisa
Cc: Meindl, Max; Terry, Detra; Henri, Foudiya
Subject: FW: RA Request

FYSA

From: Brathwaite, Winston
Sent: Thursday, November 8, 2018 7:47 AM
To: Meindl, Max <max.meindl@dhs.gov>
Cc: Terry, Detra <detra.terry@dhs.gov>
Subject: FW: RA Request

Greetings, Mr. Meindl:

Please see the email string below. Supervisors of Record have 30 days within which to render a decision on a reasonable accommodation request. As you mentioned in your email to me, your request was submitted in August. It is now going on almost 120 days with no decision rendered. We cannot allow this case to languish any further. If the SOR is prepared to render a decision the case can be processed and closed. If not, the case will be closed until the SOR is prepared to render a decision. I hope this helps.

Respectfully,
Winston

From: Brathwaite, Winston
Sent: Wednesday, November 7, 2018 12:10 PM
To: Terry, Detra <detra.terry@dhs.gov>
Subject: FW: RA Request

From: Brathwaite, Winston
Sent: Wednesday, November 7, 2018 12:06 PM
To: Brathwaite, Winston <winston.d.brathwaite@dhs.gov>
Subject: RE: RA Request

Greetings, Ms. Terry. I have not heard anything back. I will therefore close this case. If you are the employee want to proceed, a new case can be opened. Thank you.

Respectfully,
Winston

From: Brathwaite, Winston
Sent: Wednesday, October 31, 2018 11:03 AM
To: Terry, Detra <detra.terry@dhs.gov>
Subject: RE: RA Request

Greetings, Ms. Terry:

Following up on the below e-mail. Please let me know the status. Thank you.

Regards,
Winston

From: Brathwaite, Winston
Sent: Thursday, October 25, 2018 2:44 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: FW: RA Request

Greetings, Ms. Terry:

Here are the RA documents you will need to review in order to make the determination to grant or deny Mr. Max Meindl's reasonable accommodation request. As the SOR, you are the deciding official. Page 2 of the 256 form should be completed by you. Please indicate in box #2 if the request is approved or denied. In box #16, please provide an explanation of what is being granted, why it is being granted, and for what period of time. If you have any questions, please let me know.

Respectfully,
Winston

From: Meindl, Max
Sent: Thursday, October 25, 2018 9:45 AM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>
Subject: FW: RA Request

I sent this email to you on the 15th.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Subject: RE: RA Request

FYI

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DHS | FEMA-Recovery Directorate
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From: Brathwaite, Winston

Sent: Monday, October 15, 2018 1:18 PM

To: Meindl, Max <max.meindl@fema.dhs.gov>

Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>

Subject: RE: RA Request

Thanks for your response, Mr. Meindl. I will follow up with your supervisor.

Best,

Winston

From: Meindl, Max

Sent: Monday, October 15, 2018 2:16 PM

To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>

Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>

Subject: RE: RA Request

Previously sent to my supervisor as follows:

From: Meindl, Max

Sent: Thursday, August 23, 2018 1:08 PM

To: Terry, Detra <detra.terry@fema.dhs.gov>

Subject: RA

See attached

Max J Meindl, PMP

Program Delivery Manager | Houston TRO

DHS | FEMA-Recovery Directorate

Public Assistance Division

FEMA/HQ

202-374-9426

max.meindl@fema.dhs.gov

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Meindl, Max

From: Meindl, Max
Sent: Thursday, November 8, 2018 7:26 AM
To: Brathwaite, Winston; Merritt, Lisa
Cc: Terry, Detra; Henri, Foudiya
Subject: Re: RA Request

Doctors Information was provided to Winston several weeks ago

Get [Outlook for iOS](#)

From: Brathwaite, Winston
Sent: Thursday, November 8, 2018 6:53:54 AM
To: Merritt, Lisa
Cc: Meindl, Max; Terry, Detra; Henri, Foudiya
Subject: FW: RA Request

FYSA

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Sent: Thursday, November 8, 2018 7:47 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Terry, Detra <detra.terry@fema.dhs.gov>
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Winston

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Subject: FW: RA Request

I sent this email to you on the 15th.

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Subject: RA Request

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Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Brathwaite, Winston
Sent: Thursday, November 8, 2018 7:31 AM
To: Meindl, Max
Cc: Terry, Detra; Merritt, Lisa; Henri, Foudiya
Subject: FW: RA Request
Attachments: RA INFORMATION SHEET-Vista-Meindl.doc; RA information.pdf; Reasonable Accommodation-FEMA Form 256-0-1-08232018.pdf; Reasonable Accommodation-FEMA Form 256-0-1-08232018.pdf

FYSA. Documentation was forwarded to the SOR. Did the employee provide the medical documentation requested by the SOR/cadre to his SOR?

From: Brathwaite, Winston
Sent: Thursday, October 25, 2018 2:44 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: FW: RA Request

Greetings, Ms. Terry:

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Winston

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Subject: RE: RA Request

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Greetings, Mr. Meindl:

My name is Winston Brathwaite. I am a Reasonable Accommodation Analyst in the Office of Equal Rights. It has come to my attention that you may have recently applied for a reasonable accommodation. If that is the case, I will be the analyst assigned to your case. I have attached to this email for your convenience the RA information sheet, and a blank FEMA 256 Form. Once I have received these 2 completed forms, I will begin to expeditiously process your request.

The reasonable accommodation (RA) request process is a confidential one that must not be shared with anyone that does not have a need to know. Besides the supervisor of record (SOR) no other individual should be included or copied in the process, to preserve confidentiality. The RA process starts with the request of the employee for a reasonable accommodation (RA). The request can be done in any way, verbally, email, letter, etc. The SOR should request that the employee fill out a 256-0-1 form (Request for Reasonable Accommodation), attached, indicating what they are requesting as an accommodation, the reason for the request and if the request is time sensitive. The employee must sign and date the request. When an individual requests an RA, there should be an interactive process (meeting) between the SOR and the employee to better understand the employee's request and needs. If the disability is not obvious (visible), the SOR requests the employee to provide medical documentation to support the specific need for the RA requested. Sufficient medical information provides the following information:

- Nature, severity and duration of the disability
- What major life activity or activities the disability impairs
- How the impairment of the major life activity or activities affects the performance of the essential functions of the individual's position
- Limitations that the disability imposes on the individual as related to the performance of the essential functions of the individual's position
- How the RA requested will assist the employee in the performance of the essential functions of the position

In FEMA, the supervisor of record (SOR) is the individual that makes the decision of approving, denying or granting an alternate RA, after having an interactive discussion with the employee. OER staff can participate as facilitators, or neutral parties in the interactive discussion, if needed. The RA Analysts in the Office of Equal Rights (OER) RA Unit assist/facilitate the process. As the RA Analyst for this case, I will provide advice regarding the law, the policy and procedure and can provide assistance with the language of the response to the RA, if needed. If you need further assistance, or have any questions, please let me know.

Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Brathwaite, Winston
Sent: Thursday, November 8, 2018 8:53 AM
To: McAllister, Jamie
Cc: Meindl, Max
Subject: RA Request
Attachments: Dr. Gay (002).pdf; RA INFORMATION SHEET-Vista-Meindl (005).pdf; Reasonable Accommodation-FEMA Form 256-0-1-08232018 (005).pdf; blank FEMA Form 256-0-1.pdf

Greetings, Ms. McAllister:

It was a pleasure to talk to you on the phone. Per our conversation, Mr. Max Meindl has filed a request for a reasonable accommodation. I am the Reasonable Accommodation Analyst assigned to the case and will be working with you on the request. If you are not familiar with the process, the reasonable accommodation (RA) request process is a confidential one that must not be shared with anyone that does not have a need to know. Besides the supervisor of record (SOR), no other individual should be included or copied in the process, to preserve confidentiality. The RA process starts with the request of the employee for a reasonable accommodation (RA), attached. The request can be done in any way, verbally, email, letter, etc. The SOR should request that the employee fill out a 256-0-1 form (Request for Reasonable Accommodation), attached, indicating what they are requesting as an accommodation, the reason for the request and if the request is time sensitive. The employee must sign and date the request. When an individual requests an RA, there should be an interactive process (meeting) between the SOR and the employee to better understand the employee's request and needs. If the disability is not obvious (visible), or the SOR is not familiar with the employee's circumstances, the SOR requests the employee to provide medical documentation to support the need for the RA requested. Sufficient medical information provides the following information:

- Nature, severity and duration of the disability
- What major life activity or activities the disability impairs
- How the impairment of the major life activity or activities affects the performance of the essential functions of the individual's position
- Limitations that the disability imposes on the individual as related to the performance of the essential functions of the individual's position
- How the RA requested will assist the employee in the performance of the essential functions of the position

Since the medical provider may not be familiar with the essential functions of the employee's position, here is some guidance to be applied in making the decision, regarding how essential functions are determined, as outlined in FEMA's RA policy:

Essential functions are "those job duties so fundamental to the position that the individual holds or desires that he/she cannot do the job without performing them. A function can be "essential" if, among other things, the position exists specifically to perform that function; there are a limited number of other employees who could perform the function; and/or the function is highly specialized and the individual is hired based on his/her expertise or ability to perform it. Determination of the essential functions of a position must be done on a case-by-case basis so that it reflects the job as actually performed, and not simply the components of a generic position description."

In FEMA, the supervisor of record (SOR) is the individual that makes the decision of approving, denying or granting an alternate RA, after having an interactive discussion with the employee. OER staff can participate as facilitators, or neutral parties in the interactive discussion, if needed. OER's role is to assist managers with the timely processing of reasonable accommodation requests consistent with all relevant statutes, regulations, EEOC, case law and the FEMA RA Policy. A supervisor has 30 days to make a decision on the employee's request. As the RA Analyst assigned to this case, I will provide advice to you regarding the law, the policy and procedure and can provide assistance with the language of the response to the RA, if needed. I have also attached Mr. Meindl's RA information sheet for you. Please also note that page 2 of the 256 Form must be filled out by you, with block 2 indicating whether the request is granted, and block 16 providing an explanation for what is being granted, and for what period of time. I have attached a blank 256 Form so that you can complete and return page 2 of it to me. I have also attached the medical documentation provided by Mr. Meindl's health care provider. Because it includes pii, I have password protected it. The password will be sent to you in a separate email. If you have any questions, or need any assistance, please let me know. I look forward to working with you.

Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Meindl, Max
Sent: Thursday, November 8, 2018 1:36 PM
To: femamax@gmail.com
Subject: FW: RA Request
Attachments: Dr. Gay (002).pdf; RA INFORMATION SHEET-Vista-Meindl (005).pdf; Reasonable Accommodation-FEMA Form 256-0-1-08232018 (005).pdf; blank FEMA Form 256-0-1.pdf

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Brathwaite, Winston
Sent: Thursday, November 8, 2018 8:53 AM
To: McAllister, Jamie <jamie.mcallister@fema.dhs.gov>
Cc: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RA Request

Greetings, Ms. McAllister:

It was a pleasure to talk to you on the phone. Per our conversation, Mr. Max Meindl has filed a request for a reasonable accommodation. I am the Reasonable Accommodation Analyst assigned to the case and will be working with you on the request. If you are not familiar with the process, the reasonable accommodation (RA) request process is a confidential one that must not be shared with anyone that does not have a need to know. Besides the supervisor of record (SOR), no other individual should be included or copied in the process, to preserve confidentiality. The RA process starts with the request of the employee for a reasonable accommodation (RA), attached. The request can be done in any way, verbally, email, letter, etc. The SOR should request that the employee fill out a 256-0-1 form (Request for Reasonable Accommodation), attached, indicating what they are requesting as an accommodation, the reason for the request and if the request is time sensitive. The employee must sign and date the request. When an individual requests an RA, there should be an interactive process (meeting) between the SOR and the employee to better understand the employee's request and needs. If the disability is not obvious (visible), or the SOR is not familiar with the employee's circumstances, the SOR requests the employee to provide medical documentation to support the need for the RA requested. Sufficient medical information provides the following information:

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Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Brathwaite, Winston
Sent: Wednesday, November 14, 2018 2:21 PM
To: Meindl, Max
Cc: Terry, Detra
Subject: 256 Form
Attachments: RA INFORMATION SHEET-empl.doc; blank FEMA Form 256-0-1.pdf

Greetings, Mr. Meindl:

I just spoke to your Supervisor of Record, Ms. Detra Terry, who is included in this email, regarding your recent reasonable accommodation request. Now that it appears all the documents are ready, this should hopefully not take very long to process. I have attached a blank 256 Form to this email for you to fill out at your convenience, as well as an RA information sheet. Once completed, these and the other supporting documentation for your request can be submitted via email to the FEMA-Reasonable-Accommodation@fema.dhs.gov inbox for re-assignment. Thank you very much.

Respectfully,

Winston D. Brathwaite, J.D.

Affirmative Employment Specialist | AEP/RA| DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Efax: | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov

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Meindl, Max

From: Meindl, Max
Sent: Thursday, November 15, 2018 9:22 AM
To: Brathwaite, Winston
Cc: Terry, Detra
Subject: RE: 256 Form

Winston,
I've already submitted all of these documents and my supervisor of record, per our discussion last week (11/08/2018 @ 08:21 HRS for 2 minutes), is:

*Jamie McAllister
Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
(202) 709-0851 Cell
jamie.mcallister@fema.dhs.gov*

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Brathwaite, Winston
Sent: Wednesday, November 14, 2018 2:21 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: 256 Form

Greetings, Mr. Meindl:

I just spoke to your Supervisor of Record, Ms. Detra Terry, who is included in this email, regarding your recent reasonable accommodation request. Now that it appears all the documents are ready, this should hopefully not take very long to process. I have attached a blank 256 Form to this email for you to fill out at your convenience, as well as an RA information sheet. Once completed, these and the other supporting documentation for your request can be submitted via email to the FEMA-Reasonable-Accommodation@fema.dhs.gov inbox for re-assignment. Thank you very much.

Respectfully,

Winston D. Brathwaite, J.D.

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Meindl, Max

From: femamax@gmail.com
Sent: Wednesday, December 12, 2018 3:50 PM
To: Meindl, Max
Subject: ra

December 12th, 2018

On or about August 13th, 2018, I submitted a Reasonable Accommodation (RA) request for consideration/processing. As of this date, I've received no answer, up or down, concerning my request. Although the RA request has passed through many hands/personnel from Washington D/C. to Houston to Austin, no one has seen it important enough to respond to my RA request. When considering that over four (4) months have passed since my initial RA request, it would be safe to say that policy governing this specific RA request has not been complied with. I am respectfully requesting that a response to my RA request be provided forthwith as required by FEMA policy. I am at a loss in trying to understand the lack of response, in a timely manner, as required by policy. Would someone, willing to take ownership, please respond to the RA on file since August 13th, 2018? All requested and required information has been provided per policy and if you have any questions, please feel free to contact me. As a veteran and senior citizen with a documented disability in my files, it is incumbent upon someone to step forward and address this egregious oversight/situation soonest.

Meindl, Max

From: Fernandez, Luz
Sent: Wednesday, December 12, 2018 4:09 PM
To: Meindl, Max
Subject: Automatic reply: Reasonable Accommodation (RA) request

Greetings -

I'm out of the office on extended leave. I will have limited access to my phone and e-mails. For urgent matters, call the Office of Equal Rights Reasonable Accommodation Unit at 202-212-3535 Option 2.

Please forward all requests for reasonable accommodations directly to FEMA Reasonable Accommodation mailbox:
FEMA-Reasonable-Accommodation@fema.dhs.gov.

For ASL Reasonable Accommodations support, email: **FEMA-Reasonable- Accommodation@fema.dhs.gov**, copy
Carol Curtis: **Carol.Curtis@fema.dhs.gov** and **Gavin Junkins** at **gavin.n.junkins@fema.dhs.gov**.

Thank you -

Luz A. Fernandez

Meindl, Max

From: Henri, Foudiya
Sent: Wednesday, December 12, 2018 4:09 PM
To: Meindl, Max
Subject: Automatic reply: Reasonable Accommodation (RA) request

I am out on use or lose leave from DEC. 10 - JAN. 5.

For a NEW RA Request please forward directly to FEMA-Reasonable-Accommodation@fema.dhs.gov for a RA Team member to assist.

For follow up to an existing request my back up while I am away is Mr. Winston.

Brathwaite@fema.dhs.gov. For follow up please contact Mr. Brathwaite directly and copy me. You do not need to copy the FEMA RA mailbox.

Thank you
Foudiya Henri
DHS-FEMA
Office of Equal Rights
202-212-4490 Desk
202-394-4633 Cell

Meindl, Max

From: Brathwaite, Winston
Sent: Thursday, December 13, 2018 6:38 AM
To: Meindl, Max
Subject: RE: Reasonable Accommodation (RA) request

Mr. Meindl,

I was under the impression your SOR was granted. Please contact your SOR for clarification.

From: Meindl, Max
Sent: Wednesday, December 12, 2018 5:09 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; McAllister, Jamie <jamie.mcallister@fema.dhs.gov>; Slie, Brian <Brian.Slie@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Oke, Nicole <nicoole.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; Merritt, Lisa <lisa.merritt@fema.dhs.gov>
Subject: Reasonable Accommodation (RA) request

To whom it may concern,
December 12th, 2018

On or about August 23th, 2018, I submitted a Reasonable Accommodation (RA) request for consideration/processing.

As of this date, I've received no answer, up or down, concerning my request.

Although the RA request has passed through many hands/personnel from Washington D/C. to Houston to Austin, no one has seen it important enough to respond to my RA request.

When considering that nearly four (4) months have passed since my initial RA request, it would be safe to say that policy governing this specific RA request has not been complied with.

I am respectfully requesting that a response to my RA request be provided forthwith as required by FEMA policy.

I am at a loss in trying to understand the lack of response, in a timely manner, as required by policy.

Would someone, willing to take ownership, please respond to the RA on file since August 13th, 2018?

All requested and required information has been provided per policy to Winston D. Brathwaite, J.D., Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov, and if you have any questions, please feel free to contact me.

As a veteran and senior citizen with a documented disability in my files, it is incumbent upon someone to step forward and address this egregious oversight/situation soonest.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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Meindl, Max

From: FEMA-Reasonable-Accommodation
Sent: Thursday, December 13, 2018 7:35 AM
To: Meindl, Max; Brathwaite, Winston
Cc: FEMA-Reasonable-Accommodation
Subject: RE: Reasonable Accommodation (RA) request

Good morning –

To whom did you submit your request? The supervisor of record is the decision maker on all RA request. OER's role is to provide technical guidance to managers and employees to ensure that RA requests are processed in accordance with FEMA's RA policy and the law.

I note that Winston in our office is the case manager assigned to this request. We will follow-up with you and your supervisor to determine the status of your request. As RAs are confidential, I have replied and omitted the other recipients included on the email below.

Donna M. Peterkin

Deputy Director
Office of Equal Rights (OER)



FEMA

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From: Meindl, Max
Sent: Wednesday, December 12, 2018 5:09 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; McAllister, Jamie <jamie.mcallister@fema.dhs.gov>; Slie, Brian <Brian.Slie@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Oke, Nicole <nicole.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; Merritt, Lisa <lisa.merritt@fema.dhs.gov>
Subject: Reasonable Accommodation (RA) request

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December 12th, 2018

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As a veteran and senior citizen with a documented disability in my files, it is incumbent upon someone to step forward and address this egregious oversight/situation soonest.

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Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
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Meindl, Max

From: Meindl, Max
Sent: Thursday, December 13, 2018 9:31 AM
To: TERRY, DETRA S.
Subject: FW: Reasonable Accommodation (RA) request

Detra,
Please see below and contact Jamie for me, please.
According to Winston, it was granted.
I'm at a loss to understand.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Brathwaite, Winston
Sent: Thursday, December 13, 2018 6:38 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Reasonable Accommodation (RA) request

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From: Meindl, Max
Sent: Wednesday, December 12, 2018 5:09 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; McAllister, Jamie <jamie.mcallister@fema.dhs.gov>; Slie, Brian <Brian.Slie@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Oke, Nicole <nicole.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Fouadiya <Fouadiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; Merritt, Lisa <lisa.merritt@fema.dhs.gov>
Subject: Reasonable Accommodation (RA) request

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Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Brathwaite, Winston
Sent: Thursday, December 13, 2018 6:38 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Reasonable Accommodation (RA) request

Mr. Meindl,

I was under the impression your SOR was granted. Please contact your SOR for clarification.

From: Meindl, Max
Sent: Wednesday, December 12, 2018 5:09 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; McAllister, Jamie <jamie.mcallister@fema.dhs.gov>; Slie, Brian <Brian.Slie@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Oke, Nicole <nicole.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; Merritt, Lisa <lisa.merritt@fema.dhs.gov>
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Meindl, Max

From: Meindl, Max
Sent: Thursday, December 13, 2018 10:05 AM
To: TERRY, DETRA S.
Subject: FW: Reasonable Accommodation (RA) request

Please see below, from Winston.

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DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Brathwaite, Winston
Sent: Thursday, December 13, 2018 6:38 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Reasonable Accommodation (RA) request

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Sent: Wednesday, December 12, 2018 5:09 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; McAllister, Jamie <jamie.mcallister@fema.dhs.gov>; Slie, Brian <Brian.Slie@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Oke, Nicole <nicoles.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; Merritt, Lisa <lisa.merritt@fema.dhs.gov>
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Meindl, Max

From: Meindl, Max
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Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Oke, Nicole <nicole.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; Merritt, Lisa <lisa.merritt@fema.dhs.gov>
Subject: Reasonable Accommodation (RA) request

To whom it may concern,

December 12th, 2018

On or about August 23th, 2018, I submitted a Reasonable Accommodation (RA) request for consideration/processing.

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Would someone, willing to take ownership, please respond to the RA on file since August 13th, 2018?

All requested and required information has been provided per policy to Winston D. Brathwaite, J.D., Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov, and if you have any questions, please feel free to contact me.

As a veteran and senior citizen with a documented disability in my files, it is incumbent upon someone to step forward and address this egregious oversight/situation soonest.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
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202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Brathwaite, Winston
Sent: Friday, December 14, 2018 9:36 AM
To: Meindl, Max
Subject: RE: Reasonable Accommodation (RA) request

Good morning Mr. Meindl:

Just wanted to follow up with you and let you know that I reached out to your SOR, Jamie McAllister this morning and left a voicemail. To the best of my knowledge Jamie is currently working on your RA.

Respectfully,
Winston

From: Meindl, Max
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To: Meindl, Max <max.meindl@fema.dhs.gov>
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Meindl, Max

From: Meindl, Max
Sent: Friday, December 14, 2018 1:17 PM
To: Brathwaite, Winston
Subject: RE: Reasonable Accommodation (RA) request

10-4 Winston, appreciate the update.
A box checked yes would pretty quick to do so
I'm guessing a reason to deny would take a bit longer.
All conjecture I admit, but no other way to look at it, in my opinion,

Have a great day!

Max J Meindl, PMP
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Meindl, Max

From: McAllister, Jamie
Sent: Friday, December 14, 2018 2:02 PM
To: Meindl, Max
Subject: RE: Reasonable Accommodation (RA) request

Max,

I apologize for the delay.

I submitted the response and you should be receiving it shortly from Winston. Please do not hesitate to reach out to me to discuss once you get it.

Jamie McAllister

Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
(202) 709-0851 Cell
jamie.mcallister@fema.dhs.gov

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Sent: Wednesday, December 12, 2018 4:09 PM

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Meindl, Max

From: Meindl, Max
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To: Brathwaite, Winston
Subject: FW: Reasonable Accommodation (RA) request

Well Winston, I received the email below from Jamie and apparently she sent the information to you and not to me but I guessing that it was a denial or a qualified denial.

Looking forward to hearing from you soonest.

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max.meindl@fema.dhs.gov



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From: McAllister, Jamie
Sent: Friday, December 14, 2018 2:02 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Reasonable Accommodation (RA) request

Max,

I apologize for the delay.

I submitted the response and you should be receiving it shortly from Winston. Please do not hesitate to reach out to me to discuss once you get it.

Jamie McAllister
Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
(202) 709-0851 Cell
jamie.mcallister@fema.dhs.gov

From: Meindl, Max
Sent: Wednesday, December 12, 2018 4:09 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; McAllister, Jamie <jamie.mcallister@fema.dhs.gov>; Slie, Brian <Brian.Slie@fema.dhs.gov>

Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Oke, Nicole <nicoole.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; Merritt, Lisa <lisa.merritt@fema.dhs.gov>

Subject: Reasonable Accommodation (RA) request

To whom it may concern,

December 12th, 2018

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All requested and required information has been provided per policy to Winston D. Brathwaite, J.D., Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov, and if you have any questions, please feel free to contact me.

As a veteran and senior citizen with a documented disability in my files, it is incumbent upon someone to step forward and address this egregious oversight/situation soonest.

Max J Meindl, PMP

Program Delivery Manager | Houston TRO

DHS | FEMA-Recovery Directorate

Public Assistance Division

FEMA/HQ

202-374-9426

max.meindl@fema.dhs.gov



FEMA

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Meindl, Max

From: Meindl, Max
Sent: Friday, December 14, 2018 2:29 PM
To: femamax@gmail.com
Subject: RA
Attachments: Reasonable Accommodation-FEMA Form 256-0-1-08232018.pdf; Request for Work Schedule FEMA Form 106-1-1-1 (002).pdf; RA INFORMATION SHEET-Vista-Meindl.doc; Dr. Gay.pdf; 123-9-0-1.pdf; 1430_1.pdf; fema_manual_1430_1_reasonable_accommodations.pdf; FM 123-9-1.pdf; MEDICAL TELEWORK REQUIREMENTS FORM.pdf; OPM telework agency2a-guide.pdf; TELEWORK REQUEST FOR 07242018-PLUS 4 HOURS SICK DAY.pdf; WH-382.pdf; WH-381.pdf; WH-380-E-1.pdf; wh-380-e.pdf; 123-9-0-1.pdf; TELEWORK REQUEST FOR 07242018-PLUS 4 HOURS SICK DAY.pdf; fema_manual_1430_1_reasonable_accommodations.pdf

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
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max.meindl@fema.dhs.gov



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Meindl, Max

From: Meindl, Max
Sent: Tuesday, February 12, 2019 1:49 PM
To: Brathwaite, Winston; Johnson, Jo Linda; Peterkin, Donna
Cc: FEMA-Reasonable-Accommodation; Fernandez, Luz; Maddox Britt, Sandra; Oke, Nicole; Goudy, Douglas; Henri, Foudiya; Avery, Darlene
Subject: RE: Reasonable Accommodation (RA) request

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Feb 12th 2019

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Subject: Reasonable Accommodation (RA) request

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202-374-9426
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Meindl, Max

From: Peterkin, Donna
Sent: Tuesday, February 12, 2019 1:50 PM
To: Meindl, Max
Subject: Automatic reply: Reasonable Accommodation (RA) request

Thank you for your email. I am out of the office on leave.

If you have an urgent Reasonable Accommodation matter, please contact Winston Braithwaite at Winston.Braithwaite@fema.dhs.gov.

Please see the following OER points of contact:

Reasonable Accommodation - FEMA-Reasonable-Accommodation@fema.dhs.gov
Anti-Harassment Unit - FEMA.Harassment@fema.dhs.gov

Meindl, Max

From: Oke, Nicole
Sent: Tuesday, February 12, 2019 2:22 PM
To: Meindl, Max; Brathwaite, Winston; Johnson, Jo Linda; Peterkin, Donna
Cc: FEMA-Reasonable-Accommodation; Fernandez, Luz; Maddox Britt, Sandra; Goudy, Douglas; Henri, Foudiya; Avery, Darlene
Subject: RE: Reasonable Accommodation (RA) request

Dear Mr. Meindl,

I will research the matter and circle back with a response and next steps.

Respectfully,

Nicole

Nicole Oke
Informal Unit Chief, Office of Equal Rights
DHS/Federal Emergency Management Agency
500 C Street, SW Room 4SW-0915
Washington, DC 20472-3505
Cell: 202.717.1595
E-mail: nicole.oke@fema.dhs.gov



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From: Meindl, Max
Sent: Tuesday, February 12, 2019 2:49 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; Johnson, Jo Linda <jolinda.johnson@fema.dhs.gov>; Peterkin, Donna <donna.peterkin@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Oke, Nicole <nicole.oke@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>
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Meindl, Max

From: Brathwaite, Winston
Sent: Tuesday, February 12, 2019 2:43 PM
To: Oke, Nicole; Meindl, Max; Johnson, Jo Linda; Peterkin, Donna
Cc: FEMA-Reasonable-Accommodation; Fernandez, Luz; Maddox Britt, Sandra; Goudy, Douglas; Henri, Foudiya; Avery, Darlene
Subject: RE: Reasonable Accommodation (RA) request

Hi Nicole. I was awaiting language from Mr. Meindl's cadre management to justify their denial of his request. I received that language and have been working on a draft response yesterday and today. I hope to have a draft completed by the end of this week.

Respectfully,
Winston

From: Oke, Nicole
Sent: Tuesday, February 12, 2019 3:22 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>; Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; Johnson, Jo Linda <jlinda.johnson@fema.dhs.gov>; Peterkin, Donna <donna.peterkin@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>
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Nicole Oke
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Merritt, Lisa <lisa.merritt@fema.dhs.gov>
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Meindl, Max

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Cc: FEMA-Reasonable-Accommodation; Fernandez, Luz; Maddox Britt, Sandra; Goudy, Douglas; Henri, Foudiya; Avery, Darlene; TERRY, DETRA S.; 'rick@guerradays.com'; Slie, Brian; McAllister, Jamie
Subject: RE: Reasonable Accommodation (RA) request

Nicole,

As of this date I've yet to receive an answer to my RA request filed in August of 2018.

I am at a loss trying to understand how FEMA/DHS policy can be so blatantly ignored/violated in such a casual manner by so many. My request was based on a serious heart condition requiring a bit of flexibility in my morning schedule to accommodate issues I face daily.

My heart surgery, which was scheduled for 01/25/2019, had to be postponed/rescheduled for a different time, but I am hoping it will be soon.

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NOTE: Equal Rights Office policy requires the agency to provide requested Reasonable Accommodation within 10 days, barring extenuating circumstances.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Oke, Nicole
Sent: Tuesday, February 12, 2019 2:22 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>; Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; Johnson, Jo Linda <jolinda.johnson@fema.dhs.gov>; Peterkin, Donna <donna.peterkin@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>
Subject: RE: Reasonable Accommodation (RA) request

Dear Mr. Meindl,

I will research the matter and circle back with a response and next steps.

Respectfully,

Nicole

Nicole Oke
Informal Unit Chief, Office of Equal Rights
DHS/Federal Emergency Management Agency
500 C Street, SW Room 4SW-0915
Washington, DC 20472-3505
Cell: 202.717.1595
E-mail: nicole.oke@fema.dhs.gov



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As a veteran and senior citizen with a documented disability in my files, it is incumbent upon someone to step forward and address this egregious oversight/situation soonest.

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Meindl, Max

From: Johnson, Jo Linda
Sent: Wednesday, February 27, 2019 4:01 PM
To: Meindl, Max
Subject: Automatic reply: Reasonable Accommodation (RA) request

Thank you for your email. I am TDY the week of February 25. I will return to the office March 4, 2019. I will check email periodically. Thank you for your patience with any delay in responding.

Jo Linda Johnson
Director
Office of Equal Rights
DHS/FEMA

Meindl, Max

From: Goudy, Douglas
Sent: Wednesday, February 27, 2019 4:01 PM
To: Meindl, Max
Subject: Automatic reply: Reasonable Accommodation (RA) request

I will be out of the office from February 22-March 1, 2019 attending training and have limited email access, if you require immediate assistance please contact Nicole Oke, Informal Unit Lead at ext. (202) 717-1595.

Meindl, Max

From: Oke, Nicole
Sent: Monday, March 4, 2019 5:57 AM
To: Meindl, Max
Subject: RE: Reasonable Accommodation (RA) request

Dear Mr. Meindl,

I apologize for the delay. You should have a response by close of business this week.

Respectfully,

Nicole

Nicole Oke
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500 C Street, SW Room 4SW-0915
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Sent: Wednesday, February 27, 2019 5:00 PM

To: Oke, Nicole <nicole.oke@fema.dhs.gov>; Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; Johnson, Jo Linda <jolinda.johnson@fema.dhs.gov>; Peterkin, Donna <donna.peterkin@fema.dhs.gov>
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Meindl, Max

From: Meindl, Max
Sent: Wednesday, March 6, 2019 1:45 PM
To: Oke, Nicole
Cc: femamax@gmail.com
Subject: RE: Reasonable Accommodation (RA) request

Nicole,

Why is the RA process so ignored/abused by the process?

I've done everything required on my end yet the "institution" can't seem to take the request seriously nor process the request pursuant to DHS/FEMA policy.

This seems unjust, unfair and unreasonable to an individual requesting/requiring a timely response to a request.

Instead of a reasonable accommodation, so I can be allowed to do a couple of hours of telework before driving 60 miles to the office, I am required to take "leave without pay" on a regular basis resulting in a diminished paycheck.

All in all, it seems as if the default position of DHS/FEMA is to stall and/or decline any request, for whatever reason.

I would expect or request that the process, mine specifically, be looked in to, and to identify process disconnects and put eyes on a way to improve the process, especially the timeliness requirements or lack thereof

According to policy:

FEMA Manual 1430.1 Chg.1 December 3, 2002

4-4

Chapter 5

Time Frames

5-1. Processing Requests. FEMA will process requests for reasonable accommodation and provide accommodations, where they are appropriate, in as short a time frame as reasonably possible. FEMA recognizes, however, that the time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information. Time frames for processing requests and providing reasonable accommodation where no supporting information is required are as follows:

a. Requests from applicants for employment should be expedited when necessary to ensure the applicant's ability to compete for the position. However, these requests should not exceed ten (10) business days.

b. If a request from an employee is processed by the supervisor, the request should be processed, and the accommodation, if granted, provided within 15 business days from the date of receipt of the request. Requests for accommodation should be expedited when the accommodation is needed to enable the employee to participate in an Agency activity scheduled to occur in the near future.

(1) If the decision maker believes that it is necessary to obtain medical information to determine whether the requesting individual has a disability and/or to identify the functional limitations, the decision maker will request the information as soon as possible after his or her receipt of the request for accommodation. FEMA recognizes that the need for documentation may not become apparent until after the interactive process has begun.

(2) In cases where medical documentation is needed, the accommodation, if granted, will be provided within ten (10) business days for an applicant, and within 15 business days for an employee, from the date the decision maker receives the relevant information, absent any extenuating circumstances.

c. Where the Disability Program Manager is the decision maker on a request for reasonable accommodation, he/she will make a decision on the request and the accommodation, if granted, will be provided within 15 business days from the date of the request. If medical documentation is necessary, the decision will be made within 15 business days of receipt of the medical information, absent any extenuating circumstances.

We are going on 132 business days since AUGUST 23rd 2018 and 196 calendar days.

Unreasonable and unnecessary.

Max J Meindl, PMP

Program Delivery Manager | Houston TRO

DHS | FEMA-Recovery Directorate

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From: Oke, Nicole

Sent: Tuesday, February 12, 2019 2:22 PM

To: Meindl, Max <max.meindl@fema.dhs.gov>; Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; Johnson, Jo Linda <jlinda.johnson@fema.dhs.gov>; Peterkin, Donna <donna.peterkin@fema.dhs.gov>

Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Fouadiya <Fouadiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>

Subject: RE: Reasonable Accommodation (RA) request

Dear Mr. Meindl,

I will research the matter and circle back with a response and next steps.

Respectfully,

Nicole

Nicole Oke

Informal Unit Chief, Office of Equal Rights
DHS/Federal Emergency Management Agency
500 C Street, SW Room 4SW-0915

Washington, DC 20472-3505

Cell: 202.717.1595

E-mail: nicole.oke@fema.dhs.gov



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As a veteran and senior citizen with a documented disability in my files, it is incumbent upon someone to step forward and address this egregious oversight/situation soonest.

Max J Meindl, PMP

Program Delivery Manager | Houston TRO

DHS | FEMA-Recovery Directorate

Public Assistance Division

FEMA/HQ

202-374-9426

max.meindl@fema.dhs.gov



FEMA

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Sent: Wednesday, December 12, 2018 4:09 PM

To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; McAllister, Jamie <jamie.mcallister@fema.dhs.gov>; Slie, Brian <Brian.Slie@fema.dhs.gov>

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Meindl, Max

From: Oke, Nicole
Sent: Wednesday, March 6, 2019 1:48 PM
To: Meindl, Max
Subject: RE: Reasonable Accommodation (RA) request

Mr. Meindl,

I am in training today. Let's talk tomorrow. Did you request fulltime telework?

Thanks,

Nicole

From: Meindl, Max
Sent: Wednesday, March 6, 2019 2:45 PM
To: Oke, Nicole <nicole.oke@fema.dhs.gov>
Cc: femamax@gmail.com
Subject: RE: Reasonable Accommodation (RA) request

Nicole,

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I've done everything required on my end yet the "institution" can't seem to take the request seriously nor process the request pursuant to DHS/FEMA policy.

This seems unjust, unfair and unreasonable to an individual requesting/requiring a timely response to a request.

Instead of a reasonable accommodation, so I can be allowed to do a couple of hours of telework before driving 60 miles to the office, I am required to take "leave without pay" on a regular basis resulting in a diminished paycheck.

All in all, it seems as if the default position of DHS/FEMA is to stall and/or decline any request, for whatever reason.

I would expect or request that the process, mine specifically, be looked in to, and to identify process disconnects and put eyes on a way to improve the process, especially the timeliness requirements or lack thereof

According to policy:

FEMA Manual 1430.1 Chg.1 December 3, 2002

4-4

Chapter 5

Time Frames

5-1. Processing Requests. FEMA will process requests for reasonable accommodation and provide accommodations, where they are appropriate, in as short a time frame as reasonably possible. FEMA recognizes, however, that the time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information. Time frames for processing requests and providing reasonable accommodation where no supporting information is required are as follows:

a. Requests from applicants for employment should be expedited when necessary to ensure the applicant's ability to compete for the position. However, these requests should not exceed ten (10) business days.

b. If a request from an employee is processed by the supervisor, the request should be processed, and the accommodation, if granted, provided within 15 business days from the date of receipt of the request. Requests for accommodation should be expedited when the accommodation is needed to enable the employee to participate in an Agency activity scheduled to occur in the near future.

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c. Where the Disability Program Manager is the decision maker on a request for reasonable accommodation, he/she will make a decision on the request and the accommodation, if granted, will be provided within 15 business days from the date of the request. If medical documentation is necessary, the decision will be made within 15 business days of receipt of the medical information, absent any extenuating circumstances.

We are going on 132 business days since AUGUST 23rd 2018 and 196 calendar days.

Unreasonable and unnecessary.

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From: Oke, Nicole
Sent: Monday, March 4, 2019 5:57 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Reasonable Accommodation (RA) request

Dear Mr. Meindl,

I apologize for the delay. You should have a response by close of business this week.

Respectfully,

Nicole

Nicole Oke
Informal Unit Chief, Office of Equal Rights
DHS/Federal Emergency Management Agency
500 C Street, SW Room 4SW-0915
Washington, DC 20472-3505
Cell: 202.717.1595
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To: Oke, Nicole <nicole.oke@fema.dhs.gov>; Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; Johnson, Jo Linda <jolinda.johnson@fema.dhs.gov>; Peterkin, Donna <donna.peterkin@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; Terry, Detra <detra.terry@fema.dhs.gov>; rick@guerradays.com; Slie, Brian <Brian.Slie@fema.dhs.gov>; McAllister, Jamie <jamie.mcallister@fema.dhs.gov>
Subject: RE: Reasonable Accommodation (RA) request

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My simple request to FEMA/DHS was for some understanding and flexibility to assist me over the past 6 months, in a challenging time, and the FEMA team, thus far, has deemed me insignificant and not worthy of a response nor consideration of assistance. Can you explain this?

NOTE: Equal Rights Office policy requires the agency to provide requested Reasonable Accommodation within 10 days, barring extenuating circumstances.

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Meindl, Max

From: Meindl, Max
Sent: Wednesday, March 6, 2019 1:52 PM
To: Johnson, Jo Linda
Cc: femamax@gmail.com
Subject: FW: Reasonable Accommodation (RA) request

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FEMA Manual 1430.1 Chg.1 December 3, 2002

4-4

Chapter 5

Time Frames

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Unreasonable and unnecessary.

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E-mail: nicole.oke@fema.dhs.gov



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From: Meindl, Max
Sent: Tuesday, February 12, 2019 2:49 PM
To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; Johnson, Jo Linda <jolinda.johnson@fema.dhs.gov>; Peterkin, Donna <donna.peterkin@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Oke, Nicole <nicoles.oke@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>
Subject: RE: Reasonable Accommodation (RA) request

To whom it may concern,

Feb 12th 2019

On or about August 27th, 2018, I submitted a Reasonable Accommodation (RA) request for consideration/processing.

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All requested and required information has been provided per policy to Winston D. Brathwaite, J.D., Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov, and if you have any questions, please feel free to contact me.

As a veteran and senior citizen with a documented disability in my files, it is incumbent upon someone to step forward and address this egregious oversight/situation soonest.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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Meindl, Max

From: Meindl, Max
Sent: Wednesday, March 6, 2019 2:00 PM
To: Oke, Nicole
Subject: RE: Reasonable Accommodation (RA) request

No, I specifically requested "Tele-work option when not feeling well" which is typically a couple of hours in the mornings until my heart levels out and/or quits threatening me, (that's a joke), but depending on many variables, weather, ability to sleep, ability to lie down or not. I need to sit and meditate or do breathing exercises, but for sure I'm not ready to get in a car and drive 60 miles in Houston traffic. BUT, I am able to log in and answer emails, make telephone calls, work in Grants Manager on behalf of my applicants. When all levels out, I get in the car and head to the office to finish my day. I am a producer and take care of my applicants to the point of when management wanted to transfer an applicant to another PDMG they received a letter from the applicants congressman stipulating disagreement with that decision. Lo and behold I was reassigned the applicant. I do my job, I do it well and I was just wanting some accommodation.

Max J Meindl, PMP
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From: Oke, Nicole
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To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Reasonable Accommodation (RA) request

Mr. Meindl,

I am in training today. Let's talk tomorrow. Did you request fulltime telework?

Thanks,

Nicole

From: Meindl, Max
Sent: Wednesday, March 6, 2019 2:45 PM
To: Oke, Nicole <nicole.oke@fema.dhs.gov>
Cc: femamax@gmail.com
Subject: RE: Reasonable Accommodation (RA) request

Nicole,
Why is the RA process so ignored/abused by the process?

I've done everything required on my end yet the "institution" can't seem to take the request seriously nor process the request pursuant to DHS/FEMA policy.

This seems unjust, unfair and unreasonable to an individual requesting/requiring a timely response to a request.

Instead of a reasonable accommodation, so I can be allowed to do a couple of hours of telework before driving 60 miles to the office, I am required to take "leave without pay" on a regular basis resulting in a diminished paycheck.

All in all, it seems as if the default position of DHS/FEMA is to stall and/or decline any request, for whatever reason.

I would expect or request that the process, mine specifically, be looked in to, and to identify process disconnects and put eyes on a way to improve the process, especially the timeliness requirements or lack thereof

According to policy:

FEMA Manual 1430.1 Chg.1 December 3, 2002

4-4

Chapter 5

Time Frames

5-1. Processing Requests. FEMA will process requests for reasonable accommodation and provide accommodations, where they are appropriate, in as short a time frame as reasonably possible. FEMA recognizes, however, that the time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information. Time frames for processing requests and providing reasonable accommodation where no supporting information is required are as follows:

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b. If a request from an employee is processed by the supervisor, the request should be processed, and the accommodation, if granted, provided within 15 business days from the date of receipt of the request. Requests for accommodation should be expedited when the accommodation is needed to enable the employee to participate in an Agency activity scheduled to occur in the near future.

(1) If the decision maker believes that it is necessary to obtain medical information to determine whether the requesting individual has a disability and/or to identify the functional limitations, the decision maker will request the information as soon as possible after his or her receipt of the request for accommodation. FEMA recognizes that the need for documentation may not become apparent until after the interactive process has begun.

(2) In cases where medical documentation is needed, the accommodation, if granted, will be provided within ten (10) business days for an applicant, and within 15 business days for an employee, from the date the decision maker receives the relevant information, absent any extenuating circumstances.

c. Where the Disability Program Manager is the decision maker on a request for reasonable accommodation, he/she will make a decision on the request and the accommodation, if granted, will be provided within 15 business days from the date of the request. If medical documentation is necessary, the decision will be made within 15 business days of receipt of the medical information, absent any extenuating circumstances.

We are going on 132 business days since AUGUST 23rd 2018 and 196 calendar days.

Unreasonable and unnecessary.

Max J Meindl, PMP

Program Delivery Manager | Houston TRO

DHS | FEMA-Recovery Directorate

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From: Oke, Nicole

Sent: Monday, March 4, 2019 5:57 AM

To: Meindl, Max <max.meindl@fema.dhs.gov>

Subject: RE: Reasonable Accommodation (RA) request

Dear Mr. Meindl,

I apologize for the delay. You should have a response by close of business this week.

Respectfully,

Nicole

Nicole Oke

Informal Unit Chief, Office of Equal Rights
DHS/Federal Emergency Management Agency
500 C Street, SW Room 4SW-0915
Washington, DC 20472-3505
Cell: 202.717.1595
E-mail: nicole.oke@fema.dhs.gov



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From: Meindl, Max

Sent: Wednesday, February 27, 2019 5:00 PM

To: Oke, Nicole <nicole.oke@fema.dhs.gov>; Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; Johnson, Jo Linda <jolinda.johnson@fema.dhs.gov>; Peterkin, Donna <donna.peterkin@fema.dhs.gov>

Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; Terry, Detra <detra.terry@fema.dhs.gov>; rick@guerradays.com; Slie, Brian <Brian.Slie@fema.dhs.gov>; McAllister, Jamie <jamie.mcallister@fema.dhs.gov>

Subject: RE: Reasonable Accommodation (RA) request

Nicole,

As of this date I've yet to receive an answer to my RA request filed in August of 2018.

I am at a loss trying to understand how FEMA/DHS policy can be so blatantly ignored/violated in such a casual manner by so many. My request was based on a serious heart condition requiring a bit of flexibility in my morning schedule to accommodate issues I face daily.

My heart surgery, which was scheduled for 01/25/2019, had to be postponed/rescheduled for a different time, but I am hoping it will be soon.

My simple request to FEMA/DHS was for some understanding and flexibility to assist me over the past 6 months, in a challenging time, and the FEMA team, thus far, has deemed me insignificant and not worthy of a response nor consideration of assistance. Can you explain this?

NOTE: Equal Rights Office policy requires the agency to provide requested Reasonable Accommodation within 10 days, barring extenuating circumstances.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
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To: Meindl, Max <max.meindl@fema.dhs.gov>; Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; Johnson, Jo Linda <jolinda.johnson@fema.dhs.gov>; Peterkin, Donna <donna.peterkin@fema.dhs.gov>
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Subject: RE: Reasonable Accommodation (RA) request

Dear Mr. Meindl,

I will research the matter and circle back with a response and next steps.

Respectfully,

Nicole

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DHS/Federal Emergency Management Agency
500 C Street, SW Room 4SW-0915
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Meindl, Max

From: Meindl, Max
Sent: Wednesday, March 6, 2019 2:03 PM
To: Oke, Nicole
Subject: RE: Reasonable Accommodation (RA) request

I had to submit my FMLA paperwork today, to cover all the bases, to deal with the RA nonactivity, again a penalty option, considering it is a no pay option.

Max J Meindl, PMP
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Thanks,

Nicole

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4-4

Chapter 5

Time Frames

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Nicole

Nicole Oke

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500 C Street, SW Room 4SW-0915
Washington, DC 20472-3505
Cell: 202.717.1595
E-mail: nicole.oke@fema.dhs.gov



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From: Meindl, Max

Sent: Wednesday, February 27, 2019 5:00 PM

To: Oke, Nicole <nicole.oke@fema.dhs.gov>; Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; Johnson, Jo Linda <jolinda.johnson@fema.dhs.gov>; Peterkin, Donna <donna.peterkin@fema.dhs.gov>

Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; Terry, Detra <detra.terry@fema.dhs.gov>; rick@guerradays.com; Slie, Brian <Brian.Slie@fema.dhs.gov>; McAllister, Jamie <jamie.mcallister@fema.dhs.gov>

Subject: RE: Reasonable Accommodation (RA) request

Nicole,

As of this date I've yet to receive an answer to my RA request filed in August of 2018.

I am at a loss trying to understand how FEMA/DHS policy can be so blatantly ignored/violated in such a casual manner by so many. My request was based on a serious heart condition requiring a bit of flexibility in my morning schedule to accommodate issues I face daily.

My heart surgery, which was scheduled for 01/25/2019, had to be postponed/rescheduled for a different time, but I am hoping it will be soon.

My simple request to FEMA/DHS was for some understanding and flexibility to assist me over the past 6 months, in a challenging time, and the FEMA team, thus far, has deemed me insignificant and not worthy of a response nor consideration of assistance. Can you explain this?

NOTE: Equal Rights Office policy requires the agency to provide requested Reasonable Accommodation within 10 days, barring extenuating circumstances.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ



FEMA

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From: Oke, Nicole

Sent: Tuesday, February 12, 2019 2:22 PM

To: Meindl, Max <max.meindl@fema.dhs.gov>; Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; Johnson, Jo Linda <jolinda.johnson@fema.dhs.gov>; Peterkin, Donna <donna.peterkin@fema.dhs.gov>

Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Fouidiya <Fouidiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>

Subject: RE: Reasonable Accommodation (RA) request

Dear Mr. Meindl,

I will research the matter and circle back with a response and next steps.

Respectfully,

Nicole

Nicole Oke
Informal Unit Chief, Office of Equal Rights
DHS/Federal Emergency Management Agency
500 C Street, SW Room 4SW-0915
Washington, DC 20472-3505
Cell: 202.717.1595
E-mail: nicole.oke@fema.dhs.gov



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From: Meindl, Max

Sent: Tuesday, February 12, 2019 2:49 PM

To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; Johnson, Jo Linda <jolinda.johnson@fema.dhs.gov>; Peterkin,

Donna <donna.peterkin@fema.dhs.gov>
Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz <Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Oke, Nicole <nicoole.oke@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>
Subject: RE: Reasonable Accommodation (RA) request

To whom it may concern,

Feb 12th 2019

On or about August 27th, 2018, I submitted a Reasonable Accommodation (RA) request for consideration/processing.

As of this date, I've received no answer, up or down, concerning my request.

Although the RA request has passed through many hands/personnel from Washington D/C. to Houston to Austin, no one has seen it important enough to respond to my RA request.

When considering that nearly SIX (6) months have passed since my initial RA request, it would be safe to say that policy governing this specific RA request has not been complied with.

I am respectfully requesting that a response to my RA request be provided forthwith as required by FEMA policy.

I am at a loss in trying to understand the lack of response, in a timely manner, as required by policy.

Would someone, willing to take ownership, please respond to the RA on file since August 13th, 2018?

All requested and required information has been provided per policy to Winston D. Brathwaite, J.D., Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov, and if you have any questions, please feel free to contact me.

As a veteran and senior citizen with a documented disability in my files, it is incumbent upon someone to step forward and address this egregious oversight/situation soonest.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Meindl, Max

Sent: Wednesday, December 12, 2018 4:09 PM

To: Brathwaite, Winston <winston.d.brathwaite@fema.dhs.gov>; McAllister, Jamie <jamie.mcallister@fema.dhs.gov>; Slie, Brian

<Brian.Slie@fema.dhs.gov>

Cc: FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Fernandez, Luz

<Luz.Fernandez@fema.dhs.gov>; Maddox Britt, Sandra <sandra.maddox-britt@fema.dhs.gov>; Oke, Nicole

<nicoole.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; Goudy, Douglas

<Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>;

Merritt, Lisa <lisa.merritt@fema.dhs.gov>

Subject: Reasonable Accommodation (RA) request

To whom it may concern,

December 12th, 2018

On or about August 23th, 2018, I submitted a Reasonable Accommodation (RA) request for consideration/processing.

As of this date, I've received no answer, up or down, concerning my request.

Although the RA request has passed through many hands/personnel from Washington D/C. to Houston to Austin, no one has seen it important enough to respond to my RA request.

When considering that nearly four (4) months have passed since my initial RA request, it would be safe to say that policy governing this specific RA request has not been complied with.

I am respectfully requesting that a response to my RA request be provided forthwith as required by FEMA policy.

I am at a loss in trying to understand the lack of response, in a timely manner, as required by policy.

Would someone, willing to take ownership, please respond to the RA on file since August 13th, 2018?

All requested and required information has been provided per policy to Winston D. Brathwaite, J.D., Affirmative Employment Specialist | AEP/RA | DHS/FEMA/Office of Equal Rights | 500 C Street SW, 4SW-0809, Washington, DC 20472-3505 | Desk: 202.212.4102 | Mobile: 202.735.4449 | Fax: 202.646.4320 | Winston.D.Brathwaite@fema.dhs.gov, and if you have any questions, please feel free to contact me.

As a veteran and senior citizen with a documented disability in my files, it is incumbent upon someone to step forward and address this egregious oversight/situation soonest.

Max J Meindl, PMP

Program Delivery Manager | Houston TRO

DHS | FEMA-Recovery Directorate

Public Assistance Division

FEMA/HQ

202-374-9426

max.meindl@fema.dhs.gov



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Meindl, Max

From: McAllister, Jamie
Sent: Friday, March 8, 2019 7:23 AM
To: Meindl, Max
Cc: Nguyen, Tam
Subject: RA Request Response
Attachments: Meindl_1stLineDecisionFTTWRequest - Oke review (002) to JLJ.pdf

Max,

Please see response attached.

Jamie McAllister

Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
(202) 709-0851 Cell
jamie.mcallister@fema.dhs.gov

Meindl, Max

From: Meindl, Max
Sent: Friday, March 8, 2019 10:47 AM
To: TERRY, DETRA S.
Subject: FW: RA Request Response
Attachments: Meindl_1stLineDecisionFTTWRequest - Oke review (002) to JLJ.pdf

FYI, confidential

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: McAllister, Jamie
Sent: Friday, March 8, 2019 7:23 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Nguyen, Tam <Tam.Nguyen@fema.dhs.gov>
Subject: RA Request Response

Max,

Please see response attached.

Jamie McAllister

Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
(202) 709-0851 Cell
jamie.mcallister@fema.dhs.gov

Meindl, Max

From: Meindl, Max
Sent: Wednesday, June 26, 2019 2:22 PM
To: femamax@gmail.com
Subject: FMLA
Attachments: Electronic Code of Federal Regulations-PART 825—THE FAMILY AND MEDICAL LEAVE ACT OF 1993.pdf

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Meindl, Max
Sent: Wednesday, June 26, 2019 2:06 PM
To: Alexander, Dennis
Subject: RE: WebTA

FYI:

From: Gause, Jacqueline
Sent: Tuesday, May 21, 2019 10:04 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: Reasonable accommodation

Good morning Max,

I believe a little while back you requested to work reduced hours due to medical restrictions. I have reached out to ERO to get more guidance on what employees can do in situations where a supervisor/leadership initially denies an alternative work schedule that was due to medical reason. If you still need or wish to pursue an alternate work schedule through the reasonable accommodation route you can reach out to ERO for more guidance.

Charise Scott - 202-856-2114

Tam Nguyen - 609-508-2673

Regards,

Jacqueline Gause, MSc

Human Resources
Federal Emergency Management Agency
Department of Homeland Security
Hurricane Harvey-DR4332-TX
Texas Recovery Office
Houston, TX
Mobile: 202-322-6241

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Alexander, Dennis
Sent: Wednesday, June 26, 2019 1:53 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: WebTA

FYI, maybe you know this, but FMLA is for a long term out of office, not for a few hours here or there.

*Thanks,
Dennis*

Dennis J. Alexander, P.E.
Public Assistance Group Supervisor
Disaster DR4332 TX-- Harvey
TRO TX Harris County Branch II
8332 Willow Place Drive South
Houston, TX 77070
281-897-2017 Desk Phone
737-230-8182 Cell Phone
Dennis.alexander@fema.dhs.gov



From: Meindl, Max
Sent: Wednesday, June 26, 2019 1:47 PM
To: Alexander, Dennis <dennis.alexander@fema.dhs.gov>
Subject: FW: WebTA

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Gause, Jacqueline

Sent: Wednesday, May 29, 2019 9:56 AM

To: Meindl, Max <max.meindl@fema.dhs.gov>; Atchison, Randy <Randy.Atchison@fema.dhs.gov>

Cc: Terry, Detra <detra.terry@fema.dhs.gov>

Subject: RE: WebTA

Good morning,

FMLA does not carry any leave. FMLA allows an employee to take up to 480 hours of unpaid for a personal or family medical situation.

Excerpt from OPM:

Under the Family and Medical Leave Act of 1993 (FMLA), most Federal employees are entitled to a total of up to 12 workweeks of unpaid leave during any 12-month period.

An employee may elect to substitute annual leave and/or sick leave, consistent with current laws and OPM's regulations for using annual and sick leave, for any unpaid leave under the FMLA.

The employee can request FMLA LWOP, but will not receive any compensation. If the employee wishes to be paid while out on leave they will need to use their annual or sick leave with the FMLA code.

If you have additional questions or need me to go into further detail please let me know.

Regards,

Jacqueline Gause, MSc

Human Resources

Federal Emergency Management Agency

Department of Homeland Security

Hurricane Harvey-DR4332-TX

Texas Recovery Office

Houston, TX

Mobile: 202-322-6241

From: Meindl, Max

Sent: Friday, May 24, 2019 9:39 AM

To: Atchison, Randy <Randy.Atchison@fema.dhs.gov>

Cc: Gause, Jacqueline <jacqueline.gause@fema.dhs.gov>; Terry, Detra <detra.terry@fema.dhs.gov>

Subject: WebTA

Randy,

My understanding is that with approved MFLA I am not required to use up my sick days or annual leave.

I requested MFLA leave without pay which I have been doing for several weeks now.

Please advise soonest.

"Cannot take TWOP until all your leave has been used. Also please put the hours in the day block of the calendar. Thank You Randy Atchison"

Max J Meindl, PMP

Program Delivery Manager | Houston TRO

DHS | FEMA-Recovery Directorate

Public Assistance Division

FEMA/HQ

202-374-9426

max.meindl@fema.dhs.gov



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Meindl, Max

From: Meindl, Max
Sent: Wednesday, June 26, 2019 2:01 PM
To: Alexander, Dennis
Subject: RE: WebTA



Amount of Leave – Intermittent Leave

§ 825.202

- Employee is entitled to take intermittent or reduced schedule leave for:
 - Employee's or qualifying family member's serious health condition when the leave is medically necessary
 - Covered servicemember's serious injury or illness when the leave is medically necessary
 - A qualifying exigency arising out of a military member's covered active duty status
- Leave to bond with a child after the birth or placement must be taken as a continuous block of leave unless the employer agrees to allow intermittent or reduced schedule leave



U.S. Department of Labor
Wage and Hour Division

| 1-866-4-USWAGE

| www.dol.gov/whd



§825.202 Intermittent leave or reduced leave schedule.

(a) *Definition.* FMLA leave may be taken intermittently or on a reduced leave schedule under certain circumstances. *Intermittent leave* is FMLA leave taken in separate blocks of time due to a single qualifying reason. A *reduced leave schedule* is a leave schedule that reduces an employee's usual number of working hours per workweek, or hours per workday. A reduced leave schedule is a change in the employee's schedule for a period of time, normally from full-time to part-time.

(b) *Medical necessity.* For intermittent leave or leave on a reduced leave schedule taken because of one's own serious health condition, to care for a spouse, parent, son, or daughter with a serious health condition, or to care for a covered servicemember with a serious injury or illness, there must be a medical need for leave and it must be that such medical need can be best accommodated through an intermittent or reduced leave schedule. The treatment regimen and other information described in the certification of a serious health condition and in the certification of a serious injury or illness, if required by the employer, addresses the medical necessity of intermittent leave or leave on a reduced leave schedule. See §§825.306, 825.310. Leave may be taken intermittently or on a reduced leave schedule when medically necessary for planned and/or unanticipated medical treatment of a serious health condition or of a covered servicemember's serious injury or illness, or for recovery from treatment or recovery from a serious health condition or a covered servicemember's serious injury or illness. It may also be taken to provide care or psychological comfort to a covered family member with a serious health condition or a covered servicemember with a serious injury or illness.

(1) Intermittent leave may be taken for a serious health condition of a spouse, parent, son, or daughter, for the employee's own serious health condition, or a serious injury or illness of a covered servicemember which requires treatment by a health care provider periodically, rather than for one continuous period of time, and may include leave of periods from an hour or more to several weeks. Examples of intermittent leave would include leave taken on an occasional basis for medical appointments, or leave taken several days at a time spread over a period of six months, such as for chemotherapy. A pregnant employee may take leave intermittently for prenatal examinations or for her own condition, such as for periods of severe morning sickness. An example of an employee taking leave on a reduced leave

schedule is an employee who is recovering from a serious health condition and is not strong enough to work a full-time schedule.

(2) Intermittent or reduced schedule leave may be taken for absences where the employee or family member is incapacitated or unable to perform the essential functions of the position because of a chronic serious health condition or a serious injury or illness of a covered servicemember, even if he or she does not receive treatment by a health care provider. See §§825.113 and 825.127.

(c) *Birth or placement*. When leave is taken after the birth of a healthy child or placement of a healthy child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only if the employer agrees. Such a schedule reduction might occur, for example, where an employee, with the employer's agreement, works part-time after the birth of a child, or takes leave in several segments. The employer's agreement is not required, however, for leave during which the expectant mother has a serious health condition in connection with the birth of her child or if the newborn child has a serious health condition. See §825.204 for rules governing transfer to an alternative position that better accommodates intermittent leave. See also §825.120 (pregnancy) and §825.121 (adoption and foster care).

(d) *Qualifying exigency*. Leave due to a qualifying exigency may be taken on an intermittent or reduced leave schedule basis.

[78 FR 8902, Feb. 6, 2013, as amended at 80 FR 10001, Feb. 25, 2015]

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Alexander, Dennis
Sent: Wednesday, June 26, 2019 1:53 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: WebTA

FYI, maybe you know this, but FMLA is for a long term out of office, not for a few hours here or there.

*Thanks,
Dennis*

Dennis J. Alexander, P.E.
Public Assistance Group Supervisor
Disaster DR4332 TX-- Harvey
TRO TX Harris County Branch II
8332 Willow Place Drive South
Houston, TX 77070
281-897-2017 Desk Phone
737-230-8182 Cell Phone
Dennis.alexander@fema.dhs.gov



From: Meindl, Max
Sent: Wednesday, June 26, 2019 1:47 PM
To: Alexander, Dennis <dennis.alexander@fema.dhs.gov>
Subject: FW: WebTA

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
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From: Gause, Jacqueline
Sent: Wednesday, May 29, 2019 9:56 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>; Atchison, Randy <Randy.Atchison@fema.dhs.gov>
Cc: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RE: WebTA

Good morning,

FMLA does not carry any leave. FMLA allows an employee to take up to 480 hours of unpaid for a personal or family medical situation.

Excerpt from OPM:

Under the Family and Medical Leave Act of 1993 (FMLA), most Federal employees are entitled to a total of up to 12 workweeks of unpaid leave during any 12-month period.

An employee may elect to substitute annual leave and/or sick leave, consistent with current laws and OPM's regulations for using annual and sick leave, for any unpaid leave under the FMLA.

The employee can request FMLA LWOP, but will not receive any compensation. If the employee wishes to be paid while out on leave they will need to use their annual or sick leave with the FMLA code.

If you have additional questions or need me to go into further detail please let me know.

Regards,

Jacqueline Gause, MSc

Human Resources
Federal Emergency Management Agency
Department of Homeland Security
Hurricane Harvey-DR4332-TX
Texas Recovery Office
Houston, TX
Mobile: 202-322-6241

From: Meindl, Max

Sent: Friday, May 24, 2019 9:39 AM

To: Atchison, Randy <Randy.Atchison@dhs.gov>

Cc: Gause, Jacqueline <jacqueline.gause@dhs.gov>; Terry, Detra <detra.terry@dhs.gov>

Subject: WebTA

Randy,

My understanding is that with approved MFLA I am not required to use up my sick days or annual leave.

I requested MFLA leave without pay which I have been doing for several weeks now.

Please advise soonest.

"Cannot take TWOP until all your leave has been used. Also please put the hours in the day block of the calendar. Thank You Randy Atchison"

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
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202-374-9426
max.meindl@dhs.gov



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Meindl, Max

From: Meindl, Max
Sent: Wednesday, June 26, 2019 1:53 PM
To: Alexander, Dennis
Subject: RE: WebTA

It allows for reduced hours.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Alexander, Dennis
Sent: Wednesday, June 26, 2019 1:53 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: WebTA

FYI, maybe you know this, but FMLA is for a long term out of office, not for a few hours here or there.

*Thanks,
Dennis*

Dennis J. Alexander, P.E.
Public Assistance Group Supervisor
Disaster DR4332 TX-- Harvey
TRO TX Harris County Branch II
8332 Willow Place Drive South
Houston, TX 77070
281-897-2017 Desk Phone
737-230-8182 Cell Phone
Dennis.alexander@fema.dhs.gov



From: Meindl, Max
Sent: Wednesday, June 26, 2019 1:47 PM
To: Alexander, Dennis <dennis.alexander@fema.dhs.gov>
Subject: FW: WebTA

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Gause, Jacqueline
Sent: Wednesday, May 29, 2019 9:56 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>; Atchison, Randy <Randy.Atkison@fema.dhs.gov>
Cc: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RE: WebTA

Good morning,

FMLA does not carry any leave. FMLA allows an employee to take up to 480 hours of unpaid for a personal or family medical situation.

Excerpt from OPM:

Under the Family and Medical Leave Act of 1993 (FMLA), most Federal employees are entitled to a total of up to 12 workweeks of unpaid leave during any 12-month period.

An employee may elect to substitute annual leave and/or sick leave, consistent with current laws and OPM's regulations for using annual and sick leave, for any unpaid leave under the FMLA.

The employee can request FMLA LWOP, but will not receive any compensation. If the employee wishes to be paid while out on leave they will need to use their annual or sick leave with the FMLA code.

If you have additional questions or need me to go into further detail please let me know.

Regards,

Jacqueline Gause, MSc

Human Resources
Federal Emergency Management Agency
Department of Homeland Security
Hurricane Harvey-DR4332-TX
Texas Recovery Office
Houston, TX
Mobile: 202-322-6241

From: Meindl, Max
Sent: Friday, May 24, 2019 9:39 AM
To: Atchison, Randy <Randy.Atchison@fema.dhs.gov>
Cc: Gause, Jacqueline <jacqueline.gause@fema.dhs.gov>; Terry, Detra <detra.terry@fema.dhs.gov>
Subject: WebTA

Randy,

My understanding is that with approved MFLA I am not required to use up my sick days or annual leave.
I requested MFLA leave without pay which I have been doing for several weeks now.
Please advise soonest.

"Cannot take TWOP until all your leave has been used. Also please put the hours in the day block of the calendar. Thank You Randy Atchison"

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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Meindl, Max

From: Alexander, Dennis
Sent: Wednesday, June 26, 2019 1:53 PM
To: Meindl, Max
Subject: RE: WebTA

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*Thanks,
Dennis*

Dennis J. Alexander, P.E.
Public Assistance Group Supervisor
Disaster DR4332 TX-- Harvey
TRO TX Harris County Branch II
8332 Willow Place Drive South
Houston, TX 77070
281-897-2017 Desk Phone
737-230-8182 Cell Phone
Dennis.alexander@fema.dhs.gov



From: Meindl, Max
Sent: Wednesday, June 26, 2019 1:47 PM
To: Alexander, Dennis <Dennis.alexander@fema.dhs.gov>
Subject: FW: WebTA

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Gause, Jacqueline

Sent: Wednesday, May 29, 2019 9:56 AM

To: Meindl, Max <max.meindl@fema.dhs.gov>; Atchison, Randy <Randy.Atchison@fema.dhs.gov>

Cc: Terry, Detra <detra.terry@fema.dhs.gov>

Subject: RE: WebTA

Good morning,

FMLA does not carry any leave. FMLA allows an employee to take up to 480 hours of unpaid for a personal or family medical situation.

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Under the Family and Medical Leave Act of 1993 (FMLA), most Federal employees are entitled to a total of up to 12 workweeks of unpaid leave during any 12-month period.

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The employee can request FMLA LWOP, but will not receive any compensation. If the employee wishes to be paid while out on leave they will need to use their annual or sick leave with the FMLA code.

If you have additional questions or need me to go into further detail please let me know.

Regards,

Jacqueline Gause, MSc

Human Resources

Federal Emergency Management Agency

Department of Homeland Security

Hurricane Harvey-DR4332-TX

Texas Recovery Office

Houston, TX

Mobile: 202-322-6241

From: Meindl, Max

Sent: Friday, May 24, 2019 9:39 AM

To: Atchison, Randy <Randy.Atchison@fema.dhs.gov>

Cc: Gause, Jacqueline <jacqueline.gause@fema.dhs.gov>; Terry, Detra <detra.terry@fema.dhs.gov>

Subject: WebTA

Randy,

My understanding is that with approved MFLA I am not required to use up my sick days or annual leave.

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Please advise soonest.

"Cannot take TWOP until all your leave has been used. Also please put the hours in the day block of the calendar. Thank You Randy Atchison"

Max J Meindl, PMP

Program Delivery Manager | Houston TRO

DHS | FEMA-Recovery Directorate

Public Assistance Division

FEMA/HQ

202-374-9426

max.meindl@fema.dhs.gov



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Meindl, Max

From: Meindl, Max
Sent: Wednesday, June 26, 2019 1:51 PM
To: Alexander, Dennis
Subject: FW: WebTa

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Agaiby, Angela
Sent: Tuesday, May 14, 2019 9:33 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Gause, Jacqueline <jacqueline.gause@fema.dhs.gov>
Subject: WebTa

Good morning,

Please submit your oLWOP/FMLA request in WebTA under leave a premium pay for 05/09/19 and 05/10/19. Once your supervisor has approved the request please go into the system and re-affirm your time. Then I can validate.

Please let me know if you have any questions.

Thank you

Angela Agaiby
PA Operations Support Specialist
DR-4332
8223 Willow Place Dr. S
Houston, TX 77070
512-574-7612
Angela.Agaiby@FEMA.DHS.GOV

Meindl, Max

From: Meindl, Max
Sent: Wednesday, June 26, 2019 1:47 PM
To: Alexander, Dennis
Subject: FW: WebTA

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Gause, Jacqueline
Sent: Wednesday, May 29, 2019 9:56 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>; Atchison, Randy <Randy.Atchison@fema.dhs.gov>
Cc: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RE: WebTA

Good morning,

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If you have additional questions or need me to go into further detail please let me know.

Regards,

Jacqueline Gause, MSc

Human Resources
Federal Emergency Management Agency
Department of Homeland Security
Hurricane Harvey-DR4332-TX
Texas Recovery Office
Houston, TX
Mobile: 202-322-6241

From: Meindl, Max
Sent: Friday, May 24, 2019 9:39 AM
To: Atchison, Randy <Randy.Atchison@fema.dhs.gov>
Cc: Gause, Jacqueline <jacqueline.gause@fema.dhs.gov>; Terry, Detra <detra.terry@fema.dhs.gov>
Subject: WebTA

Randy,
My understanding is that with approved MFLA I am not required to use up my sick days or annual leave.
I requested MFLA leave without pay which I have been doing for several weeks now.
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"Cannot take TWOP until all your leave has been used. Also please put the hours in the day block of the calendar. Thank You Randy Atchison"

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Meindl, Max
Sent: Wednesday, June 26, 2019 1:44 PM
To: Alexander, Dennis
Subject: FW: Timesheet FMLA

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Gause, Jacqueline
Sent: Tuesday, April 23, 2019 3:10 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Obasa, Babajide <babajide.obasa@fema.dhs.gov>
Subject: RE: Timesheet FMLA

Good afternoon,

I will need you to provide me with your paystub showing your hours worked. You can obtain this information from my epp. I need you to submit paystub from when you converted to CORE, PP25 (2018), and PP 7 (2019).

Please let me know if you have any other questions.

Regards,

Jacqueline Gause, MSc
Human Resources
Federal Emergency Management Agency
Department of Homeland Security
Hurricane Harvey-DR4332-TX
Texas Recovery Office
Houston, TX
Mobile: 202-322-6241

From: Meindl, Max
Sent: Tuesday, April 23, 2019 1:30 PM
To: Gause, Jacqueline <jacqueline.gause@fema.dhs.gov>
Cc: Obasa, Babajide <babajide.obasa@fema.dhs.gov>
Subject: RE: Timesheet FMLA

Reservist since 08/2017.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Gause, Jacqueline
Sent: Monday, April 22, 2019 4:21 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Obasa, Babajide <babajide.obasa@fema.dhs.gov>
Subject: RE: Timesheet FMLA

Good afternoon Max,

Prior to becoming a CORE for the TRO were you employed with FEMA? Currently, you have been with the TRO since June 2018 thus, you do not meet the 1 yr requirement for FMLA. If you have prior time with FEMA as a CORE, reservist, or local hire please let me know so that I can verify the time.

Regards,

Jacqueline Gause, MSc

Human Resources
Federal Emergency Management Agency
Department of Homeland Security
Hurricane Harvey-DR4332-TX
Texas Recovery Office
Houston, TX
Mobile: 202-322-6241

From: Meindl, Max
Sent: Monday, April 22, 2019 10:39 AM
To: Guelzow, Nicole <nicole.guelzow@fema.dhs.gov>
Cc: McAllister, Jamie <jamie.mcallister@fema.dhs.gov>; Obasa, Babajide <babajide.obasa@fema.dhs.gov>; David, Patricia <Patricia.David@fema.dhs.gov>; Gause, Jacqueline <jacqueline.gause@fema.dhs.gov>
Subject: RE: Timesheet FMLA

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Guelzow, Nicole
Sent: Tuesday, April 2, 2019 4:51 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: McAllister, Jamie <jamie.mcallister@fema.dhs.gov>; Obasa, Babajide <babajide.obasa@fema.dhs.gov>; David, Patricia <Patricia.David@fema.dhs.gov>; Gause, Jacqueline <jacqueline.gause@fema.dhs.gov>
Subject: Timesheet FMLA
Importance: High

Good afternoon Max,

I am performing timekeeping duties while your regular timekeeper is out of the office. In reviewing your timesheet, I see that you are claiming LWOP – FMLA.

Have you been approved for FMLA?

If you have, I apologize as the paperwork was not provided to the Austin office. If not, the leave category should be changed to LWOP until you receive approval.

Please let us know the status of your FMLA application as soon as possible so that we can move forward with your timesheet certification.

Respectfully,

Nicole Guelzow, MPA
Administrative Specialist (HR)
Texas Recovery Office

11000 N Interstate 35

Austin, TX 78753

(202) 718-1306 cell

Meindl, Max

From: Meindl, Max
Sent: Wednesday, June 26, 2019 1:41 PM
To: Alexander, Dennis
Subject: FW: FMLA

Importance: High

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Obasa, Babajide
Sent: Tuesday, April 23, 2019 10:05 AM
To: Silva, Patricia <patricia.silva@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Gause, Jacqueline <jacqueline.gause@fema.dhs.gov>
Subject: RE: FMLA
Importance: High

Hello and Happy Tuesday!

Yes Patricia...Jackie will follow up with Mr. Meindl as to the appropriate next steps.

Thank you so much 😊

J-

From: Silva, Patricia
Sent: Tuesday, April 23, 2019 6:36 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Obasa, Babajide <babajide.obasa@fema.dhs.gov>; Gause, Jacqueline <jacqueline.gause@fema.dhs.gov>
Subject: RE: FMLA

Good morning Mr. Meindl,

I have reviewed your paperwork and all seems in order. I have copied Jide Obasa and Jacqueline Gause in this email as they are now the leads for FMLA in the TRO. Please consult with them on next steps.

Jide/Jackie- could you please inform Mr. Meindl of next steps.

Thank you,

Patricia Silva

Employee/Labor Relations Specialist

Office of the Chief Component Human Capital Officer (OCCHCO)| FEMA|DHS

500 C. Street SW/Washington, DC, 7th Floor

Email: patricia.silva@fema.dhs.gov

Office: 202. 212. 5238

Mobile: 202.368.7217

From: Meindl, Max

Sent: Monday, April 22, 2019 11:40 AM

To: Silva, Patricia <patricia.silva@fema.dhs.gov>

Subject: RE: FMLA

Max J Meindl, PMP

Program Delivery Manager | Houston TRO

DHS | FEMA-Recovery Directorate

Public Assistance Division

FEMA/HQ

202-374-9426

max.meindl@fema.dhs.gov



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From: Silva, Patricia

Sent: Wednesday, March 13, 2019 5:57 AM

To: Meindl, Max <max.meindl@fema.dhs.gov>

Subject: RE: FMLA

Good morning Mr. Meindl,

You need to communicate to your supervisor or record the need take FMLA leave at least 30 calendar days before the start of the planned absence. I have attached the Absence and Leave Manual for your review. Chapter 5 addresses FMLA.

I have also received the medical certification in connection with your request for FMLA leave.; however, the following required information is missing from the medical certification or is vague and needs clarification:

1. It is not clear whether you need FMLA leave intermittently or for a continuous period of time or both.
 - a. If your FMLA leave is for a continuous period of time, your doctor needs to state so. In the medical documentation you provided it only states "a few days after heart surgery". In addition, the your doctor will need to include the date of your surgery.
 - b. If your request is for intermittent leave for a planned medical treatment, the dates (actual or estimates) on which such treatment is expected to be given, the duration of such treatment, and the period of recovery, if any, before you would be able to return to work;
2. Your medical provider stated that your condition will cause episodic flare ups; however, the certification is missing the frequency of the flare ups. The medical certification needs to include an estimate of the frequency of the flare ups and the duration of related incapacity that you may have over the next 6 months (Part B, question #7).

Please be advised that the complete medical documentation is due 15 calendar days from this email.

Let me know if you have any questions.

Thank you,

Patricia Silva

Employee/Labor Relations Specialist
Office of the Chief Component Human Capital Officer (OCCHCO)| FEMA|DHS
500 C. Street SW/Washington, DC, 7th Floor
Email: patricia.silva@fema.dhs.gov
Office: 202. 212. 5238
Mobile: 202.368.7217

From: Meindl, Max
Sent: Tuesday, March 12, 2019 3:13 PM
To: Silva, Patricia <patricia.silva@fema.dhs.gov>
Cc: femamax@gmail.com; rick@guerradays.com
Subject: RE: FMLA

Jamie McAllister

Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
(202) 709-0851 Cell
jamie.mcallister@fema.dhs.gov

No, Jamie is not aware of the request that I am aware of.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426

max.meindl@fema.dhs.gov



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From: Silva, Patricia
Sent: Tuesday, March 12, 2019 2:02 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: FMLA

Mr. Meindl,

Who is your supervisor of record? Are they aware of your FMLA request?

Patricia Silva

Employee/Labor Relations Specialist
Office of the Chief Component Human Capital Officer (OCCHCO)| FEMA|DHS
500 C. Street SW/Washington, DC, 7th Floor
Email: patricia.silva@fema.dhs.gov
Office: 202. 212. 5238
Mobile: 202.368.7217

From: Meindl, Max
Sent: Wednesday, March 6, 2019 2:29 PM
To: Silva, Patricia <patricia.silva@fema.dhs.gov>
Cc: femamax@gmail.com
Subject: RE: FMLA

Document attached.

Please advise as to the procedure subsequent the submission of this document to you.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Silva, Patricia
Sent: Wednesday, March 6, 2019 1:03 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: FMLA

Yes, that is correct.

Patricia Silva

Employee/Labor Relations Specialist
Office of the Chief Component Human Capital Officer (OCCHCO) | FEMA|DHS
500 C. Street SW/Washington, DC, 7th Floor
Email: patricia.silva@fema.dhs.gov
Office: 202. 212. 5238
Mobile: 202.368.7217

From: Meindl, Max
Sent: Wednesday, March 6, 2019 11:56 AM
To: Silva, Patricia <patricia.silva@fema.dhs.gov>
Subject: FMLA

I have been advised that you're the individual I'm supposed to send my FMLA forms to.
Is that correct?

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Meindl, Max
Sent: Wednesday, October 23, 2019 1:37 PM
To: Gause, Jacqueline; David, Patricia
Cc: Wick, Timothy; Terry, Detra; Alexander, Dennis; brent@guerradays.com; FEMA-EqualRights
Subject: RE: FMLA Recertification - M. Meindl

Thanks JG, no problem, I'm working on an update with my providers, to appropriately capture/document/list all of the existing/new/challenging/interesting, issues that have manifested since the surgery. Appreciate your assistance..

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Gause, Jacqueline <jacqueline.gause@fema.dhs.gov>
Sent: Wednesday, October 23, 2019 1:09 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>; David, Patricia <Patricia.David@fema.dhs.gov>
Cc: Wick, Timothy <Timothy.Wick@fema.dhs.gov>; Terry, Detra <detra.terry@fema.dhs.gov>; Alexander, Dennis <dennis.alexander@fema.dhs.gov>; brent@guerradays.com; FEMA-EqualRights <FEMA-EqualRights@fema.dhs.gov>
Subject: RE: FMLA Recertification - M. Meindl

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Thanks for your cooperation with this matter. Please let me know if you have additional questions or concerns.

Regards,

Jacqueline Gause, MSc

Human Resources
Federal Emergency Management Agency
Department of Homeland Security
Hurricane Harvey-DR4332-TX
Texas Recovery Office
Houston, TX
Mobile: 202-322-6241

From: Meindl, Max <max.meindl@fema.dhs.gov>

Sent: Tuesday, October 22, 2019 4:22 PM

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Cc: Wick, Timothy <Timothy.Wick@fema.dhs.gov>; Terry, Detra <detra.terry@fema.dhs.gov>; Alexander, Dennis

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Human Resources
Federal Emergency Management Agency
Department of Homeland Security
Hurricane Harvey-DR4332-TX
Texas Recovery Office
Houston, TX
Mobile: 202-322-6241

Meindl, Max

From: Cooley, Sandra
Sent: Tuesday, October 22, 2019 5:09 PM
To: Meindl, Max
Cc: femamax@gmail.com
Subject: Re: FMLA Recertification - M. Meindl

Let me review your concerns and circle back Max. Appreciate the opportunity to review.

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From: Meindl, Max <max.meindl@fema.dhs.gov>
Sent: Tuesday, October 22, 2019 4:47:59 PM
To: Cooley, Sandra <Sandra.Cooley@fema.dhs.gov>
Cc: femamax@gmail.com <femamax@gmail.com>
Subject: FW: FMLA Recertification - M. Meindl

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Human Resources

Federal Emergency Management Agency

Department of Homeland Security

Hurricane Harvey-DR4332-TX

Texas Recovery Office

Houston, TX

Mobile: 202-322-6241

Meindl, Max

From: Meindl, Max
Sent: Tuesday, October 22, 2019 4:48 PM
To: Cooley, Sandra
Cc: femamax@gmail.com
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DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Gause, Jacqueline <jacqueline.gause@fema.dhs.gov>
Sent: Tuesday, October 22, 2019 3:13 PM

To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Wick, Timothy <Timothy.Wick@fema.dhs.gov>
Subject: FMLA Recertification - M. Meindl

Good afternoon Max,

On May 1, 2019 you were initially approved for FMLA due to a serious/chronic health condition. Given that it has now been more than thirty (30) calendar days since your last medical update for your current FMLA condition, I am requesting that you provide me with an FMLA recertification as it relates to your current FMLA condition of record. The recertification is now necessary to ensure that the workload on your team can be planned and managed effectively while assisting you during your time of recovery. Therefore, I am requesting that you work with your physician to respond to all questions where appropriate especially those related to the questions identified below. These questions are not separate and apart from the recertification form but can be responded to within the context of the questions already provided on the form. (29 CFR 825.308(a), permits recertification every 30 days for chronic or permanent/long-term conditions.)

Purpose of this FMLA Recertification Update:

1. To validate if you are continuing to see the physician for the specific condition listed on your FMLA application dated and signed by your physician, on 4/11/2019.
2. Request that you provide an estimate of the duration of your condition & if you will be incapacitated for a single continuous period of time. (See questions #1 & #4).
3. Request that you specify what dates, if any, you will have planned appointments within the next 30 days. (See Question #5)
4. Request that your physician state whether or not you require care on an intermittent or reduced schedule basis, including any time for recovery. (See Question #6)
5. Request that your physician provide an estimate of when you will have flare-ups during your recovery period (if known) that will prevent you from performing your job functions. (See question #7).

Your health remains of paramount concern to me as well as our mission. My goal remains to work cooperatively with you and your physician in a manner which affords you the best opportunity to recover and return to full time employment status. However, failure to provide this requested FMLA Recertification information within fifteen (15) working days of receipt will result in the denial of any FMLA related leave until the information is provided.

If you experience difficulty providing this information within the specified period, please see me, or in my absence Patricia David, and provide a brief written statement documenting your hardship and your request for extension will be responded to within three (3) working days.

Regards,

Jacqueline Gause, MSc

Human Resources
Federal Emergency Management Agency
Department of Homeland Security
Hurricane Harvey-DR4332-TX
Texas Recovery Office
Houston, TX
Mobile: 202-322-6241

Meindl, Max

From: Meindl, Max
Sent: Tuesday, October 22, 2019 4:23 PM
To: femamax@gmail.com
Subject: FW: FMLA Recertification - M. Meindl

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Meindl, Max
Sent: Tuesday, October 22, 2019 4:22 PM
To: Gause, Jacqueline <jacqueline.gause@fema.dhs.gov>; David, Patricia <Patricia.David@fema.dhs.gov>
Cc: Wick, Timothy <Timothy.Wick@fema.dhs.gov>; TERRY, DETRA S. <DETTRA.TERRY@FEMA.DHS.GOV>; Alexander, Dennis <dennis.alexander@fema.dhs.gov>; brent@guerradays.com; FEMA-EqualRights <FEMA-EqualRights@fema.dhs.gov>
Subject: RE: FMLA Recertification - M. Meindl

JG,

My next appointment with the VA is 10/29/2019 with the ENT (ear, nose, throat) group at the DeBakey VA hospital to attempt to ascertain the source for my recurring dizzy spells.

My next appointment with my primary care physician is next Feb, 2020.

My next appointment with my pulmonary care specialist for my COPD (Chronic Obstructive Pulmonary Disease) is also next year.

I will do an online request to see my primary at the Katy VA outpatient clinic, but I'm not sure if that can happen within 15 days, it is the VA, so nothing is for certain.

I will also attempt to get an appointment with my primary care private physician in Bellville.

I must admit that as an senior citizen and as an individual who has identified, in the onboarding process, as an individual with a disability and when factoring in the very problematic heart surgery and subsequent associated health issues, I am concerned about the way the institution and/or individuals within the institution, treat those identified as disabled, more specifically, myself.

If my work was lacking, maybe I could understand, but it isn't and I don't understand.

It does seem that personalities have drifted in to the equation, in my opinion.

I appreciate your assistance and efforts with my disability and during my recovery but, I must admit that it has been an extremely distasteful experience with other FEMA personnel.

I will endeavor to get the paperwork returned in a timely manner but I am concerned about the 15 day window.

Please advise.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Gause, Jacqueline <jacqueline.gause@fema.dhs.gov>
Sent: Tuesday, October 22, 2019 3:13 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Wick, Timothy <Timothy.Wick@fema.dhs.gov>
Subject: FMLA Recertification - M. Meindl

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If you experience difficulty providing this information within the specified period, please see me, or in my absence Patricia David, and provide a brief written statement documenting your hardship and your request for extension will be responded to within three (3) working days.

Regards,

Jacqueline Gause, MSc

Human Resources

Federal Emergency Management Agency

Department of Homeland Security

Hurricane Harvey-DR4332-TX

Texas Recovery Office

Houston, TX

Mobile: 202-322-6241

Meindl, Max

From: Gause, Jacqueline
Sent: Tuesday, October 22, 2019 3:13 PM
To: Meindl, Max
Cc: Wick, Timothy
Subject: FMLA Recertification - M. Meindl
Attachments: FMLA - Health provider form.pdf

Good afternoon Max,

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Regards,

Jacqueline Gause, MSc

Human Resources

Federal Emergency Management Agency
Department of Homeland Security
Hurricane Harvey-DR4332-TX
Texas Recovery Office
Houston, TX
Mobile: 202-322-6241

Meindl, Max

From: Vardy, Loretta
Sent: Tuesday, November 13, 2018 2:51 PM
To: Meindl, Max
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Thank you.

From: Meindl, Max
Sent: Tuesday, November 13, 2018 3:15 PM
To: Vardy, Loretta <Loretta.Vardy@fema.dhs.gov>
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Vardy, Loretta
Sent: Tuesday, November 13, 2018 2:11 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Thank you Mr. Meindl. I work with Karen who is currently on leave. I have forwarded your message to OER. I have been told to ask you to fill out the attached form and return it to me so that they can close the case out.

Thank you,
Loretta

Loretta Vardy
Branch Chief for Mediation and Training
ADR Division/OCC/FEMA
500 C Street SW
4NE 2407
Washington D.C. 20472-3400

Office: 202-212-1563

Cell: 202-286-8804

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From: Meindl, Max

Sent: Tuesday, November 13, 2018 11:55 AM

To: Asaro, Karen <Karen.Asaro@fema.dhs.gov>

Cc: Walters, Albert <Albert.Walters@fema.dhs.gov>; Vardy, Loretta <Loretta.Vardy@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>

Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Ms. Asaro,

Pursuant to the above referenced case number and complaint, I am formally requesting the withdrawal of my filing. I am satisfied with the results of my conversations with my supervisors and feel confident that the best interest of all parties would be best served with the withdrawal of my complaint.

Overall, it was an educational and enlightening experience and I would like to thank all parties who were involved in an pursuing and obtaining an acceptable resolution.

Thank you.

Max J Meindl, PMP

Program Delivery Manager | Houston TRO

DHS | FEMA-Recovery Directorate

Public Assistance Division

FEMA/HQ

202-374-9426

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From: Asaro, Karen

Sent: Wednesday, November 7, 2018 4:10 PM

To: Meindl, Max <max.meindl@fema.dhs.gov>

Subject: Automatic reply: RA Request

Hello,

I will be out of the office until November 23, 2018 and I will not have access to email during this time. I will respond promptly upon my return.

If you need to speak with someone during my absence please call Loretta Vardy at 202 286-8804.

Thank You,
Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
mobile: 571 431-2863

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Meindl, Max

From: Meindl, Max
Sent: Tuesday, November 13, 2018 2:15 PM
To: Vardy, Loretta
Subject: RE: HS-FEMA-02488-2018 EEO Complaint
Attachments: FEMA EEO Withdrawal Form- Letterhead-signed.pdf

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Vardy, Loretta
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Subject: RE: HS-FEMA-02488-2018 EEO Complaint

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Thank you,
Loretta

Loretta Vardy
Branch Chief for Mediation and Training
ADR Division/OCC/FEMA
500 C Street SW
4NE 2407
Washington D.C. 20472-3400

Office: 202-212-1563
Cell: 202-286-8804

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From: Meindl, Max
Sent: Tuesday, November 13, 2018 11:55 AM
To: Asaro, Karen <Karen.Asaro@fema.dhs.gov>
Cc: Walters, Albert <Albert.Walters@fema.dhs.gov>; Vardy, Loretta <Loretta.Vardy@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Ms. Asaro,

Pursuant to the above referenced case number and complaint, I am formally requesting the withdrawal of my filing. I am satisfied with the results of my conversations with my supervisors and feel confident that the best interest of all parties would be best served with the withdrawal of my complaint. Overall, it was an educational and enlightening experience and I would like to thank all parties who were involved in an pursuing and obtaining an acceptable resolution.

Thank you.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
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max.meindl@fema.dhs.gov



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Meindl, Max

From: Vardy, Loretta
Sent: Tuesday, November 13, 2018 2:11 PM
To: Meindl, Max
Subject: RE: HS-FEMA-02488-2018 EEO Complaint
Attachments: FEMA EEO Withdrawal Form- Letterhead.doc

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Loretta

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Cc: Walters, Albert <Albert.Walters@fema.dhs.gov>; Vardy, Loretta <Loretta.Vardy@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Ms. Asaro,
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DHS | FEMA-Recovery Directorate
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Sent: Wednesday, November 7, 2018 4:10 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Automatic reply: RA Request

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Meindl, Max

From: Meindl, Max
Sent: Tuesday, November 13, 2018 11:19 AM
To: femamax@gmail.com
Subject: FW: Fed HR Review

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: McAllister, Jamie
Sent: Friday, November 9, 2018 10:17 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RE: Fed HR Review

Yes, you can either attach a Word doc with your comments to your file, or you can put them in the comment box which looks as follows just below where you sign electronically:

Quarter 3 Performance Review Acknowledgements

I certify that the quarter 3 progress review and discussion occurred.

Rating Official Signature

Erase e-Sign

Electronically signed by: Jamie L. Mcallister

Date

Rating Official Comments:

Employee Signature

Date

Employee Comments:

From: Meindl, Max

Sent: Friday, November 9, 2018 9:59 AM

To: McAllister, Jamie <jamie.mcallister@fema.dhs.gov>

Cc: Terry, Detra <detra.terry@fema.dhs.gov>

Subject: RE: Fed HR Review

To clarify,

Yesterday you advised me that I could comment/upload in my evaluation pursuant to the points you initially proffered as concerns in my review, is that correct?

It was nice making your acquaintance also, and here's wishing you the best in your endeavors.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
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From: McAllister, Jamie
Sent: Friday, November 9, 2018 9:51 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Terry, Detra <dakra.terry@fema.dhs.gov>
Subject: Fed HR Review

Good Morning Max,

Very glad to meet you yesterday. The performance comments provided by Detra have been uploaded into FedHR under your case #248282 and I have also attached them. I believe that I have resolved the issue of the reviews being locked. HR sometimes locks the forms while they are working on them, and it's not uncommon to have this issue. Please go ahead and sign Quarter 2 and Quarter 3.

Quarter 2 documents in FEDHR were your Individual Development Plan that you had previously signed and a PDF of the performance goals.

Regards,

Jamie McAllister

Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
(202) 709-0851 Cell
jamie.mcallister@fema.dhs.gov

Meindl, Max

From: Meindl, Max
Sent: Tuesday, November 13, 2018 10:55 AM
To: Asaro, Karen
Cc: Walters, Albert; Vardy, Loretta; Meindl, Max
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Ms. Asaro,

Pursuant to the above referenced case number and complaint, I am formally requesting the withdrawal of my filing. I am satisfied with the results of my conversations with my supervisors and feel confident that the best interest of all parties would be best served with the withdrawal of my complaint. Overall, it was an educational and enlightening experience and I would like to thank all parties who were involved in an pursuing and obtaining an acceptable resolution.

Thank you.

Max J Meindl, PMP
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From: Asaro, Karen
Sent: Wednesday, November 7, 2018 4:10 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Automatic reply: RA Request

Hello,

I will be out of the office until November 23, 2018 and I will not have access to email during this time. I will respond promptly upon my return.

If you need to speak with someone during my absence please call Loretta Vardy at 202 286-8804.

Thank You,
Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407

Washington, DC 20472
mobile: 571 431-2863

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Meindl, Max

From: Walters, Albert
Sent: Tuesday, November 13, 2018 10:18 AM
To: Meindl, Max
Subject: RE: Mediation with Karen Asari

Max,

I am willing and we owe Karen an answer. I know she needs to report the progress on the mediation and I informed her that we were meeting last week. If we need to copy the lady she identified for immediate assistance we need to copy her on any communications with Karen. I am available today to discuss. You can call me on my cell.

Thanks,

Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV

From: Meindl, Max
Sent: Tuesday, November 13, 2018 8:46 AM
To: Walters, Albert <Albert.Walters@fema.dhs.gov>
Subject: RE: Mediation with Karen Asari

You and I can wrap it up Albert, if you're willing.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Walters, Albert
Sent: Friday, November 9, 2018 4:15 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Mediation with Karen Asari

Max,

We owe Karen an e mail or a call to discuss the mediation and your plans going forward. Do you want to have a discussion or do you want to set up a conference call with Karen. Let me know, I am in class next week but available on Tuesday for a call..

Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV

Meindl, Max

From: Meindl, Max
Sent: Tuesday, November 13, 2018 8:50 AM
To: Walters, Albert
Subject: RE: Mediation with Karen Asari

Albert,
By the way, I appreciate your professional and kind assistance, it was a welcome change and experience.
Thank you.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Sent: Friday, November 9, 2018 4:15 PM
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Subject: Mediation with Karen Asari

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Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV

Meindl, Max

From: Meindl, Max
Sent: Tuesday, November 13, 2018 8:49 AM
To: Walters, Albert
Subject: RE: Mediation with Karen Asari

Albert,
I received the following from Karen last week:

Hello,

I will be out of the office until November 23, 2018 and I will not have access to email during this time. I will respond promptly upon my return.

If you need to speak with someone during my absence please call Loretta Vardy at 202 286-8804.

*Thank You,
Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
mobile: 571 431-2863*

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Walters, Albert
Sent: Friday, November 9, 2018 4:15 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Mediation with Karen Asari

Max,

We owe Karen an e mail or a call to discuss the mediation and your plans going forward. Do you want to have a discussion or do you want to set up a conference call with Karen. Let me know, I am in class next week but available on Tuesday for a call..

Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV

Meindl, Max

From: Meindl, Max
Sent: Tuesday, November 13, 2018 8:46 AM
To: Walters, Albert
Subject: RE: Mediation with Karen Asari

You and I can wrap it up Albert, if you're willing.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
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Sent: Friday, November 9, 2018 4:15 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Mediation with Karen Asari

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Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV

Meindl, Max

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Sent: Friday, November 9, 2018 4:15 PM
To: Meindl, Max
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Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV

Meindl, Max

From: McAllister, Jamie
Sent: Friday, November 9, 2018 10:17 AM
To: Meindl, Max
Cc: Terry, Detra
Subject: RE: Fed HR Review

Yes, you can either attach a Word doc with your comments to your file, or you can put them in the comment box which looks as follows just below where you sign electronically:

Quarter 3 Performance Review Acknowledgements

I certify that the quarter 3 progress review and discussion occurred.

Rating Official Signature

Erase e-Sign
Electronically signed by: *Jamie L. Mcallister*

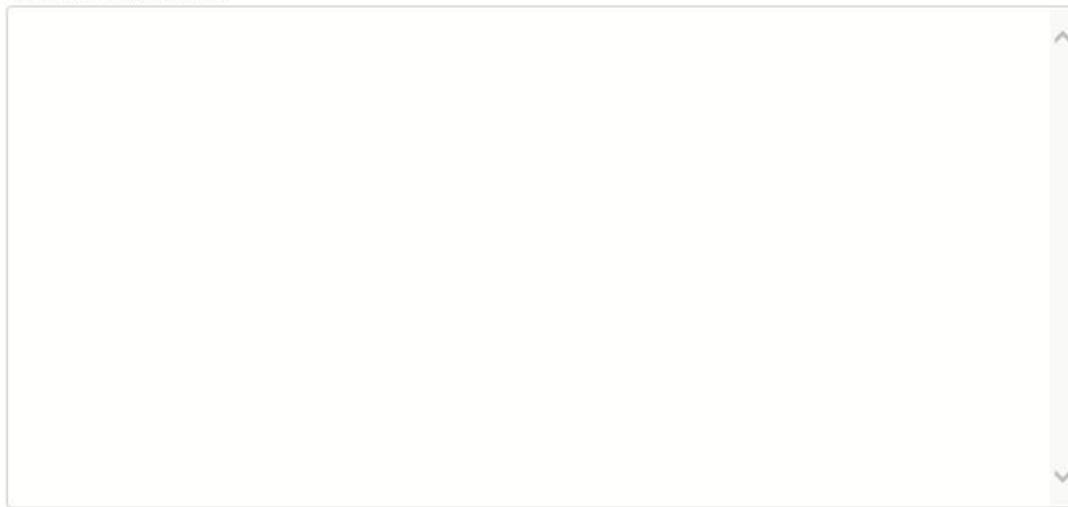
Date

Rating Official Comments:

Employee Signature

Date

Employee Comments:



From: Meindl, Max
Sent: Friday, November 9, 2018 9:59 AM
To: McAllister, Jamie <jamie.mcallister@fema.dhs.gov>
Cc: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RE: Fed HR Review

To clarify,

Yesterday you advised me that I could comment/upload in my evaluation pursuant to the points you initially proffered as concerns in my review, is that correct?

It was nice making your acquaintance also, and here's wishing you the best in your endeavors.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: McAllister, Jamie
Sent: Friday, November 9, 2018 9:51 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: Fed HR Review

Good Morning Max,

Very glad to meet you yesterday. The performance comments provided by Detra have been uploaded into FedHR under your case #248282 and I have also attached them. I believe that I have resolved the issue of the reviews being locked. HR sometimes locks the forms while they are working on them, and it's not uncommon to have this issue. Please go ahead and sign Quarter 2 and Quarter 3.

Quarter 2 documents in FEDHR were your Individual Development Plan that you had previously signed and a PDF of the performance goals.

Regards,

Jamie McAllister

Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
(202) 709-0851 Cell
jamie.mcallister@fema.dhs.gov

Meindl, Max

From: Chatman, Edward
Sent: Friday, November 2, 2018 9:31 AM
To: FEMA-4332-DR-TX-All-Hands
Subject: Security Procedures for Visitors & Guests
Attachments: FEMA Directive 121-3 Revision 1.pdf

Greetings,

The Security Staff and Management is requesting that we all comply with the FEMA Security Directive 121-3, Revision 1 regarding visitors and access to FEMA facilities.
If you are expecting visitor(s), you must provide the following information to the Security Manager in advance:

- Visitor(s) Name
- Affiliated Agency
- Point of Contact at the TRO (or Branches)
- Name and phone number of the person who will escort them (if different from the POC)

Attached please find the related guidelines. If you have any questions, please contact [Point of Contact](#)

Thank you!

Regards,

Edward Chatman
Security Manager
DR-4332-TX TRO
Federal Emergency Management Agency (FEMA)
Cell: 202-803-3548
edward.chatman@fema.dhs.gov

Meindl, Max

From: Meindl, Max
Sent: Tuesday, October 30, 2018 11:46 AM
To: femamax@gmail.com
Subject: FW: OER AHU-18-164 Closure Letter
Attachments: PAGS Sit With Guidance-10-26-18.pdf

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Meindl, Max
Sent: Tuesday, October 30, 2018 11:45 AM
To: Lancaster, Dacia <Dacia.Lancaster@fema.dhs.gov>; FEMA.Harassment <fema.harassment@fema.dhs.gov>
Cc: FEMA-AID-Administrative Investigations Directive Committee <FEMA-AID-AdministrativeInvestigationsDirectiveCommittee@fema.dhs.gov>
Subject: RE: OER AHU-18-164 Closure Letter

Another issue to keep in mind is that the meetings I am having concerns about were called "Sit-With", see below. Policy was violated in even calling these meetings sit-withs, in my opinion.

-----Original Appointment-----

*From: Harrison, Jade Sent: Tuesday, August 14, 2018 6:38 PM
To: Meindl, Max; Terry, Detra; Slie, Brian Subject: M. Meindl **Sit-with**
When: Wednesday, August 15, 2018 2:00 PM-2:30 PM (UTC-06:00) Central Time (US & Canada).
Where: Houston office- Rm 225, conference call number provided*

From the Sit With Guidance document:

PAGS Sit-With Guidance

What is a sit-with?

A sit-with is a one-on-one feedback coaching session between a manager and staff. Staff will participate in an initial sit-with with their manager, during which they will discuss their previous disaster roles, particular technical specialties and skill sets. This discussion will inform leadership on the level of complexity for a staff's assignment.

Please note that a sit-with is a one-on-one meeting and all of these alleged “sit-withs” were group hugs without the benefit of the hug, more like a ganging up on the new guy.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Lancaster, Dacia
Sent: Friday, October 19, 2018 5:38 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-AID-Administrative Investigations Directive Committee <FEMA-AID-AdministrativeInvestigationsDirectiveCommittee@fema.dhs.gov>
Subject: OER AHU-18-164 Closure Letter

Good afternoon,

Please see the attached response from the Office of Equal Rights, Director.

V/r,

Dacia Lancaster
Anti-Harassment Unit
Office of Equal Rights
DHS/FEMA

Meindl, Max

From: Meindl, Max
Sent: Tuesday, October 30, 2018 11:45 AM
To: Lancaster, Dacia; FEMA.Harassment
Cc: FEMA-AID-Administrative Investigations Directive Committee
Subject: RE: OER AHU-18-164 Closure Letter
Attachments: PAGS Sit With Guidance-10-26-18.pdf

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Please note that a sit-with is a one-on-one meeting and all of these alleged “sit-withs” were group hugs without the benefit of the hug, more like a ganging up on the new guy.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Lancaster, Dacia
Sent: Friday, October 19, 2018 5:38 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-AID-Administrative Investigations Directive Committee <FEMA-AID-AdministrativeInvestigationsDirectiveCommittee@fema.dhs.gov>
Subject: OER AHU-18-164 Closure Letter

Good afternoon,

Please see the attached response from the Office of Equal Rights, Director.

V/r,

Dacia Lancaster
Anti-Harassment Unit
Office of Equal Rights
DHS/FEMA

Meindl, Max

From: Meindl, Max
Sent: Tuesday, October 30, 2018 11:07 AM
To: femamax@gmail.com
Subject: FW: sit with comms
Attachments: RE: M. Meindl Sit-with; RE: M. Meindl Sit-with; RE: M. Meindl Sit-with; RE: M. Meindl Sit-with

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Meindl, Max
Sent: Wednesday, September 12, 2018 1:28 PM
To: Walters, Albert <Albert.Walters@fema.dhs.gov>
Subject: sit with comms

For your information, the sit with email chain that triggered the harassment filing.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Meindl, Max
Sent: Tuesday, October 30, 2018 11:05 AM
To: femamax@gmail.com
Subject: FW: OER AHU-18-164 Closure Letter
Attachments: Albert.pdf

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Meindl, Max
Sent: Tuesday, October 30, 2018 11:03 AM
To: Lancaster, Dacia <Dacia.Lancaster@fema.dhs.gov>; FEMA.Harassment <fema.harassment@fema.dhs.gov>
Cc: FEMA-OCSO-MISCON <fema-ocso-miscon@fema.dhs.gov>; Grant, Raphael <raphael.grant@fema.dhs.gov>; Hass, Andrew <andrew.hass@fema.dhs.gov>; Hayes, Ashton <ashton.hayes@fema.dhs.gov>; Hoburg, Leigh <Leigh.Hoburg@fema.dhs.gov>; Jackson, Robyne <Robyne.Jackson@fema.dhs.gov>; Jaeger, Michelle <michelle.jaeger@fema.dhs.gov>; Murrock, Kristin <kristin.murrock@fema.dhs.gov>; Pellicci, Kelley <Kelley.Pellicci@fema.dhs.gov>; Piper, Dalita <dalita.piper@fema.dhs.gov>
Subject: RE: OER AHU-18-164 Closure Letter

To whom it may concern,

I find the letter closing this complaint of harassment specious and inaccurate at best.

The statement that an investigation was conducted and "witness statement" and/or "evidence collected" led to allegations being unsubstantiated, is interesting at a minimum.

Pursuant to the attachment in this email and a copy of a previously sent email, sent to, what I assume to be the primary investigator, stipulated in no uncertain terms that there were no witnesses to the alleged harassment and that the harassment was my perception of an escalation or a previous meeting wherein I had been inappropriately accused and unprofessionally addressed in front of other parties.

The harassment claim has to do with my perception of the escalation only, no witnesses involved.

Below is a copy of the email stipulating my concerns when I filed the complaint:

From: Meindl, Max

Sent: Wednesday, September 12, 2018 1:19 PM
To: Walters, Albert <Albert.Walters@fema.dhs.gov>
Subject: cover email

I am, after a couple of weeks of considerable handwringing and possible/potential blowback considerations, hereby submitting the attached complaint, although I am very concerned about retaliation.

I have been falsely accused, in my opinion, and it appears the parties involved are escalating the issue to the possible detriment of my employment.

I categorically deny the allegations and assertions as put forth.

I have had a very successful tenure with FEMA since 09/2017 when deployed to the Beaumont East team.

I was a high producer of "applicant signed projects" and continue to do the same here as demonstrated in the Grants Manager Metrics.

I never had any problem with "communications" until all of the sudden I can't seem to do anything correct in my current deployment here in Houston.

I am dismayed with the process and attitude of the parties, the guilty until proven innocent prevailing mindset is inherently unfair. A sit-with summary by TK Shadowens before my meeting with the DPAG could best described as "Fiction" because we never discussed the items in his summary report and I advised he and DPAG of the same.

Show me a specific example of the alleged "communication" or "body language" issue.

I have been falsely accused and convicted without any consideration for my perspective or statements to clarify.

I am submitting this to you as HR in confidence and would like to request a contact to the EEO group so I can file with them also because I feel this issue revolves around my disability and needs to be addressed.

I would also request a contact to ADR so I can pursue that avenue as well.

Please contact me with any questions, guidance, advice if required.

Please advise soonest.

Thank you in advance.

Max Meindl

832-293-3671

FEMA PDMG
Houston PA
202-374-9426

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Cc: FEMA-AID-Administrative Investigations Directive Committee <[FEMA-AID-](#)

AdministrativeInvestigationsDirectiveCommittee@fema.dhs.gov>

Subject: OER AHU-18-164 Closure Letter

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Please see the attached response from the Office of Equal Rights, Director.

V/r,

Dacia Lancaster
Anti-Harassment Unit
Office of Equal Rights
DHS/FEMA

Meindl, Max

From: Meindl, Max
Sent: Tuesday, October 30, 2018 11:03 AM
To: Lancaster, Dacia; FEMA.Harassment
Cc: FEMA-OCSO-MISCON; Grant, Raphael; Hass, Andrew; Hayes, Ashton; Hoburg, Leigh; Jackson, Robyne; Jaeger, Michelle; Murrock, Kristin; Pellicci, Kelley; Piper, Dalita
Subject: RE: OER AHU-18-164 Closure Letter
Attachments: Albert.pdf

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I would also request a contact to ADR so I can pursue that avenue as well.

Please contact me with any questions, guidance, advice if required.

Please advise soonest.

Thank you in advance.

*Max Meindl
832-293-3671*

*FEMA PDMG
Houston PA*

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Lancaster, Dacia
Sent: Friday, October 19, 2018 5:38 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-AID-Administrative Investigations Directive Committee <FEMA-AID-AdministrativeInvestigationsDirectiveCommittee@fema.dhs.gov>
Subject: OER AHU-18-164 Closure Letter

Good afternoon,

Please see the attached response from the Office of Equal Rights, Director.

V/r,

Dacia Lancaster
Anti-Harassment Unit
Office of Equal Rights
DHS/FEMA

Meindl, Max

From: McAllister, Jamie
Sent: Friday, November 9, 2018 10:17 AM
To: Meindl, Max
Cc: Terry, Detra
Subject: RE: Fed HR Review

Yes, you can either attach a Word doc with your comments to your file, or you can put them in the comment box which looks as follows just below where you sign electronically:

Quarter 3 Performance Review Acknowledgements

I certify that the quarter 3 progress review and discussion occurred.

Rating Official Signature

Erase e-Sign
Electronically signed by: *Jamie L. Mcallister*

Date

Rating Official Comments:

Employee Signature

Date

Employee Comments:

From: Meindl, Max
Sent: Friday, November 9, 2018 9:59 AM
To: McAllister, Jamie <jamie.mcallister@fema.dhs.gov>
Cc: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: RE: Fed HR Review

To clarify,

Yesterday you advised me that I could comment/upload in my evaluation pursuant to the points you initially proffered as concerns in my review, is that correct?

It was nice making your acquaintance also, and here's wishing you the best in your endeavors.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: McAllister, Jamie
Sent: Friday, November 9, 2018 9:51 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Terry, Detra <detra.terry@fema.dhs.gov>
Subject: Fed HR Review

Good Morning Max,

Very glad to meet you yesterday. The performance comments provided by Detra have been uploaded into FedHR under your case #248282 and I have also attached them. I believe that I have resolved the issue of the reviews being locked. HR sometimes locks the forms while they are working on them, and it's not uncommon to have this issue. Please go ahead and sign Quarter 2 and Quarter 3.

Quarter 2 documents in FEDHR were your Individual Development Plan that you had previously signed and a PDF of the performance goals.

Regards,

Jamie McAllister

Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
(202) 709-0851 Cell
jamie.mcallister@fema.dhs.gov

Meindl, Max

From: Chatman, Edward
Sent: Friday, November 2, 2018 9:31 AM
To: FEMA-4332-DR-TX-All-Hands
Subject: Security Procedures for Visitors & Guests
Attachments: FEMA Directive 121-3 Revision 1.pdf

Greetings,

The Security Staff and Management is requesting that we all comply with the FEMA Security Directive 121-3, Revision 1 regarding visitors and access to FEMA facilities.
If you are expecting visitor(s), you must provide the following information to the Security Manager in advance:

- Visitor(s) Name
- Affiliated Agency
- Point of Contact at the TRO (or Branches)
- Name and phone number of the person who will escort them (if different from the POC)

Attached please find the related guidelines. If you have any questions, please contact [Point of Contact](#)

Thank you!

Regards,

Edward Chatman
Security Manager
DR-4332-TX TRO
Federal Emergency Management Agency (FEMA)
Cell: 202-803-3548
edward.chatman@fema.dhs.gov

Meindl, Max

From: Meindl, Max
Sent: Tuesday, October 30, 2018 11:46 AM
To: femamax@gmail.com
Subject: FW: OER AHU-18-164 Closure Letter
Attachments: PAGS Sit With Guidance-10-26-18.pdf

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Meindl, Max
Sent: Tuesday, October 30, 2018 11:45 AM
To: Lancaster, Dacia <Dacia.Lancaster@fema.dhs.gov>; FEMA.Harassment <fema.harassment@fema.dhs.gov>
Cc: FEMA-AID-Administrative Investigations Directive Committee <FEMA-AID-AdministrativeInvestigationsDirectiveCommittee@fema.dhs.gov>
Subject: RE: OER AHU-18-164 Closure Letter

Another issue to keep in mind is that the meetings I am having concerns about were called "Sit-With", see below. Policy was violated in even calling these meetings sit-withs, in my opinion.

-----Original Appointment-----

From: Harrison, Jade Sent: Tuesday, August 14, 2018 6:38 PM
To: Meindl, Max; Terry, Detra; Slie, Brian Subject: M. Meindl **Sit-with**
When: Wednesday, August 15, 2018 2:00 PM-2:30 PM (UTC-06:00) Central Time (US & Canada).
Where: Houston office- Rm 225, conference call number provided

From the Sit With Guidance document:

PAGS Sit-With Guidance

What is a sit-with?

A **sit-with** is a one-on-one feedback coaching session between a manager and staff. Staff will participate in an initial sit-with with their manager, during which they will discuss their previous disaster roles, particular technical specialties and skill sets. This discussion will inform leadership on the level of complexity for a staff's assignment.

Please note that a sit-with is a one-on-one meeting and all of these alleged “sit-withs” were group hugs without the benefit of the hug, more like a ganging up on the new guy.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Lancaster, Dacia
Sent: Friday, October 19, 2018 5:38 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-AID-Administrative Investigations Directive Committee <FEMA-AID-AdministrativeInvestigationsDirectiveCommittee@fema.dhs.gov>
Subject: OER AHU-18-164 Closure Letter

Good afternoon,

Please see the attached response from the Office of Equal Rights, Director.

V/r,

Dacia Lancaster
Anti-Harassment Unit
Office of Equal Rights
DHS/FEMA

Meindl, Max

From: Meindl, Max
Sent: Tuesday, October 30, 2018 11:45 AM
To: Lancaster, Dacia; FEMA.Harassment
Cc: FEMA-AID-Administrative Investigations Directive Committee
Subject: RE: OER AHU-18-164 Closure Letter
Attachments: PAGS Sit With Guidance-10-26-18.pdf

Another issue to keep in mind is that the meetings I am having concerns about were called “Sit-With”, see below. Policy was violated in even calling these meetings sit-withs, in my opinion.

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Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Lancaster, Dacia
Sent: Friday, October 19, 2018 5:38 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-AID-Administrative Investigations Directive Committee <FEMA-AID-AdministrativeInvestigationsDirectiveCommittee@fema.dhs.gov>
Subject: OER AHU-18-164 Closure Letter

Good afternoon,

Please see the attached response from the Office of Equal Rights, Director.

V/r,

Dacia Lancaster
Anti-Harassment Unit
Office of Equal Rights
DHS/FEMA

Meindl, Max

From: Meindl, Max
Sent: Tuesday, October 30, 2018 11:07 AM
To: femamax@gmail.com
Subject: FW: sit with comms
Attachments: RE: M. Meindl Sit-with; RE: M. Meindl Sit-with; RE: M. Meindl Sit-with; RE: M. Meindl Sit-with

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
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From: Meindl, Max
Sent: Wednesday, September 12, 2018 1:28 PM
To: Walters, Albert <Albert.Walters@fema.dhs.gov>
Subject: sit with comms

For your information, the sit with email chain that triggered the harassment filing.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Meindl, Max
Sent: Tuesday, October 30, 2018 11:05 AM
To: femamax@gmail.com
Subject: FW: OER AHU-18-164 Closure Letter
Attachments: Albert.pdf

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Meindl, Max
Sent: Tuesday, October 30, 2018 11:03 AM
To: Lancaster, Dacia <Dacia.Lancaster@fema.dhs.gov>; FEMA.Harassment <fema.harassment@fema.dhs.gov>
Cc: FEMA-OCSO-MISCON <fema-ocso-miscon@fema.dhs.gov>; Grant, Raphael <raphael.grant@fema.dhs.gov>; Hass, Andrew <andrew.hass@fema.dhs.gov>; Hayes, Ashton <ashton.hayes@fema.dhs.gov>; Hoburg, Leigh <Leigh.Hoburg@fema.dhs.gov>; Jackson, Robyne <Robyne.Jackson@fema.dhs.gov>; Jaeger, Michelle <michelle.jaeger@fema.dhs.gov>; Murrock, Kristin <kristin.murrock@fema.dhs.gov>; Pellicci, Kelley <Kelley.Pellicci@fema.dhs.gov>; Piper, Dalita <dalita.piper@fema.dhs.gov>
Subject: RE: OER AHU-18-164 Closure Letter

To whom it may concern,

I find the letter closing this complaint of harassment specious and inaccurate at best.

The statement that an investigation was conducted and "witness statement" and/or "evidence collected" led to allegations being unsubstantiated, is interesting at a minimum.

Pursuant to the attachment in this email and a copy of a previously sent email, sent to, what I assume to be the primary investigator, stipulated in no uncertain terms that there were no witnesses to the alleged harassment and that the harassment was my perception of an escalation or a previous meeting wherein I had been inappropriately accused and unprofessionally addressed in front of other parties.

The harassment claim has to do with my perception of the escalation only, no witnesses involved.

Below is a copy of the email stipulating my concerns when I filed the complaint:

From: Meindl, Max

Sent: Wednesday, September 12, 2018 1:19 PM
To: Walters, Albert <Albert.Walters@fema.dhs.gov>
Subject: cover email

I am, after a couple of weeks of considerable handwringing and possible/potential blowback considerations, hereby submitting the attached complaint, although I am very concerned about retaliation.

I have been falsely accused, in my opinion, and it appears the parties involved are escalating the issue to the possible detriment of my employment.

I categorically deny the allegations and assertions as put forth.

I have had a very successful tenure with FEMA since 09/2017 when deployed to the Beaumont East team.

I was a high producer of "applicant signed projects" and continue to do the same here as demonstrated in the Grants Manager Metrics.

I never had any problem with "communications" until all of the sudden I can't seem to do anything correct in my current deployment here in Houston.

I am dismayed with the process and attitude of the parties, the guilty until proven innocent prevailing mindset is inherently unfair. A sit-with summary by TK Shadowens before my meeting with the DPAG could best described as "Fiction" because we never discussed the items in his summary report and I advised he and DPAG of the same.

Show me a specific example of the alleged "communication" or "body language" issue.

I have been falsely accused and convicted without any consideration for my perspective or statements to clarify.

I am submitting this to you as HR in confidence and would like to request a contact to the EEO group so I can file with them also because I feel this issue revolves around my disability and needs to be addressed.

I would also request a contact to ADR so I can pursue that avenue as well.

Please contact me with any questions, guidance, advice if required.

Please advise soonest.

Thank you in advance.

Max Meindl

832-293-3671

FEMA PDMG
Houston PA
202-374-9426

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Lancaster, Dacia
Sent: Friday, October 19, 2018 5:38 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-AID-Administrative Investigations Directive Committee <[FEMA-AID-](#)

AdministrativeInvestigationsDirectiveCommittee@fema.dhs.gov>

Subject: OER AHU-18-164 Closure Letter

Good afternoon,

Please see the attached response from the Office of Equal Rights, Director.

V/r,

Dacia Lancaster
Anti-Harassment Unit
Office of Equal Rights
DHS/FEMA

Meindl, Max

From: Meindl, Max
Sent: Tuesday, October 30, 2018 11:03 AM
To: Lancaster, Dacia; FEMA.Harassment
Cc: FEMA-OCSO-MISCON; Grant, Raphael; Hass, Andrew; Hayes, Ashton; Hoburg, Leigh; Jackson, Robyne; Jaeger, Michelle; Murrock, Kristin; Pellicci, Kelley; Piper, Dalita
Subject: RE: OER AHU-18-164 Closure Letter
Attachments: Albert.pdf

To whom it may concern,

I find the letter closing this complaint of harassment specious and inaccurate at best.

The statement that an investigation was conducted and “witness statement” and/or “evidence collected” led to allegations being unsubstantiated, is interesting at a minimum.

Pursuant to the attachment in this email and a copy of a previously sent email, sent to, what I assume to be the primary investigator, stipulated in no uncertain terms that there were no witnesses to the alleged harassment and that the harassment was my perception of an escalation or a previous meeting wherein I had been inappropriately accused and unprofessionally addressed in front of other parties.

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I am submitting this to you as HR in confidence and would like to request a contact to the EEO group so I can file with them also because I feel this issue revolves around my disability and needs to be addressed.

I would also request a contact to ADR so I can pursue that avenue as well.

Please contact me with any questions, guidance, advice if required.

Please advise soonest.

Thank you in advance.

*Max Meindl
832-293-3671*

*FEMA PDMG
Houston PA*

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Lancaster, Dacia
Sent: Friday, October 19, 2018 5:38 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: FEMA-AID-Administrative Investigations Directive Committee <FEMA-AID-AdministrativeInvestigationsDirectiveCommittee@fema.dhs.gov>
Subject: OER AHU-18-164 Closure Letter

Good afternoon,

Please see the attached response from the Office of Equal Rights, Director.

V/r,

Dacia Lancaster
Anti-Harassment Unit
Office of Equal Rights
DHS/FEMA

Meindl, Max

From: Lancaster, Dacia
Sent: Friday, October 19, 2018 5:38 PM
To: Meindl, Max
Cc: FEMA-AID-Administrative Investigations Directive Committee
Subject: OER AHU-18-164 Closure Letter
Attachments: scannedDoc (007).pdf

Good afternoon,

Please see the attached response from the Office of Equal Rights, Director.

V/r,

Dacia Lancaster
Anti-Harassment Unit
Office of Equal Rights
DHS/FEMA

Meindl, Max

From: Castaneda, Melinda
Sent: Monday, October 15, 2018 11:14 AM
To: FEMA-4332-DR-TX-All-Hands
Subject: TRO-ADR Continuous Availability

See important message from ADR. Thank you.

Please forward your questions to the appropriate [Point of Contact](#)

Greetings,

I'm writing to let you know that I will be out on rotation until 10/29. I will still be intermittently available via phone/e-mail.

ADR Advisor Sunny Gutierrez will be here at the TRO while I'm out. Sunny served the Texas Mission previously, so she may be familiar to some of you.

ADR Advisors Judy Gordon and Carl McGill will continue serving at Branch II Houston and providing coverage for Branch III.

Please feel free to contact any of us.

Thank you for all you do, every day.

Take good care of yourselves and each other.

Aileen

*AILEEN DENTON SETTER
Alternative Dispute Resolution Advisor
Texas Recovery Office
11000 North Interstate Highway 35
Austin, TX 78753
FEMA iPhone: (225) 910-5254
E-mail: Aileen.DentonSetter@fema.dhs.gov*

Meindl, Max

From: Meindl, Max
Sent: Tuesday, October 9, 2018 9:43 AM
To: Asaro, Karen; Walters, Albert
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

I am available as required and at any time convenient to all parties.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Asaro, Karen
Sent: Sunday, October 7, 2018 3:20 PM
To: Walters, Albert <Albert.Walters@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Thank you. As soon as I hear from Mr. Meindl, I will confirm the date/time.

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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From: Walters, Albert
Sent: Saturday, October 6, 2018 9:06 AM

To: Asaro, Karen <Karen.Asaro@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Good morning Ms. Asaro,

My availability for a discussion with Mr. Meindl over the next 2 weeks is:

October 11, 2018 – From 10:00am until 2:00pm
October 12, 2018 – From 10:00am until 2:00pm
October 15, 2018 – From 11:00am until 3:00pm
October 17, 2018 – From 1:00pm until 2:00pm
October 19, 2018 – From 10:00am until 2:00pm

Thanks,

Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV

From: Asaro, Karen
Sent: Sunday, September 30, 2018 12:10 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>; Walters, Albert <Albert.Walters@fema.dhs.gov>
Subject: HS-FEMA-02488-2018 EEO Complaint

Hello Mr. Meindl and Mr. Walters,

I received an email from Erik Skinner, OER, on Friday letting me know that things are on track for scheduling the mediation conference call.

I will be at a mediation conference this week (week of Oct. 1) and unavailable for mediation. If you could send me some dates you are available the week of Oct. 8 and the week of Oct. 15, I will coordinate with all of our schedules, and confirm the first date/time that works for everyone.

Thank you for your assistance with scheduling and I look forward to hearing from you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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Meindl, Max

From: Asaro, Karen
Sent: Sunday, October 7, 2018 3:20 PM
To: Walters, Albert; Meindl, Max
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Thank you. As soon as I hear from Mr. Meindl, I will confirm the date/time.

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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From: Walters, Albert
Sent: Saturday, October 6, 2018 9:06 AM
To: Asaro, Karen <Karen.Asaro@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Good morning Ms. Asaro,

My availability for a discussion with Mr. Meindl over the next 2 weeks is:

October 11, 2018 – From 10:00am until 2:00pm
October 12, 2018 – From 10:00am until 2:00pm
October 15, 2018 – From 11:00am until 3:00pm
October 17, 2018 – From 1:00pm until 2:00pm
October 19, 2018 – From 10:00am until 2:00pm

Thanks,

Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV

From: Asaro, Karen
Sent: Sunday, September 30, 2018 12:10 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>; Walters, Albert <Albert.Walters@fema.dhs.gov>
Subject: HS-FEMA-02488-2018 EEO Complaint

Hello Mr. Meindl and Mr. Walters,

I received an email from Erik Skinner, OER, on Friday letting me know that things are on track for scheduling the mediation conference call.

I will be at a mediation conference this week (week of Oct. 1) and unavailable for mediation. If you could send me some dates you are available the week of Oct. 8 and the week of Oct. 15, I will coordinate with all of our schedules, and confirm the first date/time that works for everyone.

Thank you for your assistance with scheduling and I look forward to hearing from you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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Meindl, Max

From: Walters, Albert
Sent: Saturday, October 6, 2018 8:06 AM
To: Asaro, Karen; Meindl, Max
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Good morning Ms. Asaro,

My availability for a discussion with Mr. Meindl over the next 2 weeks is:

October 11, 2018 – From 10:00am until 2:00pm
October 12, 2018 – From 10:00am until 2:00pm
October 15, 2018 – From 11:00am until 3:00pm
October 17, 2018 – From 1:00pm until 2:00pm
October 19, 2018 – From 10:00am until 2:00pm

Thanks,

Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV

From: Asaro, Karen
Sent: Sunday, September 30, 2018 12:10 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>; Walters, Albert <Albert.Walters@fema.dhs.gov>
Subject: HS-FEMA-02488-2018 EEO Complaint

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I will be at a mediation conference this week (week of Oct. 1) and unavailable for mediation. If you could send me some dates you are available the week of Oct. 8 and the week of Oct. 15, I will coordinate with all of our schedules, and confirm the first date/time that works for everyone.

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Karen

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Meindl, Max

From: Asaro, Karen
Sent: Sunday, September 30, 2018 12:10 PM
To: Meindl, Max; Walters, Albert
Subject: HS-FEMA-02488-2018 EEO Complaint

Hello Mr. Meindl and Mr. Walters,

I received an email from Erik Skinner, OER, on Friday letting me know that things are on track for scheduling the mediation conference call.

I will be at a mediation conference this week (week of Oct. 1) and unavailable for mediation. If you could send me some dates you are available the week of Oct. 8 and the week of Oct. 15, I will coordinate with all of our schedules, and confirm the first date/time that works for everyone.

Thank you for your assistance with scheduling and I look forward to hearing from you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
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Washington, DC 20472
Phone: 571 431-2863

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Meindl, Max

From: Meindl, Max
Sent: Thursday, September 13, 2018 9:00 AM
To: Walters, Albert
Subject: ADDITIONAL STATEMENT
Attachments: Albert.pdf

For the file.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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Meindl, Max

From: Meindl, Max
Sent: Wednesday, September 12, 2018 1:28 PM
To: Walters, Albert
Subject: sit with comms
Attachments: RE: M. Meindl Sit-with; RE: M. Meindl Sit-with; RE: M. Meindl Sit-with; RE: M. Meindl Sit-with

For your information, the sit with email chain that triggered the harassment filing.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

Subject: Canceled: M. Meindl Sit-with
Location: Houston office- Rm 225, conference call number provided

Start: Wed 8/15/2018 2:00 PM
End: Wed 8/15/2018 2:30 PM
Show Time As: Free

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Harrison, Jade
Required Attendees: Meindl, Max; Terry, Detra; Slie, Brian

Importance: High

Brian,

You can use the below number to conference in tomorrow.

Conference Call number:
1-800-320-4330

PIN: 892515

Meindl, Max

From: Meindl, Max
Sent: Wednesday, September 12, 2018 1:19 PM
To: Walters, Albert
Subject: cover email

Albert,
Per your request.

I am, after a couple of weeks of considerable handwringing and possible/potential blowback considerations, hereby submitting the attached complaint, although I am very concerned about retaliation.

I have been falsely accused, in my opinion, and it appears the parties involved are escalating the issue to the possible detriment of my employment.

I categorically deny the allegations and assertions as put forth.

I have had a very successful tenure with FEMA since 09/2017 when deployed to the Beaumont East team.

I was a high producer of “applicant signed projects” and continue to do the same here as demonstrated in the Grants Manager Metrics.

I never had any problem with “communications” until all of the sudden I can’t seem to do anything correct in my current deployment here in Houston.

I am dismayed with the process and attitude of the parties, the guilty until proven innocent prevailing mindset is inherently unfair.

A sit-with summary by TK Shadowens before my meeting with the DPAG could best described as “Fiction” because we never discussed the items in his summary report and I advised he and DPAG of the same.

Show me a specific example of the alleged “communication” or “body language” issue.

I have been falsely accused and convicted without any consideration for my perspective or statements to clarify.

I am submitting this to you as HR in confidence and would like to request a contact to the EEO group so I can file with them also because I feel this issue revolves around my disability and needs to be addressed.

I would also request a contact to ADR so I can pursue that avenue as well.

Please contact me with any questions, guidance, advice if required.

Please advise soonest.

Thank you in advance.

Max Meindl
832-293-3671

FEMA PDMG
Houston PA
202-374-9426

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Asaro, Karen
Sent: Wednesday, September 12, 2018 9:55 AM
To: Walters, Albert; Meindl, Max
Subject: RE: EEO Mediation

Hello Mr. Walters,

I assumed as much and just wanted to clarify for Mr. Meindl that your meeting was not the mediation session since he forwarded the meeting request to me.

Thanks,
Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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From: Walters, Albert
Sent: Wednesday, September 12, 2018 10:53 AM
To: Asaro, Karen <Karen.Asaro@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Re: EEO Mediation

Karen,

This meeting is in reference to a harassment complaint Max has filed.

Get [Outlook for iOS](#)

From: Asaro, Karen
Sent: Wednesday, September 12, 2018 9:23:57 AM
To: Meindl, Max; Walters, Albert
Subject: EEO Mediation

Hello Mr. Meindl and Mr. Walters,

Mr. Meindl forwarded a meeting request to me which as I understand it, Mr. Walters is requesting a meeting with Mr. Meindl to discuss the EEO complaint.

I am writing to clarify that this meeting is NOT part of the mediation conference call I am trying to schedule once I know both parties' availability.

Thank you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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Meindl, Max

From: Walters, Albert
Sent: Wednesday, September 12, 2018 9:53 AM
To: Asaro, Karen; Meindl, Max
Subject: Re: EEO Mediation

Karen,

This meeting is in reference to a harassment complaint Max has filed.

Get [Outlook for iOS](#)

From: Asaro, Karen
Sent: Wednesday, September 12, 2018 9:23:57 AM
To: Meindl, Max; Walters, Albert
Subject: EEO Mediation

Hello Mr. Meindl and Mr. Walters,

Mr. Meindl forwarded a meeting request to me which as I understand it, Mr. Walters is requesting a meeting with Mr. Meindl to discuss the EEO complaint.

I am writing to clarify that this meeting is NOT part of the mediation conference call I am trying to schedule once I know both parties' availability.

Thank you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
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Meindl, Max

From: Asaro, Karen
Sent: Wednesday, September 12, 2018 9:24 AM
To: Meindl, Max; Walters, Albert
Subject: EEO Mediation

Hello Mr. Meindl and Mr. Walters,

Mr. Meindl forwarded a meeting request to me which as I understand it, Mr. Walters is requesting a meeting with Mr. Meindl to discuss the EEO complaint.

I am writing to clarify that this meeting is NOT part of the mediation conference call I am trying to schedule once I know both parties' availability.

Thank you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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Meindl, Max

From: Meindl, Max
Sent: Wednesday, September 12, 2018 9:23 AM
To: Walters, Albert
Subject: Accepted: Statement Concerning - Harassment

Meindl, Max

Subject: Statement Concerning - Harassment
Location: My Office

Start: Wed 9/12/2018 1:00 PM
End: Wed 9/12/2018 2:00 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Walters, Albert
Required Attendees: Walters, Albert; Meindl, Max
Optional Attendees: Asaro, Karen; Jordan, Lakeisha

Good Evening Max,

I would like to get your statement concerning your complaint. Please be prepared to discuss the issue..

Albert

Meindl, Max

Subject: Statement Concerning - Harassment
Location: My Office

Start: Wed 9/12/2018 1:00 PM
End: Wed 9/12/2018 2:00 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Walters, Albert
Required Attendees: Walters, Albert; Meindl, Max
Optional Attendees: Asaro, Karen; Jordan, Lakeisha

Good Evening Max,

I would like to get your statement concerning your complaint. Please be prepared to discuss the issue..

Albert

Meindl, Max

Subject: Statement Concerning - Harassment
Location: My Office

Start: Wed 9/12/2018 1:00 PM
End: Wed 9/12/2018 2:00 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Walters, Albert
Required Attendees: Walters, Albert; Meindl, Max
Optional Attendees: Asaro, Karen; Jordan, Lakeisha

Good Evening Max,

I would like to get your statement concerning your complaint. Please be prepared to discuss the issue..

Albert

Meindl, Max

From: Meindl, Max
Sent: Thursday, September 6, 2018 9:36 AM
To: Asaro, Karen
Subject: RE: mediation conference call

10-4

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Asaro, Karen
Sent: Thursday, September 6, 2018 8:35 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: mediation conference call

Hello Mr. Meindl,

I am still waiting to hear back from Mr. Walters regarding his availability. I will let you know once I have heard from him.

Thanks,
Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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From: Meindl, Max
Sent: Tuesday, September 4, 2018 3:13 PM
To: Asaro, Karen <Karen.Asaro@fema.dhs.gov>
Subject: RE: mediation conference call

1. Thursday before 1:00 PM,
2. Wed. next week 09:00 to 15:00,
3. Thursday next week 09:00 to 15:00.

I am in the office until about noon tomorrow but not sure about availability of a tele-conference room or anything.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Asaro, Karen
Sent: Tuesday, September 4, 2018 1:56 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: mediation conference call

Hello Mr. Meindl,

Thank you for speaking with me today regarding the mediation conference call. If you can send me several dates that you are available for scheduling mediation, I will coordinate with Mr. Walters' availability and confirm the earliest date that works with everyone's schedule.

Thank you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
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Meindl, Max

From: Asaro, Karen
Sent: Thursday, September 6, 2018 8:35 AM
To: Meindl, Max
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From: Meindl, Max
Sent: Tuesday, September 4, 2018 3:13 PM
To: Asaro, Karen <Karen.Asaro@fema.dhs.gov>
Subject: RE: mediation conference call

1. Thursday before 1:00 PM,
2. Wed. next week 09:00 to 15:00,
3. Thursday next week 09:00 to 15:00.

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Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
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Sent: Tuesday, September 4, 2018 1:56 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: mediation conference call

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Phone: 571 431-2863

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Meindl, Max

From: Meindl, Max
Sent: Wednesday, September 5, 2018 6:37 PM
To: Jones, Patricia
Subject: Re: IBD

Done

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From: Jones, Patricia
Sent: Wednesday, September 5, 2018 3:12:18 PM
To: Meindl, Max
Cc: Boone, William; Slie, Brian
Subject: IBD

Good Afternoon,

We have recently sent out your IBD, you can locate this in FED HR. As of today yours has not been signed. Please go into this site by COB tomorrow and sign these documents. They will be reviewed on Friday by the Branch Director and Chief of Staff.

Should you need assistance please contact me,

Thanks so much,

Trisha

Patricia Jones
PA Ops Support Crew Leader
DR-4332-TX
202-706-2160 FEMA

Patricia.jones1@fema.dhs.gov



If nothing ever changed there'd be no Butterflies..

With honor and integrity, we will safeguard the American people, our homeland, and our values.

Meindl, Max

From: Jones, Patricia
Sent: Wednesday, September 5, 2018 3:16 PM
To: Meindl, Max
Subject: IDP's

Importance: High

This is correcting the Subject line of the last email.
It should read IDP. Sorry for the error

Trisha

Patricia Jones
PA Ops Support Crew Leader
DR-4332-TX
202-706-2160 FEMA

Patricia.jones1@fema.dhs.gov



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Meindl, Max

From: Jones, Patricia
Sent: Wednesday, September 5, 2018 3:12 PM
To: Meindl, Max
Cc: Boone, William; Slie, Brian
Subject: IBD

Good Afternoon,

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PA Ops Support Crew Leader
DR-4332-TX
202-706-2160 FEMA

Patricia.jones1@fema.dhs.gov



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Meindl, Max

From: Jones, Patricia
Sent: Wednesday, September 5, 2018 3:08 PM
To: Meindl, Max
Cc: Boone, William; Slie, Brian
Subject: IBD

Good Afternoon,

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Trisha

Patricia Jones
PA Ops Support Crew Leader
DR-4332-TX
202-706-2160 FEMA

Patricia.jones1@fema.dhs.gov



If nothing ever changed there'd be no Butterflies..

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Meindl, Max

From: Meindl, Max
Sent: Wednesday, September 5, 2018 10:55 AM
To: Jordan, Lakeisha
Subject: RE: Request for Availability - OER AHU Intake
Attachments: Max Meindl-affidavit-signed.pdf

FYI

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Jordan, Lakeisha
Sent: Wednesday, September 5, 2018 10:08 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Request for Availability - OER AHU Intake

Good morning, Max,

Thank you for your response. Are you still available to speak this morning before noon? If so, I will give you a call.

If you are no longer available today, I will send you a calendar invite to speak tomorrow around 10:30AM.

Thanks,

Lakeisha Jordan
Office of Equal Rights | FEMA
(202) 531-2978

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recipient. Please consult the original sender before disclosing any information contained herein. If you have received this in error, please reply immediately to the sender and delete this message.

From: Meindl, Max
Sent: Tuesday, September 4, 2018 4:34 PM
To: Jordan, Lakeisha <lakeisha.jordan@fema.dhs.gov>
Subject: RE: Request for Availability - OER AHU Intake

Tomorrow before noon, Thursday before noon.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Jordan, Lakeisha
Sent: Tuesday, September 4, 2018 3:31 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Request for Availability - OER AHU Intake

Good afternoon, Max,

I am an EEO Specialist in the Office of Equal Rights and your case was recently reassigned to me to conduct an intake on behalf of the Anti-Harassment Unit (AHU). I would like to briefly speak to you to obtain the preliminary facts of your case.

Can you please let me know the best available times to reach you this week, along with your phone number?

Thanks,

Lakeisha Jordan
Office of Equal Rights | FEMA
(202) 531-2978

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Meindl, Max

From: Jordan, Lakeisha
Sent: Wednesday, September 5, 2018 10:08 AM
To: Meindl, Max
Subject: RE: Request for Availability - OER AHU Intake

Good morning, Max,

Thank you for your response. Are you still available to speak this morning before noon? If so, I will give you a call.

If you are no longer available today, I will send you a calendar invite to speak tomorrow around 10:30AM.

Thanks,

Lakeisha Jordan
Office of Equal Rights | FEMA
(202) 531-2978

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From: Meindl, Max
Sent: Tuesday, September 4, 2018 4:34 PM
To: Jordan, Lakeisha <lakeisha.jordan@fema.dhs.gov>
Subject: RE: Request for Availability - OER AHU Intake

Tomorrow before noon, Thursday before noon.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Jordan, Lakeisha
Sent: Tuesday, September 4, 2018 3:31 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Request for Availability - OER AHU Intake

Good afternoon, Max,

I am an EEO Specialist in the Office of Equal Rights and your case was recently reassigned to me to conduct an intake on behalf of the Anti-Harassment Unit (AHU). I would like to briefly speak to you to obtain the preliminary facts of your case.

Can you please let me know the best available times to reach you this week, along with your phone number?

Thanks,

Lakeisha Jordan
Office of Equal Rights | FEMA
(202) 531-2978

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Meindl, Max

From: Meindl, Max
Sent: Tuesday, September 4, 2018 3:34 PM
To: Jordan, Lakeisha
Subject: RE: Request for Availability - OER AHU Intake

Tomorrow before noon, Thursday before noon.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Jordan, Lakeisha
Sent: Tuesday, September 4, 2018 3:31 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Request for Availability - OER AHU Intake

Good afternoon, Max,

I am an EEO Specialist in the Office of Equal Rights and your case was recently reassigned to me to conduct an intake on behalf of the Anti-Harassment Unit (AHU). I would like to briefly speak to you to obtain the preliminary facts of your case.

Can you please let me know the best available times to reach you this week, along with your phone number?

Thanks,

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Meindl, Max

From: Jordan, Lakeisha
Sent: Tuesday, September 4, 2018 3:31 PM
To: Meindl, Max
Subject: Request for Availability - OER AHU Intake

Good afternoon, Max,

I am an EEO Specialist in the Office of Equal Rights and your case was recently reassigned to me to conduct an intake on behalf of the Anti-Harassment Unit (AHU). I would like to briefly speak to you to obtain the preliminary facts of your case.

Can you please let me know the best available times to reach you this week, along with your phone number?

Thanks,

Lakeisha Jordan
Office of Equal Rights | FEMA
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Meindl, Max

From: Meindl, Max
Sent: Tuesday, September 4, 2018 2:13 PM
To: Asaro, Karen
Subject: RE: mediation conference call

1. Thursday before 1:00 PM,
2. Wed. next week 09:00 to 15:00,
3. Thursday next week 09:00 to 15:00.

I am in the office until about noon tomorrow but not sure about availability of a tele-conference room or anything.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Asaro, Karen
Sent: Tuesday, September 4, 2018 1:56 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: mediation conference call

Hello Mr. Meindl,

Thank you for speaking with me today regarding the mediation conference call. If you can send me several dates that you are available for scheduling mediation, I will coordinate with Mr. Walters' availability and confirm the earliest date that works with everyone's schedule.

Thank you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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Meindl, Max

From: Asaro, Karen
Sent: Tuesday, September 4, 2018 1:56 PM
To: Meindl, Max
Subject: mediation conference call

Hello Mr. Meindl,

Thank you for speaking with me today regarding the mediation conference call. If you can send me several dates that you are available for scheduling mediation, I will coordinate with Mr. Walters' availability and confirm the earliest date that works with everyone's schedule.

Thank you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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Meindl, Max

From: Asaro, Karen
Sent: Tuesday, September 4, 2018 9:50 AM
To: Meindl, Max
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Sounds good. I have a staff meeting from 12-1 pm (Eastern).

Look forward to speaking with you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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From: Meindl, Max
Sent: Tuesday, September 4, 2018 10:39 AM
To: Asaro, Karen <Karen.Asaro@fema.dhs.gov>
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Let me catch up a bit on my projects and will call early afternoon.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Asaro, Karen
Sent: Monday, September 3, 2018 9:29 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: HS-FEMA-02488-2018 EEO Complaint

Hello Mr. Meindl,

The Office of Equal Rights (OER) has referred your EEO Complaint to the Alternative Dispute Resolution (ADR) Division for mediation. I wanted to let you know that I am the mediator assigned. I was hoping we could talk tomorrow, Tuesday, September 4. My schedule is flexible so if you want to give me a call when you have time, I can be reached at 571 431-2863. If you happen to get my voice mail when you call, I probably will be on another call. Just leave a call back number and I will return your call as soon as I am free.

Thank you and I look forward to talking with you,

Karen

Karen Asaro, ADR Advisor
FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
Washington, DC 20472
Phone: 571 431-2863

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Meindl, Max

From: Meindl, Max
Sent: Tuesday, September 4, 2018 9:39 AM
To: Asaro, Karen
Subject: RE: HS-FEMA-02488-2018 EEO Complaint

Let me catch up a bit on my projects and will call early afternoon.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
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202-374-9426
max.meindl@fema.dhs.gov



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From: Asaro, Karen
Sent: Monday, September 3, 2018 9:29 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: HS-FEMA-02488-2018 EEO Complaint

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Karen

Karen Asaro, ADR Advisor
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Phone: 571 431-2863

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Meindl, Max

From: Asaro, Karen
Sent: Monday, September 3, 2018 9:29 AM
To: Meindl, Max
Subject: HS-FEMA-02488-2018 EEO Complaint

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FEMA Alternative Dispute Resolution Division
500 C Street, SW, Suite 4NE 2407
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Phone: 571 431-2863

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Meindl, Max

From: Swann, Mary
Sent: Tuesday, August 28, 2018 1:59 PM
To: Meindl, Max
Subject: RE: Request of Additional Information

Hello Mr. Meindl,

Thank you for your response.

Respectfully,

*Mary Swann, EEO Specialist
DHS-FEMA-OER
3900 Karina Lane, Room 242
Denton, TX 76202
(940) 891-8573 (Ofc)
(540) 504-2712 (eFAX)
mary.swann@fema.dhs.gov*

From: Meindl, Max
Sent: Tuesday, August 28, 2018 1:27 PM
To: Swann, Mary <Mary.Swann@fema.dhs.gov>
Subject: RE: Request of Additional Information

Ms. Swann,
Per your request:

Please provide the following requested information by close of business today.
*I am in the process of contacting the responsible management official (RMO) regarding your claims.
In your response to remedies/resolutions, you stated indeterminate.
I will need you to provide some type/form of resolution to provide the RMO upon my contact.*

Also, please provide
- the name and title of Ms. Harrison's supervisor.

*Brian C. Slie
Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
940.368.9270 Cell
Brian.slie@fema.dhs.gov*

- the names and titles of the management officials in your chain of command.

*Detra Terry, Task Force Lead
Detra S. Terry
Public Assistance-PDM/DIS
DR-4332-TX
202.718.0109 / iFEMA cell*

*detra.terry@fema.dhs.gov
Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV*

- and, please spell out the acronyms you have used throughout your report.

<i>DPAG</i>	<i>Deputy Public Assistance Group Lead</i>
<i>TAC PDMG</i>	<i>Technical Assistance Contractor Program Delivery Manager</i>
<i>PAPG</i>	<i>Public Assistance Policy Guide</i>
<i>JFO</i>	<i>Joint Field Office</i>
<i>TFL</i>	<i>Task Force Lead</i>
<i>PDMG</i>	<i>Program Delivery Manager</i>

If you have questions, feel free to contact me at (940) 891-8573.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Swann, Mary
Sent: Tuesday, August 28, 2018 9:43 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Request of Additional Information

Good morning Mr. Meindl,

Hope things are going well.

Please provide the following requested information by close of business today. I am in the process of contacting the responsible management official (RMO) regarding your claims. In your response to remedies/resolutions, you stated indeterminate. I will need you to provide some type/form of resolution to provide the RMO upon my contact.

Also, please provide

- the name and title of Ms. Harrison's supervisor.
- the names and titles of the management officials in your chain of command.
- and, please spell out the acronyms you have used throughout your report.

If you have questions, feel free to contact me at (940) 891-8573.

Thank you in advance for your response and cooperation.

Respectfully,

*Mary Swann, EEO Specialist
DHS-FEMA Office of Equal Rights
3900 Karina Lane, Room 242
Denton, TX 76202
(940) 891-8573 (Ofc)
(540) 504-2712 (eFAX)
mary.swann@fema.dhs.gov*

Meindl, Max

From: Meindl, Max
Sent: Tuesday, August 28, 2018 1:27 PM
To: Swann, Mary
Subject: RE: Request of Additional Information

Ms. Swann,
Per your request:

Please provide the following requested information by close of business today.
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Also, please provide

- the name and title of Ms. Harrison's supervisor.

Brian C. Slie
Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
940.368.9270 Cell
Brian.slie@fema.dhs.gov

- the names and titles of the management officials in your chain of command.

Detra Terry, Task Force Lead
Detra S. Terry
Public Assistance-PDM/DIS
DR-4332-TX
202.718.0109/iFEMA cell
detra.terry@fema.dhs.gov
Albert P. Walters III
Public Assistance Group Supervisor
Disaster 4332 – Harvey
Cell Phone 504-570-4412
Albert.Walters@FEMA.DHS.GOV

- and, please spell out the acronyms you have used throughout your report.

<i>DPAG</i>	<i>Deputy Public Assistance Group Lead</i>
<i>TAC PDMG</i>	<i>Technical Assistance Contractor Program Delivery Manager</i>
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<i>JFO</i>	<i>Joint Field Office</i>
<i>TFL</i>	<i>Task Force Lead</i>
<i>PDMG</i>	<i>Program Delivery Manager</i>

If you have questions, feel free to contact me at (940) 891-8573.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426



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From: Swann, Mary
Sent: Tuesday, August 28, 2018 9:43 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Request of Additional Information

Good morning Mr. Meindl,

Hope things are going well.

Please provide the following requested information by close of business today. I am in the process of contacting the responsible management official (RMO) regarding your claims. In your response to remedies/resolutions, you stated indeterminate. I will need you to provide some type/form of resolution to provide the RMO upon my contact.

Also, please provide

- the name and title of Ms. Harrison's supervisor.
- the names and titles of the management officials in your chain of command.
- and, please spell out the acronyms you have used throughout your report.

If you have questions, feel free to contact me at (940) 891-8573.

Thank you in advance for your response and cooperation.

Respectfully,

*Mary Swann, EEO Specialist
DHS-FEMA Office of Equal Rights
3900 Karina Lane, Room 242
Denton, TX 76202
(940) 891-8573 (Ofc)
(540) 504-2712 (eFAX)
mary.swann@fema.dhs.gov*

Meindl, Max

From: Meindl, Max
Sent: Tuesday, August 28, 2018 11:43 AM
To: Henri, Foudiya
Cc: Goudy, Douglas
Subject: RE: Max Meindl request for Reasonable Accommodation

Hello Max,

What is the name of your Supervisor please?_ DETRA TERRY

Was the RA request sent to the Supervisor? YES

If yes please let me know.

Also sent to: *From: Meindl, Max*

Sent: Thursday, August 23, 2018 2:11 PM

To: Terry, Detra <detra.terry@fema.dhs.gov>

Cc: Oke, Nicole <nicolette.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; femamax@gmail.com

Subject: RA

I can assist with the RA request ONLY.

For Informal Complaint assistance please contact Doug Goudy directly.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Henri, Foudiya
Sent: Tuesday, August 28, 2018 11:28 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>
Subject: Max Meindl request for Reasonable Accommodation
Importance: High

Hello Max,

What is the name of your Supervisor please? _____ . Was the RA request sent to the Supervisor? If yes please let me know. I can assist with the RA request ONLY.

For Informal Complaint assistance please contact Doug Goudy directly.

Thank you,
Foudiya Henri
202-394-4633 Cell

From: Meindl, Max
Sent: Thursday, August 23, 2018 2:11 PM
To: Terry, Detra <detra.terry@fema.dhs.gov>
Cc: Oke, Nicole <nicolette.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; FEMA-Reasonable-Accommodation <fema-reasonable-accommodation@fema.dhs.gov>; Goudy, Douglas <Douglas.Goudy@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>; Avery, Darlene <Darlene.Avery@hq.dhs.gov>; femamax@gmail.com
Subject: RA

Detra,
RA form attached.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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Meindl, Max

From: Swann, Mary
Sent: Tuesday, August 28, 2018 9:43 AM
To: Meindl, Max
Subject: Request of Additional Information

Good morning Mr. Meindl,

Hope things are going well.

Please provide the following requested information by close of business today. I am in the process of contacting the responsible management official (RMO) regarding your claims. In your response to remedies/resolutions, you stated indeterminate. I will need you to provide some type/form of resolution to provide the RMO upon my contact.

Also, please provide

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- and, please spell out the acronyms you have used throughout your report.

If you have questions, feel free to contact me at (940) 891-8573.

Thank you in advance for your response and cooperation.

Respectfully,

*Mary Swann, EEO Specialist
DHS-FEMA Office of Equal Rights
3900 Karina Lane, Room 242
Denton, TX 76202
(940) 891-8573 (Ofc)
(540) 504-2712 (eFAX)
mary.swann@fema.dhs.gov*

Meindl, Max

From: femamax@gmail.com
Sent: Sunday, August 26, 2018 3:42 PM
To: Meindl, Max
Subject: PIP
Attachments: fema255-0-1.doc.docx

Meindl, Max

From: Meindl, Max
Sent: Thursday, August 23, 2018 3:18 PM
To: Swann, Mary
Subject: RE: Potential EEO Complaint
Attachments: Consent.pdf; EEO Complainants Rights Responsibilities (002)-signed.pdf; EEO Counselor Checklist (002)-signed.pdf; Max Meindl-affidavit-signed.pdf

If you believe you have been discriminated against and wish to pursue the EEO process, please provide the following information

1. your name, title and contact phone number;
a. *Max Meindl, PMP, Emergency Management Specialist (PDMG), 832-293-3671*
2. your work address and home address (do not provide a P.O. Box number);
a. *8223 Willowplace Blvd, Houston TX. (work)*
b. *5 E. Austin, Bellville, TX 77418 (home)*
3. basis(es) of the alleged discrimination;
a. if age is the basis, provide date of birth; *06/21/1951*
b. if disability is the basis, provide the name of disability; *coronary Artery Disease, possible/leading to Congestive Heart Failure (CHF)*
c. if retaliation is the basis, provide date of prior EEO Activity or the incident you believe to be discriminatory; *Believe retaliation was for my determination of applicant eligibility in contravention to prevailing thought. The issue with an applicant, City of Bellaire, pursuant my determination of a policy issue in contradiction to the prevailing point of view and that of the TAC PDMG. The apparent consensus for the issue at hand was that the applicant was not eligible for a specific claimed damage. After reviewing the available information in the PAPG and information sent from the JFO, I concluded that the applicant could possibly be eligible and proffered the opinion that asking or advising them to withdraw the claim was incorrect and not supported by the information I had reviewed and that it would be a disservice to the applicant to have them withdraw the claim as opposed to the issuance of a Determination Memo (DM). With a DM, the applicant at least retains the right to appeal whereas a withdrawal would result in no right to appeal, if I understand the process correctly. I had previously obtained approval from the Task Lead to submit an official "Policy Inquiry" to the policy team to obtain further clarification and direction. We, TFL and I, discussed the issue and agreed that waiting for the policy clarification would be the appropriate path to take.*
4. a brief bullet list of each incident you believe to be discriminatory to include
a. name(s) of the alleged discriminating party;
 Jade Harrison
c. date(s) of the incident; and
i. *July 26th 2018*
d. name(s) of any witness to the alleged discrimination;
i. *T.K. Shadowens*
e. remedies/resolution to resolve your issues.
i. *indeterminate*

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Swann, Mary
Sent: Monday, August 20, 2018 1:09 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: FW: Potential EEO Complaint

Good afternoon Mr. Meindl,

I will need your signature on each form (except "your Right to Equal Opportunity) before proceeding with the EEO process. If you have questions, please call.

Respectfully,

*Mary Swann, EEO Specialist
Informal Team Unit
Office of Equal Rights
3900 Karina Lane
Denton, TX 76202
(940) 891-8573 (ofc)
(540) 504-2712 (efax)
mary.swann@fema.dhs.gov*

From: Swann, Mary
Sent: Thursday, August 16, 2018 11:13 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: FW: Potential EEO Complaint

Good Morning,

I apologize, did not include the EEO forms. See attachments.

Respectfully,

*Mary Swann, EEO Specialist
Informal Team Unit
Office of Equal Rights
3900 Karina Lane
Denton, TX 76202
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mary.swann@fema.dhs.gov*

From: Swann, Mary
Sent: Thursday, August 16, 2018 11:09 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: Potential EEO Complaint

Good Morning,

My name is Mary Swann, EEO Counselor in the Office of Equal Rights (OER). Please let me know if you will be available on Monday, August 20, 2018 at 11:30am CST to discuss your potential request for EEO Counseling. If the time is not convenient, provide a time. I have attached the EEO Counseling forms (ADR Consent, Counseling Checklist, and Complainant's Rights and Responsibilities) for your review before the scheduled meeting. I will review the forms with you and address any questions you may have during the meeting. I also attached a copy of FEMA OER flyer "Your Right to Equal Opportunity" which gives a brief explanation of the EEO Counseling process. I will remind you that an individual has 45 days from the date of the alleged discriminatory incident to request EEO counseling.

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 - name(s) of the alleged discriminating party;
 - date(s) of the incident; and
 - name(s) of any witness to the alleged discrimination;
- remedies/resolution to resolve your issues.

Thank you in advance for your response.

Respectfully,

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(940) 891-8573 (ofc)
(540) 504-2712 (efax)
mary.swann@fema.dhs.gov*

Meindl, Max

From: Goudy, Douglas
Sent: Thursday, August 23, 2018 1:11 PM
To: Meindl, Max
Subject: Automatic reply: RA

I'm currently out of the office returning August 27, 2018. If you require immediate assistance please call (202) 212-3535 and follow prompt to leave message for the Informal Unit.

Meindl, Max

From: Meindl, Max
Sent: Tuesday, August 21, 2018 2:53 PM
To: Denton Setter, Aileen
Subject: Accepted: Conversation

Meindl, Max

From: Meindl, Max
Sent: Tuesday, August 21, 2018 10:00 AM
To: Jones, Patricia
Subject: RE: Conference Call for IDP's

Trisha,
Thank you so much for the update.
Have a great day!

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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From: Jones, Patricia
Sent: Tuesday, August 21, 2018 9:49 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: RE: Conference Call for IDP's

Mr Meindl,

The IDP form has been uploaded into FED HR Navigator. You will be able to go there and digitally sign your IDB, Plan and 2nd Quarter. The 308 is an expectation plan. These are generic forms that need to be signed. Bill Boone will be getting with you in a few months and proceed with the process.

If you need assistance please reach out to me.

Thanks,
Trisha

Patricia Jones 'Trisha'
PA Operation Support Crew Leader
DR-4332-TX
202-706-2160 FEMA

Patricia.jones1@fema.dhs.gov



FEMA

If nothing ever changed there'd be no Butterflies...

With honor and integrity, we will safeguard the American people, our homeland, and our values.

From: Meindl, Max

Sent: Friday, August 17, 2018 4:27 PM

To: Jones, Patricia <patricia.jones1@fema.dhs.gov>

Subject: Re: Conference Call for IDP's

Per ATS and DTS I was off today and missed the call. Please advise.

Get [Outlook for iOS](#)

From: Jones, Patricia

Sent: Friday, August 17, 2018 9:21:18 AM

To: Boone, William; Atchison, Randy; Bambe, Dayo; Bazemore, Ronetta; Boyko, Brent; Carnes, Lingeria; Clebourn-McPherson, Toya; Cress, Jack; In, Anthony; Kirk, Denise; Malbrough, Alfred; Meindl, Max; Nash, Julie; Pennisi, Emma; Riley Jr, Bernard; Terry, Detra; Walker, Daniel; White, Richard; Wick, Timothy; Wiltse, David

Subject: Conference Call for IDP's

When: Friday, August 17, 2018 10:00 AM-11:00 AM.

Where: 1-800-320-4330 PIN 654321#

Conference Call for IDP's

1-800-320-4330

PIN 654321#

Meindl, Max

From: Jones, Patricia
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Thanks,
Trisha

Patricia Jones 'Trisha'

PA Operation Support Crew Leader
DR-4332-TX
202-706-2160 FEMA

Patricia.jones1@fema.dhs.gov



FEMA

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With honor and integrity, we will safeguard the American people, our homeland, and our values.*

From: Meindl, Max
Sent: Friday, August 17, 2018 4:27 PM
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Sent: Friday, August 17, 2018 9:21:18 AM
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Subject: Conference Call for IDP's
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Where: 1-800-320-4330 PIN 654321#

Conference Call for IDP's
1-800-320-4330

PIN 654321#

Meindl, Max

From: Meindl, Max
Sent: Monday, August 20, 2018 5:45 PM
To: femamax@gmail.com
Subject: Fwd: Potential EEO Complaint

Get [Outlook for iOS](#)

From: Meindl, Max
Sent: Monday, August 20, 2018 1:22:42 PM
To: Swann, Mary
Subject: RE: Potential EEO Complaint

Will do, in the field with an applicant for the afternoon.
Will do soonest.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



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From: Swann, Mary
Sent: Monday, August 20, 2018 1:09 PM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: FW: Potential EEO Complaint

Good afternoon Mr. Meindl,

I will need your signature on each form (except "your Right to Equal Opportunity) before proceeding with the EEO process. If you have questions, please call.

Respectfully,

*Mary Swann, EEO Specialist
Informal Team Unit
Office of Equal Rights*

*3900 Karina Lane
Denton, TX 76202
(940) 891-8573 (ofc)
(540) 504-2712 (efax)
mary.swann@fema.dhs.gov*

From: Swann, Mary
Sent: Thursday, August 16, 2018 11:13 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Subject: FW: Potential EEO Complaint

Good Morning,

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Respectfully,

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Thank you in advance for your response.

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Subject: RE: Potential EEO Complaint

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Will do soonest.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
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mary.swann@fema.dhs.gov*

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Subject: FW: Potential EEO Complaint

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mary.swann@fema.dhs.gov*

Meindl, Max

From: Swann, Mary
Sent: Monday, August 20, 2018 1:09 PM
To: Meindl, Max
Subject: FW: Potential EEO Complaint
Attachments: Your Right to Equal Opportunity 07 - 18.pdf; ADR.pdf; EEO Counselor Checklist.pdf; EEO Complainants Rights Responsibilities.pdf

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Denton, TX 76202
(940) 891-8573 (ofc)
(540) 504-2712 (efax)
mary.swann@fema.dhs.gov*

Meindl, Max

From: Meindl, Max
Sent: Monday, August 20, 2018 11:15 AM
To: Meindl, Max
Subject: sick

, close to heading to the emergency room today (Sunday), took nitro pills, condition stabilized, but concerning. Received Blue Cross docs on Saturday so hope to get to a non VA doctor/cardiologist soonest.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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Meindl, Max

From: Meindl, Max
Sent: Friday, August 17, 2018 4:27 PM
To: Jones, Patricia
Subject: Re: Conference Call for IDP's

Per ATS and DTS I was off today and missed the call. Please advise.

Get [Outlook for iOS](#)

From: Jones, Patricia
Sent: Friday, August 17, 2018 9:21:18 AM
To: Boone, William; Atchison, Randy; Bambe, Dayo; Bazemore, Ronetta; Boyko, Brent; Carnes, Lingeria; Clebourn-McPherson, Toya; Cress, Jack; In, Anthony; Kirk, Denise; Malbrough, Alfred; Meindl, Max; Nash, Julie; Pennisi, Emma; Riley Jr, Bernard; Terry, Detra; Walker, Daniel; White, Richard; Wick, Timothy; Wiltse, David
Subject: Conference Call for IDP's
When: Friday, August 17, 2018 10:00 AM-11:00 AM.
Where: 1-800-320-4330 PIN 654321#

Conference Call for IDP's

1-800-320-4330

PIN 654321#

Meindl, Max

Subject: Conference Call for IDP's
Location: 1-800-320-4330 PIN 654321#

Start: Fri 8/17/2018 10:00 AM
End: Fri 8/17/2018 11:00 AM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Jones, Patricia
Required Attendees: Jones, Patricia; Boone, William; Atchison, Randy; Bambe, Dayo; Bazemore, Ronetta; Boyko, Brent; Carnes, Lingeria; Clebourn-McPherson, Toya; Cress, Jack; In, Anthony; Kirk, Denise; Malbrough, Alfred; Meindl, Max; Nash, Julie; Pennisi, Emma; Riley Jr, Bernard; Terry, Detra; Walker, Daniel; White, Richard; Wick, Timothy; Wiltse, David
Optional Attendees: McKnight Jr, Thomas

Conference Call for IDP's
1-800-320-4330
PIN 654321#

Meindl, Max

From: Henri, Foudiya
Sent: Thursday, August 16, 2018 9:51 AM
To: Avery, Darlene; femamax@gmail.com; Meindl, Max
Cc: Oke, Nicole; McPhie, Regina; FEMA-Reasonable-Accommodation; Oke, Nicole; Goudy, Douglas
Subject: RE: Complaint
Attachments: blank FEMA Form 256-0-1.pdf

Just tried calling Mr. Max on 832-293-3671. You may call contact me at 202-394-4633 Cell for assistance should you believe you need a Reasonable Accommodation. FEMA employees may make a request at any time.

Attached is the FEMA FORM 256-0-1 that all employees may use to document their request. The employee completes PAGE #1 and signs the bottom. Employee provides to Supervisor. If any documentation is provided that contains medical it must be password protected. Documentation only needs to be specific to the request. Please copy FEMA Reasonable Accommodation Mailbox when you forward the request.

For further assistance with a complaint I have copied the Informal Unit Chief, Ms. Oke and Team Lead, Mr. Goudy. You may contact them directly at 202-212-3535, Hit Option #6.

Thank you,

Foudiya Henri
EEO Specialist / RA Coordinator
Office of Equal Rights
500 C St. SW Washington DC

iPhone: 202.394.4633 | Desk: 202.212.4490 | 540.504.2068 | e- foudiya.henri@fema.dhs.gov |
e- fema-reasonable-accommodation@fema.dhs.gov Click to request an accommodation

From: Avery, Darlene [mailto:darlene.avery@hq.dhs.gov]
Sent: Thursday, August 16, 2018 8:02 AM
To: femamax@gmail.com; Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Oke, Nicole <nicole.oke@fema.dhs.gov>; McPhie, Regina <Regina.McPhie@fema.dhs.gov>; Henri, Foudiya <Foudiya.Henri@fema.dhs.gov>
Subject: RE: Complaint

Max Meindl

Our HQ's EEO office has received the attached email regarding disability and alleged discrimination inquiries. Our office do not process complaints or disability items for FEMA employees.

As a FEMA employee, the process is for you to reach out to the FEMA's Office of Equal Rights (OER). I am forwarding your email to the Reasonable Accommodations Program Manager, Foudiya Henri and the Information Complaints Manager/staff, Nicole Oke, Regina McPhie to learn how best they can assist you in processing your requests.

I encourage you to reach out to them if you have further questions or would like to begin the Informal complaints process.

Regards,

Darlene Avery, MBA

Program Manager, Disability/Reasonable Accommodation

Darlene.Avery@hq.dhs.gov

202-357-1204 (office)

202-357-1188 (fax)

From: femamax@gmail.com <femamax@gmail.com>

Sent: Wednesday, August 15, 2018 4:27 PM

To: Avery, Darlene <darlene.avery@hq.dhs.gov>

Subject: FW: Complaint

I am, after a couple of weeks of considerable handwrapping and possible/potential blowback considerations, hereby submitting the attached complaint, although I am very concerned about retaliation.

I have been falsely accused, in my opinion, and it appears the parties involved are escalating the issue to the possible detriment of my employment.

I categorically deny the allegations and assertions as put forth.

I have had a very successful tenure with **FEMA since 09/2017** when deployed to the Beaumont East team.

I was a high producer of “applicant signed projects” and continue to do the same here as demonstrated in the Grants Manager Metrics.

I never had any problem with “communications” until all of the sudden I can’t seem to do anything correct in my current deployment here in Houston.

I am dismayed with the process and attitude of the parties, the guilty until proven innocent prevailing mindset is inherently unfair.

A sit-with summary by TK Shadowens before my meeting with the DPAG could best described as “Fiction” because we never discussed the items in his summary report and I advised he and DPAG of the same.

Show me a specific example of the alleged “communication” or “body language” issue.

I have been falsely accused and convicted without any consideration for my perspective or statements to clarify.

I am submitting this to you as HR in confidence and would like to request a contact to the EEO group so I can file with them also because **I feel this issue revolves around my disability and needs to be addressed.**

I would also request a contact to ADR so I can pursue that avenue as well.

Please contact me with any questions, guidance, advice if required.

Please advise soonest.

Thank you in advance.

Max Meindl

832-293-3671

FEMA PDMG

Houston PA

202-374-9426

Meindl, Max

From: Avery, Darlene <darlene.avery@hq.dhs.gov>
Sent: Thursday, August 16, 2018 7:02 AM
To: femamax@gmail.com; Meindl, Max
Cc: Oke, Nicole; McPhie, Regina; Henri, Foudiya
Subject: RE: Complaint
Attachments: FW: Complaint

Max Meindl

Our HQ's EEO office has received the attached email regarding disability and alleged discrimination inquiries. Our office do not process complaints or disability items for FEMA employees.

As a FEMA employee, the process is for you to reach out to the FEMA's Office of Equal Rights (OER). I am forwarding your email to the Reasonable Accommodations Program Manager, Foudiya Henri and the Information Complaints Manager/staff, Nicole Oke, Regina McPhie to learn how best they can assist you in processing your requests.

I encourage you to reach out to them if you have further questions or would like to begin the Informal complaints process.

Regards,

Darlene Avery, MBA
Program Manager, Disability/Reasonable Accommodation
Darlene.Avery@hq.dhs.gov
202-357-1204 (office)
202-357-1188 (fax)

From: femamax@gmail.com <femamax@gmail.com>
Sent: Wednesday, August 15, 2018 4:27 PM
To: Avery, Darlene <darlene.avery@hq.dhs.gov>
Subject: FW: Complaint

I am, after a couple of weeks of considerable handwringing and possible/potential blowback considerations, hereby submitting the attached complaint, although I am very concerned about retaliation.

I have been falsely accused, in my opinion, and it appears the parties involved are escalating the issue to the possible detriment of my employment.

I categorically deny the allegations and assertions as put forth.

I have had a very successful tenure with **FEMA since 09/2017** when deployed to the Beaumont East team.

I was a high producer of "applicant signed projects" and continue to do the same here as demonstrated in the Grants Manager Metrics.

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Please contact me with any questions, guidance, advice if required.

Please advise soonest.

Thank you in advance.

Max Meindl

832-293-3671

FEMA PDMG

Houston PA

202-374-9426

Meindl, Max

From: Meindl, Max
Sent: Thursday, August 16, 2018 7:06 AM
To: Terry, Detra
Subject: Sick day

Going to VA clinic

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Meindl, Max

From: Meindl, Max
Sent: Wednesday, August 15, 2018 4:49 PM
To: femamax@gmail.com
Subject: Fwd: Sit With 7/27/2018 with PDM Max Meindl

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From: Harrison, Jade
Sent: Friday, August 3, 2018 2:12:55 PM
To: Meindl, Max; Shadowens, Timothy
Subject: Re: Sit With 7/27/2018 with PDM Max Meindl

Max,

This is a recap of the sit-with you had with Kirk this week. All of which led up to the sit-with.

Jade Harrison
Deputy Public Assistance Group Supervisor
DR-4333 Harvey
504-908-5357
Jade.Harrison@fema.dhs.gov

From: "Meindl, Max" <max.meindl@fema.dhs.gov>
Date: Friday, August 3, 2018 at 9:11:46 AM
To: "Shadowens, Timothy" <timothy.k.shadowens@fema.dhs.gov>
Cc: "Harrison, Jade" <Jade.Harrison@fema.dhs.gov>
Subject: RE: Sit With 7/27/2018 with PDM Max Meindl

I respectfully disagree with elements of this summary.
It is inaccurate and states as fact, elements not in evidence.

Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

WARNING: This email contains FOR OFFICIAL USE ONLY (FOUO) OR PRIVACY DATA. It may contain information exempt from public release under the Freedom of Information Act (5 U.S.C. 552). The information contained herein must be controlled, stored, handled, transmitted,

From: Shadowens, Timothy
Sent: Thursday, August 2, 2018 7:10 AM
To: Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Harrison, Jade <Jade.Harrison@fema.dhs.gov>
Subject: Sit With 7/27/2018 with PDM Max Meindl

Sit With 7/27/2018 with PDM Max Meindl: Regarding City of Bellaire project #26570 the Evergreen Traffic Signal Cabinets & Controls PDM Mr. Meindl was asked by leadership not to send this project back to the CRC. As this project once was sent to the CRC, and the CRC sent it back to the field office for a review of eligibility. This project is in question of does the possible reimbursement fall under FHWA or FEMA. This was a transition of projects from TFL Berti and PDM Plunkett. The expectation was for Mr. Meindl to work and to collaborate with his teammates during this transition period.

Mr. Meindl researched the eligibility reviewing the PAPPG, FHWA (TFL Berti and PDM Plunkett provided this as well), and involved the State counterparts. Mr. Meindl felt after his research that the project was eligible and advanced it back to the CRC. The CRC immediately called back to the field office confused why this project was sent back to them.

Current Status: This project was sent to the LRO for a policy determination/policy inquiry. I did call CRC TFL Andrew Makardetsh at the CRC since the project is still active in the CRC. Mr. Makardetsh stated that this project as came back and forth from the field office. Mr. Makardetsh stated they (CRC) have forwarded this to the TRO for a Determination Memo submission. I stated to Mr. Makardetsh that I felt it is best to keep the current status this way, but I will notify my DPAG for her final decision.

- In addition, I also attended in person the Weekly Meeting with the PDM and the Applicant. The Applicant stated they would appreciate it if we obtain an official review from the FEMA policy team and draft a determination memo.

TFL Kirk Shadowens Sit With - Actions to Mr. Meindl:

- The expectation was for Mr. Meindl was to follow instructions and guidance from all leadership. TFL and other leaders expressed to Mr. Meindl several times the situation of the projects and what next steps to take. Mr. Meindl did not execute to this, as Mr. Meindl chose to do what he felt the next process step was to do. As Mr. Meindl should have not advanced this project to the CRC, until his TFL granted him permission. The expectation moving forward is for Mr. Meindl to notify and involve is TFL or leadership before advancing projects to the CRC.
- The expectation was for Mr. Meindl to work and to collaborate with his teammates during this transition period. Mr. Meindl was communicated from TFL Berti and I that he was expected to work in a team effort with the PDM Plunkett. The team effort was requested to Mr. Meindl so that he could gain full status of the transition projects. Mr. Meindl during this timeframe displayed poor interaction with staff, communication with staff, and displayed poor interaction with his peers and leaders. The expectation moving forward is for Mr. Meindl to work with all teammates and leadership. Mr. Meindl needs to involve all teammates when asked, and allow those teammates to help assist him with their updated project status, so that the execution of project completion is established by an efficient manner.

Regards,

Kirk Shadowens
FEMA Task Force Leader
Harris County Branch DR-4332-TX
Timothy.K.Shadowens@FEMA.DHS.Gov
202-802-3384 mobile

Meindl, Max

From: Meindl, Max
Sent: Wednesday, August 15, 2018 3:01 PM
To: femamax@gmail.com
Subject: Fwd: Not On My Watch (Part 2): Employee Resources
Attachments: FactSheet_Harassment_Employees.pdf; FactSheet_Harassment_Supervisors and Managers.pdf

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From: Meindl, Max
Sent: Thursday, August 2, 2018 1:11:23 PM
To: femamax@gmail.com
Subject: Fwd: Not On My Watch (Part 2): Employee Resources

From: "Office of the Administrator" <officeoftheadministrator@fema.dhs.gov>
Date: Wednesday, August 1, 2018 at 2:55:08 PM
To: "FEMA-ALL" <FEMA-ALL@fema.dhs.gov>
Subject: Not On My Watch (Part 2): Employee Resources

FEMA Team,

I would like to reiterate that ensuring FEMA maintains a safe work environment is extremely important to me and to my leadership team. As stated in my previous message, you should know that FEMA has a zero-tolerance policy for all types of harassment. If you feel you have been harassed or if you witness inappropriate behavior by anyone against a fellow employee, I am asking you to report it. I am attaching two documents that provide information on where you can do so.

I recognize that you may find it difficult to make allegations about discrimination or harassment of any type. You may feel concerned that you are at risk and worry about how filing a complaint may impact your career. I want to assure you that any employee can file a complaint without fear of reprisal because I have a zero-tolerance policy against retaliation.

Sexual harassment isn't limited to just making inappropriate advances. It also includes any unwelcome verbal or physical behavior that creates a hostile work environment whether it occurs inside or outside the workplace or through social media platforms. No one should be subjected to any such behavior by anyone you may come into contact with as part of your job, including managers, co-workers, contractors or Agency partners.

When allegations of this type are brought to the Agency's attention, I can assure you that they will be investigated promptly, and upon conclusion, appropriate action will be taken. As mentioned in Monday's message, my leadership team is establishing an Office of Professional Responsibility to ensure expeditious, fair, and objective follow-up and resolution of allegations of misconduct.

The attached documents will answer questions about the steps to report harassment claims. There is also useful information on reporting an incident to the Anti-Harassment Unit. Counseling services and health and wellness advisors are available to all FEMA employees who may not have received the support they needed in the past.

As I've said before, everyone in this Agency is responsible for creating a culture of trust, mutual respect, and dignity in our treatment of employees and for all of those we serve. I will accept nothing less.

It's important to note that the few individuals participating in this behavior by no means define the majority of the honorable, well-intentioned, and well-qualified employees who give this Agency their best every day. I want you to know I appreciate your efforts and I will always support and defend you.

Meindl, Max

From: Slie, Brian
Sent: Wednesday, August 15, 2018 2:35 PM
To: Harrison, Jade; Meindl, Max; Terry, Detra
Subject: RE: M. Meindl Sit-with

Thank you, Jade.

Brian C. Slie
Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
940.368.9270 Cell
Brian.slie@fema.dhs.gov

-----Original Appointment-----

From: Harrison, Jade
Sent: Wednesday, August 15, 2018 2:19 PM
To: Meindl, Max; Terry, Detra; Slie, Brian
Subject: Canceled: M. Meindl Sit-with
When: Wednesday, August 15, 2018 2:00 PM-2:30 PM (UTC-06:00) Central Time (US & Canada).
Where: Houston office- Rm 225, conference call number provided
Importance: High

Brian,

You can use the below number to conference in tomorrow.

Conference Call number:
1-800-320-4330

PIN: 892515

Meindl, Max

From: Meindl, Max
Sent: Wednesday, August 15, 2018 2:30 PM
To: femamax@gmail.com
Subject: Fwd: Branch II 205a and 207 8-13-18
Attachments: FEMA-4332-DR-TX Branch II 205A 08-13-2018.pdf; FEMA-4332-DR-TX- Branch II 207 08132018.pdf

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From: Jiles, Adeaner
Sent: Tuesday, August 14, 2018 8:06:08 AM
To: FEMA-4332-DR-TX-Branch-II-All-Hands
Subject: Branch II 205a and 207 8-13-18

Good morning all,

See attached for final 205a and 207 for Branch II as of 8-13-18.

Best,

Liam R Bassford
Planning Specialist (PLSP)
Branch II Office
Texas Hurricane Harvey
FEMA-4332-DR-TX
(202) 465-0432
liam.bassford.2@fema.dhs.gov
[Click here to enter the Virtual Situation Room](#)

To be removed from this all-hands list, please press Ctrl and click [here](#).

Meindl, Max

Subject: Canceled: M. Meindl Sit-with
Location: Houston office- Rm 225, conference call number provided

Start: Wed 8/15/2018 2:00 PM
End: Wed 8/15/2018 2:30 PM
Show Time As: Free

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Harrison, Jade
Required Attendees: Meindl, Max; Terry, Detra; Slie, Brian

Importance: High

Brian,

You can use the below number to conference in tomorrow.

Conference Call number:
1-800-320-4330

PIN: 892515

Meindl, Max

From: Meindl, Max
Sent: Wednesday, August 15, 2018 1:58 PM
To: femamax@gmail.com
Subject: Fwd: IDPs
Attachments: FEMA Form 255-0-1 IDP.PDF

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From: Jones, Patricia
Sent: Wednesday, August 15, 2018 12:16:45 PM
To: Meindl, Max
Subject: IDPs

Good Afternoon Max,

I will be having a call on Thursday or Friday to discuss performance plans and IDPs (Individual Development Plan). I have attached an example IDP for your use. You will need to complete the IDP and return to me ASAP but no later than noon tomorrow 8/16. You will need to sign and date the form as well.

A meeting invite with conference pin will be sent out via email.

Regards,
Trisha

Patricia Jones 'Trisha'

PA Operation Support Crew Leader
DR-4332-TX
202-706-2160 FEMA

Patricia.jones1@fema.dhs.gov



If nothing ever changed there'd be no Butterflies...

With honor and integrity, we will safeguard the American people, our homeland, and our values.

Meindl, Max

From: Jones, Patricia
Sent: Wednesday, August 15, 2018 1:40 PM
To: Atchison, Randy; Bambe, Dayo; Bazemore, Ronetta; Boyko, Brent; Carnes, Lingeria;
Clebourn-McPherson, Toya; Cress, Jack; In, Anthony; Kirk, Denise; Malbrough, Alfred;
Meindl, Max; Nash, Julie; Pennisi, Emma; Riley Jr, Bernard; Terry, Detra; Teston, Sheree;
Walker, Daniel; White, Richard; Wick, Timothy; Wiltse, David
Subject: IDPs

Good Afternoon,

To answer some of the questions about the Form sent out, Bill wants you to fill out the top information and then list one or more training sessions you may be interested in.

Do not worry about the cost, etc.

Scan and email them back to me please.

Many Thanks,
Trisha

Patricia Jones 'Trisha'

PA Operation Support Crew Leader
DR-4332-TX
202-706-2160 FEMA

Patricia.jones1@fema.dhs.gov



*If nothing ever changed there'd be no Butterflies...
With honor and integrity, we will safeguard the American people, our homeland, and our values.*

Meindl, Max

From: Jones, Patricia
Sent: Wednesday, August 15, 2018 12:17 PM
To: Meindl, Max
Subject: IDPs
Attachments: FEMA Form 255-0-1 IDP.PDF

Good Afternoon Max,

I will be having a call on Thursday or Friday to discuss performance plans and IDPs (Individual Development Plan). I have attached an example IDP for your use. You will need to complete the IDP and return to me ASAP but no later than noon tomorrow 8/16. You will need to sign and date the form as well.

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PA Operation Support Crew Leader
DR-4332-TX
202-706-2160 FEMA

Patricia.jones1@fema.dhs.gov



If nothing ever changed there'd be no Butterflies...

With honor and integrity, we will safeguard the American people, our homeland, and our values.

Meindl, Max

From: Harrison, Jade
Sent: Wednesday, August 15, 2018 11:20 AM
To: Terry, Detra; Slie, Brian; Meindl, Max
Cc: Boone, William
Subject: RE: M. Meindl Sit-with

Hi Brian,

Should I move forward and reschedule the sit-with for tomorrow? and if so, please advise when you are available.

Jade Harrison

Deputy Public Assistance Group Supervisor
FEMA- Public Assistance
DR-4332-TX
Jade.Harrison@fema.dhs.gov
(504) 908-5357 (Mobile)

From: Terry, Detra
Sent: Wednesday, August 15, 2018 9:30 AM
To: Slie, Brian <Brian.Slie@fema.dhs.gov>; Harrison, Jade <Jade.Harrison@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Boone, William <William.Boone@fema.dhs.gov>
Subject: RE: M. Meindl Sit-with

Yes, he informed me this morning.

Thanks,

Detra

202.718.0109 | fCMA cell
detra.terry@fema.dhs.gov

From: Slie, Brian
Sent: Wednesday, August 15, 2018 9:28 AM
To: Terry, Detra <detra.terry@fema.dhs.gov>; Harrison, Jade <Jade.Harrison@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Boone, William <William.Boone@fema.dhs.gov>
Subject: RE: M. Meindl Sit-with

Good Morning Detra,

Thank you for the visibility. Did Mr. Meindl request a sick day after he was informed that there would be a sit-with today?

Thank you,

Brian

Brian C. Slie
Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
940.368.9270 Cell
Brian.slie@fema.dhs.gov

From: Terry, Detra
Sent: Wednesday, August 15, 2018 8:35 AM
To: Harrison, Jade <Jade.Harrison@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>; Slie, Brian <Brian.Slie@fema.dhs.gov>
Subject: RE: M. Meindl Sit-with

Good Morning,

Mr. Meindl will not be able attend today's sit-with as he has taken a sick day (8/15/2018). Meeting will be rescheduled at a later date.

Thanks,

Detra

202.718.0109|*iFEM*A cell
detra.terry@fema.dhs.gov

-----Original Appointment-----

From: Harrison, Jade
Sent: Tuesday, August 14, 2018 6:38 PM
To: Meindl, Max; Terry, Detra; Slie, Brian
Subject: M. Meindl Sit-with
When: Wednesday, August 15, 2018 2:00 PM-2:30 PM (UTC-06:00) Central Time (US & Canada).
Where: Houston office- Rm 225, conference call number provided

Brian,

You can use the below number to conference in tomorrow.

Conference Call number:
1-800-320-4330

PIN: 892515

Meindl, Max

From: Terry, Detra
Sent: Wednesday, August 15, 2018 9:30 AM
To: Slie, Brian; Harrison, Jade; Meindl, Max
Cc: Boone, William
Subject: RE: M. Meindl Sit-with

Yes, he informed me this morning.

Thanks,

Detra

202.718.0109|*iFEMA* cell
detra.terry@fema.dhs.gov

From: Slie, Brian
Sent: Wednesday, August 15, 2018 9:28 AM
To: Terry, Detra <detra.terry@fema.dhs.gov>; Harrison, Jade <Jade.Harrison@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>
Cc: Boone, William <William.Boone@fema.dhs.gov>
Subject: RE: M. Meindl Sit-with

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Brian

Brian C. Slie
Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
940.368.9270 Cell
Brian.slie@fema.dhs.gov

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Sent: Wednesday, August 15, 2018 8:35 AM
To: Harrison, Jade <Jade.Harrison@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>; Slie, Brian <Brian.Slie@fema.dhs.gov>
Subject: RE: M. Meindl Sit-with

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Thanks,

Detra

202.718.0109|~~iFEMA cell~~
detra.terry@fema.dhs.gov

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From: Harrison, Jade

Sent: Tuesday, August 14, 2018 6:38 PM

To: Meindl, Max; Terry, Detra; Slie, Brian

Subject: M. Meindl Sit-with

When: Wednesday, August 15, 2018 2:00 PM-2:30 PM (UTC-06:00) Central Time (US & Canada).

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Brian

Brian C. Slie
Deputy Infrastructure Branch Director
DR 4332 TX JFO Austin
Region 6 Infrastructure Branch
DHS/FEMA
940.368.9270 Cell
Brian.slie@fema.dhs.gov

From: Terry, Detra
Sent: Wednesday, August 15, 2018 8:35 AM
To: Harrison, Jade <Jade.Harrison@fema.dhs.gov>; Meindl, Max <max.meindl@fema.dhs.gov>; Slie, Brian <Brian.Slie@fema.dhs.gov>
Subject: RE: M. Meindl Sit-with

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Detra

202.718.0109|*iFEM*A cell
detra.terry@fema.dhs.gov

-----Original Appointment-----

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Sent: Tuesday, August 14, 2018 6:38 PM
To: Meindl, Max; Terry, Detra; Slie, Brian
Subject: M. Meindl Sit-with

When: Wednesday, August 15, 2018 2:00 PM-2:30 PM (UTC-06:00) Central Time (US & Canada).

Where: Houston office- Rm 225, conference call number provided

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Conference Call number:

1-800-320-4330

PIN: 892515

Meindl, Max

From: Terry, Detra
Sent: Wednesday, August 15, 2018 8:35 AM
To: Harrison, Jade; Meindl, Max; Slie, Brian
Subject: RE: M. Meindl Sit-with

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Thanks,
Detra

202.718.0109|~~iFEMA cell~~
detra.terry@fema.dhs.gov

-----Original Appointment-----

From: Harrison, Jade
Sent: Tuesday, August 14, 2018 6:38 PM
To: Meindl, Max; Terry, Detra; Slie, Brian
Subject: M. Meindl Sit-with
When: Wednesday, August 15, 2018 2:00 PM-2:30 PM (UTC-06:00) Central Time (US & Canada).
Where: Houston office- Rm 225, conference call number provided

Brian,

You can use the below number to conference in tomorrow.

Conference Call number:
1-800-320-4330

PIN: 892515

Meindl, Max

From: Meindl, Max
Sent: Wednesday, August 15, 2018 7:57 AM
To: Terry, Detra
Subject: Sick day

Not well, sick day

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Meindl, Max

From: Meindl, Max
Sent: Thursday, August 9, 2018 7:31 AM
To: Harrison, Jade
Subject: Re: Freeway Manor Baptist Church

Sounds great

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From: Harrison, Jade
Sent: Wednesday, August 8, 2018 6:34:25 PM
To: Meindl, Max
Subject: RE: Freeway Manor Baptist Church

Max,

Thank you for the offer. I'll be catching up on some stuff before I leave next week. However, maybe next week we can get together for a group lunch. Thank so much!

Jade Harrison

Deputy Public Assistance Group Supervisor
FEMA- Public Assistance
DR-4332-TX
Jade.Harrison@fema.dhs.gov
(504) 908-5357 (Mobile)

From: Meindl, Max
Sent: Wednesday, August 8, 2018 5:56 PM
To: Harrison, Jade <Jade.Harrison@fema.dhs.gov>
Subject: Re: Freeway Manor Baptist Church

Jade, if you're available tomorrow for lunch I'd like to treat you to lunch before you demob. Marcus, Mary Margaret and possibly Detra are going to Churascos for lunch. Just over 249, South American cuisine, my way of saying thanks.

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From: Meindl, Max
Sent: Wednesday, August 8, 2018 5:25:43 PM
To: Harrison, Jade
Subject: Re: Freeway Manor Baptist Church

I can't seem to withdraw because it's "pending late damage submission review ". Can you send it back somehow?

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From: Harrison, Jade
Sent: Wednesday, August 8, 2018 2:35:51 PM
To: Meindl, Max
Subject: RE: Freeway Manor Baptist Church

Ok. Please remove the late submission in the Grants Manger today.

Jade Harrison

Deputy Public Assistance Group Supervisor
FEMA- Public Assistance
DR-4332-TX
Jade.Harrison@fema.dhs.gov
(504) 908-5357 (Mobile)

From: Meindl, Max
Sent: Wednesday, August 8, 2018 2:15 PM
To: Harrison, Jade <Jade.Harrison@fema.dhs.gov>
Subject: Re: Freeway Manor Baptist Church

JH, applicant just clarified that the building I identified as the classrooms on google earth I sent to you is what they call the warehouse so no need for adding new DI, appreciate your assistance and attentiveness. The existing DI should capture everything.

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From: Meindl, Max
Sent: Wednesday, August 8, 2018 2:07:23 PM
To: Harrison, Jade
Subject: Re: Freeway Manor Baptist Church

I'm not sure how it was missed but I'll find out

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From: Harrison, Jade
Sent: Wednesday, August 8, 2018 1:51:49 PM
To: Meindl, Max
Subject: RE: Freeway Manor Baptist Church

Max,

What is the Applicant's reason for not submitting the building within the 60 day DI deadline?

Jade Harrison

Deputy Public Assistance Group Supervisor
FEMA- Public Assistance
DR-4332-TX
Jade.Harrison@fema.dhs.gov
(504) 908-5357 (Mobile)

From: Meindl, Max
Sent: Wednesday, August 8, 2018 8:54 AM
To: Harrison, Jade <Jade.Harrison@fema.dhs.gov>
Subject: RE: Freeway Manor Baptist Church

FYI



Max J Meindl, PMP
Program Delivery Manager | Houston TRO
DHS | FEMA-Recovery Directorate
Public Assistance Division
FEMA/HQ
202-374-9426
max.meindl@fema.dhs.gov



FEMA

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Jade Harrison

Deputy Public Assistance Group Supervisor

FEMA- Public Assistance

DR-4332-TX

Jade.Harrison@fema.dhs.gov

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Meindl, Max

From: Meindl, Max
Sent: Wednesday, August 8, 2018 5:56 PM
To: Harrison, Jade
Subject: Re: Freeway Manor Baptist Church

Jade, if you're available tomorrow for lunch I'd like to treat you to lunch before you demob. Marcus, Mary Margaret and possibly Detra are going to Churascos for lunch. Just over 249, South American cuisine, my way of saying thanks.

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From: Meindl, Max
Sent: Wednesday, August 8, 2018 5:25:43 PM
To: Harrison, Jade
Subject: Re: Freeway Manor Baptist Church

I can't seem to withdraw because it's "pending late damage submission review ". Can you send it back somehow?

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From: Harrison, Jade
Sent: Wednesday, August 8, 2018 2:35:51 PM
To: Meindl, Max
Subject: RE: Freeway Manor Baptist Church

Ok. Please remove the late submission in the Grants Manger today.

Jade Harrison

Deputy Public Assistance Group Supervisor
FEMA- Public Assistance
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From: Meindl, Max
Sent: Wednesday, August 8, 2018 2:15 PM
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Sent: Wednesday, August 8, 2018 2:07:23 PM

To: Harrison, Jade
Subject: Re: Freeway Manor Baptist Church

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From: Harrison, Jade
Sent: Wednesday, August 8, 2018 1:51:49 PM
To: Meindl, Max
Subject: RE: Freeway Manor Baptist Church

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What is the Applicant's reason for not submitting the building within the 60 day DI deadline?

Jade Harrison
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(504) 908-5357 (Mobile)

Meindl, Max

From: Meindl, Max
Sent: Thursday, August 2, 2018 1:11 PM
To: femamax@gmail.com
Subject: Fwd: Not On My Watch (Part 2): Employee Resources
Attachments: FactSheet_Harassment_Employees.pdf; FactSheet_Harassment_Supervisors and Managers.pdf

From: "Office of the Administrator" <officeoftheadministrator@fema.dhs.gov>
Date: Wednesday, August 1, 2018 at 2:55:08 PM
To: "FEMA-ALL" <FEMA-ALL@fema.dhs.gov>
Subject: Not On My Watch (Part 2): Employee Resources

FEMA Team,

I would like to reiterate that ensuring FEMA maintains a safe work environment is extremely important to me and to my leadership team. As stated in my previous message, you should know that FEMA has a zero-tolerance policy for all types of harassment. If you feel you have been harassed or if you witness inappropriate behavior by anyone against a fellow employee, I am asking you to report it. I am attaching two documents that provide information on where you can do so.

I recognize that you may find it difficult to make allegations about discrimination or harassment of any type. You may feel concerned that you are at risk and worry about how filing a complaint may impact your career. I want to assure you that any employee can file a complaint without fear of reprisal because I have a zero-tolerance policy against retaliation.

Sexual harassment isn't limited to just making inappropriate advances. It also includes any unwelcome verbal or physical behavior that creates a hostile work environment whether it occurs inside or outside the workplace or through social media platforms. No one should be subjected to any such behavior by anyone you may come into contact with as part of your job, including managers, co-workers, contractors or Agency partners.

When allegations of this type are brought to the Agency's attention, I can assure you that they will be investigated promptly, and upon conclusion, appropriate action will be taken. As mentioned in Monday's message, my leadership team is establishing an Office of Professional Responsibility to ensure expeditious, fair, and objective follow-up and resolution of allegations of misconduct.

The attached documents will answer questions about the steps to report harassment claims. There is also useful information on reporting an incident to the Anti-Harassment Unit. Counseling services and health and wellness advisors are available to all FEMA employees who may not have received the support they needed in the past.

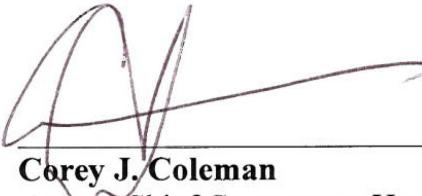
As I've said before, everyone in this Agency is responsible for creating a culture of trust, mutual respect, and dignity in our treatment of employees and for all of those we serve. I will accept nothing less.

It's important to note that the few individuals participating in this behavior by no means define the majority of the honorable, well-intentioned, and well-qualified employees who give this Agency their best every day. I want you to know I appreciate your efforts and I will always support and defend you.

**FEMA MANUAL 123-9-1
TELEWORK
APPROVAL DATE: 1/9/2013**



**DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
OFFICE OF THE CHIEF HUMAN CAPITAL OFFICER**


Corey J. Coleman
Acting Chief Component Human Capital
Officer
Mission Support Bureau
Date: 1/11/13


David M. Robinson
Associate Administrator
Mission Support Bureau
Date: 1/11/13

Foreword

This Manual provides guidance and policy direction for the administration, implementation, and oversight of the Federal Emergency Management Agency's (FEMA) Telework Program. FEMA considers telecommuting to be a viable alternative work arrangement in cases where individual, job, and supervisor characteristics are best suited to such an arrangement. Teleworking allows an employee to work at home or other approved alternative work locations during regular working hours. Teleworking is a voluntary work alternative that may be appropriate for some employees and some jobs. It is not an entitlement and in no way changes the terms and conditions of employment with the Agency.

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CHAPTER 1: GENERAL INFORMATION

1-1. Purpose

The purpose of telework is to complete the duties, responsibilities, and other authorized activities (such as online training) of an employee's official position from an alternative worksite, other than at the location an employee normally works. The availability of telework promotes recruitment and retention; helps employees manage commutes and other work/life issues; reduces traffic congestion, fuel consumption and vehicle emissions; reduces real estate costs; and ensures continuity of essential governmental functions in the event of an emergency. This Manual prescribes policy and assigns responsibility for telework. It details position and employee eligibility determinations for teleworking. It also addresses performance management of the teleworker and provides guidance on security considerations for teleworking.

1-2. Applicability and Scope

This Manual applies to all FEMA employees as defined in Title 5 Section 2105 of the United States Code, except those excluded from coverage under Pub. L. No. 111-292, Section 6502, and those employees deemed ineligible by the Agency to participate in the telework program.

1-3. Supersession

This Telework policy supersedes FEMA Manual 3000.3, Program Guidance for FEMA Telework Program, dated July 31, 2000.

1-4. Authorities/ References

- A. P.L. 111-292, "Telework Enhancement Act of 2010," December 9, 2010.
- B. P.L. 106-346, "Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes," Section 359 and accompanying conference report.
- C. P.L. 105-277, "Making omnibus consolidated and emergency appropriations for the fiscal year ending September 30, 1999, and for other purposes," Title IV, "Domestic Food Programs," Section 630, "Flexiplace Work Telecommuting Programs."
- D. P.L. 104-52, "Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1996, and for other purposes," Section 620.
- E. U.S. Office of Personnel Management (OPM) Guide to Telework in the Federal Government.
- F. U.S. Office of Personnel Management (OPM) Washington, DC, Area Dismissal and Closure Procedures.
- G. U.S. Office of Personnel Management (OPM) Pandemic Information.
- H. FMR Bulletin 2006-B3: Guidelines for Alternative Workplace Arrangements, March 17, 2006.
- I. FMR Bulletin 2007-B1: Information Technology and Telecommunications Guidelines for Federal Telework and Other Alternative Workplace Arrangement Program, March 2, 2007.
- J. Office of Management and Budget Memorandum, "Protection of Sensitive Agency Information," June 24, 2006.
- K. DHS Continuity of Operations Programs and Continuity of Government Programs, MD 9300.1.
- L. Federal Employees' Compensation Act (FECA), 5 U.S.C., Chapter 8.
- M. The Privacy Act of 1974, 5 U.S.C. § 552a.

- N. Title 5, Code of Federal Regulations (CFR) 531.605, Determining an Employee's Official Worksite.
- O. Office of Management and Budget Memorandum, "Implementing Telework Enhancement Act of 2010 IT Purchasing Requirements".
- P. EEOC Enforcement Guidance, "Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act," No. 915.002 (October 17, 2002).
- Q. EEOC Work at Home/Telework as a Reasonable Accommodation, <http://www.eeoc.gov.facts/telework.html> (Oct. 27, 2005).
- R. DHS MD 250-05 and DHS MD 250-05-001, "Designation of Essential and Exempt Personnel".

1-5. Policy

- A. FEMA promotes telework (also known as flexiplace, telecommuting, or work-from-home) as a workplace flexibility for recruiting top talent; retaining current employees; reducing the cost of office space, absenteeism, and use of workers compensation; and to ensure continuity of essential governmental functions in the event of an emergency.
- B. The FEMA telework program embraces the premise that all positions are presumed suitable for telework, unless the official duties require, on a daily basis, an employee to be physically present at a worksite because the employee's duties cannot be performed remotely or from an alternate worksite, or that the employee's duties require the frequent and direct handling of sensitive materials inappropriate for telework.
- C. All eligible employees will be afforded every opportunity to participate in the telework program. Employees in occupations typically deemed ineligible for telework who are working on rotations or temporary details that include work that is eligible for telework may participate in the telework program. See criteria in Section 2-2, Determining Eligibility, for further discussion of eligibility requirements.
- D. Employees participating in the telework program will be provided with the necessary government equipment and supplies to adequately perform their tasks at an alternate worksite as detailed in Section 3-6, Security and Equipment.
- E. Telework may be executed either 1) on a regular and recurring basis, meaning that the employee teleworks at least one day or more a pay period or 2) on a situational or episodic basis, that occurs on an occasional, non-routine circumstance and/or during COOP/pandemic health crisis, individual employee medical reasons, or other emergency situations.
- F. Telework for more than one day a pay period may be appropriate for attracting potential applicants, retaining current employees, and providing reasonable accommodations for employees in accordance with guidance by Office of Equal Rights (OER), as well as for accommodating employees housed in Federal buildings undergoing renovation projects and for addressing other agency or employee needs.
- G. Unscheduled situational telework is an important component of FEMA's ability to operate in emergencies. Telework should be incorporated into emergency preparedness operations to the broadest extent possible. Unscheduled telework is a way for FEMA and its employees

to maintain productivity and help ensure safety of the Federal workforce and the public. For example, telework will be considered for situational inclement weather as well as emergency situations that involve national security, extended emergencies, or other unique situations (See Section 3-9 Emergency Situations).

- H. As part of FEMA Continuity of Operations Plan (COOP), positions may be designated as Mission Critical. These designations should be an integral part of the COOP planning and emergency occupant plans. As such, each organization should test its preparedness at least annually for an all-staff telework emergency by conducting an exercise where all eligible employees telework for at least one day (See Section 3-10). Designation as Mission Critical means the employee in the position is deemed an Emergency Employee for purposes of Para. 1-6.H.
- I. Telework will be considered when planning for any building renovation in any agency location, especially where workspace sharing (e.g., hoteling) is required.
- J. An approved and up-to-date agreement is required for any teleworking arrangement. The agreement should outline emergency designations when applicable and allow easy implementation for unscheduled telework in emergency or unforeseen situations where teleworking may be appropriate.
- K. Telework training is required for all new teleworkers and their managers before he/she begins a telework arrangement. Employees with telework agreements may also be required to undergo periodic retraining.
- L. Agencies/staff offices must include an appropriate notice in all eligible vacancy announcements when the position is eligible for telework. For example, "The duties of this position can be performed while teleworking" or "This position is eligible for telework and other flexible work arrangements."
- M. Telework may be considered appropriate as an accommodation for employees who meet reasonable accommodation guidelines in alignment with the Office of Equal Rights (OER).
- N. If an employee teleworks full time, supervisors must coordinate with Office of Chief Component Human Capital Officer (OCCHCO) to ensure the employee is aware of any impact to pay or benefits that may result from the arrangement (See Section 3-3, Official Duty Station).
- O. Employee performance for teleworkers and non-teleworkers will be evaluated using the same performance management program and standards that cover workers at traditional office/duty locations. This includes providing all employees the same opportunities and treatment with regards to work assignments, periodic appraisal of job performance, awards, recognition, training and developmental opportunities, promotions, and retention incentives.
- P. Teleworking employees are subject to ensuring that records subject to Privacy Act and sensitive or classified data are not disclosed to anyone except those who are authorized access to such information in order to perform their duties. Individuals may not remove classified data from employees' official work sites to alternate worksite locations.
- Q. Teleworking employees continue to be bound by DHS and FEMA standards of conduct and performance directives and policies while working at the alternate worksite.

- R. Employees rights provided for in the collective bargaining agreement are not affected by participation in the telework program.
- S. Employees can both telework and participate in an Alternate Work Schedule (AWS). However, a program office can restrict the combination of the usage of both programs by an employee if it negatively impacts mission accomplishment.

1-6. Definitions

- A. Alternative Work Schedules (AWS): Work schedules that differ from traditional fixed work schedules (e.g., 8 hours per day, 40 hours per week). There are two categories of AWS: Flexible Work Schedules (FWS) or Compressed Work Schedules (CWS).
- B. Alternate Worksite/Location (AWL): A location where official duties are performed away from the traditional worksite. An alternate worksite may be the employee's residence, a satellite office, or another approved location. For an employee covered by a telework agreement, the alternate worksite may be the employee's official worksite.
- C. Compressed Work Schedule (CWS): A schedule in which the biweekly 80-hour requirement for a full-time employee is fulfilled in less than 10 workdays. For a part-time employee, the biweekly requirement of LESS than 80 hours is completed in less than 10 workdays.
- D. Continuity Facility: Locations other than the primary facility used to carry out essential functions during continuity of operations events. In some cases, an employee's home or other virtual office options may be designated as a continuity facility if determined to have an acceptable risk level for the execution of essential functions continue.
- E. Continuity of Operations Plan (COOP): A plan containing procedures designed to ensure continuity of essential functions at FEMA under all emergency circumstances. Some of the major purposes of a COOP Plan include delineating essential Agency functions, specifying the order of succession of Agency leaders and delegations of authority, and providing for safekeeping of vital records/databases. Under a COOP, employees with and without Telework Agreements may be required to work at an alternate worksite.
- F. Emergency: Includes national and local security situations, extended emergencies, or other unique situations when the Agency is closed or access to an employee's official duty station or other agency facilities is limited.
- G. Emergency Employees: Employees who are assigned to positions required to sustain a facility or function in the event of a localized situation, such as inclement weather, interruption of power, or a dismissal or closure of DHS operations or services. These employees are expected to work even when DHS applies dismissal or closure procedures. The designation of Emergency Employees may vary according to the particular nature of an exigency. Emergency Employees may also be designated Mission Critical in Agency COOP plans. See Para. 1-5.H. FEMA employees have regular and recurring emergency management responsibilities; though not every position requires routine deployment to disaster sites, all positions may be subject to recall based on mission needs.
- H. Emergency Relocation Group (ERG): Staff assigned responsibility to continue essential

- functions from an alternate site in the event that their primary operating facilities are threatened or have been incapacitated by an incident.
- I. Executive Level Managers: Associate Administrators, Regional Administrators, Assistant Administrators, and Program Directors and other Office Chiefs.
 - J. FEMA Telework Managing Officer: The senior FEMA employee who serves as the Agency's point of contact to provide overall strategic direction on telework issues.
 - K. FEMA Telework Program Manager: The Program Manager serves as the Agency point of contact (POC) for Program Office/Regional Telework Coordinators, for senior managers, and for external organizations (e.g., the U.S. Office of Personnel Management, the General Services Administration, and the Department of Homeland Security). He/she provides leadership, guidance and interpretation, data analysis, training, and evaluation of the Agency's telework program and policy.
 - L. Flexible Work Schedule (FWS): A schedule in which an employee selects arrival and departure times that are outside business hours of, the FEMA activity to which assigned but within the flexible time band, and includes 8 hours of duty and a 30-minute lunch period each day.
 - M. Mission Essential Functions (MEFs): The limited set of department and agency level government functions that must be continued throughout, or resumed rapidly after, a disruption of normal activities.
 - N. Primary Mission Essential Functions (PMEFs): Those department and agency Mission Essential Functions, validated by the NCC, which must be performed in order to support the performance of MEFs before, during, and in the aftermath of an emergency. PMEFs need to be continuous or resumed within 12 hours after an event and maintained for up to 30 days or until normal operations can be resumed.
 - O. Official Discipline (Formal): An action pertaining to the reprimand, suspension, or removal of an employee which is documented and is present in an employee's electronic Official Personnel File (eOPF).
 - P. Official Duty Station: The official worksite is the location of an employee's position of record where the employee regularly performs his/her duties. Certain location-based pay entitlements (such as locality payments, special rate supplements, and non-foreign area cost-of-living allowances) are based on the location of the employee's official worksite associated with the employee's position of record (See Section 3-3, Official Duty Station). If the employee's work involves recurring travel or the employee's work location varies on a recurring basis (sometimes referred to as "mobile work"), the official worksite is the location where the work activities of the employee's position of record are based, as determined by the employing agency, subject to the requirement that the official worksite must be in a locality pay area in which the employee regularly performs work. Examples of mobile work include site audits, site inspections, investigations, property management, and work performed while commuting, traveling between worksites, or on Temporary Duty (TDY).
 - Q. Official Home of Record: The employee's residential address that is officially listed in the employee's Official Personnel Folder (OPF).

- R. Personal Identifiable Information (PII): Any information about an individual maintained in an agency system of records, including, but not limited to, financial transactions, medical history, criminal history, employment history, or any other information which can be retrieved using a personal identifier, such as name, Social Security Number, date and place of birth, mother's maiden name, biometric records, and any other personal information which is linked or linkable to an individual.
- S. Portable Work: Work normally performed at an employee's official worksite that can be performed with equal effectiveness at an Alternative Work Location with respect to quality, quantity, timeliness, efficiency, customer service, and other aspects of the Agency's mission accomplishment. This work is part of the employee's regular assignments and does not involve a change in duties or in the way assignments are performed.
- O. Program Office/Regional Telework Coordinators: FEMA employees who, as part of their official duties, serve as points of contact for providing guidance to employees and managers in their respective organizations, collect telework data for reports, and oversee implementation of the Agency's Telework Program in their organizations. In addition, they will ensure compliance of the Telework Program with appropriate DHS directives, FEMA policies, processes, and procedures, and to identify and implement Telework improvements or corrective actions. They work collaboratively with the Agency's Telework Coordinator.
- P. Re-certification of Telework Agreements: Annual review of an employee's Telework Agreement by the employee's supervisor to determine the employee's current eligibility for participating in the Telework Program. The employee's participation in the Telework Program may be amended or disapproved (terminated); otherwise agreements remain in force. Supervisors must document any amendment in writing by completing a new FEMA Form 123-9-0-1, Telework Application and Agreement with the employee.
- Q. Regular Telework (Core): Work that is performed on an established work schedule at an approved AWL on a regular, recurring, and ongoing basis. Telework arrangements may be determined by the Supervisor to be full-time or part-time based on eligible telework duties and portable work needs (full-time arrangements must consider Section 3-3, Official Duty Station). Employees with Regular Telework agreements may also apply for Situational Telework in order to work on specific projects and/or in response to an emergency.
- R. Situational Telework (Episodic): Telework that occurs on an occasional, non-routine basis and/or during COOP/pandemic health crisis or other emergency situations. Supervisors have discretion to establish timeframes for Situational Telework (Episodic) based on work-related factors such as work priority, deadlines, etc. When making an approval for a situational telework agreement for a medical reason, special project, or accommodation request, the agreement must be reviewed and reapproved every 30 days. Telework arrangements may be determined by the Supervisor to be full-time or part-time based on eligible telework duties and portable work needs (full-time arrangements must consider Section 3-3, Official Duty Station). The definition of situational telework includes "unscheduled telework" as defined separately. Situational telework may be used:

1. To allow an employee to perform work on a specific organizational project or a discrete portion of a project;
 2. To permit an employee to perform work at an AWL during inclement weather;
 3. To allow an employee to perform work when his/her official worksite is not accessible (e.g., building damage/emergency, or because of traffic disruption due to street closures, conventions, demonstrations, etc.);
 4. To enable an employee to perform work at an AWL during an agency closure or early dismissal (see Section 3-9, Emergency Situations for further detail); or
 5. For an employee who is recovering from illness or an injury and is temporarily unable to physically report to the traditional office, as supported by documentation from the employee's physician.
- S. Telework: A flexible work arrangement under which employees perform the duties and responsibilities of their positions from an approved worksite other than the location from which the employee would otherwise work.
- T. Telework Application and Agreement: A written agreement of the terms and conditions of the telework arrangement that is completed and signed by the participating employee and the supervisor or designee(s).
- U. Telework-Ready Employee: An employee who meets the eligibility criteria of the Telework Program, has completed the required training, has the appropriate space and equipment and work assignments needed to work at a location other than the official worksite, and has an approved Telework Agreement.
- V. Tour of Duty: The hours of a day (a daily tour of duty) and the days of an administrative workweek (a weekly tour of duty) that constitute an employee's regularly scheduled administrative workweek.
- W. Traditional Worksite: The location (i.e., workplace) where an employee would usually report for work absent a telework agreement.
- X. Unscheduled Telework: A term applied in the context of OPM's Washington, DC, Area Dismissal and Closure Procedures, in reference to telework that occurs on day(s) that a telework approved employee was not scheduled in advance to telework. This is considered a type of situational telework and applies to all FEMA locations.
- Y. Workspace Sharing (Hoteling): An arrangement involving two or more employees sharing one office/cubicle by coordinating the days each employee is on-site at the traditional worksite; or a shared use of non-dedicated workstations by employees (who telework the majority of their time) when they are on-site at the traditional worksite.

1-7 Responsibilities

- A. Chief Component Human Capital Officer (CCHCO) is responsible for:
1. Designating an Agency Telework Managing Officer to administer and oversee the telework program for FEMA; and
 2. Developing Agency specific guidelines on telework necessary to implement DHS policy.

B. Executive-Level Managers are responsible for:

1. Actively promoting telework within their respective organizations, consistent with accomplishing their assigned missions, making every effort to overcome artificial barriers to program implementation and integrating telework into continuity of operations (COOP) activities;
2. Serving as the final deciding authority regarding whether an employee will be allowed to telework if a supervisor's disapproval is appealed by an employee; and
3. Determining which employees are Emergency Employees, in coordination with the FEMA Telework Program Manager.

C. Office of Equal Rights (OER) is responsible for:

1. Providing technical resource information on reasonable accommodation; and
2. Advising on usage of telework as an accommodation.

D. Chief Information Officer in coordination with Chief Acquisition Officer is responsible for:

1. Procuring allowable Information Technology products and services, to include remote access servers, client devices, and internal resources accessible through remote access;
2. Deploying and modernizing IT systems and infrastructure to support agency telework requirements (as applicable to Section 3-6, Security and Equipment); and
3. Ensuring compliance of devices and infrastructure with federal security and privacy requirements.

E. FEMA Telework Managing Officer is responsible for:

1. Developing and evaluating program structure and resources;
2. Providing overall strategic program direction; and
3. Leveraging support for the telework program throughout the agency by collaborating with senior agency officials.

F. FEMA Telework Program Manager is responsible for:

1. Providing overall direction on the implementation of the FEMA telework program in accordance with law, this Instruction, and other applicable DHS policies; and program implementation, and operation of the telework program in accordance with law, this Instruction, and other applicable DHS policies;
2. Ensuring oversight for the Agency Telework program, monitoring, evaluating and providing guidance and training to all Telework Coordinators;
3. Actively promoting telework within the Agency, consistent with accomplishing assigned missions, and making every effort to overcome artificial barriers to program implementation through education and training for leadership and supervisors on telework benefits, performance management in a telework environment, and the value of integrating telework into COOP activities; and
4. Tracking employee participation and providing usage data at the end of each calendar year for submission to the DHS Chief Human Capital Officer or the U.S. Office of Personnel Management (OPM) for Annual Telework Reporting. Additionally a copy will be provided to the FEMA Labor Management Partnership Council.

G. Telework Coordinators are responsible for:

1. Reviewing all submitted Telework forms, agreements, and documents received for completeness and compliance;

2. Interpreting Telework policy application to regional, directorate, or division level;
 3. Maintaining accurate records of program participation at regional, directorate, or division level;
 4. Working with the Telework Program Manager to complete and submit regional, directorate, or division program reporting requirements; and
 5. Ensuring employees are fully trained on telework procedures including IT and data security and safety requirements.
- H. The FEMA Privacy Office is responsible for providing policy guidance and training for employees and managers to ensure that the use of AWL includes proper handling of information protected by the Privacy Act;
- I. The FEMA Office of the Chief Security Officer is responsible for providing policy guidance and training for employees and managers to ensure that the use of AWL does not risk the improper disclosure of sensitive but unclassified (For Official Use Only (FOUO)), or classified information;
- J. FEMA Supervisors are responsible for:
1. Ensuring there is adequate coverage during public business hours to enable operations to continue to be carried out in an efficient and economical manner and that participating and nonparticipating employees are treated equitably;
 2. Making the determination regarding whether requesting employees are eligible for telework;
 3. Determining whether employees' duties include sufficient portable work to permit regular telework for a given number of days per pay period;
 4. In collaboration with OCCHCO, ensure that, as appropriate, position descriptions are updated to reflect which positions are not suitable for telework and the reasons for such determinations;
 5. Approving or disapproving requests for telework (When making an approval for a situational telework agreement for a medical reason, special project, or accommodation request, the agreement must be reviewed and reapproved every 30 days. A request for approval for an employee to telework outside of their normal commuting area or in another geographical area should be handled as a request for change of duty location and not a telework request.);
 6. Justifying, in writing, the basis for the disapproval or termination of telework in the comments portion of the telework request; and communicating clearly to their employees the reasons for the disapproval of employees' telework requests;
 7. Monitoring and reviewing all telework arrangements annually to make sure mission requirements are being met;
 8. Monitoring employee performance and terminating telework arrangements if an employee's performance does not meet or exceed the "proficient," or "achieved expectations" standard, or if the teleworking arrangement fails to meet organizational needs;
 9. Ensuring proper accountability of government equipment assigned to teleworkers;
 10. In the event of lost or stolen equipment, conducting an inquiry into the facts and circumstances, and reporting findings in accordance with FEMA's Personal Property Manual 119-7-1, specifically FEMA Form 119-7-1-1, Report of Survey;
 11. Ensuring that employees comply with laws, policies, and directives to prevent the unauthorized disclosure of information that is confidential, sensitive, classified, or PII;

12. Contacting the Office of Equal Rights for additional guidance before approving an episodic and situational or regular and recurring telework agreement in cases where an employee requests telework as an accommodation for disability; and
13. Engaging and involving Agency Labor Representatives, where applicable, in determining the types of positions and tasks eligible for telework. Engaging and involving Equal Rights representatives where exclusive representation is not applicable in determining the types of positions and tasks eligible for telework.

K. FEMA Employees are responsible for:

1. Completing and signing a telework agreement detailing the location and requirements of the alternate worksite. (If requesting telework at home, designate one area in the home as the official work station for purposes of telework on the Telework Agreement (e.g., First Floor Office) and complete the attached self-certification safety checklist);
2. Maintaining a level of performance that is at the proficient or “achieved expectations” level or higher;
3. Protecting all government-provided equipment and software from loss, theft, or damage (including environmental damage);
4. Ensuring the security of all official, sensitive, and, in particular, for official use only (FOUO) data, and strictly adhering to Agency information and electronic security policies;
5. Agreeing to protect government records from unauthorized disclosure or damage and to comply with the requirements of all information security laws, rules, and regulations, including the Privacy Act of 1974;
6. Immediately notifying his or her supervisor and all appropriate Agency officials, including the Privacy Officer, when a loss, theft, or compromise of personal information or government equipment occurs;
7. Working at the traditional worksite on telework days if necessitated by work requirements, or as directed;
8. Updating his or her application for Transit Subsidy benefits within 10 working days of the approval of a regular telework agreement;
9. Ensuring the designated area in his or her home complies with safety requirements for work-at-home telework;
10. Notifying their supervisor immediately of any accident or injury at the alternate worksite and completing the required documentation;
11. Notifying their supervisor if equipment failure or other technical reasons affect their ability to telework efficiently;
12. Forwarding office telephones to the agency issued equipment; (this requirement will be dependent upon the phone system at the employee’s traditional worksite, as all systems do not have the call forwarding feature);
13. Adhering to the established work schedule and properly accounting for and reporting actual hours worked; and
14. Adhering to the same workday requirements when performing work at the AWL as they would be if they were performing work at the official duty station.

1-8. Reporting Requirement

OCCHCO will collect the appropriate information and report to DHS Chief Human Capital Officer and OPM as directed.

1-9. Forms Prescribed

- A. FEMA Form 123-9-0-1, Telework Application and Agreement Form

B. FEMA Form 123-9-0-2, Employee Self-Certification Safety and Health Checklist

1-10. Questions

Questions concerning Telework should be addressed to the Office of Chief Component Human Capital Officer at (202) 646-3962.

CHAPTER 2: PROCEDURES

2-1. Telework Arrangements

- A. While participation in telework is not an employee entitlement, FEMA assumes that all positions are eligible for telework unless the supervisor can document otherwise that official duties are not suitable for work in a remote or alternate worksite. An employee may participate in the program if the employee meets eligibility requirements as outlined in Section 2-2, Determining Eligibility.
- B. A complete telework documentation package must be submitted to the Telework Coordinator prior to the participation of an employee in the telework program including:
 1. A completed and signed FEMA Telework Program Application and Agreement Form, which has been prepared in accordance with this policy and attests to the validity of eligibility and program participation. This is required to document any form of telework arrangement and prior to the beginning of telework. Telework plan should be attached;
 2. The FEMA Telework Health and Safety Checklist must be completed and signed;
 3. Documentation of completed telework training program as described in Section 2-3, Training; and
 4. Completion of any documentation related to applicable telework equipment.
- C. A telework arrangement does not alter the terms and conditions of the appointment as specified on the employee's Notification of Personnel Action, SF-50. However, an employee's official duty station may change if he or she does not regularly commute into the agency office (See Section 3-3, Official Duty Station). The telework arrangement must not affect other conditions of employment (e.g., hours of work) unless otherwise specified in the telework agreement. Employees may be approved both to telework and to work an alternative work schedule.
- D. The telework arrangement may normally be terminated in writing by either management or by the employee with reasonable advance notice, generally fourteen calendar days, but not less than seven calendar days. Reasons for termination of an arrangement may be a decline in performance or productivity, or if the arrangement no longer benefits the organization's needs. Program Offices may establish specific termination provisions, as they deem necessary, for their operations and mission needs. When an arrangement is terminated by management, the supervisor must provide the employee with a brief, written explanation as to why.
- E. The telework agreement shall be for the performance of official duties or related activities (professional development, training) and shall not be treated as an opportunity to conduct personal business.
- F. Teleworkers are responsible for ensuring appropriate arrangements for the care of dependents at home if the home is their official telework duty location. That is, employees may not use telework to personally care for a dependent. However, this does not preclude a teleworker from having a caregiver working in the home providing care to the dependent(s) while he/she teleworks.
- G. Management reserves the right, normally with one day notice, to require employees to return to the official duty location on scheduled telework days, based on operational requirements. Exceptions for a lesser notification may be appropriate in certain unforeseen situations.
- H. Approved telework agreements should be coordinated with the Agency Transit Subsidy Manager. Notify the Agency Transit Subsidy Manager of the number of days the employee will telework so the transit subsidy coordinator can determine if the employee's subsidy should be reduced appropriately.

- I. Employees who telework must be available to their coworkers, supervisor, and customers in the same manner as if they were in their duty location. For example, phone calls and emails must be answered in the same timeframe as if the employee were working in their duty location. This means that phones may normally be forwarded to agency issued equipment. It may also mean that the employee should provide a secondary phone number to be reached at the telework site if possible. Specific communication expectations shall be addressed in the telework agreement, if necessary.
- J. During emergency situations, such as closures of the employee's official duty station, or during heightened periods of disaster work activity,, the agency may require employees with telework agreements to telework on short notice. See Paragraph 3-9.

2-2. Determining Eligibility

- A. Positions eligible for telework are those involving tasks (may be one or more) and work activities that are portable, do not depend on the employee being at the official duty location worksite, are measureable, and are conducive to supervisory oversight at the alternate worksite. Job series and title do not determine eligibility as supervisors and managers are required to encourage all eligible employees the opportunity to Telework.
- B. Tasks and work activities generally suited for telework include, but are not limited to: reading, reviewing, editing, scheduling, planning, writing, and policy development; research; analysis (e.g., investigating, program analysis, policy analysis, and financial analysis); report writing; telephone-intensive tasks (excluding receptionist duties); computer-oriented tasks (e.g., required or developmental training, programming, data entry, word processing, web page design) and data processing. Tasks and work activities not generally suited for telework include, but are not limited to positions that: involve daily handling of classified materials; require the use of specialized equipment; require daily contact with other people; or where a daily physical presence is required per the official duties of the position. FEMA positions that are not typically suited for core telework include: inspectors, fire fighters, warehouse staff, and similar positions. However, these positions may still be suitable for Situational Telework on a case-by-case basis. The premise is that positions are eligible for telework and supervisors must document exceptions.
- C. An employee suitable for telework is one who has demonstrated personal characteristics that are well suited to telework, as determined by the supervisor, including as a minimum:
 - 1. Demonstrated dependability and the ability to handle responsibility;
 - 2. A proven record of high personal motivation, independence, dependability, good time management skills, ability to prioritize work effectively, and ability to work without close supervision;
 - 3. The ability to prioritize work effectively and utilize good time management skills;
 - 4. A proven, or on target for, a minimum current performance rating of at least "proficient," or "achieved expectations" in all performance criteria as designated by the FEMA performance management programs;
 - 5. The employee must not be on leave restriction; and,
 - 6. No adverse personnel actions within any of the following categories:
 - A. A Letter of Reprimand, a suspension without pay, or removal, imposed for absence without leave for more than 5 days in a calendar year or for violations of Subpart G of the Standards of Ethical Conduct of Employees of the Executive Branch for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties), to the extent that such action remains in the employee's OPF, precludes approval of telework.

- B. Imposition of any other disciplinary or adverse action not included in A., above, within the previous six months precludes approval of telework.
- C. Imposition of any other disciplinary or adverse action not included in A. or B., above, regardless of age of the action, may preclude approval of telework, in the discretion of the supervisor.
- D. An employee may not be approved for telework for one year from the date of commencement of a performance improvement plan (PIP).

2-3. Training

- A. The employee must complete the telework awareness training prior to signing an initial telework agreement and prior to starting to telework. Training is available at:
http://www.telework.gov/tools_and_resources/training/employees/index.aspx
- B. Supervisors must complete telework awareness training in order to approve a telework arrangement. Training is available at:
<http://www.telework.gov/toolsandresources/training/managers/index.aspx>

2-4. Appeals

An employee denied a request to telework may appeal to the appropriate Executive Level Manager. The appeals process must ensure that the employee and management have a fair and equitable opportunity to be heard. Appeal decisions are binding for no more than six months unless circumstances change or are agreed upon by both parties involved in the appeal. It is FEMA policy that whenever possible, individuals be allowed to telework, so the burden in an appeal on why the agency would not allow telework is on the supervisor, not on the employee. With respect to employees covered by a collective bargaining agreement, appeals will be governed by the negotiated grievance procedure. The Telework Coordinator will notify the employee of the appeal decision.

CHAPTER 3: TERMS AND CONDITIONS OF THE TELEWORK PROGRAM

3-1. Changes to Telework Agreement

An employee who teleworks may be required to come into the office on their telework day when management makes a determination their presence is required. At least a one-day notice should be given to the employee, however unforeseen circumstances may require less notice. A teleworker who must report to the official duty station should do so in a reasonable amount of time. Items to take into consideration are traveling distance, mode of transportation, etc. Teleworkers and management should discuss these items. In some cases, there may not be sufficient time for the teleworker to report to the official duty station. Teleworkers who wish to change their scheduled telework day permanently should complete another agreement and obtain the proper approvals. Intermittent changes in a telework agreement do not require a change in the agreement; however teleworkers should make the request at least one day in advance.

3-2. Residential Telework Environment

- A. It is the responsibility of the employee to ensure that all the requirements to do official work at their residence are met in an environment that allows the tasks to be performed safely (See attached FEMA Form 123-9-0-2, Employee Self-Certification Safety and Health Checklist).
- B. The employee must designate an area in the home as their official work area. The area designated must be documented on the telework agreement. The employee should check with their community associations, if one exists, to ensure there is not a restriction on working from home.
- C. Each teleworker must understand that telework is not a substitute for dependent care. A caregiver, however, may be present in the home to take care of a dependent (e.g., infant, non-school age child and/or an elder) while the teleworker is performing their official duties. Children who require no supervision may be present at the alternate worksite. Management may request documentation from the teleworker to substantiate a caregiver is providing on-site or off-site care during the teleworker's scheduled work.
- D. The Government is not responsible for any operating costs in the Residential Telework Environment that are associated with the employee's use of his or her personal residence as an alternate worksite. This includes home maintenance, insurance, or utilities.
- E. The employee agrees to permit access to their home by agency representatives when necessary to ensure proper maintenance of agency-owned equipment. Teleworkers should be given at least one day's advance notice of any such visit. Visits should only be done during regular working hours.

3-3. Official Duty Station

- A. All pay, leave, and travel entitlements must be based on the employee's official duty station. The employee's official duty station for such purposes as special salary rates, locality pay adjustments, and travel is the city or town, county, and state in which the employee normally performs their official duties. Supervisors must consult with OCCHCO if there are any changes that warrant a change in the official duty station.
- B. An employee's official duty station must be documented on the employee's Notification of Personnel Action (Standard Form 50 or equivalent). (See "Duty Station" blocks

- 38 and 39 of the Standard Form 50 showing the city/county and state in which the official worksite is located.)
- C. An employee's official duty station would not change as long as the employee regularly commutes into the agency office at least twice each biweekly pay period on a regular and recurring basis.
 - D. If the employee **does not** regularly commute into the agency office at least twice each biweekly pay period, the official duty station must be changed to the alternate worksite. The official duty station would not generally be changed for employees who telework for medical reasons and/or in emergency situations (i.e. COOP, agency closures, urgent deadlines, etc.) as these types of telework arrangements are not intended as permanent, but on a temporary basis not to exceed six months.
 - E. When an employee's official worksite/duty station is reassigned from the traditional worksite to the alternate worksite, the affected employee and his/her supervisor should discuss the implications of the reassignment, to include:
 - 1. Certain location-based pay entitlements (e.g., locality pay, special rate supplements, and non-foreign cost of living allowances, etc.) are based on the location of the employee's official worksite/duty station.
 - 2. Reimbursement for official business travel is based on the location of the employee's official worksite/duty station. For example, when an employee whose alternate worksite is outside the commuting area of the traditional worksite is required to travel to the traditional worksite, the location of the employee's official worksite/duty station will determine whether the employee or the Component pays for the required travel.
 - 3. Generally, the official worksite/duty station is used to identify the competitive area during reduction-in-force determinations.

3-4. Time and Attendance, Work and Performance, and Overtime

- A. Time spent in a telework status must be accounted for and reported in the same manner as if the employee reported for duty at the official duty station. The employee is required to satisfactorily complete all assigned work, consistent with the approach adopted for all other employees in the work group, and according to standards and guidelines in the employee's performance plan.
- B. The employee agrees to follow their normal mission area/agency/staff office procedures regarding the requesting and approval of overtime, credit hours, and leave that are worked while in a telework status.
- C. All approved telework hours are to be reported in the WebTA Time Attendance and System. Employees should code use WebTA transaction code 01- Telework Home <=2 days if equal to or less than two days per work week and transaction code 01-Telework Home >2 days for three or more days per work week.

3-5. Reimbursable Expenses

The FEMA Office of the Chief Financial Officer will set policy for determining any applicable reimbursable expenses for eligible telework employees.

3-6. Security, Supplies, and Equipment

- A. Classified documents (hard copy or electronic) and/or equipment (e.g., diskettes, computers, laptops, removable hard drives, and other media used for processing classified information) **must not** be taken to an employee's alternate worksite. For core telework, FOUO Information may be accessed using employee-owned equipment but may only be saved on government-issued equipment.
- B. All teleworkers are responsible for the security of all official data, and the protection of government-issued equipment/property while carrying out the mission of FEMA. Government-issued equipment must only be used for official duties and only by the teleworker. A FEMA approved remote access solution must be used (such as a virtual private network or Citrix solution). Authorization to telework is contingent upon the availability of equipment and connectivity at the alternate worksite sufficient to permit the employee reliable and secure access to email, telephone, and any other systems necessary to perform the duties of his or her position efficiently and without any detriment to mission accomplishment. The employee is responsible for the installation, repair, and maintenance of their own personal equipment in coordination with CIO guidance.
- C. If needed, the Agency will provide necessary office supplies (paper, pens, compact disc , etc.). Employees should obtain these items from the official duty station supply room or through the regular procedure at their official duty station. The Agency will not reimburse employees for any supplies purchased independently, nor will the Agency provide office furniture except as a reasonable accommodation.
- D. The agency is responsible for obtaining software licenses that are necessary to give the teleworker access on their personal equipment to perform their official duties. When the telework arrangement ends, the teleworker is responsible for removing and returning all government-owned software to the agency Software Manager or agency Chief Information Officer. The responsibilities for configuration management, patch and antivirus management, and other administrative requirements must be defined in this agreement to include the expectations of the teleworker in these matters. The agency is responsible for the maintenance of all Government-issued equipment. The teleworker may be required to bring such equipment into the office for maintenance. The employee must return all Government-issued equipment and material to the agency at the conclusion of the telework arrangement or at the agency's request.
- E. FOUO Information must be transported from the official duty station to the alternate worksite in a secure container (e.g., briefcase with lock). Sensitive But Unclassified Information, including SSI, Privacy Act, and "For Official Use Only" data and non-sensitive, unclassified data must be stored in a secure file cabinet at the alternate worksite. When such information is displayed on a computer screen, it must not be visible to others. Computer privacy screens which block computer screen visibility to others must be used when SSI is displayed on a computer monitor at an alternate worksite. Neither family members nor other individuals are authorized to handle and/or view any government Sensitive But Unclassified Information, including SSI, Privacy Act, and "For Official Use Only" data.

3-7. Worker's Compensation and Other Liabilities

Employees are covered by the Federal Employees Compensation Act at the alternate worksite as long as the injury occurred while performing their official duties and in the designated work area identified on the telework agreement. If an injury occurs, the employee must notify the supervisor immediately, provide details of the accident or injury, and complete Department of Labor Form CA-1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation. The government is not liable for damages to the employee's personal or real property while the employee is teleworking, except to the extent the government is held liable under the Federal Tort Claims Act or the Military and Civilian Employees Claims Act.

3-8. Standards of Conduct

The employee acknowledges that he/she continues to be bound by the Standards of Ethical Conduct for Employees of the Executive Branch while teleworking and using government-issued equipment.

3-9. Emergency Telework.

- A. Supervisors and managers shall classify their employees as emergency and non-emergency employees promptly and appropriately, and shall maximize telework readiness among their employees in a manner consistent with this policy.
- B. OPM Announcements. Employees shall monitor, read and comply with OPM announcements unless otherwise directed by the Agency or their supervisors. To the extent that OPM announcements conflict with FEMA and supervisory guidance, employees must follow FEMA and supervisory guidance.
- C. When OPM announces that Federal agencies in the Washington, DC, area are open and that employees have the options of unscheduled leave or unscheduled telework, the following procedures apply:
 1. Emergency Employees must report for duty as directed unless they are telework ready and permitted to telework by their supervisors.
 2. Non-Emergency Employees shall notify their supervisors in advance if they intend to take unscheduled leave.
 3. Non-Emergency Telework Ready Employees. The Agency may direct non-emergency, telework ready employees to perform unscheduled telework. If not directed to telework, they must report to work, take unscheduled leave or request their supervisor's permission to telework.
- D. When OPM announces that Federal agencies in the Washington, DC, area are closed, or when FEMA closes an employee's official duty station, non-emergency employees (including employees on pre-approved paid leave) will be granted excused absence (administrative leave) for the number of hours they were scheduled to work unless they are covered by one of the following categories:
 1. Emergency Employees must report for duty as directed unless they are telework ready and permitted to telework by their supervisors.
 2. Non-Emergency Telework Ready Employees who are already scheduled to telework or who are directed to perform unscheduled telework must telework the entire work day. If directed to telework, such employees may request the use of (1) earned annual leave, compensatory time off, credit hours, or sick leave, as

appropriate; (2) leave without pay; (3) their flexible work schedule day off or revision of their work hours under flexible work schedules. On a case-by-case basis, FEMA supervisors may excuse a telework ready employee from duty as outlined in ¶ 3-9 F.

4. The status of employees on Leave Without Pay, official travel, or an alternate work schedule day off is not affected by any such announcement.
- E. **COOP Activation**. The Agency may require any employee to telework in accordance with an activated COOP plan.
- F. **Excusal**. Supervisors may excuse telework ready employees from work and grant annual or administrative leave with pay, as appropriate, when an emergency adversely affects the telework site (e.g., disruption of electricity, loss of heat, loss of connectivity, etc.), or if the teleworker faces a personal hardship that prevents him or her from teleworking effectively. Dependent care needs do not ordinarily entitle a teleworker to administrative leave; annual leave will be granted as appropriate.

3-10. Telework and COOP Planning. All organizations must incorporate telework into their continuity plans and procedures by:

- A. Assessing the organization's essential functions to identify which functions the organization can conduct via telework, including evaluating the use of telework for supporting extended continuity operations and use by non-emergency response group (ERG) personnel;
- B. Establishing and maintaining plans and procedures to use telework as a primary or backup continuity strategy for those essential functions and supporting tasks that are telework authorized, based upon the assessment;
- C. Assessing the capability of situational telework agreements for both ERG and non-ERG personnel, to ensure that employees may be authorized to telework during a continuity event;
- D. Establishing situational telework agreements for all employees to determine their eligibility to telework during a continuity activation;
- E. Ensuring that each eligible employee is authorized to telework during a continuity activation by successfully completing the required telework training program (as described in Section 2-3, Training) and completing necessary documentation (as described in Section 2-1, Telework Arrangements, Part B); and
- F. Coordinating with FEMA's designated Telework Managing Officer when developing and integrating the organization's continuity plan.

**Certification of Health Care Provider for
Employee's Serious Health Condition
(Family and Medical Leave Act)**

U.S. Department of Labor

Wage and Hour Division



DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR; RETURN TO THE PATIENT

OMB Control Number: 1235-0003

Expires: 5/31/2018

SECTION I: For Completion by the EMPLOYER

INSTRUCTIONS to the EMPLOYER: The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA protections because of a need for leave due to a serious health condition to submit a medical certification issued by the employee's health care provider. Please complete Section I before giving this form to your employee. Your response is voluntary. While you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308. Employers must generally maintain records and documents relating to medical certifications, recertifications, or medical histories of employees created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies, and in accordance with 29 C.F.R. § 1635.9, if the Genetic Information Nondiscrimination Act applies.

Employer name and contact: Max J Meindl

Employee's job title: Emergency Management Specialist

Regular work schedule: 40 hour week, 9-5:30

Employee's essential job functions: Emergency Management, recovery services, program delivery manager assisting applicants with federal grant application for recovery from Hurricane Harvey, office/computer work and field visits/meetings.

Check if job description is attached:

SECTION II: For Completion by the EMPLOYEE

INSTRUCTIONS to the EMPLOYEE: Please complete Section II before giving this form to your medical provider. The FMLA permits an employer to require that you submit a timely, complete, and sufficient medical certification to support a request for FMLA leave due to your own serious health condition. If requested by your employer, your response is required to obtain or retain the benefit of FMLA protections. 29 U.S.C. §§ 2613, 2614(c)(3). Failure to provide a complete and sufficient medical certification may result in a denial of your FMLA request. 20 C.F.R. § 825.313. Your employer must give you at least 15 calendar days to return this form. 29 C.F.R. § 825.305(b).

Your name: Max J Meindl

First

Middle

Last

SECTION III: For Completion by the HEALTH CARE PROVIDER

INSTRUCTIONS to the HEALTH CARE PROVIDER: Your patient has requested leave under the FMLA. Answer, fully and completely, all applicable parts. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage. Limit your responses to the condition for which the employee is seeking leave. Do not provide information about genetic tests, as defined in 29 C.F.R. § 1635.3(f), genetic services, as defined in 29 C.F.R. § 1635.3(e), or the manifestation of disease or disorder in the employee's family members, 29 C.F.R. § 1635.3(b). Please be sure to sign the form on the last page.

Provider's name and business address: C. Christophe Gay, M.D., 235 W. Palm, Bellville TX 77418

Type of practice / Medical specialty: Family Practice

Telephone: (979) 865-8484

Fax: (979) 865-8686

EXPLANATION OF CONDITIONS1. Approximate date condition commenced: 08/04/2009Probable duration of condition: Indeterminate, perpetual**Mark below as applicable:**

Was the patient admitted for an overnight stay in a hospital, hospice, or residential medical care facility?

 No Yes. If so, dates of admission:08/04/2009 (stent surgery) 05/27/2013 (stent surgery), pending surgery-

Date(s) you treated the patient for condition:

10/22/2018, 02/06/2019Will the patient need to have treatment visits at least twice per year due to the condition? No Yes.Was medication, other than over-the-counter medication, prescribed? No Yes.

Was the patient referred to other health care provider(s) for evaluation or treatment (e.g., physical therapist)?

 No Yes. If so, state the nature of such treatments and expected duration of treatment:Cardiologist, testing, evaluation and surgery2. Is the medical condition pregnancy? No Yes. If so, expected delivery date: _____

3. Use the information provided by the employer in Section I to answer this question. If the employer fails to provide a list of the employee's essential functions or a job description, answer these questions based upon the employee's own description of his/her job functions.

Is the employee unable to perform any of his/her job functions due to the condition: No Yes.

If so, identify the job functions the employee is unable to perform:

4. Describe other relevant medical facts, if any, related to the condition for which the employee seeks leave (such medical facts may include symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment):

Problem: Abnormal cardiovascular function study, R94.30, Active 274525000Problem: Arteriosclerosis of native coronary artery w/ angina pectoris, I25.119, Active 194828000Problem: Edema, R60.9, Active 79654002Problem: Arteriosclerosis of native coronary artery w/ angina pectorisProblem: Abnormal cardiovascular function study (ICD-10 - R94.30)Arteriosclerosis of native coronary artery w/ angina pectoris: Stress test with apical moderate ischemia.

PART B: AMOUNT OF LEAVE NEEDED

5. Will the employee be incapacitated for a single continuous period of time due to his/her medical condition, including any time for treatment and recovery? No Yes.

If so, estimate the beginning and ending dates for the period of incapacity: a few days after heart surgery

6. Will the employee need to attend follow-up treatment appointments or work part-time or on a reduced schedule because of the employee's medical condition? No Yes.

If so, are the treatments or the reduced number of hours of work medically necessary?
 No Yes.

Estimate treatment schedule, if any, including the dates of any scheduled appointments and the time required for each appointment, including any recovery period:

indeterminate, predicated on physical condition of patient

Estimate the part-time or reduced work schedule the employee needs, if any:

1-2 hour(s) per day; 5 days per week from indeterminate through indeterminate

7. Will the condition cause episodic flare-ups periodically preventing the employee from performing his/her job functions? No Yes.

Is it medically necessary for the employee to be absent from work during the flare-ups?
 No Yes. If so, explain:

issues associated with heart condition

Based upon the patient's medical history and your knowledge of the medical condition, estimate the frequency of flare-ups and the duration of related incapacity that the patient may have over the next 6 months (e.g., 1 episode every 3 months lasting 1-2 days):

Frequency : times per week(s) month(s)

Duration: ¹ hours or day(s) per episode

ADDITIONAL INFORMATION: IDENTIFY QUESTION NUMBER WITH YOUR ADDITIONAL ANSWER

Records statement from Cardiologist: He has an old LAD and RCA stents. Will further risk stratify with a LHC. We spoke about LHC. Risks include but not limited to: death, stroke, MI, need for emergency surgery, need for transfusion, groin hematoma, retroperitoneal bleed, anemia, infection. All questions were answered. Patient agrees to proceed with the above procedure. We spoke about possible PCI. Risks include but not limited to: Stroke, death, vessel dissection, perforation, need for emergency surgery, failed intervention, need for repeat procedure, restenosis & acute stent thrombosis. All questions were answered. Pt agrees to proceed w/

procedure. DES if needed. Right radial access.

Abnormal cardiovascular function study Apical ischemia.

Arteriosclerosis of native coronary artery w/ angina pectoris I25.119 ; Abnormal cardiovascular function study R94.30 ;

Signature of Health Care Provider

Date

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 20 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210. **DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR; RETURN TO THE PATIENT.**

CHAPTERS 300 TO 304

FEDERAL TRAVEL REGULATION

ISSUED JANUARY 2004 BY THE:

**GENERAL SERVICES ADMINISTRATION (GSA)
OFFICE OF GOVERNMENTWIDE POLICY (OGP)**

FEDERAL TRAVEL REGULATION

FOREWORD

This January 2004 edition is a complete reissue of the Federal Travel Regulation (FTR). It includes all FTR amendments through 2003-05.

The FTR is the regulation contained in 41 Code of Federal Regulations (CFR), [Chapters 300 through 304](#), which implements statutory requirements and Executive branch policies for travel by Federal civilian employees and others authorized to travel at Government expense.

The Administrator of General Services promulgates the FTR to: (a) interpret statutory and other policy requirements in a manner that balances the need to assure that official travel is conducted in a responsible manner with the need to minimize administrative costs, and (b) communicate the resulting policies in a clear manner to Federal agencies and employees.

The General Services Administration's (GSA's) Office of Governmentwide Policy's Travel Management Policy Division sponsors an Interagency Travel Management Committee (ITMC) that provides a forum through which Federal agencies can exchange information and ideas for resolving common interests relating to the effective utilization of the FTR. Through the ITMC, GSA strengthens lines of communication and disseminates information to agency representatives. To ensure compliance with internal agency rules and regulations, Federal employees are referred back to his/her ITMC representative for direct assistance. The ITMC representative is generally found in the agency's Office of Finance and/or travel policy office. If additional assistance is needed, GSA is available at 202-501-4318.

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CHAPTER 300—GENERAL

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AMENDMENT 2010-03 SEPTEMBER 24, 2010

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PART 300-1—THE FEDERAL TRAVEL REGULATION (FTR)

Authority: 5 U.S.C. 5707; 5 U.S.C. 5738; 5 U.S.C. 5741–5742; 20 U.S.C. 905(a); 31 U.S.C. 1353; 40 U.S.C. 121(c); 49 U.S.C. 40118; E.O. 11609, 3 CFR, 1971–1975 Comp., p. 586.

§300-1.1 What is the FTR?

The FTR is the regulation contained in 41 Code of Federal Regulations (CFR), [Chapters 300 through 304](#), which implements statutory requirements and Executive branch policies for travel by Federal civilian employees and others authorized to travel at Government expense.

§300-1.20 What is the purpose of the FTR?

There are two principal purposes:

(a) To interpret statutory and other policy requirements in a manner that balances the need to assure that official travel is conducted in a responsible manner with the need to minimize administrative costs;

(b) To communicate the resulting policies in a clear manner to Federal agencies and employees.

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PART 300-2—HOW TO USE THE FTR

Authority: 5 U.S.C. 5707; 5 U.S.C. 5738; 5 U.S.C. 5741–5742; 20 U.S.C. 905(a); 31 U.S.C. 1353; 40 U.S.C. 121(c); 49 U.S.C. 40118; E.O. 11609, 3 CFR, 1971–1975 Comp., p. 586.

Subpart A—General**§300-2.1 What formats exist in the FTR?**

The FTR is written in two formats—the question & answer format and the title and narrative format.

Subpart B—Question & Answer Format**§300-2.20 What is the purpose of the question & answer format?**

The Q&A format is an effective way to engage the reader and to break the information into manageable pieces.

§300-2.21 How is the rule expressed in the question and answer format?

The rule is expressed in both the question and answer.

§300-2.22 Who is subject to the FTR?

Employees and agencies. Since the user may be an employee or an agency, portions of the FTR have been separated into employee and agency sections. However, while the employee provisions are addressed to the employee, the rules expressed in those provisions apply to the agency as well. The

following lists the relevant employee and agency sections of the FTR:

For	The employee provisions are contained in	And the agency provisions are contained in
Chapter 301	Subchapter A , Subchapter B , and Subchapter C	Subchapter D
Chapter 302	Subchapter A , Subchapter B , Subchapter C , Subchapter D , Subchapter E , and Subchapter F	Subchapter A , Subchapter B , Subchapter C , Subchapter D , Subchapter E , and Subchapter F
Chapter 303	N/A	Part 303-70
Chapter 304	Subchapter A	Subchapter B and Subchapter C

§300-2.23 How is the user addressed in the FTR?

The FTR asks questions in the first person, as the user would. It then answers the questions in the second and third person. In the employee sections, the employee is addressed in the singular, and in the agency sections, the agency is addressed in the plural. The following describes how employee and agency are addressed in both sections:

When you are in the	And you are looking at a	The employee is referred to	And the agency is referred to using
Employee section	Question Answer	I, me, or my You or your	Agency
Agency section	Question Answer	Employee	We, us, or our You or your

Subpart C—Title and Narrative Format**§300-2.70 How is the rule expressed in the title and narrative format?**

The rule is in the narrative. The title serves only as a tool to determine the subject of the rule.

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PART 300-3—GLOSSARY OF TERMS

Authority: 5 U.S.C. 5707; 40 U.S.C. 121(c); 49 U.S.C. 40118; 5 U.S.C. 5738; 5 U.S.C. 5741-5742; 20 U.S.C. 905(a); 31 U.S.C. 1353; E.O. 11609, as amended; 3 CFR, 1971-1975 Comp., p. 586, OMB Circular No. A-126, revised May 22, 1992.

§300-3.1 What do the following terms mean?

Actual expense—Payment of authorized actual expenses incurred, up to the limit prescribed by the Administrator of GSA or agency, as appropriate. Entitlement to reimbursement is contingent upon entitlement to per diem, and is subject to the same definitions and rules governing per diem.

Agency—For purposes of [Chapter 302](#) agency means:

- (1) An executive agency as defined in Title 5 U.S.C. 105 (an executive department an independent establishment, the Government Accountability Office, or a wholly owned Government corporation as defined in section 101 of the Government Corporation Control Act, as amended (31 U.S.C. 9101), but excluding a Government controlled corporation);
- (2) A military department;
- (3) A court of the United States;
- (4) The Administrative Office of the United States Courts;
- (5) The Federal Judicial Center;
- (6) The Library of Congress;
- (7) The United States Botanic Garden;
- (8) The Government Printing Office; and
- (9) The District of Columbia.

Aircraft management office—An agency component that has management control of Federal aircraft used by the agency or of aircraft hired as commercial aviation services (CAS).

Approved accommodation—Any place of public lodging that is listed on the national master list of approved accommodations. The national master list of all approved accommodations is compiled, periodically updated, and published in the Federal Register by FEMA. Additionally, the approved accommodation list is available on the U.S. Fire Administration's Internet site at <http://www.usfa.fema.gov/hotel/index.htm>.

Automated-Teller-Machine (ATM) services—Government contractor-provided ATM services that allow cash withdrawals from participating ATMs to be charged to a Government contractor-issued charge card.

Commercial Aviation Services (CAS)—Commercial aviation services (CAS) include, for the exclusive use of an executive agency—

- (1) Leased aircraft;
- (2) Chartered or rented aircraft;
- (3) Commercial contracts for full aviation services (*i.e.*, aircraft plus related aviation services) or acquisition of full

services through inter-service support agreements (ISSA) with other agencies; or

(4) Related services (*i.e.*, services but not aircraft) obtained by commercial contract or ISSA, except those services acquired to support Federal aircraft.

Common carrier—Private-sector supplier of air, rail or bus transportation.

Commuted Rate—A price rate used to calculate a set amount to be paid to an employee for the transportation and temporary storage of his/her household goods. It includes cost of line-haul transportation, packing/unpacking, crating/uncrating, drayage incident to transportation and other accessory charges and costs of temporary storage within applicable weight limit for storage including handling in/out charges and necessary drayage.

Conference—A meeting, retreat, seminar, symposium or event that involves attendee travel. The term “conference” also applies to training activities that are considered to be conferences under 5 CFR 410.404.

Continental United States (CONUS)—The 48 contiguous States and the District of Columbia.

Contract carriers—U.S. certificated air carriers which are under contract with the government to furnish Federal employees and other persons authorized to travel at Government expense with passenger transportation service. This also includes GSA's scheduled airline passenger service between selected U.S. cities/airports and between selected U.S. and international cities/airports at reduced fares.

Crewmember—A person assigned to operate or assist in operating an aircraft. Performs duties directly related to the operation of the aircraft (*e.g.*, as pilots, co-pilots, flight engineers, navigators) or duties assisting in operation of the aircraft (*e.g.*, as flight directors, crew chiefs, electronics technicians, mechanics). If a crewmember is onboard for the purpose of travel, (*i.e.*, being transported from point to point) he/she must be authorized to travel in accordance with rules in 41 CFR [301-10.260](#) through [301-10.266](#) and 41 CFR [301-70.800](#) through [301-70.903](#).

Dependent—An immediate family member of the employee.

Domestic partner—An adult in a domestic partnership with an employee of the same-sex.

Domestic partnership—A committed relationship between two adults of the same sex, in which they—

(1) Are each other's sole domestic partner and intend to remain so indefinitely;

(2) Maintain a common residence, and intend to continue to do so (or would maintain a common residence but for an assignment abroad or other employment-related, financial, or similar obstacle);

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FEDERAL TRAVEL REGULATION

- (3) Are at least 18 years of age and mentally competent to consent to contract;
- (4) Share responsibility for a significant measure of each other's financial obligations;
- (5) Are not married or joined in a civil union to anyone else;
- (6) Are not a domestic partner of anyone else;
- (7) Are not related in a way that, if they were of opposite sex, would prohibit legal marriage in the U.S. jurisdiction in which they reside;
- (8) Are willing to certify, if required by the agency, that they understand that willful falsification of any documentation required to establish that an individual is in a domestic partnership may lead to disciplinary action and the recovery of the cost of benefits received related to such falsification, as well as constitute a criminal violation under 18 U.S.C. 1001, and that the method for securing such certification, if required, shall be determined by the agency; and
- (9) Are willing promptly to disclose, if required by the agency, any dissolution or material change in the status of the domestic partnership.

Employee with a disability (also see *Special Needs*)—

(a) An employee who has a disability as defined in paragraph (b) of this definition and is otherwise generally covered under the Rehabilitation Act of 1973, as amended (29 U.S.C. 701-797b).

(b) “Disability,” with respect to an employee, means:

- (1) Having a physical or mental impairment that substantially limits one or more major life activities;
- (2) Having a record of such an impairment;
- (3) Being regarded as having such an impairment; but
- (4) Does not include an individual who is currently engaging in the illegal use of drugs, when the covered entity acts on the basis of such use.

(c) “Physical or mental impairment” means:

(1) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organ, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine; or

(2) Any mental or psychological disorder (e.g., mental retardation, organic brain syndrome, emotional or mental illness and specific learning disabilities).

(3) The term “physical or mental impairment” includes, but is not limited to, such diseases and conditions as cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, and orthopedic, visual, speech and hearing impairments.

(d) “Major life activities” means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

(e) “Has a record of such an impairment” means the employee has a history of, or has been classified as having, a

mental or physical impairment that substantially limits one or more major life activities.

(f) “Is regarded as having such an impairment” means the employee has:

(1) A physical or mental impairment that does not substantially limit major life activities but the impairment is treated by the agency as constituting such a limitation;

(2) A physical or mental impairment that substantially limits major life activities as a result of the attitudes of others toward such an impairment; or

(3) None of the impairments defined under “physical or mental impairment”, but is treated by the employing agency as having a substantially limiting impairment.

E-Gov Travel Service (ETS)—The Government-contracted, end-to-end travel management service that automates and consolidates the Federal travel process in a self-service Web-centric environment, covering all aspects of official travel, including travel planning, authorization, reservations, ticketing, expense reimbursement, and travel management reporting. The eTS provides the services of a Federal travel management program as specified in §301-73.1(a), (b), and (c) of this title.

Executive agency—An entity of the executive branch that is an “executive agency” as defined in section 105 of title 5 U.S.C.

Extended Storage—Storage of household goods while an employee is assigned to an official station or post of duty to which he/she is not authorized to take or unable to use the household goods or is authorized in the public interest. Also referred to as nontemporary storage.

Family (see *Immediate family*)

Federal traveler—For the purposes of 41 CFR 301-10.260-301-10.266 and 301-70.800-301-70.910, a person who travels on a Government aircraft and who is either—

- (1) A civilian employee in the Government service;
- (2) A member of the uniformed or foreign services of the United States Government; or
- (3) A contractor working under a contract with an executive agency.

Foreign air carrier—An air carrier who is not holding a certificate issued by the United States under 49 U.S.C. 41102.

Foreign area (see also *non-foreign area*)—Any area, including the Trust Territories of the Pacific Islands, situated both outside CONUS and the non-foreign areas.

Full coach fare—The price of a coach fare available to the general public on a scheduled air carrier between the day that the travel was planned and the day the travel occurred.

Furnished meal—A meal provided to an employee, either directly from the Government or as a result of the Government paying a registration fee or other cost which allows the employee to attend a conference or other event. If the Government has already paid for a meal, the employee must deduct the allocated amount when filing their travel voucher.

Government aircraft—An aircraft that is operated for the exclusive use of an executive agency and is a—

(a) Federal aircraft, which an executive agency owns (*i.e.*, holds title to) or borrows for any length of time under a bailment or equivalent loan agreement. See 41 CFR 102-33.20 for definition of all terms related to Federal aircraft, or

(b) Commercial aircraft hired as commercial aviation services (CAS), which an executive agency—

(1) Leases or lease-purchases with the intent to take title,

(2) Charters or rents, or

(3) Hires as part of a full-service contract or inter-service support agreement (ISSA).

Government contractor-issued individually billed charge card—A Government contractor-issued charge card used by authorized individuals to pay for official travel and transportation related expenses for which the contractor bills the employee.

Government-furnished automobile—An automobile (or “light truck,” as defined in 41 CFR 101-38 including vans and pickup trucks) that is:

(a) Owned by an agency,

(b) Assigned or dispatched to an agency from the GSA Interagency Fleet Management System, or

(c) Leased by the Government for a period of 60 days or longer from a commercial source.

Government-furnished vehicle—A Government-furnished automobile or a Government aircraft.

Government Transportation Request (GTR) (Standard Form 1169)—A Government document used to procure common carrier transportation services. The document obligates the Government to pay for transportation services provided.

Household Goods (HHG)—Property, unless specifically excluded, associated with the home and all personal effects belonging to an employee and immediate family members on the effective date of the employee’s change of official station orders (the day the employee reports for duty at the new official station) that legally may be accepted and transported by a commercial HHG carrier.

(1) HHG also includes:

(i) Professional Books, papers and equipment (PBP&E);

(ii) Spare parts of a POV (see definition of POV) and a pickup truck tailgate when removed;

(iii) Integral or attached vehicle parts that must be removed due to high vulnerability to pilferage or damage, (e.g., seats, tops, wench, spare tire, portable auxiliary gasoline can(s) and miscellaneous associated hardware);

(iv) Consumable goods for employees assigned to locations where the Department of State has determined that such goods are necessary;

(v) Vehicles other than POVs (such as motorcycles, mopeds, jet skies, snowmobiles, golf carts, boats (e.g., boat, sailboat, canoe, skiff, rowboat, dinghies, sculls and kayak, mounted or unmounted on trailers)) of reasonable size.

(vi) Ultralight Vehicles (defined in 14 CFR part 103 as being single occupant, for recreation or sport purposes, weighing less than 155 pounds if unpowered or less than 254 pounds if powered, having a fuel capacity NTE 5 gallons, air-speed NTE 55 knots, and power-off stall speed NTE 24 knots.

(2) HHG does not include:

(i) Personal baggage when carried free on tickets;

(ii) Automobiles, trucks, vans and similar motor vehicles, mobile homes, camper trailers, and farming vehicles;

(iii) Live animals including birds, fish, reptiles;

(iv) Cordwood and building materials;

(v) HHG for resale, disposal or commercial use rather than for use by employee and immediate family members;

(vi) Privately owned live ammunition; and

(vii) Propane gas tanks.

(3) Federal, State and local laws or carrier regulations may prohibit commercial shipment of certain articles not included in paragraph (2) of this definition. These articles frequently include:

(i) Property liable to impregnate or otherwise damage equipment or other property (e.g., hazardous articles including explosives, flammable and corrosive material, poisons);

(ii) Articles that cannot be taken from the premises without damage to the article or premises;

(iii) Perishable articles (including frozen foods) articles requiring refrigeration, or perishable plants unless;

(a) Shipment is to be transported not more than 150 miles and/or delivery accomplished within 24 hours from the time of loading,

(b) No storage is required, and

(c) No preliminary or en route services (e.g., watering or other preservative method) is required of the carrier.

Household Goods-Weight Additive—A weight, per linear foot of a specific item, added to the net weight of the household goods shipment to compensate for the excessive van space used by the item. The item must be stated in the Household Goods tariff as qualifying for a weight additive before a charge can be assessed. Weight additives do not apply if an article is capable of being conveniently hand-carried by one person and/or transported in a standard moving carton.

Immediate family—Any of the following named members of the employee’s household at the time he/she reports for duty at the new permanent duty station or performs other authorized travel involving family members:

(1) Spouse;

(2) Domestic partner;

(3) Children of the employee, of the employee’s spouse, or of the employee’s domestic partner, who are unmarried and under 21 years of age or who, regardless of age, are physically or mentally incapable of self-support. (The term “children” shall include natural offspring; stepchildren; adopted children; grandchildren, legal minor wards or other dependent

§300-3.1**FEDERAL TRAVEL REGULATION**

children who are under legal guardianship of the employee, of the employee's spouse, or of the domestic partner; and an unborn child(ren) born and moved after the employee's effective date of transfer.);

(4) Dependent parents (including step and legally adoptive parents) of the employee, of the employee's spouse, or of the employee's domestic partner; and

(5) Dependent brothers and sisters (including step and legally adoptive brothers and sisters) of the employee, of the employee's spouse, or of the employee's domestic partner, who are unmarried and under 21 years of age or who, regardless of age, are physically or mentally incapable of self-support.

Interviewee—An individual who is being considered for employment by an agency. The individual may currently be a Government employee.

Invitational travel—Authorized travel of individuals either not employed or employed (under 5 U.S.C. 5703) intermittently in the Government service as consultants or experts and paid on a daily when-actually-employed basis and for individuals serving without pay or at \$1 a year when they are acting in a capacity that is directly related to, or in connection with, official activities of the Government. Travel allowances authorized for such persons are the same as those normally authorized for employees in connection with TDY.

Lodgings-plus per diem system—The method of computing per diem allowances for official travel in which the per diem allowance for each travel day is established on the basis of the actual amount the traveler pays for lodging, plus an allowance for meals and incidental expenses (M&IE), the total of which does not exceed the applicable maximum per diem rate for the location concerned.

Mandatory mobility agreement—Agreement requiring employee relocation to enhance career development and progression and/or achieve mission effectiveness.

Mobile Home—Any type of house trailer or mobile dwelling constructed for use as a residence and designed to be moved overland, either by self-propulsion or towing. Also, a boat (houseboat, yacht, sailboat, etc.) when used as the employee's primary residence.

Non-Federal traveler—For the purposes of 41 CFR [301-10.260](#) through [301-10.266](#) and 41 CFR [301-70.800](#) through [301-70.910](#), an individual who travels on a Government aircraft, but is not a Federal traveler. Dependents and other family members of Federal travelers who travel on Government aircraft are considered to be non-Federal travelers within this regulation.

Non-foreign area—The States of Alaska and Hawaii, the Commonwealths of Puerto Rico, Guam and the Northern Mariana Islands and the territories and possessions of the United States (excludes the Trust Territories of the Pacific Islands).

Official station—An area defined by the agency that includes the location where the employee regularly performs his or her duties or an invitational traveler's home or regular place of business (see [§301-1.2](#)). The area may be a mileage radius around a particular point, a geographic boundary, or any other definite domain, provided no part of the area is more than 50 miles from where the employee regularly performs his or her duties or from an invitational traveler's home or regular place of business. If the employee's work involves recurring travel or varies on a recurring basis, the location where the work activities of the employee's position of record are based is considered the regular place of work.

Official travel—Travel under an official travel authorization from an employee's official station or other authorized point of departure to a temporary duty location and return from a temporary duty location, between two temporary duty locations, or relocation at the direction of a Federal agency.

Passenger—In relation to use of Government aircraft, a passenger is any person who flies onboard a Government aircraft, but who is not a crewmember or qualified non-crewmember.

Per diem allowance—The per diem allowance (also referred to as subsistence allowance) is a daily payment instead of reimbursement for actual expenses for lodging, meals, and related incidental expenses. The per diem allowance is separate from transportation expenses and other miscellaneous expenses. The per diem allowance covers all charges and services, including any service charges where applicable. Lodging taxes in the United States are excluded from the per diem allowance and are reimbursed as a miscellaneous expense. In foreign locations, lodging taxes are part of the per diem allowance and are not a miscellaneous expense. The per diem allowance covers the following:

(a) *Lodging*. Includes expenses, except lodging taxes in the United States, for overnight sleeping facilities, baths, personal use of the room during daytime, telephone access fee, and service charges for fans, air conditioners, heaters and fires furnished in the room when such charges are not included in the room rate.

(b) *Meals*. Expenses for breakfast, lunch, dinner and related tips and taxes (specifically excluded are alcoholic beverage and entertainment expenses, and any expenses incurred for other persons).

(c) *Incidental expenses*. (1) Fees and tips given to porters, baggage carriers, bellhops, hotel maids, stewards or stewardesses and others on ships, and hotel servants in foreign countries;

(2) Transportation between places of lodging or business and places where meals are taken, if suitable meals cannot be obtained at the TDY site; and

(3) Mailing cost associated with filing travel vouchers and payment of Government sponsored charge card billings.

Place of public accommodation—Any inn, hotel, or other establishment within a State that provides lodging to transient guests, excluding:

- (a) An establishment owned by the Federal Government;
- (b) An establishment treated as an apartment building by State or local law or regulation; or
- (c) An establishment containing not more than 5 rooms for rent or hire that is also occupied as a residence by the proprietor of that establishment.

Post of duty—An official station outside CONUS.

Privately owned aircraft—An aircraft that is owned or leased by an employee for personal use. It is not owned, leased, chartered, or rented by a Government agency, nor is it rented or leased by an employee for use in carrying out official Government business.

Privately owned automobile—A car or light truck (including vans and pickup trucks) that is owned or leased for personal use by an individual.

Privately Owned Vehicle (POV)—Any vehicle such as an automobile, motorcycle, aircraft, or boat operated by an individual that is not owned or leased by a Government agency, and is not commercially leased or rented by an employee under a Government rental agreement for use in connection with official Government business.

Professional Books, Papers and Equipment (PBP&E)—Includes, but is not limited to, the following items in the employee's possession when needed by the employee in the performance of his/her official duties:

- (1) Reference material;
- (2) Instruments, tools, and equipment peculiar to technicians, mechanics and members of the professions;
- (3) Specialized clothing (e.g., diving suits, flying suits, helmets, band uniforms, religious vestments and other special apparel); and
- (4) Communications equipment used by the employee in association with the MARS (see DoD 4650.2, Military Affiliate Radio System (MARS) which is available electronically from the world wide web at <http://web7.whs.osd.mil>).

Qualified non-crewmember—A person flying onboard a Government aircraft whose skills or expertise are required to perform or are associated with performing the non-travel related Governmental function for which the aircraft is being operated (qualified non-crewmembers may be researchers, law enforcement agents, firefighters, agricultural engineers, biologists, etc.). If a qualified non-crewmember is onboard for the purpose of travel (*i.e.*, being transported from point to point) in addition to performing his/her duties related to the non-travel related Governmental function for which the aircraft is being operated (e.g., when a scientist conducts an experiment at the same time he/she is also on the aircraft for the purpose of traveling from point to point), he/she must be authorized to travel in accordance with rules in 41 CFR parts [301-10](#) and [301-70](#).

Reduced per diem—Your agency may authorize a reduced per diem rate when there are known reductions in lodging and meal costs or when your subsistence costs can be determined in advance and are lower than the prescribed per diem rate.

Required use travel—Travel by Federal travelers that requires use of a Government aircraft to meet bona fide communications needs (e.g., 24-hour secure communications), security requirements (e.g., highly unusual circumstances that present a clear and present danger), or exceptional scheduling requirements (e.g., a national emergency or other compelling operational considerations) of an executive agency. Required use travel must be approved according to [§301-10.262\(a\)](#) and [§301-70.803\(a\)](#) of this title.

Senior Federal official—An individual who is paid according to the Executive Schedule established by 5 U.S.C. 53, Subchapter II, including Presidential appointees who are confirmed by the Senate; employed in the U.S. Government's Senior Executive Service or an equivalent "senior" service; who is a civilian employee of the Executive Office of the President; who is appointed by the President to a position under section 105(a)(2)(A), (B), or (C) of title 3 U.S.C. or by the Vice President to a position under section 106(a)(1)(A), (B), or (C) of title 3 U.S.C.; or who is a contractor working under a contract with an executive agency, is paid at a rate equal to or more than the minimum rate for the Senior Executive Service, and has senior executive responsibilities. The term senior Federal official, as used in the Federal Travel Regulation does not mean an active duty military officer.

Space available travel—Travel in space available on a Government aircraft that is already scheduled for an official purpose.

Special conveyance—Commercially rented or hired vehicles other than a privately owned vehicle and other than those owned or under contract to an agency.

Special needs (also see Employee with a disability)—Physical characteristics of a traveler not necessarily defined under disability. Such physical characteristics could include, but are not limited to, the weight or height of the traveler.

Subsistence expenses—Expenses such as:

- (a) Lodging and service charges;
- (b) Meals, including taxes and tips; and
- (c) Incidental expenses (see incidental expenses under the definition of per diem allowance).

Temporary duty (TDY) location—A place, away from an employee's official station, where the employee is authorized to travel.

Temporary Storage—Storage of HHG for a limited period of time at origin, destination or en route in connection with transportation to, from, or between official station or post of duty or authorized alternate points. Also referred to as storage in transit (SIT).

Transit system—A form of transportation (e.g., air, rail, bus, ship, etc.) used between authorized locations in the performance of official travel.

Travel advance—Prepayment of estimated travel expenses paid to an employee.

Travel authorization (Orders)—Written permission to travel on official business. There are three basic types of travel authorizations (orders):

(a) *Unlimited open*. An authorization allowing an employee to travel for any official purpose without further authorization.

(b) *Limited open*. An authorization allowing an employee to travel on official business without further authorization under certain specific conditions, i.e., travel to specific geographic area(s) for specific purpose(s), subject to trip cost ceilings, or for specific periods of time.

(c) *Trip-by-trip*. An authorization allowing an individual or group of individuals to take one or more specific official

business trips, which must include specific purpose, itinerary, and estimated costs.

Travel claim (Voucher)—A written request, supported by documentation and receipts where applicable, for reimbursement of expenses incurred in the performance of official travel, including permanent change of station (PCS) travel.

Travel Management Service (TMS)—A service for booking common carrier (e.g., air, rail, and bus confirmations and seat assignments), lodging accommodations, and car rental services; fulfilling (i.e. ticketing) reservations; providing basic management information on those activities; and meeting other requirements as specified in [§301-73.106](#) of this title. A TMS may include a travel management center (TMC), Commercial Ticket Office (CTO), an electronically available system, other commercial methods of arranging travel, or an in-house system.

United States—The 48 contiguous States, the District of Columbia and the States and areas defined under the term “Non-Foreign Area.”

SUBCHAPTER B—AGENCY REQUIREMENTS

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PART 300-70—AGENCY REPORTING REQUIREMENTS

Authority: 5 U.S.C. 5707; 5 U.S.C. 5738; 5 U.S.C. 5741–5742; 20 U.S.C. 905(a); 31 U.S.C. 1353; 40 U.S.C. 121(c); 49 U.S.C. 40118; E.O. 11609, as amended, 3 CFR, 1971–1973 Comp., p. 586.

Subpart A—Requirement to Report Agency Payments for Employee Travel and Relocation**§300-70.1 What are the requirements for reporting payments for employee travel and relocation?**

Agencies (as defined in [§301-1.1](#)) that spent more than \$5 million on travel and transportation payments, including relocation, during the fiscal year immediately preceding the survey year must report this information. Every two years GSA will distribute the Federal Agencies Travel Survey which is assigned Interagency Control No. 0362-GSA-AN. Copies of the survey may be obtained from the Director, Travel Management Policy Division (MTT), Office of Governmentwide Policy, General Services Administration, Washington, DC 20405.

§300-70.2 What information must we report?

For the fiscal year reporting period you must report the following information:

- (a) Estimated total agency payments for travel and transportation of people;
- (b) Average costs and duration of trips;
- (c) Amount of official travel by purpose(s);
- (d) Estimated total agency payments for employee relocation;
- (e) The estimated cost of administrating your agency's processing of travel authorizations and travel vouchers; and
- (f) Any other specific information GSA may require for the reporting period.

§300-70.3 How long will we have to respond to the travel survey?

The survey will specify the due date. The head of your agency must appoint a designee at the headquarters level responsible for ensuring that the survey is completed and returned to GSA by the due date. Upon receiving a survey, you must submit the designee's name, address, and telephone number to the Director, Travel Management Policy Division (MTT), Office of Governmentwide Policy, General Services Administration, Washington, DC 20405.

§300-70.4 How do we respond to the travel survey if we have major suborganizations?

If you have major suborganizations, you must submit responses as follows:

(a) A separate response from each suborganization which spent more than \$5 million for travel and relocation during the fiscal year immediately preceding the survey year;

(b) A consolidated response covering all your suborganizations which did not spend more than \$5 million for travel and relocation during the fiscal year immediately preceding the survey year; and

(c) A consolidated response which covers all components of your agency.

Subpart B—Requirement to Report Use of Other Than Coach-Class Transportation Accommodations**§300-70.100 Who must report use of other than coach-class transportation accommodations?**

An agency as defined in [§301-1.1](#) of this subtitle.

§300-70.101 Where can we find what information we are required to report?

GSA will issue a Bulletin which will inform agencies of the required information and reporting format(s) for any trip in which the agency authorized and paid for transportation that exceeded the use of coach-class or lowest first-class accommodations. Negative submissions are required. Bulletins regarding the Federal Travel Regulation are located on the Internet at www.gsa.gov/bulletin.

§300-70.102 How often must we report the required information?

You must annually submit the required information to GSA no later than 60 days after the end of each fiscal year.

§300-70.103 Are there any exceptions to the reporting requirement?

Yes. You are not required to report data that is protected from public disclosure by statute or Executive Order. However, you are required to submit, in a cover letter to GSA, the following aggregate information.

- (a) Aggregate number of authorized other than coach-class trips that are protected from disclosure;
- (b) Total cost of actual other than coach-class fares paid that exceeded the coach-class fare; and
- (c) Total cost of coach class fares that would have been paid for the same travel.

NOTE to §300-70.103: If the aggregate information is also protected from public disclosure then a negative report must be submitted to GSA.

Subpart C—[Reserved]

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PART 300-80—RELOCATION EXPENSES TEST PROGRAMS

Authority: 5 U.S.C. 5707, 5738, and 5739.

§300-80.1 What is a relocation expenses test program?

It is a program to permit agencies to test new and innovative methods of reimbursing relocation expenses without seeking a waiver of current rules or authorizing legislation.

§300-80.2 Who may authorize test programs?

The Administrator of General Services may authorize an agency to conduct tests when the Administrator determines tests to be in the interest of the Government.

§300-80.3 What must be done to apply for test program authority?

The head of the agency or designee must design the test program to enhance cost savings or other efficiencies to the Government and submit in writing to the Administrator of General Services (Attention: MTT), 1800 F Street, NW, Washington, DC 20405:

- (a) An explanation of the test program;
- (b) If applicable, the specific provisions of the FTR from which the agency is deviating;
- (c) An analysis of the expected costs and benefits; and
- (d) A set of criteria for evaluating the effectiveness of the program.

§300-80.4 How many test programs may be authorized by GSA throughout the government?

No more than 12 relocation expense test programs may be conducted at the same time.

§300-80.5 What factors will GSA consider in approving a request for a relocation expenses test program?

The following factors will be considered:

- (a) Potential savings to the Government.
- (b) Application of results to other agencies.
- (c) Feasibility of successful implementation.
- (d) Number of tests, if any, already authorized to the same activity.
- (e) Whether the request meets the requirements of [§300-80.3](#).
- (f) Other agency requests under consideration at the time of submission.
- (g) Uniqueness of proposed test.

§300-80.6 What limits are there to test programs?

When authorized by the Administrator of General Services, the agency may pay any necessary relocation expenses

in lieu of payments authorized or required under 5 U.S.C. chapter 57, subchapter II.

§300-80.7 How long is the duration of test programs?

The duration of a test program is up to four years from the date of authorization unless terminated prior to that time by the Administrator of General Services. The agency conducting a test program may also terminate the test program at any time by providing written notice of the termination to the Administrator of General Services. The Administrator of General Services may grant test program extensions of up to an additional four years (see [§300-80.8](#)).

§300-80.8 What must we do to apply for a test program extension?

The head of the agency or designee must submit a request to extend the test program to the Administrator of General Services (Attention: MTT), 1800 F Street, NW., Washington, DC 20405, not later than 120 days prior to the expiration of the test period. The request for extension must contain the test program results to that date and clearly enumerate the benefits, qualitatively or quantitatively or both, of granting a test program extension and must specify the duration of time for which an extension is requested.

§300-80.9 What reports are required for a test program?

(a) The Administrator of General Services must submit a copy of any test program approved or extended to Congress at least 30 days before the effective date of the authorized test program.

(b) The agency authorized to conduct the test program must submit the following reports:

(1) An annual report on the progress of the test, submitted to the General Services Administration, Office of Governmentwide Policy, Office of Travel, Transportation and Asset Management (Attention MTT), Washington, DC 20405. The Administrator or designee may terminate the test program approval for failure to comply with these reporting requirements; and

(2) A final report on the results of the test program must be submitted to the General Services Administration, Office of Governmentwide Policy, Office of Travel, Transportation and Asset Management (Attention MTT), Washington, DC 20405, and to the appropriate committees of Congress within 3 months after completion of the program.

(c) All reports must include quantitative or qualitative assessments, or both, clearly evaluating the results of the test program and enumerating benefits and costs.

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FEDERAL TRAVEL REGULATION

CHAPTER 301—TEMPORARY DUTY (TDY) TRAVEL ALLOWANCES

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SUBCHAPTER A—INTRODUCTION

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PART 301-1—APPLICABILITY

Authority: 5 U.S.C. 5707.

§301-1.1 What is an “agency” for purposes of TDY allowances?

An agency includes	But does not include
An Executive agency, as defined in 5 U.S.C. 105 (except for Government-Controlled Corporations, i.e., mixed ownership Government Corporation as defined in 31 U.S. C. 9101)	A Government-controlled corporation A Member of Congress An office or committee of either House of Congress or of the two Houses An office, agency or other establishment in the judicial branch
A military department An office, agency or other establishment in the legislative branch	
The Government of the District of Columbia	

§301-1.2 What is an “employee” for purposes of TDY allowances?

An “employee” is:

- (a) An individual employed by an agency, regardless of status or rank; or
- (b) An individual employed intermittently in Government service as an expert or consultant and paid on a daily when-actually-employed (WAE) basis; or
- (c) An individual serving without pay or at \$1 a year (also referred to as “invitational traveler”).

§301-1.3 Who is eligible for TDY allowances?

This chapter covers the following individuals:

- (a) Employees traveling on official business;
- (b) Interviewees performing pre-employment interview travel;
- (c) Employees who must interrupt official business travel to perform emergency travel as a result of an incapacitating illness or injury or a personal emergency situation; and
- (d) Threatened law enforcement/investigative employees and members of their family temporarily relocated to safeguard their lives because of a threat resulting from the employee’s assigned duties.

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PART 301-2—GENERAL RULES

Authority: 5 U.S.C. 5707; 31 U.S.C. 1353; 49 U.S.C. 40118.

§301-2.1 Must I have authorization to travel?

Yes, generally you must have written or electronic authorization prior to incurring any travel expense. If it is not practicable or possible to obtain such authorization prior to travel, your agency may approve a specific authorization for reimbursement of travel expenses after travel is completed. However, written or electronic advance authorization is required for items in [§301-2.5\(c\), \(i\), \(n\), and \(o\)](#) of this part.

§301-2.2 What travel expenses may my agency pay?

Your agency may pay only those expenses essential to the transaction of official business, which include:

- (a) Transportation expenses as provided in [Part 301-10](#) of this chapter;
- (b) Per diem expenses as provided in [Part 301-11](#) of this chapter;
- (c) Miscellaneous expenses as provided in [Part 301-12](#) of this chapter; and
- (d) Travel expenses of an employee with special needs as provided in [Part 301-13](#) of this chapter.

§301-2.3 What standard of care must I use in incurring travel expenses?

You must exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business.

§301-2.4 For what travel expenses am I responsible?

You are responsible for expenses over the reimbursement limits established in this chapter. Your agency will not pay for excess costs resulting from circuitous routes, delays, or luxury accommodations or services unnecessary or unjustified in the performance of official business.

§301-2.5 What travel arrangements require specific authorization or prior approval?

You must have a specific authorization or prior approval for:

- (a) Use of other than coach-class service on common carrier transportation;
- (b) Use of a foreign air carrier;
- (c) Use of reduced fares for group or charter arrangements;
- (d) Use of cash to pay for common carrier transportation;
- (e) Use of extra-fare train service;
- (f) Travel by ship;
- (g) Use of a rental car;
- (h) Use of a Government aircraft;
- (i) Payment of a reduced per diem rate;
- (j) Payment of actual expense;
- (k) Travel expenses related to emergency travel;
- (l) Transportation expenses related to threatened law enforcement/investigative employees and members of their families;
- (m) Travel expenses related to travel to a foreign area;
- (n) Acceptance of payment from a non-Federal source for travel expenses, see [Chapter 304](#) of this subtitle;
- (o) Travel expenses related to attendance at a conference; and
- (p) Due to an employee's medical requirements or religious beliefs, payment of the full M&IE allowance even though meals are furnished by the Government either directly or through a registration fee or other payment for a conference or other event, in accordance with [§301-11.18\(b\)](#).

Note to §301-2.5: Paragraphs (c), (i), (n), and (o) of this section require a written or electronic advance authorization.

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SUBCHAPTER B—ALLOWABLE TRAVEL EXPENSES

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PART 301-10—TRANSPORTATION EXPENSES

Authority: 5 U.S.C. 5707, 40 U.S.C. 121(c); 49 U.S.C. 40118; Office of Management and Budget Circular No. A-126, “Improving the Management and Use of Government Aircraft.” Revised May 22, 1992.

Subpart A—General**§301-10.1 Am I eligible for payment of transportation expenses?**

Yes, you are eligible for payment of transportation expenses when performing official travel, including authorized transportation expenses incurred within the TDY location.

§301-10.2 What expenses are payable as transportation?

Fares, rental fees, mileage payments, and other expenses related to transportation.

§301-10.3 What methods of transportation may my agency authorize me to use?

Your agency may authorize:

- (a) Common carrier transportation (e.g., aircraft, train, bus, ship, or other transit system) under [Subpart B](#);
- (b) Government vehicle under [Subpart C](#);
- (c) POV under [Subpart D](#); or
- (d) Special conveyance (e.g., taxi or commercial automobile) under [Subpart E](#).

§301-10.4 How does my agency select the method of transportation to be used?

Your agency must select the method most advantageous to the Government, when cost and other factors are considered. Under 5 U.S.C. 5733, travel must be by the most expeditious means of transportation practicable and commensurate with the nature and purpose of your duties. In addition, your agency must consider energy conservation, total cost to the Government (including costs of per diem, overtime, lost worktime, and actual transportation costs), total distance traveled, number of points visited, and number of travelers.

§301-10.5 What are the presumptions as to the most advantageous method of transportation?

(a) *Common carrier.* Travel by common carrier is presumed to be the most advantageous method of transportation and must be used when reasonably available.

(b) *Government automobile.* When your agency determines that your travel must be performed by automobile, a Government automobile is presumed to be the most advantageous method of transportation.

§301-10.6 What is my liability if I do not travel by the authorized method of transportation?

If you do not travel by the method of transportation required by regulation or authorized by your agency, any

additional expenses you incur which exceed the cost of the authorized method of transportation will be borne by you.

§301-10.7 How should I route my travel?

You must travel to your destination by the usually traveled route unless your agency authorizes or approves a different route as officially necessary.

§301-10.8 What is my liability if, for personal convenience, I travel by an indirect route or interrupt travel by a direct route?

Your reimbursement will be limited to the cost of travel by a direct route or on an uninterrupted basis. You will be responsible for any additional costs.

Subpart B—Common Carrier Transportation**§301-10.100 What types of common carrier transportation may I be authorized to use?**

You may be authorized to use airline, train, ship, bus, or other transit system.

§301-10.105 What are the basic requirements for using common carrier transportation?

The basic requirements for using common carrier transportation fall into three categories:

(a) Using contract carriers, when available, and if your agency is a mandatory user of GSA’s city-pair contracts for air passenger transportation services, unless you have an approved exception (see [§§301-10.106](#) through [301-10.108](#) of this subpart);

(b) Using coach-class service, unless other than coach-class service is authorized under [§301-10.123](#) or [§301-10.162](#), and when travelling by ship, using lowest first-class accommodations, unless other than lowest first-class accommodations are authorized under [§301-10.183](#) of this subpart; and

(c) You must always use U.S. Flag Air Carrier (or ship) service for air passenger transportation or when travelling by ship, unless your travel circumstances meet one of the exceptions in [§§301-10.135](#) through [301-10.138](#) or [§301-10.183](#) of this subpart.

Use of Contract City-Pair Fares**§301-10.106 When must I use a contract city-pair fare?**

If you are a civilian employee of an agency as defined in [§301-1.1](#) of this chapter, you must always use a contract city-pair fare for scheduled air passenger transportation service unless one of the limited exceptions in [§301-10.107](#) exist. An

Internet listing of contract city-pair fares is available at <http://www.gsa.gov/citypairs>.

Note to §301-10.106: Employees of the Government of the District of Columbia, with the exception of the District of Columbia Courts, are not eligible to use contract city-pair fares even though these employees otherwise may be covered by the FTR.

§301-10.107 Are there any exceptions to the use of a contract city-pair fare?

Yes, your agency may authorize use of a fare other-than a contract city-pair fare when—

(a) Space on a scheduled contract flight is not available in time to accomplish the purpose of your travel, or use of contract service would require you to incur unnecessary overnight lodging costs which would increase the total cost of the trip;

(b) The contractor's flight schedule is inconsistent with explicit policies of your Federal department or agency with regard to scheduling travel during normal working hours;

(c) A non-contract carrier offers a lower fare to the general public that, if used, will result in a lower total trip cost to the Government (the combined costs of transportation, lodging, meals, and related expenses considered);

Note to paragraph (c): This exception does not apply if the contract carrier offers the same or lower fare and has seats available at that fare, or if the fare offered by the non-contract carrier is restricted to Government and military travelers performing official business and may be purchased only with a contractor-issued charge card, centrally billed account (e.g., YDG, MDG, QDG, VDG, and similar fares) or GTR where the two previous options are not available;

(d) Cost effective rail service is available and is consistent with mission requirements; or

(e) Smoking is permitted on the contract air carrier and the nonsmoking section of the contract aircraft is not acceptable to you.

Note 1 to §301-10.107: Any group of 10 or more passengers traveling together on the same day, on the same flight, for the same mission, requiring group integrity and identified as a group by the travel management service upon booking is not a mandatory user of the Government's contract city-pair fares. For group travel, agencies are expected to obtain air passenger transportation service that is practical and cost effective to the Government.

Note 2 to §301-10.107: Contractors are not authorized to use contract city-pair fares to perform travel under their contracts.

Note 3 to §301-10.107: If the Government contract city-pair carrier offers a lower cost capacity-controlled coach class contract fare (MCA, QCA, VCA, etc.) in addition to the unrestricted coach class contract fares (YCA), the traveler should

use the lower cost capacity-controlled fare when it is available and meet mission needs.

§301-10.108 What requirements must be met to use a non-contract fare?

(a) Before purchasing a non-contract fare you must meet one of the exception requirements listed in [§301-10.107](#) and show approval on your travel authorization to use a non-contract fare; and

(b) If the non-contract fare is non-refundable, restricted, or has specific eligibility requirements, you must know or reasonably anticipate, based on your planned trip, that you will use the ticket; and

(c) Your agency must determine that the proposed non-contract transportation is practical and cost effective for the Government.

Note to §301-10.108: Carrier preference is not a valid reason for using a non-contract fare.

§301-10.109 What is my liability for unauthorized use of a non-contract carrier when contract service is available and I do not meet one of the exceptions for required use?

Any additional costs or penalties incurred by you resulting from unauthorized use of non-contract service are borne by you.

§301-10.110 May I use contract passenger transportation service for personal travel?

No.

§301-10.111 When may I use a reduced group or charter fare?

You may use a reduced group or charter fare when your agency has determined, on an individual case basis prior to your travel, that use of such a fare is cost effective. Chartered aircraft are subject to the same rules as Government aircraft, and agencies in the executive branch of the Federal Government are subject to the requirements of Office of Management and Budget (OMB) Circular A-126 and 41 CFR part 101-37 in making such cost effectiveness determinations.

§301-10.112 What must I do when different airlines furnish the same service at different fares?

When there is no contract fare, and common carriers furnish the same service at different fares between the same points for the same type of accommodations, you must use the lowest cost service unless your agency determines that the use of higher cost service is more advantageous to the Government.

§301-10.113 What must I do if I change or do not use a common carrier reservation?

If you know you will change or not use your reservation, you must take action to change or cancel it as prescribed by your agency. Also, you must report all changes of your reservation according to your agency's procedures in an effort to

prevent losses to the Government. Failure to do so may subject you to liability for any resulting losses.

§301-10.114 What must I do with unused Government Transportation Request(s) (GTR(s), ticket(s) or refund application(s)?

You must submit any unused GTR(s), unused ticket coupons, unused e-tickets, or refund applications to your agency in accordance with your agency's procedures.

§301-10.115 Am I authorized to receive a refund or credit for unused transportation?

No. You are not authorized to receive a refund, credit, or any other negotiable document from a carrier for unfurnished services (except as provided in [§301-10.117](#)) or any portion of an unused ticket issued in exchange for a GTR or billed to an agency's centrally billed account. However, any charges billed directly to your individually billed Government charge card should be credited to your account.

§301-10.116 What must I do with compensation an airline gives me if it denies me a seat on a plane?

If you are performing official travel and a carrier denies you a confirmed reserved seat on a plane, you must give your agency any payment you receive for liquidated damages. You must ensure the carrier shows the "Treasurer of the United States" as payee on the compensation check and then forward the payment to the appropriate agency official.

§301-10.117 May I keep compensation an airline gives me for voluntarily vacating my seat on my scheduled airline flight when the airline asks for volunteers?

Yes:

- (a) If voluntarily vacating your seat will not interfere with performing your official duties; and
- (b) If additional travel expenses, incurred as a result of vacating your seat, are borne by you and are not reimbursed; but
- (c) If volunteering delays your travel during duty hours, your agency will charge you with annual leave for the additional hours.

Airline Accommodations

§301-10.121 What classes of airline accommodations are available?

Airlines are constantly updating their offerings. However, for the purposes of this regulation, the classes of available air accommodations are identified and defined as follows:

(a) *Coach-class*. The basic class of accommodation by airlines that is normally the lowest fare offered regardless of airline terminology used. For reference purposes only, coach-class may also be referred to by airlines as "tourist class,"

"economy class," or as "single class" when the airline offers only one class of accommodations to all travelers.

(b) *Other than coach-class*. Any class of accommodations above coach-class, e.g., first-class or business-class.

(1) *First-class*. The highest class of accommodation offered by the airlines in terms of cost and amenities. This is generally termed "first-class" by airlines and reservation systems.

(2) *Business-class*. A class of accommodation offered by airlines that is higher than coach and lower than first-class, in both cost and amenities. This class of accommodation is generally referred to as "business, business elite, business first, world business, connoisseur, or envoy" depending on the airline.

Note to §301-10.121: If an airline flight has only two classes of accommodations available, i.e., two "cabins", with two distinctly different seating types (such as girth and pitch) and the front cabin is termed "business-clas" or higher by the airline and the tickets are fare-coded as business-class, then the front of the cabin is deemed to be other than coach-class. Alternatively, if an airline flight has only two cabins available but equips both with one type of seating, (i.e., seating girth and pitch are the same in both cabins), and the seats in the front of the airplane are fare coded as full-fare economy class, and only restricted economy fares are available in the back of the aircraft, then the entire aircraft is to be classified as coach-class seating. In this second situation, qualifying for other than coach-class travel is not required to purchase a non-restricted economy fare seat in the front of the aircraft as the entire aircraft is considered "coach-class."

§301-10.122 What class of airline accommodations must I use?

For official business travel, both domestic and international, you must use coach-class accommodations, except as provided under [§§301-10.123](#) and [301-10.124](#).

§301-10.123 When may I use other than coach-class airline accommodations?

Government travelers are required to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business when making official travel arrangements, and therefore, should consider the least expensive class of travel that meets their needs. You may use the lowest other than coach-class airline accommodations only when your agency specifically authorizes/approves such use as specified in [paragraphs \(a\)](#) and [\(b\)](#) of this section.

(a) Your agency may authorize/approve first class accommodations if any of the following apply:

(1) No coach-class accommodations are reasonably available. "Reasonably available" means available on an airline that is scheduled to leave within 24 hours of your pro-

§301-10.123**FEDERAL TRAVEL REGULATION**

posed departure time, or scheduled to arrive within 24 hours of your proposed arrival time;

(2) When use of other than coach-class is necessary to accommodate a medical disability or other special need.

(i) A disability must be certified annually in a written statement by a competent medical authority. However, if the disability is a lifelong condition, then a one-time certification statement is required. Certification statements must include at a minimum:

(A) A written statement by a competent medical authority stating that special accommodation is necessary;

(B) An approximate duration of the special accommodation; and

(C) A recommendation as to the suitable class of transportation accommodations based on the disability.

(ii) A special need must be certified annually in writing according to your agency's procedures. However, if the special need is a lifelong condition, then a one-time certification statement is required;

(iii) If you are authorized under [§301-13.3\(a\)](#) of this Subchapter to have an attendant accompany you, your agency may also authorize the attendant to use other than coach-class accommodations if you require the attendant's services en route;

(3) When exceptional security circumstances require other than coach-class airline accommodations. Exceptional security circumstances are determined by your agency and should only be authorized up to the minimum other than coach-class accommodation necessary. These circumstances include, but are not limited to:

(i) Use of coach-class accommodations would endanger your life or Government property;

(ii) You are an agent on protective detail and you are accompanying an individual authorized to use other than coach-class accommodations; or

(iii) You are a courier or control officer accompanying controlled pouches or packages;

(4) When required because of agency mission, consistent with your agency's internal procedures pursuant to [§301-70.102\(i\)](#).

(b) Your agency may authorize/approve business-class accommodations if any of the following apply:

(1) When use of other than coach-class is necessary to accommodate a medical disability or other special need.

(i) A disability must be certified annually in a written statement by a competent medical authority. However, if the disability is a lifelong condition, then a one-time certification statement is required. Certification statements must include at a minimum:

(A) A written statement by a competent medical authority stating that special accommodation is necessary;

(B) An approximate duration of the special accommodation; and

(C) A recommendation as to the suitable class of transportation accommodations based on the disability.

(ii) A special need must be certified annually in writing according to your agency's procedures. However, if the special need is a lifelong condition, then a one-time certification statement is required;

(iii) If you are authorized under [§301-13.3\(a\)](#) of this Subchapter to have an attendant accompany you, your agency may also authorize the attendant to use other than coach-class accommodations if you require the attendant's services en route;

(2) When exceptional security circumstances require other than coach-class airline accommodations. Exceptional security circumstances are determined by your agency and should only be authorized to the minimum other than coach-class accommodation necessary to meet the agency's mission. These circumstances include, but are not limited to:

(i) Use of coach-class accommodations would endanger your life or Government property;

(ii) You are an agent on protective detail and you are accompanying an individual authorized to use other than coach-class accommodations; or

(iii) You are a courier or control officer accompanying controlled pouches or packages;

(3) Coach-class accommodations on an authorized/approved foreign air carrier do not provide adequate sanitation or health standards;

(4) Regularly scheduled flights between origin/destination points (including connecting points) provide only other than coach-class accommodations and you certify such on your voucher;

(5) Your transportation costs are paid in full through agency acceptance of payment from a non-Federal source in accordance with [Chapter 304](#) of this Title;

(6) Where the origin and/or destination are OCONUS, and the scheduled flight time, including stopovers and change of planes, is in excess of 14 hours, in accordance with [§301-10.125](#);

(7) The use results in an overall cost savings to the Government by avoiding additional subsistence costs, overtime, or lost productive time while awaiting coach-class accommodations;

(8) No space is available in coach-class accommodations in time to accomplish the mission, which is urgent and cannot be postponed; or

(9) When required because of agency mission, consistent with your agency's internal procedures pursuant to [§301-70.102\(i\)](#).

Note 1 to §301-10.123: You may upgrade to other than coach-class accommodations at your personal expense, including through redemption of frequent flyer benefits.

Note 2 to §301-10.123: Blanket authorization of other than coach-class transportation accommodations is prohibited and shall be authorized on an individual trip-by-trip basis, unless the traveler has an up-to-date documented disability or special need.

§301-10.124 What are coach-class Seating Upgrade Programs?

Sometimes these programs are called “Coach Elite,” “Coach Plus,” “Preferred Coach” or some other identifier. Under these airline programs, a passenger may obtain for a fee a more desirable seat choice within the coach-class cabin. These airline upgrade or preferred seat choices are generally available for an annual fee, at an airport kiosk or gate or as a frequent flier perk. These coach upgrade options are not considered a new or higher class of accommodation since the seating is still in the coach cabin. However, the use of these upgraded/preferred coach seating options is generally a traveler’s personal choice and therefore is at the traveler’s personal expense. An agency travel authorization approving official or his/her designee (*e.g.*, supervisor of the traveler) may authorize and reimburse the additional seat choice fee according to internal agency policy (see [301-70.102\(k\)](#)).

§301-10.125 When may I use the 14-hour rule to travel other than coach-class (see [§301-10.123\(b\)\(6\)](#))?

(a) You may use the 14-hour rule to travel via other than coach-class when:

- (1) The origin and/or destination are OCONUS; and
- (2) The scheduled flight time, including non-overnight stopovers and change of planes, is in excess of 14 hours; and

(3) You are required to report to duty the following day or sooner.

(b) Scheduled flight time is the flight time between the originating departure point and the ultimate arrival point including scheduled non-overnight time spent at airports during plane changes. Scheduled non-overnight time does not include time spent at the originating or ultimate arrival airports.

(c) If other than coach-class accommodation is authorized based on the 14-hour rule then you will not be eligible for a rest stop en route or a rest period upon arrival at your duty site, in accordance with internal agency procedures pursuant to [§301-70.102\(j\)](#).

Use of United States Flag Air Carriers

§301-10.131 What does United States mean?

For purposes of the use of United States flag air carriers, “United States” means the 50 states, the District of Columbia, and the territories and possessions of the United States (49 U.S.C. 40102).

§301-10.132 Who is required to use a U.S. flag air carrier?

Anyone whose air travel is financed by U.S. Government funds, except as provided in [§§301-10.135](#), [301-10.136](#), and [301-10.137](#).

§301-10.133 What is a U.S. flag air carrier?

An air carrier which holds a certificate under 49 U.S.C. 41102 but does not include a foreign air carrier operating under a permit.

§301-10.134 What is U.S. flag air carrier service?

U.S. flag air carrier service is service provided on an air carrier which holds a certificate under 49 U.S.C. 41102 and which service is authorized either by the carrier’s certificate or by exemption or regulation. U.S. flag air carrier service also includes service provided under a code share agreement with a foreign air carrier in accordance with Title 14, Code of Federal Regulations when the ticket, or documentation for an electronic ticket, identifies the U.S. flag air carrier’s designator code and flight number.

§301-10.135 When must I travel using U.S. flag air carrier service?

You are required by 49 U.S.C. 40118, commonly referred to as the “Fly America Act,” to use U.S. flag air carrier service for all air travel funded by the U.S. Government, except as provided in [§§301-10.136](#) and [301-10.137](#) or when one of the following exceptions applies:

(a) Use of a foreign air carrier is determined to be a matter of necessity in accordance with [§301-10.138](#); or

(b) The transportation is provided under a bilateral or multilateral air transportation agreement to which the United States Government and the government of a foreign country are parties, and which the Department of Transportation has determined meets the requirements of the Fly America Act.

(1) Information on bilateral or multilateral air transportation agreements impacting United States Government procured transportation can be accessed at <http://www.gsa.gov/openskies>; and

(2) If determined appropriate, GSA may periodically issue FTR Bulletins providing further guidance on bilateral or multilateral air transportation agreements impacting United States Government procured transportation. These bulletins may be accessed at <http://www.gsa.gov/bulletins>.

(c) You are an officer or employee of the Department of State, United States Information Agency, United States International Development Cooperation Agency, or the Arms Control Disarmament Agency, and your travel is paid with funds appropriated to one of these agencies, and your travel is between two places outside the United States; or

(d) No U.S. flag air carrier provides service on a particular leg of the route, in which case foreign air carrier service may

be used, but only to or from the nearest interchange point on a usually traveled route to connect with U.S. flag air carrier service; or

(e) A U.S. flag air carrier involuntarily reroutes your travel on a foreign air carrier; or

(f) Service on a foreign air carrier would be three hours or less, and use of the U.S. flag air carrier would at least double your en route travel time; or

(g) When the costs of transportation are reimbursed in full by a third party, such as a foreign government, international agency, or other organization.

§301-10.136 What exceptions to the Fly America Act requirements apply when I travel between the United States and another country?

The exceptions are:

(a) If a U.S. flag air carrier offers nonstop or direct service (no aircraft change) from your origin to your destination, you must use the U.S. flag air carrier service unless such use would extend your travel time, including delay at origin, by 24 hours or more.

(b) If a U.S. flag air carrier does not offer nonstop or direct service (no aircraft change) between your origin and your destination, you must use a U.S. flag air carrier on every portion of the route where it provides service unless, when compared to using a foreign air carrier, such use would:

(1) Increase the number of aircraft changes you must make outside of the U.S. by 2 or more; or

(2) Extend your travel time by at least 6 hours or more; or

(3) Require a connecting time of 4 hours or more at an overseas interchange point.

§301-10.137 What exceptions to the Fly America Act requirements apply when I travel solely outside the United States, and a U.S. flag air carrier provides service between my origin and my destination?

You must always use a U.S. flag carrier for such travel, unless, when compared to using a foreign air carrier, such use would:

(a) Increase the number of aircraft changes you must make en route by 2 or more; or

(b) Extend your travel time by 6 hours or more; or

(c) Require a connecting time of 4 hours or more at an overseas interchange point.

§301-10.138 In what circumstances is foreign air carrier service deemed a matter of necessity?

(a) Foreign air carrier service is deemed a necessity when service by a U.S. flag air carrier is available, but

(1) Cannot provide the air transportation needed; or

(2) Will not accomplish the agency's mission.

(b) Necessity includes, but is not limited to, the following circumstances:

(1) When the agency determines that use of a foreign air carrier is necessary for medical reasons, including use of foreign air carrier service to reduce the number of connections and possible delays in the transportation of persons in need of medical treatment; or

(2) When use of a foreign air carrier is required to avoid an unreasonable risk to your safety and is approved by your agency (e.g., terrorist threats). Written approval of the use of foreign air carrier service based on an unreasonable risk to your safety must be approved by your agency on a case by case basis. An agency determination and approval of use of a foreign air carrier based on a threat against a U.S. flag air carrier must be supported by a travel advisory notice issued by the Federal Aviation Administration and the Department of State. An agency determination and approval of use of a foreign air carrier based on a threat against Government employees or other travelers must be supported by evidence of the threat(s) that form the basis of the determination and approval; or

(3) When you cannot purchase a ticket in your authorized class of service on a U.S. flag air carrier, and a seat is available in your authorized class of service on a foreign air carrier.

§301-10.139 May I travel by a foreign air carrier if the cost of my ticket is less than traveling by a U.S. flag air carrier?

No. Foreign air carrier service may not be used solely based on the cost of your ticket.

§301-10.140 May I use a foreign air carrier if the service is preferred by or more convenient for my agency or me?

No. You must use U.S. flag air carrier service, unless you meet one of the exceptions in [§301-10.135](#), [301-10.136](#), or [301-10.137](#) or unless foreign air carrier service is deemed a matter of necessity under [§301-10.138](#).

§301-10.141 Must I provide any special certification or documents if I use a foreign air carrier?

Yes, you must provide a certification, as required in [§301-10.142](#) and any other documents required by your agency. Your agency cannot pay your foreign air carrier fare if you do not provide the required certification.

§301-10.142 What must the certification include?

The certification must include:

(a) Your name;

(b) The dates that you traveled;

(c) The origin and the destination of your travel;

(d) A detailed itinerary of your travel, name of the air carrier and flight number for each leg of the trip; and

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(e) A statement explaining why you met one of the exceptions in [§301-10.135](#), [301-10.136](#), or [301-10.137](#) or a copy of your agency's written approval that foreign air carrier service was deemed a matter of necessity in accordance with [§301-10.138](#).

§301-10.143 What is my liability if I improperly use a foreign air carrier?

You will not be reimbursed for any transportation cost for which you improperly use foreign air carrier service. If you are authorized by your agency to use U.S. flag air carrier service for your entire trip, and you improperly use a foreign air carrier for any part of or the entire trip (i.e., when not permitted under this regulation), your transportation cost on the foreign air carrier will not be payable by your agency. If your agency authorizes you to use U.S. flag air carrier service for part of your trip and foreign air carrier service for another part of your trip, and you improperly use a foreign air carrier (i.e., when neither authorized to do so nor otherwise permitted under this regulation), your agency will pay the transportation cost on the foreign air carrier for only the portion(s) of the trip for which you were authorized to use foreign air carrier service. The agency must establish internal procedures for denying reimbursement to travelers when use of a foreign air carrier was neither authorized nor otherwise permitted under this regulation.

Train

§301-10.160 What classes of train accommodations are available?

(a) *Coach-class*—The basic class of accommodations offered by a rail carrier to passengers that includes a level of service available to all passengers regardless of the fare paid. Coach-class includes reserved coach accommodations as well as slumber coach accommodations when overnight train travel is involved.

(b) *Slumber coach*—Includes slumber coach accommodations on trains offering such accommodations, or the lowest level of sleeping accommodations available on a train that does not offer slumber coach accommodations.

(c) *Other than coach-class*—Any class of accommodations above coach, e.g., first-class or business-class.

(1) First-class—Includes bedrooms, roomettes, club service, parlor car accommodations or other premium accommodations.

(2) Business-class—A class of extra fare train service that is offered above coach class, but is lower than first-class, as described above.

Note to §301-10.160: If a train only has two classes of accommodations available, i.e., first and business class, then the business class is deemed to be classified as coach-class for

purposes of official travel, as it is the lowest class offered.

§301-10.161 What class of train accommodations must I use?

You must use coach-class accommodations for all train travel, except when your agency authorizes other than coach-class service.

§301-10.162 When may I use other than coach-class train accommodations?

You may use other than coach-class train accommodations only when your agency specifically authorizes/approves this use under [paragraphs \(a\)](#) through [\(e\)](#) of this section.

(a) No coach-class accommodations are reasonably available on a train that is scheduled to leave within 24 hours of your proposed departure time, or scheduled to arrive within 24 hours of your proposed arrival time;

(b) When use of other than coach-class accommodations is necessary to accommodate a medical disability or other special need.

(1) A disability must be certified annually in a written statement by a competent medical authority. However, if the disability is a lifelong condition, then a one-time certification statement is required. Certification statements must include at a minimum:

(i) A written statement by a competent medical authority stating that special accommodation is necessary;

(ii) An approximate duration of the special accommodation; and

(iii) A recommendation as to the suitable class of transportation accommodations based on the disability.

(2) A special need must be certified annually in writing according to your agency's procedures. However, if the special need is a lifelong condition, then a one-time certification statement is required;

(3) If you are authorized under [§301-13.3\(a\)](#) of this Subchapter to have an attendant accompany you, your agency may also authorize the attendant to use other than coach-class accommodations if you require the attendant's services en route;

(c) When exceptional security circumstances require other than coach-class rail accommodations. Exceptional security circumstances are determined by your agency and should only be authorized to the minimum other than coach-class accommodation necessary to meet the agency's mission. These circumstances include, but are not limited to:

(1) Use of coach-class accommodations would endanger your life or Government property;

(2) You are an agent on protective detail and you are accompanying an individual authorized to use other than coach-class accommodations; or

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- (3) You are a courier or control officer accompanying controlled pouches or packages;
- (d) Coach-class accommodations on an authorized/approved foreign rail carrier do not provide adequate sanitation or health standards; or
- (e) When required because of agency mission, consistent with your agency's internal procedures pursuant to §301-70.102(i).

§301-10.163 What is an extra-fare train?

A train that operates at an increased fare due to the extra performance of the train (i.e., faster speed or fewer stops).

§301-10.164 When may I use extra-fare train service?

You may use extra-fare train service whenever your agency determines it is more advantageous to the Government or is required for security reasons. Extra-fare train service is considered to be a class above the lowest class offered on any particular train and must be authorized/approved as provided in §301-10.162.

Ship

§301-10.180 Must I travel by a U.S. flag ship?

Yes, when a U.S. flag ship is available unless the necessity of the mission requires the use of a foreign ship. (See 46 U.S.C. App. §1241.)

§301-10.181 What is my liability if I improperly use a foreign ship?

You are required to travel by U.S. flag ship for the entire trip, unless use of a foreign ship has been authorized by your agency. Any cost that is attributed to improper or unauthorized use of a foreign ship is your responsibility.

§301-10.182 What classes of ship accommodations are available?

Accommodations on ships vary according to deck levels.

(a) *Other than lowest first-class*—All classes above the lowest first-class, includes but is not limited to a suite.

(b) *Lowest first-class*—The least expensive class of reserved accommodations available on a ship.

§301-10.183 What class of ship accommodations must I use?

You must use the lowest first-class accommodations when traveling by ship, except when your agency specifically authorizes/approves your use of other than lowest first-class ship accommodations under paragraphs (a) through (d) of this section.

(a) Lowest first class accommodations are not available on the ship.

(b) When use of other than lowest first-class accommodations is necessary to accommodate a medical disability or other special need.

(1) A disability must be certified annually in a written statement by a competent medical authority. However, if the disability is a lifelong condition, then a one-time certification statement is required. Certification statements must include at a minimum:

- (i) A written statement by a competent medical authority stating that special accommodation is necessary;
- (ii) An approximate duration of the special accommodation; and
- (iii) A recommendation as to the suitable class of transportation accommodations based on the disability.

(2) A special need must be certified annually in writing according to your agency's procedures. However, if the special need is a lifelong condition, then a one-time certification statement is required;

(3) If you are authorized under §301-13.3(a) of this Subchapter to have an attendant accompany you, your agency may also authorize the attendant to use other than lowest first-class class accommodations if you require the attendant's services en route;

(c) When exceptional security circumstances require other than lowest first-class travel. Exceptional security circumstances are determined by your agency and should only be authorized to the minimum other than lowest first-class travel accommodation necessary to meet the agency's mission. These circumstances include, but are not limited to:

(1) The use of lowest first-class accommodations would endanger your life or Government property; or

(2) You are an agent on protective detail and you are accompanying an individual authorized to use other than lowest first-class accommodations; or

(3) You are a courier or control officer accompanying controlled pouches or packages.

(d) When required because of agency mission, consistent with your agency's internal procedures pursuant to §301-70.102(i).

Transit Systems

§301-10.190 When may I use a transit system as a means of transportation in conjunction with official travel?

You may use a transit system as a means of transportation in conjunction with official travel when such transportation is authorized and approved by your agency in the following manner:

(a) *At your official station.* (1) From your residence or other authorized point of departure, e.g., rail to airport;

(2) To your residence or other authorized point of return, e.g., airport to rail;

- (3) From your residence to your office on the day you depart the official station on official TDY that requires at least one night's lodging; or
- (4) From your office to your residence on the day you return to the official station from an official TDY assignment that required at least one night's lodging.
- (b) *At your TDY location.* (1) From the TDY transit system station(s) to your place of lodging or place of official business and return;
- (2) To, from, and between your places of lodging and official business;
- (3) Between places of official business; or
- (4) To obtain meals at the nearest available place when the nature and location of the official business or the lodging at a TDY location are such that meals cannot be obtained there. You must attach a statement or include electronic remarks with your travel voucher explaining why such transportation was necessary.

Subpart C—Government Vehicle

§301-10.200 What types of Government vehicles may my agency authorize me to use?

You may be authorized to use:

- (a) A Government automobile in accordance with [§301-10.220](#);
- (b) A Government aircraft in accordance with [§§301-10.260](#) through [301-10.262](#) of this part; and
- (c) Other type of Government vehicle in accordance with any Government-issued rules governing its use.

§301-10.201 For what purposes may I use a Government vehicle other than a Government aircraft?

Only for official purposes which include transportation:

- (a) Between places of official business;
- (b) Between such places and places of temporary lodging when public transportation is unavailable or its use is impractical;
- (c) Between either [paragraph \(a\)](#) or [\(b\)](#) of this section and restaurants, drug stores, barber shops, places of worship, cleaning establishments, and similar places necessary for the sustenance, comfort, or health of the employee to foster the continued efficient performance of Government business; or
- (d) As otherwise authorized by your agency under 31 U.S.C. 1344.

§301-10.202 What is my liability for unauthorized use of a Government vehicle?

You are responsible for any additional cost resulting from unauthorized use of a Government vehicle and you may be subject to administrative and/or criminal liability for misuse of Government property.

Government Automobiles

§301-10.220 What requirements must I meet to operate a Government automobile for official travel?

You must possess a valid State, District of Columbia, or territorial motor vehicle operator's license and have a travel authorization specifically authorizing the use of a Government-furnished automobile.

Travel on Government Aircraft

§301-10.260 May I use a Government aircraft for travel?

You may use Government aircraft for travel only if you have authorization from an executive agency under the rules specified in this part (except with regard to travel under [§301-70.808](#) and [§301-70.910](#)). Because the taxpayers should pay no more than necessary for your transportation, generally you may travel on Government aircraft only when a Government aircraft is the most cost-effective mode of travel.

§301-10.261 When may I use a Government aircraft for travel?

You may use Government aircraft—

- (a) For official travel only when—

- (1) No scheduled commercial airline service is reasonably available (*i.e.*, able to meet your departure and/or arrival requirements within a 24-hour period, unless you demonstrate that extraordinary circumstances require a shorter period) to fulfill your agency's travel requirement; or

- (2) The cost of using a Government aircraft is less than the cost of the city-pair fare for scheduled commercial airline service or the cost of the lowest available full coach fare if a city-pair fare is not available to you. The cost of non-productive or lost work time while in travel status and certain other costs should be considered when comparing the cost of using a Government aircraft in lieu of scheduled commercial airline service. Additional information on costs included in this cost comparison may be found in the "U.S. Government Aircraft Cost Accounting Guide," available from the General Services Administration, Office of Governmentwide Policy, MTA, 1800 F Street, N.W., Washington, DC 20405.

- (b) For required-use travel only when you are required to use Government aircraft for bona fide communications (*e.g.*, 24-hour secure communications) or security reasons (*e.g.*, highly unusual circumstances that present a clear and present danger) or exceptional scheduling requirements (*e.g.*, a national emergency or other compelling operational considerations). Required use travel may include travel for official, personal, or political purposes, but must be approved in accordance with [§301-10.262\(a\)](#) and [§301-70.803\(a\)](#).

- (c) For space available travel only when—

- (1) The aircraft is already scheduled for use for an official purpose, and your use of the aircraft does not require a

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larger aircraft or result in more than minor additional cost to the Government; or

(2) You are a Federal traveler or a dependent of a Federal traveler stationed by the Government in a remote location not accessible to commercial airline service and authorized to use Government aircraft; or

(3) You are authorized to travel on a space available basis under 10 U.S.C. 2648 and regulations implementing that statute.

§301-10.262 How will my agency authorize travel on Government aircraft?

Your agency will authorize your travel on Government aircraft as follows:

(a) *Required use travelers.* Your agency's senior legal official or his/her principal deputy must authorize your required-use travel on a trip-by-trip basis, in advance, in writing, and in compliance with the agency's written policies describing the special circumstances under which the agency will require a traveler to use Government aircraft, unless—

(1) You are an agency head and the President has determined that all your travel (or your travel in specified categories) qualifies as required-use travel; or

(2) You are not an agency head, and your agency head has determined in writing that all of your travel, or your travel in specified categories, qualifies as required-use travel. Such written explanation must state the specific basis for the determination.

Note to §301-10.262(a): In an emergency situation, prior verbal approval for required-use travel with an after-the-fact written authorization is permitted.

(b) *Senior Federal officials.* If you are a senior Federal official, your agency's senior legal official or his/her principal deputy must authorize all your travel on Government aircraft in advance and in writing, except for required use travel authorized under paragraphs (a)(1) and (a)(2) of this section. In an emergency situation, prior verbal approval with an after-the-fact written authorization by your agency's senior legal official is permitted. Senior Federal officials who are crew-members or qualified non-crewmembers on a flight in which they are also traveling (*i.e.*, being transported from point to point) are considered travelers and must be authorized to travel on Government aircraft according to this paragraph.

(c) *Non-Federal travelers.* If you are a non-Federal traveler, the senior legal official or his/her principal deputy in the agency sponsoring your travel must authorize you to fly on Government aircraft in advance and in writing. In an emergency situation, prior verbal approval with an after-the-fact written authorization by your sponsoring agency's senior legal official is permitted.

(d) *All other Federal travelers.* Your designated travel approving official (or anyone to whom he/she delegates this

authority), who must be at least one organizational level above you, must authorize your travel on Government aircraft, in advance and in writing. Prior verbal approval with an after-the-fact written authorization by your agency's designated travel approving official is permitted in an emergency situation. If you hold a blanket travel authorization for official travel that authorizes travel on Government aircraft, it must define the circumstances that must be met for using Government aircraft and must comply with this regulation and any additional agency policies. Travel on Government aircraft that does not meet the circumstances specified in the blanket travel authorization must be authorized on a trip-by-trip basis in accordance with this regulation and other applicable agency policies. Check with your designated travel approving official for information on your agency's policy.

§301-10.263 What travel authorization documents must I present to the aircraft management office that operates the Government aircraft?

You must present to the aircraft management office that operates the Government aircraft—

(a) A copy of your written travel authorization, including a blanket travel authorization, if applicable, approved in accordance with §301-10.262; and

(b) Valid picture identification, such as a Government identification card or a state-issued driver's license.

§301-10.264 What amount must the Government be reimbursed for travel on Government aircraft?

(a) No reimbursement is required for official travel on a Government aircraft.

(b) For personal travel on Government aircraft, reimbursement depends upon which of the following special cases applies:

(1) For any required use travel, you must reimburse the Government for the excess of the full coach fare for all flights taken over the full coach fare for the flights that you would have taken had you not engaged in personal activities during the trip, *i.e.*, for a wholly personal trip, you must pay the full coach fare for the entire trip;

(2) For travel authorized under 10 U.S.C. 2648 and regulations implementing that statute, or when you or your dependents are stationed by the Government in a remote location with no access to regularly scheduled commercial airline service and are authorized to use Government aircraft, you do not have to reimburse the Government.

(c) For political travel on a Government aircraft (*i.e.*, for any trip or part of a trip during which you engage in political activities), the Government must be reimbursed the excess of the full coach fare for all flights taken on the trip over the full coach fare for the flights that you would have taken had you not engaged in political activities, except if other law or regulation specifies a different amount (see, *e.g.*, 11 CFR 106.3,

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“Allocation of Expenses between Campaign and Non-campaign Related Travel.”), in which case the amount reimbursed is the amount required by such law or regulation.

Note to §301-10.264: Except for required use travel, any use of Government aircraft for personal or political activities shall not cause an increase in the actual costs to the Government of operating the aircraft.

§301-10.265 Will my travel on Government aircraft be reported?

Your travel on Government aircraft will not be reported unless you are a senior Federal official, or a non-Federal traveler. (Travel under 10 U.S.C. 2648 is not reported.) If you are a senior Federal official or a non-Federal traveler, any use you make of Government aircraft, *i.e.*, as a passenger, crewmember, or qualified non-crewmember, will be reported to the General Services Administration (GSA) by the agency that owns or hires the Government aircraft. (Agencies must maintain information on classified trips, but do not report classified trips to GSA.)

§301-10.266 Is information available to the public about travel on Government aircraft by senior Federal officials and non-Federal travelers?

Yes, an agency that authorizes travel on Government aircraft and an agency that owns or hires Government aircraft must make records about travelers on those aircraft available to the public in response to written requests under the Freedom of Information Act (5 U.S.C. 552), except for portions exempt from disclosure under that Act (such as classified information).

Subpart D—Privately Owned Vehicle (POV)

§301-10.300 When may I use a POV for official travel?

When authorized by your agency.

§301-10.301 How do I compute my mileage reimbursement?

You compute mileage reimbursement by multiplying the distance traveled, determined under [§301-10.302](#) of this subpart by the applicable mileage rate.

§301-10.302 How do I determine distance measurements for my travel?

If you travel by	The distance between your origin and destination is
Privately owned automobile or privately owned motorcycle.	As shown in paper or electronic standard highway mileage guides, or the actual miles driven as determined from odometer readings.
Privately owned aircraft.	As determined from charts issued by the Federal Aviation Administration (FAA). You may include in your travel claim with an explanation any additional air mileage resulting from a detour necessary due to adverse weather, mechanical difficulty, or other unusual conditions. If a required deviation is such that airway mileage charts are not adequate to determine distance, you may use the formula of flight time multiplied by cruising speed of the aircraft to determine distance. You must convert nautical miles to statute or regular miles when submitting a claim (1 nautical mile equals 1.15077945 statute miles).

§301-10.303 What am I reimbursed when use of POV is determined by my agency to be advantageous to the Government?

You will be reimbursed an applicable mileage rate based on the type of POV you actually use (privately owned airplane, privately owned automobile, privately owned motorcycle). These rates will be published in an FTR bulletin and are also displayed on GSA's web site (<http://www.gsa.gov/mileage>).

§301-10.304 What expenses are allowable in addition to the POV mileage rate allowances?

Following is a chart listing the reimbursable and non-reimbursable expenses:

Reimbursable expenses in addition to mileage allowance	Non-reimbursable expenses included in the mileage allowance
Parking fees; ferry fees; bridge, road, and tunnel fees; and aircraft or airplane parking, landing, and tie-down fees.	Charges for repairs, depreciation, replacements, grease, oil, antifreeze, towage and similar speculative expenses, gasoline, insurance, state and Federal taxes.

§301-10.305 How is reimbursement handled if another person(s) travels in a POV with me?

If another employee(s) travels with you on the same trip in the same POV, mileage is payable to only one of you. No deduction will be made from your mileage allowance if other passengers contribute to defraying your expenses.

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§301-10.306 What will I be reimbursed if authorized to use a POV between my residence and office and then from my office to a common carrier terminal, or from my residence directly to a common carrier terminal?

If determined advantageous to the Government, you will be reimbursed on a mileage basis plus other allowable costs for round-trip travel on the beginning and/or ending of travel between the points involved.

§301-10.307 What will I be reimbursed if I use a POV to transport other employees?

Using a POV to transport other employees is strictly voluntary and you may be reimbursed in accordance with [§301-10.305](#).

§301-10.308 What will I be reimbursed if I park my POV at a common carrier terminal while I am away from my official station?

Your agency may reimburse your parking fee as an allowable transportation expense not to exceed the cost of taxi fare to/from the terminal.

§301-10.309 What will I be reimbursed if I am authorized to use common carrier transportation and I use a POV instead?

You will be reimbursed on a mileage basis, plus per diem, not to exceed the total constructive cost of the authorized method of common carrier transportation plus per diem. Your agency must determine the constructive cost of transportation and per diem by common carrier under the rules in [§301-10.310](#).

§301-10.310 What will I be reimbursed if I am authorized to use a Government owned automobile and I use a privately owned automobile instead?

You will be reimbursed based on a constructive mileage rate limited to the cost that would be incurred for use of a Government automobile. This rate will be published in an FTR bulletin available at <http://www.gsa.gov/ftr>. If your agency determines the cost of providing a GOA would be higher because of unusual circumstances, it may allow reimbursement not to exceed the mileage rate for a POA. In addition, you may be reimbursed other allowable expenses as provided in [§301-10.304](#).

Subpart E—Special Conveyances

§301-10.400 What types of special conveyances may my agency authorize me to use?

Your agency may authorize/approve use of:

(a) Taxicabs as specified in [§§301-10.420](#) through [301-10.421](#) of this chapter;

(b) Commercial rental automobiles as specified in [§§301-10.450](#) through [301-10.453](#) of this chapter; or

(c) Any other special conveyance when determined to be advantageous to the Government.

§301-10.401 What types of charges are reimbursable for use of a special conveyance?

Actual expenses that your agency determines are necessary, including, but not limited to:

- (a) Gasoline and oil;
- (b) Rental of a garage, hangar, or boathouse;
- (c) Feeding and stabling of horses;
- (d) Per diem of operator; and
- (e) Ferriage, tolls, etc.

§301-10.402 What will I be reimbursed if I am authorized to use a special conveyance and I use a POV instead?

You will be reimbursed the mileage cost for the use of your POV, and additional expenses such as parking fees, bridge, road and tunnel fees, not to exceed the constructive cost of the special conveyance.

§301-10.403 What is the difference between a Government aircraft and an aircraft hired as a special conveyance?

A Government aircraft is any aircraft owned, leased, chartered, or rented and operated by the Government. An aircraft hired as a special conveyance is an aircraft that you, in your private capacity, rent, lease, or charter and operate.

Taxicabs, Shuttle Services, or Other Courtesy Transportation

§301-10.420 When may I use a taxi, shuttle service or other courtesy transportation?

(a) When authorized and approved by your agency, your transportation expenses in the performance of official travel are reimbursable for the usual fare plus tip for use of a taxi, shuttle service or other courtesy transportation (if charges result), in the following manner:

(1) *At your official station.* (i) From your residence or other authorized point of departure, e.g., residence to airport;

(ii) To your residence or other authorized point of return, e.g., airport to residence;

(iii) From your residence to your office on the day you depart the official station on official TDY that requires at least one night's lodging; or

(iv) From your office to your residence on the day you return to the official station from an official TDY assignment that required at least one night's lodging.

(2) *At your TDY location.* (i) From the TDY transit system station to your place of lodging or place of official business and return;

(ii) To, from, and between your places of lodging and official business;

(iii) Between places of official business; or

(iv) To obtain meals at the nearest available place when the nature and location of the official business or the lodging at a TDY location are such that meals cannot be obtained there. You must attach a statement or include electronic remarks with your travel voucher explaining why such transportation was necessary.

(b) *Courtesy transportation.* You should use courtesy transportation service furnished by hotels/motels to the maximum extent possible as a first source of transportation between a place of lodging at the TDY station and a common carrier terminal. You will be reimbursed for tips when you use courtesy transportation service.

(c) *Restrictions.* When appropriate, your agency will restrict or place a monetary limit on the amount of reimbursement for the use of taxicabs under this paragraph when—

(1) Suitable Government or common carrier transportation service, including shuttle service, is available for all or part of the distance involved; or

(2) Courtesy transportation service is provided by hotels/motels between the place of lodging at the TDY station and the common carrier terminal.

§301-10.421 How much will my agency reimburse me for a tip to a taxi, shuttle service, or courtesy transportation driver?

An amount which your agency determines to be reasonable.

Rental Automobiles

§301-10.450 When and from whom may I rent a vehicle for official travel when authorized?

(a) Your agency must determine that use of a rental vehicle is advantageous to the Government and must specifically authorize such use.

(b) When authorized to use a rental vehicle, you should consider renting a vehicle from a vendor that participates in the Defense Travel Management Office (DTMO) U.S. Gov-

ernment Car Rental Agreement to avail yourself of the Agreement's benefits, including the insurance and damage liability provisions, unless you are OCONUS and no agreement is in place for your TDY location. The advantages of renting a car through the DTMO rental car program are:

(1) Rental car agreements are pre-negotiated;

(2) The agreement includes automatic unlimited mileage and collision damage insurance; and

(3) The rates established by the car rental agreement cannot be exceeded by the vendor.

§301-10.451 May I be reimbursed for the cost of collision damage waiver (CDW) or theft insurance?

(a) *General rule—no.* You will not be reimbursed for CDW or theft insurance for travel within CONUS for the following reasons:

(1) The Government is a self-insurer.

(2) Rental vehicles available under agreement(s) with the Government includes full coverage insurance for damages resulting from an accident while performing official travel.

(3) Any deductible amount paid by you may be reimbursed directly to you or directly to the rental agency if the damage occurred while you were performing official business.

(b) *Exception.* You will be reimbursed for collision damage waiver or theft insurance when you travel outside CONUS and such insurance is necessary because the rental or leasing agency requirements, foreign statute, or legal procedures could cause extreme difficulty for an employee involved in an accident.

§301-10.452 May I be reimbursed for personal accident insurance?

No. That is a personal expense and is not reimbursable.

§301-10.453 What is my liability for unauthorized use of a rental automobile obtained with Government funds?

You are responsible for any additional cost resulting from the unauthorized use of a commercial rental automobile for other than official travel-related purposes.

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PART 301-11—PER DIEM EXPENSES**Authority:** 5 U.S.C. 5707.**Subpart A—General Rules****§301-11.1 When am I eligible for an allowance (per diem or actual expense)?**

When:

- (a) You perform official travel away from your official station, or other areas defined by your agency;
- (b) You incur per diem expenses while performing official travel; and
- (c) You are in a travel status for more than 12 hours.

§301-11.2 Will I be reimbursed for per diem expenses if my official travel is 12 hours or less?

No.

§301-11.3 Must my agency pay an allowance (either a per diem allowance or actual expense)?

Yes, unless:

- (a) You perform travel to a training event under the Government Employees Training Act (5 U.S.C. 4101-4118), and you agree not to be paid per diem expenses; or
- (b) You perform pre-employment interview travel, and the interviewing agency does not authorize payment of per diem expenses.

§301-11.4 May I be reimbursed actual expense and per diem on the same trip?

Yes, you may be reimbursed both actual expense and per diem during a single trip, but only one method of reimbursement may be authorized for any given calendar day except as provided in [§301-11.305](#) or [301-11.306](#). Your agency must determine when the transition between the reimbursement methods occurs.

§301-11.5 How will my per diem expenses be reimbursed?

Per diem expenses will be reimbursed by the:

- (a) Lodgings-plus per diem method;
- (b) Reduced per diem method;
- (c) Conference lodging allowance method (see [§§301-74.7](#) and [301-74.22](#) of this chapter); or
- (d) Actual expense method.

§301-11.6 Where do I find maximum per diem and actual expense rates?

Consult this table to find out where to access *per diem* rates for various types of Government travel:

For travel in	Rates set by	For <i>per diem</i> and actual expense see
(a) Continental United States (CONUS)	General Services Administration	For <i>per diem</i> , see applicable FTR Per Diem Bulletins issued periodically by the Office of Governmentwide Policy, Office of Transportation and Personal Property, Travel Management Policy, and available on the Internet at http://www.gsa.gov/perdiem for actual expense, see 41 CFR 301-11.303 and 301-11.305 .
(b) Non-foreign areas	Department of Defense (<i>Per Diem, Travel and Transportation Allowance Committee (PDTATAC)</i>)	<i>Per Diem</i> Bulletins issued by PDTATAC and published periodically in the Federal Register or Internet at https://secureapp2.hqda.pentagon.mil/perdiem/perdiemrates.html . (Rates also appear in section 925, a <i>per diem</i> supplement to the Department of State Standardized Regulations (Government Civilians—Foreign Areas).)
(c) Foreign areas	Department of State	A <i>per diem</i> supplement to section 925, Department of State Standardized Regulations (Government Civilians—Foreign Areas and available on the Internet at www.state.gov).

§301-11.7 What determines my maximum per diem reimbursement rate?

Your TDY location determines your maximum per diem reimbursement rate. If you arrive at your lodging location after 12 midnight, you claim lodging cost for the preceding calendar day. If no lodging is required, the applicable M&IE reimbursement rate is the rate for the TDY location. (See [§301-11.102](#).)

§301-11.8 What is the maximum per diem rate I will receive if lodging is not available at my TDY location?

If lodging is not available at your TDY location, your agency may authorize or approve the maximum per diem rate for the location where lodging is obtained.

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§301-11.9 When does per diem or actual expense entitlement start/stop?

Your per diem or actual expense entitlement starts on the day you depart your home, office, or other authorized point and ends on the day you return to your home, office or other authorized point.

§301-11.10 Am I required to record departure/arrival dates and times on my travel claim?

You must record the date of departure from, and arrival at, the official station or any other place travel begins or ends. You must show this same information for points where you perform TDY or for a stopover or official rest stop location when the arrival or departure affects your per diem allowance or other travel expenses. You also should show the dates for other points visited. You do not have to record departure/arrival times, but you must annotate your travel claim when your travel is more than 12 hours but not exceeding 24 hours to reflect that fact.

§301-11.11 How do I select lodging and make lodging reservations?

(a) You must make your lodging reservations through your agency's travel management service.

(b) You should always stay in a "fire safe" facility. This is a facility that meets the fire safety requirements of the Hotel and Motel Fire Safety Act of 1990 (the Act), as amended (see 5 U.S.C. 5707a).

(c) When selecting a commercial lodging facility, first consideration should be given to government lodging agreement programs such as FedRooms® (<http://www.fedrooms.com>). The advantages of obtaining lodging using the FedRooms® program are:

- (1) Lodging rates are set at or below per diem rates;
- (2) There are no add-on fees;
- (3) The room cancellation deadline is 4:00 p.m. (or later) on the day of arrival;

(4) Most hotels offer last standard room availability rates;

(5) There are no early departure fees; and

(6) Rates are available using all booking channels (e.g., E-Gov Travel Service, Travel Management Service, FedRooms® website, and hotel reservation call centers). The FedRooms® rate code (XVU) must be entered to get the program benefits.

Note to [§301-11.11](#): 5 U.S.C. 5707a does not apply to the District of Columbia government.

§301-11.12 How does the type of lodging I select affect my reimbursement?

Your agency will reimburse you for different types of lodging as follows:

(a) *Conventional lodgings*. (Hotel/motel, boarding house, etc.) You will be reimbursed the single occupancy rate.

(b) *Government quarters*. You will be reimbursed, as a lodging expense, the fee or service charge you pay for use of the quarters.

(c) *Lodging with friend(s) or relative(s) (with or without charge)*. You may be reimbursed for additional costs your host incurs in accommodating you only if you are able to substantiate the costs and your agency determines them to be reasonable. You will not be reimbursed the cost of comparable conventional lodging in the area or a flat "token" amount.

(d) *Nonconventional lodging*. You may be reimbursed the cost of other types of lodging when there are no conventional lodging facilities in the area (e.g., in remote areas) or when conventional facilities are in short supply because of an influx of attendees at a special event (e.g., World's Fair or international sporting event). Such lodging includes college dormitories or similar facilities or rooms not offered commercially but made available to the public by area residents in their homes.

(e) *Recreational vehicle (trailer/camper)*. You may be reimbursed for expenses (parking fees, fees for connection, use, and disconnection of utilities, electricity, gas, water and sewage, bath or shower fees, and dumping fees) which may be considered as a lodging cost.

§301-11.13 How does sharing a room with another person affect my per diem reimbursement?

Your reimbursement is limited to one-half of the double occupancy rate if the person sharing the room is another Government employee on official travel. If the person sharing the room is not a Government employee on official travel, your reimbursement is limited to the single occupancy rate.

§301-11.14 How is my daily lodging rate computed when I rent lodging on a long-term basis?

When you obtain lodging on a long-term basis (e.g., weekly or monthly) your daily lodging rate is computed by dividing the total lodging cost by the number of days of occupancy for which you are entitled to per diem, provided the cost does not exceed the daily rate of conventional lodging. Otherwise the daily lodging cost is computed by dividing the total lodging cost by the number of days in the rental period. Reimbursement, including an appropriate amount for M&IE, may not exceed the maximum daily per diem rate for the TDY location.

§301-11.15 What expenses may be considered part of the daily lodging cost when I rent on a long-term basis?

When you rent a room, apartment, house, or other lodging on a long-term basis (e.g., weekly, monthly), the following expenses may be considered part of the lodging cost:

(a) The rental cost for a furnished dwelling; if unfurnished, the rental cost of the dwelling and the rental cost of appropriate and necessary furniture and appliances (e.g., stove, refrigerator, chairs, tables, bed, sofa, television, or vacuum cleaner);

(b) Cost of connecting/disconnecting and using utilities;

(c) Cost of reasonable maid fees and cleaning charges;

(d) Monthly telephone use fee (does not include installation and long-distance calls); and,

(e) If ordinarily included in the price of a hotel/motel room in the area concerned, the cost of special user fees (e.g., cable TV charges and plug-in charges for automobile head bolt heaters).

§301-11.16 What reimbursement will I receive if I prepay my lodging expenses and my TDY is curtailed, canceled or interrupted for official purposes or for other reasons beyond my control that are acceptable to my agency?

If you sought to obtain a refund or otherwise took steps to minimize the cost, your agency may reimburse expenses that are not refundable, including a forfeited rental deposit.

§301-11.17 If my agency authorizes per diem reimbursement, will it reduce my M&IE allowance for a meal(s) provided by a common carrier or for a complimentary meal(s) provided by a hotel/motel?

No. A meal provided by a common carrier or a complimentary meal provided by a hotel/motel does not affect your per diem.

§301-11.18 What M&IE rate will I receive if a meal(s) is furnished by the Government or is included in the registration fee?

(a) Except as provided in [§301-11.17](#) or in paragraph (b) of this section, your M&IE allowance must be adjusted for meals furnished to you by the Government (including meals furnished under the authority of [Chapter 304](#) of this Title) by deducting the appropriate amount shown in the chart in this section for travel within CONUS and the chart in [Appendix B](#) of this chapter for meal deductions for OCONUS and foreign travel. The total amount of deductions made will not cause you to receive less than the amount allowed for incidental expenses.

Total M&IE	\$46	\$51	\$56	\$61	\$66	\$71
Continental Breakfast/Breakfast	7	8	9	10	11	12
Lunch	11	12	13	15	16	18
Dinner	23	26	29	31	34	36
Incidentals	5	5	5	5	5	5

(b) Your agency, at its discretion, may allow you to claim the full M&IE allowance if:

(1) You are unable to consume the furnished meal(s) because of medical requirements or religious beliefs;

(2) In accordance with administrative procedures prescribed by your agency, you requested specific approval to claim the full M&IE allowance prior to your travel;

(3) In accordance with administrative procedures prescribed by your agency, you have made a reasonable effort to make alternative meal arrangements, but were unable to do so; and

(4) You purchase substitute meals in order to satisfy your medical requirements or religious beliefs.

(c) In your agency's discretion, and in accordance with administrative procedures prescribed by your agency, you may also claim the full M&IE allowance if you were unable

to take part in a Government-furnished meal due to the conduct of official business.

§301-11.19 How is my per diem calculated when I travel across the international dateline (IDL)?

When you cross the IDL your actual elapsed travel time will be used to compute your per diem entitlement rather than calendar days.

§301-11.20 May my agency authorize a rest period for me while I am traveling?

(a) Your agency may authorize a rest period not in excess of 24 hours at either an intermediate point or at your destination if:

(1) Either your origin or destination point is OCONUS;

(2) Your scheduled flight time, including stopovers, exceeds 14 hours;

(3) Travel is by a direct or usually traveled route; and

(4) Travel is by coach-class service.

(b) When a rest stop is authorized the applicable per diem rate is the rate for the rest stop location.

§301-11.21 Will I be reimbursed for per diem or actual expenses on leave or non-workdays (weekend, legal Federal Government holiday, or other scheduled non-workdays) while I am on official travel?

(a) In general, you will be reimbursed as long as your travel status requires your stay to include a non-workday, (e.g., if you are on travel through Friday and again starting Monday you will be reimbursed for Saturday and Sunday), however, your agency should determine the most cost effective situation (i.e., remaining in a travel status and paying per diem or actual expenses or permitting your return to your official station).

(b) Your agency will determine whether you will be reimbursed for non-workdays when you take leave immediately (e.g., Friday or Monday) before or after the non-workday(s).

Note to §301-11.21: If emergency travel is involved due to an incapacitating illness or injury, the rules in [Part 301-30](#) of this chapter govern.

§301-11.22 Am I entitled to per diem or actual expense reimbursement if I am required to return to my official station on a non-workday?

If required by your agency to return to your official station on a non-workday, you will be reimbursed the amount allowable for return travel.

§301-11.23 Are there any other circumstances when my agency may reimburse me to return home or to my official station for non-workdays during a TDY assignment?

Your agency may authorize per diem or actual expense and round-trip transportation expenses for periodic return travel on non-workdays to your home or official station under the following circumstances:

(a) The agency requires you to return to your official station to perform official business; or

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- (b) The agency will realize a substantial cost savings by returning you home; or
(c) Periodic return travel home is justified incident to an extended TDY assignment.

§301-11.24 What reimbursement will I receive if I voluntarily return home or to my official station on non-workdays during my TDY assignment?

If you voluntarily return home or to your official station on non-workdays during a TDY assignment, the maximum reimbursement for round trip transportation and per diem or actual expense is limited to what would have been allowed had you remained at the TDY location.

§301-11.25 Must I provide receipts to substantiate my claimed travel expenses?

Yes. You must provide a lodging receipt and a receipt for every authorized expense over \$75, or provide a reason acceptable to your agency explaining why you are unable to furnish the necessary receipt(s) (see [§301-52.4](#) of this chapter).

Note to 301-11.25: Hard copy receipts should be electronically scanned and submitted with your electronic travel claim when your agency has fully deployed ETS and notifies you that electronic scanning is available within your agency (see [§301-50.3](#) of this chapter). You may submit a hard copy receipt, in accordance with your agency's policies, to support a claimed travel expense only when electronic imaging is not available within your agency.

§301-11.26 How do I get a per diem rate increased?

If you travel to a location where the per diem rate is insufficient to meet necessary expenses, you may submit a request, containing pertinent lodging and meal cost data, through your agency asking that the location be surveyed. Depending on the location in question your agency may submit the survey request to:

For CONUS locations	For non-foreign area locations	For foreign area locations
General Services Administration, Office of Governmentwide Policy, Attn: Travel Policy (MTT), 1800 F St. NW, Washington, DC 20405.	Defense Travel Management Office, Attn: SP&P/ Allowances Branch, 4601 N. Fairfax Dr, Suite 800, Arlington, VA 22203.	Director, Office of Allowances, Department of State, Annex 1, Suite L-314, Washington, DC 20522-0103.

§301-11.27 Are taxes included in the lodging portion of the Government per diem rate?

No. Lodging taxes paid by you are reimbursable as a miscellaneous travel expense limited to the taxes on reimbursable lodging costs. For example, if your agency authorizes you a maximum lodging rate of \$50 per night, and you elect to stay at a hotel that costs \$100 per night, you can only claim the amount of taxes on \$50, which is the maximum authorized lodging amount. This section is effective January 1, 1999, for CONUS locations and effective January 1, 2000, for non-foreign areas. For foreign areas, lodging taxes have not been removed from foreign per diem rates established by the Department of State. Separate claims for lodging taxes incurred in foreign areas are not allowed.

§301-11.28 As a traveler on official business, am I required to pay applicable lodging taxes?

Yes, unless exempted by the State of local jurisdiction.

§301-11.29 Are lodging facilities required to accept a generic federal, state or local tax exempt certificate?

Exemptions from taxes for Federal travelers, and the forms required to claim them, vary from location to location. The GSA Per Diem Rates webpage (<http://gsa.gov/perdiem>) provides more information on State tax exemptions.

§301-11.30 What is my option if the Government lodging rate plus applicable taxes exceeds my lodging reimbursement?

You may request reimbursement on an actual expense basis, not to exceed 300 percent of the maximum per diem allowance. Approval of actual expenses is usually in advance of travel and at the discretion of your agency. (See [§301-11.302](#).)

§301-11.31 Are laundry, cleaning and pressing of clothing expenses reimbursable?

Yes. The expenses incurred for laundry, cleaning and pressing of clothing at a TDY location are reimbursable as a miscellaneous travel expense. However, you must incur a minimum of 4 consecutive nights lodging on official travel to qualify for this reimbursement. Laundry and dry cleaning expenses have not been removed from foreign per diem rates established by the Department of State, or from non-foreign area per diem rates established by the Department of Defense. Separate claims for laundry and dry cleaning expenses incurred in foreign areas and non-foreign areas are not allowed.

§301-11.32 May I be reimbursed for an advanced room deposit in situations where a lodging facility requires the payment of a deposit, prior to the beginning of my scheduled official travel?

Yes, your agency may reimburse you for an advance room deposit, when such a deposit is required by the lodging facility to secure a room reservation, prior to the beginning of your scheduled official travel. However, if you are reimbursed the advance room deposit, but fail to perform the scheduled official travel for reasons not acceptable to your agency, resulting in forfeiture of the deposit, you are indebted to the Government for that amount and must repay it in a manner prescribed by your agency.

Subpart B—Lodgings Plus Per Diem**§301-11.100 What will I be paid for lodging under Lodgings-plus per diem?**

When travel is more than 12 hours and overnight lodging is required you are reimbursed your actual lodging cost not to exceed the maximum lodging rate for the TDY location or stopover point.

§301-11.101 What allowance will I be paid for M&IE?

(a) Except as provided in [paragraph \(b\)](#) of this section, your allowance is as shown in the following table:

When travel is	Your allowance is
More than 12 but less than 24 hours	75 percent of the applicable M&IE rate for each calendar day you are in a travel status.
24 hours or more, on	The day of departure
	75 percent of the applicable M&IE rate.
	Full days of travel
	100 percent of the applicable M&IE rate.
	The last day of travel
	75 percent of the applicable M&IE rate.

(b) If you travel by ship, either commercial or Government, your agency will determine an appropriate M&IE rate within the applicable maximum rate allowable.

§301-11.102 What is the applicable M&IE rate?

For days of travel which	Your applicable M&IE rate is
Require lodging	The M&IE rate applicable for the TDY location or stopover point.
Do not require lodging, and	Travel is more than 12 hours but less than 24 hours.
	Travel is 24 hours or more, and you are traveling to a new TDY site or stopover point at midnight.
	Travel is 24 hours or more, and you are returning to your official station.

Subpart C—Reduced Per Diem**§301-11.200 Under what circumstances may my agency prescribe a reduced per diem rate lower than the prescribed maximum?**

Under the following circumstances:

- (a) When your agency can determine in advance that lodging and/or meal costs will be lower than the per diem rate; and
- (b) The lowest authorized per diem rate must be stated in your travel authorization in advance of your travel.

Subpart D—Actual Expense**§301-11.300 When is actual expense reimbursement warranted?**

When:

- (a) Lodging and/or meals are procured at a prearranged place such as a hotel where a meeting, conference or training session is held;
- (b) Costs have escalated because of special events (e.g., missile launching periods, sporting events, World's Fair, conventions, natural disasters); lodging and meal expenses within prescribed allowances cannot be obtained nearby; and costs to commute to/from the nearby location consume most or all of the savings achieved from occupying less expensive lodging;
- (c) Because of mission requirements; or
- (d) Any other reason approved within your agency.

§301-11.301 Who in my agency can authorize/approve my request for actual expense?

Any official designated by the head of your agency.

§301-11.302 When should I request authorization for reimbursement under actual expense?

Request for authorization for reimbursement under actual expense should be made in advance of travel. However, subject to your agency's policy, after the fact approvals may be granted when supported by an explanation acceptable to your agency.

§301-11.303 What is the maximum amount that I may be reimbursed under actual expense?

The maximum amount that you may be reimbursed under actual expense is limited to 300 percent (rounded to the next higher dollar) of the applicable maximum per diem rate. However, subject to your agency's policy, a lesser amount may be authorized.

§301-11.304 What if my expenses are less than the authorized amount?

When authorized actual expense and your expenses are less than the locality per diem rate or the authorized amount, reimbursement is limited to the expenses incurred.

§301-11.305 What if my actual expenses exceed the 300 percent ceiling?

Your reimbursement is limited to the 300 percent ceiling. There is no authority to exceed this ceiling.

§301-11.306 What expenses am I required to itemize under actual expense?

You must itemize all expenses, including meals, (each meal must be itemized separately) for which you will be reimbursed under actual expense. However, expenses that do not accrue daily (e.g., laundry, dry cleaning, etc.) may be averaged over the number of days your agency authorizes/approves actual expenses. Receipts are required for lodging, regardless of amount and any individual meal when the cost exceeds \$75. Your agency may require receipts for other allowable per diem expenses, but it must inform you of this requirement in advance of travel. When your agency limits M&IE reimbursement to either the prescribed maximum M&IE rate for the locality concerned or a reduced M&IE rate, it may or may not require M&IE itemization at its discretion.

Subpart E—Income Tax Reimbursement Allowance (ITRA), Tax Years 1993 and 1994**General****§301-11.501 What is the Income Tax Reimbursement Allowance (ITRA)?**

The ITRA is an allowance designed to reimburse Federal, State and local income taxes incurred incident to an extended TDY assignment at one location.

§301-11.502 Who is eligible to receive the ITRA?

An employee (and spouse, if filing jointly) who was in a TDY status for an extended period at one location, and who incurred Federal, State, or local income taxes on amounts received as reimbursement for official travel expenses.

§301-11.503 Are Federal Insurance Contribution Act (FICA) and Medicare deductions included in any reimbursement under this part?

No. Reimbursement is limited to income taxes.

Employee Responsibilities**§301-11.521 Must I file a claim to be reimbursed for the additional income taxes incurred?**

Yes. A claim must be submitted in accordance with your agency's policy.

§301-11.522 If I was assessed an income tax penalty and/or interest payment due to incorrect income tax withholdings, are those payments reimbursable?

Yes, for the total amount of the income tax penalty and/or interest assessed by the IRS for tax years 1993 and 1994 only.

§301-11.523 What documentation must I submit to substantiate my claim?

Your agency will determine what documentation is sufficient. (See [§301-11.531](#).)

§301-11.524 What steps must my agency take to determine my ITRA?

Your agency should:

(a) Determine Federal, State and local marginal tax rates by using the procedures and the marginal tax tables established for the relocation income tax allowance in [§302-11.7](#), [§301-11.8](#), and the appropriate RIT tax table(s) located at www.gsa.gov/ftrbulletin; or

(b) Determine reimbursement as calculated in the illustration shown in [§301-11.535](#).

§301-11.525 Is the ITRA I receive taxable income?

Yes. The amount received must be reported as taxable income in the year in which received, but you are eligible to receive an allowance to cover the taxes assessed on the ITRA under [§301-11.528](#).

§301-11.526 May I receive a lump sum payment of the additional tax liability on the covered ITRA in lieu of submitting another claim?

Yes, if agreed to in writing by your agency and with the understanding that you will be responsible for any income taxes due without further reimbursement.

§301-11.527 If I elect a lump sum payment, how is the ITRA paid?

(a) Reimbursement is as illustrated:

Lump Sum ITRA Tax Paid to Employee	
ITRA reimbursement for tax year 1993	\$14,435
Federal Tax liability on ITRA Reimbursement (@ 28%)	4,042
VA State tax liability (@ 5.75%)	830
Local tax liability	0
Total reimbursement	19,307

(b) Reimbursement of the ITRA and the tax on the ITRA is a final lump sum payment with no further reimbursement. You will be responsible for any income taxes due on \$19,307.

§301-11.528 If I do not elect lump sum payment is there any additional reimbursement?

Yes. You are reimbursed for the tax on the tax reimbursement received. Your agency will calculate the tax on the tax reimbursement using the formulas developed for the Year 2 reimbursements of the relocation income tax allowance (see [§302-11.8](#) of this title).

Agency Responsibilities

§301-11.531 What documentation must the employee submit to substantiate a claim?

You must determine what documentation you require to be submitted with the employee's claim. It can include:

- (a) A certified statement as prescribed in [§302-17.10](#) of this title or copies of completed Federal, State and local tax return for the tax year in which the taxes were withheld and paid.
- (b) Copies of W-2's and Form 1099's.
- (c) Any documentation received from the IRS identifying any interest or penalty payment (tax years 1993 and 1994 only).

(d) Any other documentation necessary to substantiate the claim.

§301-11.532 How should we compute the employee's ITRA?

You should follow the procedures prescribed for the relocation income tax allowance, see [§302-11.7](#), [§302-11.8](#) and the appropriate RIT tax table(s) located at www.gsa.gov/ftrbulletin or as illustrated in [§301-11.535](#).

§301-11.533 Are tax penalty and interest payments reimbursable?

Yes, the total amount of any penalty and interest assessed by the IRS (for tax years 1993 and 1994 only) due to the failure of the Government to withhold the appropriate income taxes are reimbursable.

§301-11.534 What tax tables should we use to calculate the amount of allowable reimbursement?

The tax tables for the year the tax was incurred are to be used.

§301-11.535 How should we calculate the ITRA?

(a) Use the documents prescribed in [§301-11.531](#) to calculate the ITRA as follows:

(1) Determine Federal, State and local marginal tax rates by using the procedures and the marginal tax tables established for the relocation income tax allowance in [§302-11.7](#), [§301-11.8](#) and the appropriate RIT tax table(s) located at www.gsa.gov/ftrbulletin; and

(2) Add any penalty or interest for tax years 1993 or 1994 only to determine the full ITRA payment; or

(b) As calculated in the following illustration.

Example of calculating an employee's tax return using the marginal tax rate schedules in the state RIT tax table(s) located at www.gsa.gov/ftrbulletin:

For Tax Years 1993 or 1994 (Married Filing Joint Return)	Original	Recalculated
(1) Adjusted Gross Income (w/ travel reimbursement)	\$75,246	\$75,246
(2) Subtract travel reimbursement	—	(15,482)
(3) Subtract personal exemptions and itemized or standard deductions	(12,689)	(12,689)
(4) Adjusted taxable income	62,557	47,075
(5) Tax liability on adjusted taxable income:		
(a) Federal	17,516 (28%)	*7,061 (15%)
(b) State, VA (5.75% tax bracket)	3,597	2,707
(c) Local: Not applicable	0	0
(d) Total	21,113	9,768

For Tax Years 1993 or 1994 (Married Filing Joint Return)		
	Original	Recalculated
(6) Difference of total of column 1 minus total of column 2: Additional Taxes Incurred due to travel Reimbursement—\$11,345		
(7) Add to the tax difference: (a) Penalty Payment imposed by IRS tax year 1993—1,500 (b) Interest Payment imposed by IRS tax year 1993—1,500		
Total 6 and 7a and b = ITRA—\$14,345**		

* Adjusted taxable income places employee in lower tax bracket.

** The ITRA reimbursement is taxable income for the year in which paid at the appropriate Federal, State and local income tax rates.

§301-11.536 Is the ITRA reimbursement considered to be income to the employee?

Yes. The ITRA reimbursement is considered taxable income in the year paid and is subject to tax withholding as any other income.

§301-11.537 Are income taxes to be withheld from the ITRA?

Yes, as determined by your internal tax withholding procedures established for your agency pursuant to IRS procedures.

§301-11.538 May we offer a lump sum payment to cover the income tax liability on the covered ITRA?

Yes, if the employee mutually agrees in writing to the lump sum payment and understands that he/she is responsible for any income taxes without further reimbursement. (See the illustration in [§301-11.527](#).)

§301-11.539 If the employee does not elect a lump sum payment, how is the tax on the ITRA calculated?

The tax on the ITRA reimbursement should be calculated using the Year 2 formulas developed for the relocation income tax allowance. (See [§302-11.8](#).)

§301-11.540 How do we handle any excess payment?

You must collect any excess payments, which includes issuing corrected W-2's or 1099's.

Subpart F—Income Tax Reimbursement Allowance (ITRA), Tax Years 1995 and Thereafter

General

§301-11.601 What is the Income Tax Reimbursement Allowance (ITRA)?

The ITRA is an allowance designed to reimburse Federal, State and local income taxes incurred incident to an extended TDY assignment at one location.

§301-11.602 Who is eligible to receive the ITRA?

An employee (and spouse, if filing jointly) who was in a TDY status for an extended period at one location and who incurred Federal, State, or local income taxes on amounts received as reimbursement for official travel expenses.

§301-11.603 Are Federal Insurance Contribution Act (FICA) and Medicare deductions included in any reimbursement under this part?

No. Reimbursement is limited to income taxes.

Employee Responsibilities

§301-11.621 Must I file a claim to be reimbursed for the additional income taxes incurred?

Yes, a claim must be submitted in accordance with your agency's policy.

§301-11.622 If I was assessed an income tax penalty and/or interest payment due to incorrect income tax withholdings, are those payments reimbursable?

No. The reimbursement of tax penalty and/or interest payment assessed by the IRS is limited by law to tax years 1993 and 1994 only.

§301-11.623 What documentation must I submit to substantiate my claim?

Your agency will determine what documentation is sufficient. (See [§301-11.631](#).)

§301-11.624 What steps must my agency take to determine my ITRA?

Your agency should:

(a) Determine Federal, State and local marginal tax rates by using the procedures and the marginal tax tables established for the relocation income tax allowance in [§302-11.7](#), [§302-11.8](#) and the appropriate RIT tax table(s) located at www.gsa.gov/firbulletin; or

(b) Determine reimbursement as calculated in the illustration shown in [§301-11.535](#).

§301-11.625 Is the ITRA I receive taxable income?

Yes. The amount received must be reported as taxable income in the year in which received, but you are eligible to receive an allowance to cover the taxes assessed on the ITRA under [§301-11.628](#).

§301-11.626 May I receive a lump sum payment of the additional tax liability on the covered ITRA in lieu of submitting another claim?

Yes, if agreed to in writing by your agency and with the understanding that you will be responsible for any income taxes due without further reimbursement.

§301-11.627 If I elect a lump sum payment, how is the ITRA paid?

(a) Reimbursement is as illustrated:

Lump Sum ITRA Tax Paid to Employee	
ITRA reimbursement for tax year 1995	\$14,435
Federal Tax liability on ITRA Reimbursement (@ 28%)	4,042
VA State tax liability (@ 5.75%)	830
Local tax liability	0
Total reimbursement	19,307

(b) Reimbursement of the ITRA and tax on the ITRA is a final lump sum payment with no further reimbursement. You will be responsible for any income taxes due on \$19,307.

§301-11.628 If I do not elect lump sum payment is there any additional reimbursement?

Yes. You are reimbursed for the tax on the tax reimbursement received. Your agency will calculate the tax on the tax reimbursement using the formulas developed for the Year 2 reimbursements of the relocation income tax allowance (see [§302-11.8](#) of this title).

Agency Responsibilities

§301-11.631 What documentation must the employee submit to substantiate a claim?

You must determine what documentation you require to be submitted with the employee's claim. It may include:

For Tax Year 1995 and Thereafter (Married Filing Joint Return)	Original	Recalculated
(1) Adjusted Gross Income (w/ travel reimbursement)	\$75,246	\$75,246
(2) Subtract travel reimbursement	—	(15,482)
(3) Subtract personal exemptions and itemized or standard deductions	(12,689)	(12,689)
(4) Adjusted taxable income	62,557	47,075

(a) A certified statement as prescribed in [§302-17.10](#) of this title or a copy of the employee's completed Federal, State and local tax return for the tax year in which the taxes were withheld and paid.

(b) Copies of W-2's and Form 1099's; and

(c) Any other documentation necessary to substantiate your claim.

§301-11.632 How should we compute the employee's ITRA?

You should follow the procedures prescribed for the relocation income tax allowance, see [§302-11.7](#), [§302-11.8](#) and the appropriate RIT tax table(s) located at www.gsa.gov/ftrbulletin or as illustrated in [§301-11.535](#).

§301-11.633 Are tax penalty and interest payments reimbursable?

No. The reimbursement of penalty and/or interest payments assessed by the IRS is limited by law to tax years 1993 and 1994 only.

§301-11.634 What tax tables should we use to calculate the amount of allowable reimbursement?

The tax tables for the year the tax was incurred are to be used.

§301-11.635 How should we calculate the ITRA?

Use the documents prescribed in [§301-11.631](#) to calculate the ITRA as follows:

(a) Determine Federal, State and local marginal tax rates by using the procedures and the marginal tax tables established for the relocation income tax allowance in [§302-11.7](#), [§302-11.8](#) and the appropriate RIT tax table(s) located at www.gsa.gov/ftrbulletin, or

(b) As calculated in the following illustration.

Example of calculating an employee's tax return using the marginal tax rate schedules in the state RIT tax table(s) located at www.gsa.gov/ftrbulletin:

For Tax Year 1995 and Thereafter (Married Filing Joint Return)		
	Original	Recalculated
(5) Tax liability on adjusted taxable income:		
(a) Federal (28%)	17,516	*7,061 (15%)
(b) State, VA (5.75% tax bracket)	3,597	2,707
(c) Local: Not applicable	0	0
(d) Total	21,113	9,768
(6) Difference of total of column 1 minus total of column 2: Additional Taxes Incurred due to travel Reimbursement—\$11,345		
Total = ITRA—\$11,345**		

* Adjusted taxable income places employee in lower tax bracket.

** The ITRA reimbursement is taxable income for the year in which paid at the appropriate Federal, State and local income tax rates.

§301-11.636 Is the ITRA reimbursement considered to be income to the employee?

Yes. The ITRA reimbursement is considered taxable income in the year paid and is subject to tax withholding as any other income.

§301-11.637 Are income taxes to be withheld from the ITRA?

Yes, as determined by your internal tax withholding procedures established for your agency pursuant to IRS procedures.

§301-11.638 May we offer a lump sum payment to cover the income tax liability on the covered ITRA?

Yes, if the employee mutually agrees in writing to the lump sum payment and understands that he/she is responsible for

any income taxes without further reimbursement. See the illustration in [§301-11.627](#).

§301-11.639 If the employee does not elect a lump sum payment, how is the tax on the ITRA reimbursement calculated?

The tax on the tax reimbursement should be calculated using the Year 2 formulas developed for the relocation income tax allowance. (See [§302-11.8](#).)

§301-11.640 How do we handle any excess payment?

You must collect any excess payments, which includes issuing corrected W-2's or 1099's.

PART 301-12—MISCELLANEOUS EXPENSES

Authority: 5 U.S.C. 5707.

§301-12.1 What miscellaneous expenses are reimbursable?

When the following items have been authorized or approved by your agency, they will be reimbursed as a mis-

cellaneous expense. Taxes for reimbursable lodging are deemed approved when lodging is authorized. Examples of such expenses include, but are not limited to the following:

General expenses	Fees to obtain money	Special expenses of foreign travel
Baggage expenses as described in §301-12.2	Fees for travelers checks Fees for money orders Fees for certified checks Transaction fees for use of automated teller machines (ATMs)—Government contractor-issued charge card	Commissions on conversion of foreign currency Passport and/or visa fees, including fees for a physical examination if one is required to obtain a passport and/or visa and such examination could not be obtained at a Government facility. Reimbursement for such fees may include travel and transportation costs to the passport/visa issuing office if located outside the local commuting area of the employee's official station and the traveler's presence at that office is mandatory. Costs of photographs for passports and visas Foreign country exit fees Costs of birth, health, and identity certificates Charges for inoculations that cannot be obtained through a Federal dispensary
Services of guides, interpreters, drivers		
Services of an attendant as described in §301-13.3		
Use of computers, printers, faxing machines, and scanners		
Services of typists, data processors, or stenographers		
Storage of property used on official business		
Hire of conference center room or hotel room for official business		
Official telephone calls/service (see note). Faxes, telegrams, cablegrams, or radiograms		
Lodging taxes as prescribed in §301-11.27		
Laundry, cleaning and pressing of clothing expenses as prescribed in §301-11.31		
Energy surcharge and lodging resort fee(s) (when such fee(s) is/are not optional)		

Note to §301-12.1: You should use Government provided services for all official communications. When they are not available, commercial services may be used. Reimbursement may be authorized or approved by your agency.

§301-12.2 What baggage expenses may my agency pay?

Your agency may reimburse expenses related to baggage as follows:

- (a) Transportation charges for authorized excess;
- (b) Necessary charges for transferring baggage;

(c) Necessary charges for storage of baggage when such charges are the result of official business;

(d) All fees pertaining to the first checked bag. In addition, charges relating to the second and subsequent bags may be reimbursed when the agency determines those expenses necessary and in the interest of the Government (see [§§301-70.300, 301-70.301](#)). Travelers should verify their agency's current policies and procedures regarding excess baggage prior to traveling; and

(e) Charges or tips at transportation terminals for handling Government property carried by the traveler.

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PART 301-13—TRAVEL OF AN EMPLOYEE WITH SPECIAL NEEDS

Authority: 5 U.S.C. 5707.

§301-13.1 What is the policy for paying additional travel expenses incurred by an employee with a special need?

To provide reasonable accommodations to an employee with a special need by paying for additional travel expenses incurred.

§301-13.2 Under what conditions will my agency pay for my additional travel expense(s) under this part?

When an additional travel expense is necessary to accommodate a special physical need which is either:

- (a) Clearly visible and discernible; or
- (b) Substantiated in writing by a competent medical authority.

§301-13.3 What additional travel expenses may my agency pay under this part?

Your agency approving official may pay for any expenses deemed necessary by your agency to accommodate an employee with a special need including, but not limited to, the following expenses:

(a) Transportation and per diem expenses incurred by a family member or other attendant who must travel with you to make the trip possible;

(b) Specialized transportation to, from, and/or at the TDY duty location;

(c) Specialized services provided by a common carrier to accommodate your special need;

(d) Costs for handling your baggage that are a direct result of your special need;

(e) Renting and/or transporting a wheelchair;

(f) Other than coach-class accommodations to accommodate your special need, under Subpart B of Part 301-10 of this Subchapter; and

(g) Services of an attendant, when necessary, to accommodate your special need.

Note to §301-13.3(g): For limits on the amount that may be paid to an attendant, other than travel expenses, see 5 U.S.C. 3102 and guidance at http://www.opm.gov/disability/mngr_6-01-B.asp.

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PART 301-30—EMERGENCY TRAVEL

Authority: 5 U.S.C. 5707.

§301-30.1 What is emergency travel?

Travel which results from:

- (a) Your becoming incapacitated by illness or injury not due to your own misconduct; or
- (b) The death or serious illness of a member of your family; or
- (c) A catastrophic occurrence or impending disaster, such as fire, flood, or act of God, which directly affects your home.

§301-30.2 What is considered to be “family” with respect to emergency travel?

“Family” includes any member of your immediate family, as defined in [§300-3.1](#). However, your agency may, on a case-by-case basis, expand this definition to include other members of your and/or your spouse’s or domestic partner’s extended family.

§301-30.3 What should I do if I have to interrupt or discontinue my TDY travel?

Contact your travel authorizing/approving official for instructions as soon as possible.

§301-30.4 When an illness or injury occurs on TDY, what expenses may be allowed?

Your agency may pay:

(a) Per diem at the location where you incurred or were treated for incapacitating illness or injury for a reasonable period of time (generally 14 calendar days). However, your agency may pay for a longer period.

(b) Transportation and per diem expense for travel to an alternate location to receive medical treatment.

(c) Transportation and per diem expense to return to your official station.

(d) Transportation costs of a medically necessary attendant.

§301-30.5 Are there any limitations to the payment of these expenses?

Expenses are not payable when:

(a) Confined to:

(1) A medical facility within the proximity of your official station.

(2) The same medical facility you would have been admitted to if your incapacitating illness or injury occurred at your official station.

(b) The Government provides or reimburses you for hospitalization under any Federal statute (including hospitalization in a Department of Veterans Affairs (VA) Medical center or military hospital). However, per diem expenses are payable if your hospitalization is paid under the Federal Employees Health Benefits Program (5 U.S.C. 8901-8913).

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PART 301-31—THREATENED LAW ENFORCEMENT/INVESTIGATIVE EMPLOYEES

Authority: 5 U.S.C. 5707.

§301-31.1 Why pay subsistence and transportation expenses for threatened law enforcement/investigative employees?

To protect a law enforcement/investigative employee and his/her immediate family when their lives are placed in jeopardy as a result of the employee's assigned duties.

§301-31.2 What is “family” with respect to threatened law enforcement/investigative employees?

Generally, “family” includes any member of your immediate family, as defined in [§300-3.1](#) of this title. However, your agency may, on a case-by-case basis, expand this definition to include other members of you and/or your spouse’s or domestic partner’s extended family.

§301-31.3 Are members of my family and I eligible for payment of subsistence and transportation expense?

Yes, if you serve in a law enforcement, investigative, or similar capacity for special law enforcement/investigative purposes and your agency authorizes such expenses.

§301-31.4 Must my agency pay transportation and subsistence expenses?

No. Your agency decides when it is appropriate to pay these expenses based on the nature of the threat against your life and/or the life of a member(s) of your immediate family.

§301-31.5 Under what conditions may my agency pay for transportation and subsistence expenses?

When your agency determines that a threat against you or a member(s) of your immediate family justifies moving you and/or your family to temporary living accommodations at or away from your official station.

§301-31.6 Where must I and/or my family obtain lodging?

Your agency designates the area where you and/or your family should obtain lodging. It may be within your official station or at an alternate location.

§301-31.7 May my family and I occupy lodging at different locations?

Yes, if authorized by your agency.

§301-31.8 What transportation expenses may my agency pay?

Your agency may pay transportation expenses authorized by [Part 301-10](#) of this chapter to transport you and/or your family to/from a temporary location.

§301-31.9 What subsistence expense may my agency pay?

Only your lodging cost may be paid. However, your agency may pay for meals and laundry/cleaning expenses if:

(a) Your temporary living accommodations do not have kitchen or laundry facilities; or

(b) Your agency determines that other extenuating circumstances exist which necessitate payment of these expenses.

§301-31.10 How will my agency pay my subsistence expenses?

Your agency will pay your actual subsistence expenses not to exceed the “maximum allowable amount” for the period you or your family occupy temporary living accommodations. The “maximum allowable amount” is the “maximum daily amount” multiplied by the number of days you or your family occupy temporary living accommodations not to exceed the number of days authorized. The “maximum daily amount” is determined by adding the rates in the following table for you and each member of your family authorized to occupy temporary living accommodations:

If your agency authorizes	The “maximum daily amount” of per diem expenses that		
	You or your unaccompanied spouse, domestic partner or other unaccompanied family member may receive is	Your accompanied spouse, domestic partner or a member of your family who is age 12 or older may receive is	A member of your family who is under age 12 may receive is
Payment of only lodging expenses.	The maximum lodging amount applicable to the locality.	.75 times the maximum lodging amount applicable to the locality.	.5 times the maximum lodging amount applicable to the locality.
Payment for lodging, meals, and other per diem expenses.	The maximum per diem rate applicable to the locality.	.75 times the maximum per diem rate applicable to the locality.	.5 times the maximum per diem rate applicable to the locality.

§301-31.11 May my agency pay me a per diem allowance instead of actual expenses?

No.

§301-31.12 Must I keep track of my expenses?

Yes. You must keep track of your actual expenses as described in [Part 301-11](#) of this chapter.

§301-31.13 How long may my agency pay for subsistence expenses under this part?

Your agency may pay for subsistence expenses up to 60 days. However, your agency may pay for additional periods if it determines that an extension is justified.

§301-31.14 May I receive a travel advance for transportation and/or subsistence expenses?

Yes, you may receive a travel advance under [§301-51.200](#) of this chapter for up to a 30-day period at a time to cover expenses allowable. Your travel advance may not exceed the

maximum allowable amount authorized under [§301-31.10](#), and you will be required to reimburse your agency for any portion of the advance disallowed or not spent.

§301-31.15 What documentation must I provide for reimbursement?

You must provide receipts or any other documentation required by your agency. However, in instances when documentation might compromise the security of the individuals involved, the head of the agency may waive these requirements.

**SUBCHAPTER C—ARRANGING FOR TRAVEL SERVICES, PAYING
TRAVEL EXPENSES, AND CLAIMING REIMBURSEMENT**

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PART 301-50—ARRANGING FOR TRAVEL SERVICES

Authority: 5 U.S.C. 5707; 40 U.S.C. 121(c).

§301-50.1 To whom do the pronouns “I”, “you”, and their variants throughout this part refer?

In this part, the pronouns “I”, “you”, and their variants refer to the employee.

§301-50.2 How must I arrange my travel?

You must arrange your travel as designated by your agency and in accordance with this part.

§301-50.3 Must I use the ETS or TMS to arrange my travel?

Yes, if you are an employee of an agency as defined in [§301-1.1](#) of this chapter, you must use the E-Gov Travel Service when your agency makes it available to you. Until then, you must use your agency’s existing Travel Management Service (TMS) to make your travel arrangements. If you are an employee of the Department of Defense (DoD) or of the Government of the District of Columbia, you must arrange your travel in accordance with your agency’s TMS. Your agency may grant an exception to required use of TMS/ETS under [§§301-50.4](#), [301-73.102](#), or [301-73.104](#) of this chapter.

§301-50.4 May I be granted an exception to the required use of TMS or ETS once my agency has fully deployed ETS?

Yes, your agency head or his/her designee may grant an individual case exception to required use of your agency’s current TMS or to required use of ETS once your agency has fully deployed ETS, but only when your travel meets one of the following conditions:

(a) Such use would result in an unreasonable burden on mission accomplishment (*e.g.*, emergency travel is involved and TMS/ETS is not accessible; you are performing invitational travel; or you have special needs or require disability accommodations under part [301-13](#) of this chapter).

(b) Such use would compromise a national security interest.

(c) Such use might endanger your life (*e.g.*, you are traveling under the Federal witness protection program, or you are

a threatened law enforcement/investigative officer traveling under part [301-13](#) of this chapter).

§301-50.5 What is my liability if I do not use my agency’s TMS or the E-Gov Travel Service, and an exception has not been approved?

If you do not have an approved exception under [§§301-50.4](#) or [301-73.104](#) of this chapter, you are responsible for any additional costs resulting from the failure to use the TMS or E-Gov Travel Service, including service fees, cancellation penalties, or other additional costs (*e.g.*, higher airfares, rental car charges, or hotel rates). In addition, your agency may take appropriate disciplinary action.

§301-50.6 What is an “online self-service booking tool?”

An online self-service booking tool is an Internet based system that permits travelers to make their own reservations for transportation (*e.g.*, air, rail, and car rental) and lodging. ETS and some agency TMS’s incorporate a self service booking tool.

§301-50.7 Should I use the online self-service booking tool once ETS is available within my agency?

Yes, you should use the online self-service booking tool offered by ETS or your agency’s TMS until ETS becomes available to you.

Note to section [301-50.7](#): Some extenuating circumstances for which you may not be able to use online self-service booking are (1) when you are attending a conference where the conference sponsor has negotiated with one or more lodging facilities to set aside a specific number of rooms for conference attendees and to ensure that a set aside room is available to you, you are required to book lodging directly with the lodging facility, (2) when your travel is to a remote location and it is not possible to book lodging accommodations through the TMS or ETS, or (3) when such travel arrangements are so complex and circumstance will not allow you to book your travel through an online self-service booking tool.

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PART 301-51—PAYING TRAVEL EXPENSES

Authority: 5 U.S.C 5707. [Subpart A](#) is issued under the authority of Sec. 2, Pub. L. 105-264, 112 Stat. 2350 (5 U.S.C. 5701 note); 40 U.S.C. 121(c).

Note to Part 301-51: Use of the pronouns “I”, “you”, and their variants throughout this part refers to the employee.

Subpart A—General

§301-51.1 What is the required method of payment for official travel expenses?

You are required to use the Government contractor-issued travel charge card for all official travel expenses unless you have an exemption.

§301-51.2 What official travel expenses and/or classes of employees are exempt from the mandatory use of the Government contractor-issued travel charge card?

The Administrator of General Services exempts the following from the mandatory use of the Government contractor-issued travel charge card:

- (a) Expenses incurred at a vendor that does not accept the Government contractor-issued travel charge card;
- (b) Laundry/dry cleaning;
- (c) Parking;
- (d) Transit system at a TDY location;
- (e) Taxi;
- (f) Tips;
- (g) Meals (when use of the card is impractical, e.g., group meals or the Government contractor-issued travel charge card is not accepted);
- (h) Phone calls (when a Government calling card is available for use in accordance with agency policy);
- (i) An employee who has an application pending for the travel charge card;
- (j) Individuals traveling on invitational travel;
- (k) New appointees;
- (l) Relocation allowances prescribed in [Chapter 302](#) of this title, except en-route travel and househunting trip expenses; and
- (m) Employees who travel 5 times or less a year. Even though exempt, agencies have the discretion to issue a travel charge card to such an employee.

§301-51.3 Who in my agency has the authority to grant exemptions from the mandatory use of the Government contractor-issued travel charge card?

The head of your agency or his/her designee(s) has (have) the authority to grant exemptions from the mandatory use of the Government contractor-issued travel charge card.

§301-51.4 If my agency grants an exemption, does that prevent me from using the card on a voluntary basis?

No, an exemption from use would not prevent you from using the Government contractor-issued travel charge card on a voluntary basis in accordance with your agency’s policy.

§301-51.5 How may I pay for official travel expenses if I receive an exemption from use of the Government contractor-issued travel charge card?

If you receive an exemption from use of the Government contractor-issued travel charge card, your agency may authorize one or a combination of the following methods of payment:

- (a) Personal funds, including cash or personal charge card;
- (b) Travel advances; or
- (c) Government Transportation Request (GTR).

Note to §301-51.5: City pair contractors are not required to accept payment by the methods in [paragraph \(a\)](#) or [\(b\)](#) of this section.

§301-51.6 For what purposes may I use the Government contractor-issued travel charge card while on official travel?

You are required to use the Government contractor-issued travel charge card for expenses directly related to your official travel.

§301-51.7 May I use the Government contractor-issued travel charge card for personal reasons while on official travel?

No, you may not use the Government contractor-issued travel charge card for personal reasons while on official travel.

§301-51.8 What are the consequences if I misuse the Government contractor-issued travel charge card on official travel?

Your agency may take appropriate disciplinary action if you misuse the Government contractor-issued travel charge card according to internal agency policies and procedures.

Subpart B—Paying for Common Carrier Transportation

§301-51.100 What method of payment must I use to procure common carrier transportation?

You must use a Government contractor-issued individually billed travel card, centrally billed account, or GTR to procure contract passenger transportation services. For all other com-

§301-51.101**FEDERAL TRAVEL REGULATION**

mon carrier transportation, you must use one of the methods specified in the following table:

For passenger transportation services costing	You must use	Unless
(a) \$10 or less, and air excess baggage charges of \$15 or less for each leg of a trip.	A Government contractor-issued individually billed travel card or centrally billed account.	Use of the Government contractor-issued individually billed travel card is not accepted, its use is impracticable or special circumstances justify the use of a GTR.
(b) More than \$10, but not more than \$100.	A Government contractor-issued individually billed travel card, centrally billed account, or GTR	None of the other methods are practicable, you may use cash.
(c) More than \$100	Only a Government contractor-issued individually billed travel card, centrally billed account, or GTR.	Your agency authorizes you to use a reduced fare for group, charter, or excursion arrangements or under emergency circumstances where the use of other methods is not possible.

§301-51.101 Which payment methods are considered the equivalent of cash?

Use of one of the following payment methods of this section to procure common carrier transportation is considered the equivalent of cash and you must comply with the rules in 41 CFR 102-118.50 that limit the use of cash for such purposes.

- (a) Personal credit cards;
- (b) Cash withdrawals obtained from an ATM using a Government contractor-issued individually billed travel card; and
- (c) Checks, both personal and travelers (including those obtained through a travel payment system services program).

§301-51.102 How is my transportation reimbursement affected if I make an unauthorized cash purchase of common carrier transportation?

If you are a new employee or an invitational or infrequent traveler who is unaware of proper procedures for purchasing common carrier transportation, your agency may allow reimbursement for the full cost of the transportation. In all other instances, your reimbursement will be limited to the cost of such transportation using the authorized method of payment.

§301-51.103 What is my liability if I lose a GTR?

You are liable for any Government expenditure that is caused by your negligence in safeguarding the GTR or tickets received in exchange for the GTR. To avoid liability, immediately report a lost or stolen GTR to your administrative office. If the lost or stolen GTR shows the carrier service desired, and point of origin, promptly notify in writing the named carrier and other local initial carriers. Do not use a GTR that is recovered after having been reported as lost or stolen. Instead, report the recovered GTR to your administrative office.

Subpart C—Receiving Travel Advances**§301-51.200 For what expenses may I receive a travel advance?**

For	You may receive an advance
(a) Cash transaction expenses (<i>i.e.</i> , expenses that as a general rule cannot be charged and must be paid using cash, a personal check, or travelers check). <ul style="list-style-type: none"> (1) M&IE covered by the per diem allowance or actual expenses allowance; (2) Miscellaneous transportation expenses such as transit systems and taxi fares; parking fees; ferry fees; bridge, road, and tunnel fees; and aircraft parking, landing, and tie-down fees; (3) Gasoline and other variable expenses covered by the mileage allowance for advantageous use of a privately owned automobile for official business; and (4) Other authorized miscellaneous expenses that cannot be charged using a Government contractor-issued charge card and for which a cost can be estimated. 	Any time you are on official travel.
(b) Non-cash transaction expenses (e.g., lodging, common carrier, advance payment of discounted conference registration fee).	Only in the following situations: <ul style="list-style-type: none"> (1) Government contractor-issued charge card not expected to be accepted. (2) Government contractor-issued charge card issuance denied. Your agency has decided not to provide you a Government contractor-issued individually billed travel card. (3) Official change of station. Your agency determines that use of a Government contractor-issued individually billed travel card would not be feasible incident to a transfer, particularly a transfer to another agency. (4) Financial hardship would be incurred.

§301-51.201 What is the maximum amount that my agency may advance?

The amount your agency advances you may not exceed the following amounts:

For	The maximum amount your agency may advance is
Cash transaction expenses	The estimated amount of your cash transaction expenses. (For M&IE, your advance is limited to the M&IE rate under the lodgings-plus per diem method.)
Non-cash transaction expenses (See §301-51.200(b)).	Generally zero. However, your agency may advance up to the full amount of your expected non-cash transaction expenses for an individual trip (or not to exceed a 45-day period for an open authorization) in accordance with §301-51.200(b) .

§301-51.202 When must I account for my advance?

You must file a travel claim which accounts for your advance after completion of your assignment, in accordance with your agency's policy. If you are in a continuous travel status (e.g., an auditor or inspector) or if you submit periodic reimbursement vouchers on an individual trip authorization, your agency may reimburse you the full amount of your travel expenses without any deduction of your advance until such time as you file a final voucher. If the amount advanced is less than the amount of the voucher on which it is deducted, you will be reimbursed the net amount. If the advance exceeds the reimbursable amount, you must immediately refund the excess.

§301-51.203 What must I do about my advance if my trip is canceled or postponed indefinitely?

Promptly notify the appropriate agency officials and refund any monies advanced in connection with the authorized travel.

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PART 301-52—CLAIMING REIMBURSEMENT

Authority: 5 U.S.C. 5707; 40 U.S.C. 121(c); Sec. 2., Pub. L. 105-264, 112 Stat. 2350 (5 U.S.C. 5701 note).

§301-52.1 Must I file a travel claim?

Yes.

§301-52.2 What information must I provide in my travel claim?

You must provide the following:

(a) An itemized list of expenses and other information (specified in the listing of required standard data elements contained in [Appendix C](#) of this chapter, and any additional information your agency may specifically require), except:

(1) You may aggregate official travel-related expenses incurred at the TDY location for authorized telephone calls, transit system fares, and parking meter fees, except any individual expenses costing over \$75 must be listed separately;

(2) When you are authorized lodgings-plus per diem, you must state the M&IE allowance on a daily basis;

(3) When you are authorized a reduced per diem, you must state the reduced rate your agency authorizes on a daily basis; and

(4) When your agency limits M&IE reimbursement to the prescribed maximum M&IE for the locality concerned, you must state the reduced rate on a daily basis.

(5) Your agency may or may not require itemization of M&IE when reimbursement is limited to either the maximum M&IE locality rate or a reduced M&IE rate is authorized.

(b) The type of leave and the number of hours of leave for each day;

(c) The date of arrival and departure from the TDY station and any non-duty points visited when you travel by an indirect route other than a stopover to change planes or embark/dembark passengers;

(d) A signed statement, “I hereby assign to the United States any rights I may have against other parties in connection with any reimbursable carrier transportation charges described herein,” when you use cash to pay for common carrier transportation.

§301-52.3 Am I required to file a travel claim in a specific format and must the claim be signed?

As soon as your agency fully deploys the E-Gov Travel Service (ETS), you must use the ETS to file all your travel claims. (Agencies are required to fully deploy the ETS no later than September 30, 2006.) Until that time, you must file your travel claim in the format prescribed by your agency. If the prescribed travel claim is hardcopy, the claim must be signed in ink. Any alterations or erasures to your hardcopy travel claim must be initialed. If your agency has electronic processing, use your electronic signature where required.

§301-52.4 What must I provide with my travel claim?

You must provide:

(a) Evidence of your necessary travel authorizations including any necessary special authorizations;

(b) Receipts for:

(1) Any lodging expense, except when you are authorized a fixed reduced per diem allowance;

(2) Any other expense costing over \$75. If it is impracticable to furnish receipts in any instance as required by this subtitle, the failure to do so must be fully explained on the travel voucher. Mere inconvenience in the matter of taking receipts will not be considered; and

(3) Receipts must be retained for 6 years and 3 months as prescribed by the National Archives and Records Administration (NARA) under General Records Schedule 6, paragraph number 1 (<http://www.archives.gov/records-mgmt/ardor/grs06.html>).

§301-52.5 Is there any instance where I am exempt from the receipt requirement in §301-52.4?

Yes, your agency may exempt an expenditure from the receipt requirement because the expenditure is confidential.

§301-52.6 How do I submit a travel claim?

You must submit your travel claim in accordance with administrative procedures prescribed by your agency.

§301-52.7 When must I submit my travel claim?

Unless your agency administratively requires you to submit your travel claim within a shorter timeframe, you must submit your travel claim as follows:

(a) Within 5 working days after you complete your trip or period of travel; or

(b) Every 30 days if you are on continuous travel status.

§301-52.8 May my agency disallow payment of a claimed item?

Yes, if you do not:

(a) Provide proper itemization of an expense;

(b) Provide receipt or other documentation required to support your claim; and

(c) Claim an expense which is not authorized.

§301-52.9 What will my agency do when it disallows an expense?

Your agency will disallow your claim for that expense, issue you a notice of disallowance, and pay your claim for those items which are not disallowed.

§301-52.10 May I challenge my agency's disallowance of my claim?

Yes, you may request reconsideration of your claim if you have additional facts or documentation to support your request for reconsideration.

§301-52.11 What must I do to challenge a disallowed claim?

You must:

- (a) File a new claim.
- (b) Provide full itemization for all disallowed items reclaimed.
- (c) Provide receipts for all disallowed items reclaimed that require receipts, except that you do not have to provide a receipt if your agency already has the receipt.
- (d) Provide a copy of the notice of disallowance.
- (e) State the proper authority for your claim if you are challenging your agency's application of the law or statute.
- (f) Follow your agency's procedures for challenging disallowed claims.
- (g) If after reconsideration by your agency your claim is still denied, you may submit your claim for adjudication to the GSA Board of Contract Appeals in accordance with 48 CFR part 6104.

§301-52.12 What happens if I attempt to defraud the Government?

- (a) You forfeit reimbursement pursuant to 28 U.S.C. 2514; and
- (b) You may be subject under 18 U.S.C. 287 and 1001 to one, or both, of the following:
 - (1) A fine of not more than \$10,000, or
 - (2) Imprisonment for not more than 5 years.

§301-52.13 Should I keep itemized records of my expenses while on travel?

Yes. You will find it helpful to keep a record of your expenses by date of the expense to aid you in preparing your travel claim or for tax purposes.

§301-52.14 What must I do with any travel advance outstanding at the time I submit my travel claim?

You must account for the travel advance in accordance with your agency's procedures.

§301-52.15 What must I do with any passenger coupon for transportation costing over \$75, purchased with cash?

You must submit the passenger coupons to your agency in accordance with your agency's procedures.

§301-52.16 What must I do with any unused tickets, coupons, or other evidence of refund?

You must submit any unused tickets, coupons, or other evidence of refund to your agency in accordance with your agency's procedures.

§301-52.17 Within how many calendar days after I submit a proper travel claim must my agency reimburse my allowable expenses?

Your agency must reimburse you within 30 calendar days after you submit a proper travel claim to your agency's designated approving office. Your agency must ensure that it uses a satisfactory recordkeeping system to track submission of travel claims. For example, travel claims submitted by mail, in accordance with your agency's policy, could be annotated with the time and date of receipt by your agency. Your agency could consider travel claims electronically submitted to the designated approving office as submitted on the date indicated on an e-mail log, or on the next business day if submitted after normal working hours. However, claims for the following relocation allowances are exempt from this provision:

- (a) Transportation and storage of household goods and professional books, papers and equipment;
- (b) Transportation of mobile home;
- (c) Transportation of a privately owned vehicle;
- (d) Temporary quarters subsistence expense, when not paid as lump sum;
- (e) Residence transaction expenses;
- (f) Relocation income tax allowance;
- (g) Use of a relocation services company;
- (h) Home marketing incentive payments; and
- (i) Allowance for property management services.

§301-52.18 Within how many calendar days after I submit a travel claim must my agency notify me of any error that would prevent payment within 30 calendar days after submission?

Your agency must notify you as soon as practicable after you submit your travel claim of any error that would prevent payment within 30 calendar days after submission and must provide the reason(s) why your travel claim is not proper. However, not later than May 1, 2002, agencies must achieve a maximum time period of seven working days for notifying you that your travel claim is not proper.

§301-52.19 Will I receive a late payment fee if my agency fails to reimburse me within 30 calendar days after I submit a proper travel claim?

Yes, your agency must pay you a late payment fee, in addition to the amount due you, for any proper travel claim not reimbursed within 30 calendar days of your submission of it to the approving official.

§301-52.20 How are late payment fees calculated?

Your agency must either:

- (a) Calculate late payment fees using the prevailing Prompt Payment Act Interest Rate beginning on the 31st day