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FEMA PUBLIC ASSISTANCE

PA LEADERSHIP

MAX J MEINDL, PMP,

APPELLANT,

vs.

ARSANY THOMAS,

DECIDING OFFICIAL

CASE NAME: MEINDL

APPEAL TO REMOTE WORK DETERMINATION

APPELLANT HEREBY APPEALS THE DETERMINATION OF ARSANY THOMAS TO
DENY A TEMPORARY REMOTE WORK REQUEST SUBMITTED ON JULY 19, 2022.

A. The Remote Work request specifically stipulated the following:

1. "Telework request until adjudication of RA requests filed 09/20/2021 and to exempt employee, temporarily, from the requirement to report to the office twice per pay period."
2. "Employee has 2 current RA requests pending and they have not yet been adjudicated."
3. The requests were made pursuant to the vaccine mandate and have yet to be addressed.
4. Employee does not perform any "daily or weekly" "testing" because he is not sick.
5. Employee does not mask because it interferes with breathing and has not/will not wear a face diaper of questionable efficacy just to attend and sit in an office chair once a week.
6. Employee has shortness of breath, hypertensive urgency, other forms of dyspnea, unilateral primary osteoarthritis, right knee, high blood pressure, hypertensive heart disease, lung disorders, supraventricular rapid heart rate, chest pain, angina, abnormal electrocardiogram (ECG), (EKG), atherosclerotic heart disease of native coronary artery causing unspecific angina pectoris. Additionally, abnormal results of cardiovascular functional studies.

- 1 7. Briefly describe the specific accommodation requested: Continued Remote/telework, permanent
2 exemption from vaccine mandate.
- 3 8. Employee due to "return to office" this week and every week after and respectfully requests timely
4 consideration.

5 B. The **reason for denying the temporary work request** was stipulated as the following:

- 6 1. This position does not meet the Remote Work Policy. This position is a Program Delivery Manager
7 Task Force Lead and requires regular in-person meetings with field staff (PDMGs), field leadership,
8 and external stakeholders.

9 C. Appellant response to the reason stipulated by the ruling authority:

- 10 1. Appellant has been "teleworking" successfully since March of 2020. For nearly 2.5 years I have been
11 successfully performing my duties without ever once attending a meeting in person because my
12 deployment is "virtual".
- 13 2. My DTS stipulates I'm available only for "virtual" deployment.
- 14 3. My performance has been consistent and is verified by reviewing my latest evaluation:

15 a. *Max Meindl 2nd Quarter Review: Max is in the role of Task Force Leader. He has done an*
16 *amazing task of working with complex Applicants obligating approx..10 projects well into the*
17 *Millions of Dollars. Due to COVID and several disasters hitting Louisiana back-to-back,*
18 *applicants have been slower providing documentation. Despite these hurdles Max's Team has*
19 *sent 21 projects this quarter to the CRC for several million dollars. Max has done a fantastic*
20 *job of managing his PDMG's Project Delivery Plans and making sure the projections are*
21 *accurate which is extremely important to the disaster. Max is one of my go-to Task Force*
22 *Leader with his positive attitude he helps others on his team keep their motivation high. Max*
23 *always steps up and takes on the most difficult of tasks without even being asked. I can't say*
24 *enough how much I enjoy working with Max. He is a true asset to this agency and in my*
25 *opinion a candidate to take on other leadership roles within the agency.*

26 Russell Towndrow
27 Public Assistance Group Supervisor
28 Training and Development Branch
Section Public Assistance Division
Mobile: (202) 531-0640

- 1 D. Appellant has underlying conditions that preclude the wearing of a mask due to COPD (Chronic obstructive
2 pulmonary disease) and as such has breathing issues.
- 3 E. Appellant is considered an at-risk individual and does not want to expose himself to an office in a “high
4 community level” area and be required to mask all day.
- 5 F. The current determination does not make any sense when considering the Appellant has worked “remotely”
6 or “teleworked” for nearly two and one-half years.
- 7 G. A consideration for a temporary “remote work” does not seem unreasonable.
- 8 H. In previous conversation with Traci Brasher, I came away with the understanding that a first line supervisor
9 could approve a temporary remote work option, not to exceed 60 days, if I recall correctly. Maybe I
10 misheard.

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12 APPELLANT HEREBY MOVES AND **RESPECTFULLY REQUESTS RECONSIDERATION** OF
13 THE DENIAL OF A TEMPORARY REMOTE WORK REQUEST.

14 APPELLANT MOVES AND HEREBY REQUESTS THAT THE ORGANIZATION PROCESS THE
15 SPECIFIC PAPERWORK AS SUBMITTED BY THE APPELLANT AND NOT CREATE NEW FORM
16 LACKING THE SIGNATURE OF THE REQUESTOR/APPELLANT.

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18 Dated this 29th day of July 2022.

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APPELLANT NAME

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