

July 14, 2011

To Whom This Concerns,

Pursuant to 5 U.S.C § 1213 (e)(1), to follow are my comments on the final report I received regarding OSC File No. DI-10-0812 on July 9, 2011.

I am deeply elated that this chapter in my life comes to a close. It is unfortunate in reading the documentation provided as I see a definite trend in discrediting my experience as a Housing Manager with disregard to the adherent fact that there was indeed documented wrong doing taking place at Sierra Army Depot.

I am appalled at the extent of time used in discrediting my experience when an attempt to look at my past Housing Experience outside the Federal Government was obviously overlooked. I would have liked to have seen the prior HUD Housing Experience as well as my 10+ years in Real Estate and Property Management mentioned as that is why I was told I was hired in the first place. I also hold a Wisconsin Real Estate Broker License and I am fully aware of the moral and ethical codes that need to be abided by when it comes to housing. Something Sierra seemingly holds with very little regard. There was nothing mentioned in this report of the \$300,000 Annual Housing Budget and where those dollars were actually spent in the past 4 years. Nothing was reported on the wasteful stimulus spending; \$750,000 for a Command Quarters with no intent on using, \$250,000 on fencing of desert land, yet I had to fight for extra money to be spent on the Barracks building – the only building utilized by soldiers at Sierra Army Depot. It seems like the heavy issues in this case were completely overlooked.

The investigator sites findings of negligence on my part referring to refusal to provide a scope of work. This area I admittedly am not trained in nor was it in my job description to do this type of work. When I asked about training to complete this new duty, I was deferred to the point of my resignation. Mr. Larry Duncan was “supposed” to train me to complete this scope of work process. It was not done as Mr. Duncan and I did not reach a time before my departure to complete this task as it was at the end of my tenure at Sierra Army Depot. Up until the last month of my hire, I was told and retold that I would not and could not apply for outside assistance to complete housing work. This was overlooked in all aspects of this report. These allegations were not brought to my attention for response until now; therefore I am including my responses in my departing comments.

The next accusation of failure to obtain a Government Credit card was discussed at length in the video taped meeting in December of 2009. In this meeting, Mr. Zinko admitted to the Commander that his intent was to have me make purchases outside the realm of housing. The concern of splitting orders and illegal actions was addressed and the Commander addressed this in the meeting and asked Mr. Zinko if there was a problem with my having a Government Credit card for Housing use only. After multiple attempts at an answer, Mr. Zinko conceded. I agreed to obtain a government credit card for Housing purchases however after continued harassment based on reprisal by Mr. Zinko, I resigned 1 week later. In addition, I did not ask the Commander to fire him, in fact, I asked to be relocated out from under his direction, a request that was denied by the Deputy Commander. In the final week of my hire with continuous harassment by Mr. Zinko I asked via email to do something about the harassment or I would

tender my resignation to the Commander myself. I couldn't take any further harassment as it was affecting my health both physically and emotionally. I was ignored and the harassment continued, so I resigned. This was not a threat but a course of action that I intended to take and was making my chain of command aware of. I was treated with complete disregard all the way through this process and if my other documentation were forwarded, you would see the multiple attempts at trying to talk with the Commander through the Open Door Policy as well as my foiled EEO complaints. More matters not addressed through this investigation.

I did forward the entire packet of complaint to the Investigator as his unannounced phone call to me was caught completely off guard and in the middle of a housing move. I did not have paperwork at hand to answer his questions thoroughly and advised I would forward him what had been sent to the OSC when I was able to locate the file in the move. That is what I did.

To the comment about being hired as a "contract position" The MEO was a "contract" won by the government. If the "contract" were to be evaluated and fail, the MEO "contract" would be dismissed, thus allowing for the possibility of job loss. This was my concern as the MEO were not abiding by their own contract rules and definitely not in compliance. Yes, I did not look into the Annex in the first months of hire because I was repeatedly told none existed. It wasn't until QA personnel came on board that I was informed otherwise. This is a point that is made with the discussion of COR Jean Morrow not doing her job. This was all in notes submitted but overlooked in this report.

As to the claims of refusal of not prioritizing work order requests, this was attempted. This is why the service orders started changing from prior all 4's (low priority) to having priority. If paperwork and service orders were pulled in this investigation with my handwriting and signatures on each, he would have seen that priority was given on the forms submitted. This was part of the process directed by QA at their hire. There was no refusal to prioritize, only cover up by the service order desk both in admitting to orders dumped or non resubmission once discovered.

As to the concern of my recording a meeting unauthorized. The meeting being recorded was known by all. I did have on my person a digital recorder as I did not trust the fact that the video would be there for future use. Although requested on tape, I was never given a copy of the video taping. To protect myself, I recorded the meeting as well. It was to my surprise when the Commander called an impromptu meeting with Myself and Mr. Russell before the meeting and away from the video recording whereas my recorder was still active on my person. I don't claim to know CA laws however; I do know that I still held permanent residence in the state of Wisconsin.

**Wis. Stat. § 968.31: A person who is a party to a wire, electronic or oral communication, or who has obtained prior consent from one party, can legally record and divulge the contents of the communication, unless he does so for the purpose of committing a criminal or tortious act.**

**Federal law permits recording telephone calls and in-person conversations with the consent of at least one of the parties. See 18 U.S.C. § 2511(2)(d). This is called a "one-party consent" law. Under a one-party consent law, you can record a phone call or conversation so long as you are a party to the conversation. Furthermore, if you are not a party to the conversation, a "one-party consent" law will allow you to record the conversation or phone call so long as your source consents and has full knowledge that the communication will be recorded.**

I am not aware of any wrong doing that I have committed as this recording was done on Federal property but secondly, a known recording with regard to the meeting. The other portion of the impromptu meeting before the meeting held by the Commander is a recording to this day, no one has

heard but my Husband and Myself. If anyone did wrong doing, it was Sierra Army Depot in declaring that the meeting would be recorded and not asking my permission to do so, if going by CA law. I acknowledged the video taping at the start of the meeting and requested a copy, which was never given to me.

It's unfortunate that the full documentation I submitted is not included in this report. I feel things were intentionally overlooked to protect Sierra Army Depot and the powers that be. The Whistle Blower Act was meant to protect an employee from Reprisal. Reprisal is why I resigned from Sierra Army Depot, I continue with reprisal at Fort McCoy due to Sierra making calls to Fort McCoy's Jag office checking up on me, in turn changing the outlook of my status. Every day continues to be a struggle due to notions implanted in my Superiors heads over this situation. I have yet to decide if this is worth pursuing legally on my own behalf, or if the advice I would give to others regarding a whistle blower: keep your head down and let them do as they please, the system does not work as advertised.

In closing, I would like to further say if Sierra Army Depot wanted a GS12 to run their housing division they would have advertised the position accordingly. They advertised for a GS09 to outside contenders and I qualified for the position based on my outside experience. Trying to discredit my performance based on my GS05 position with the government is wrong, that experience should not have weighed in on these proceedings at all. In fact, Sierra knowing they had an inexperienced Government Housing Manager at their own hiring should have had a thorough training program in place at my hire, yet again another thing they did not attempt. This story has been twisted in numerous ways to cover up the honest fact that they were doing some very wrong things. Yes, I took the position as a temporary position. Everyone knew this at my hire. I made it perfectly clear my family stayed behind in WI and I would look to reunite as soon as I had time in grade to do so. My accepting this position was indeed a career move. One I horribly regret. The only consolation I have in this after great monetary and career loss is that I am still able to hold my head high and say I did the right thing. The position is now held by a GS07/09 with no housing background what so ever and just happens to be Mr. Zinko's former Administrative Assistant. Sierra Army Depot was given months to prepare and fix things in notice of this investigation not once, but two times and they still couldn't hide the fact that they have done wrong.

I'm glad some things are being addressed and fixed but I am disheartened at the waste in government funds that have taken place at Sierra both as a former employee and tax payer. If this country is meant to see debt reduction results, we need to dive into our Federal Agencies with a fine tooth comb and cut out the fat. You need concerned taxpayers at the helm running this country as a well defined business, not as a money sucking sow. When claims of Fraud Waste and Abuse of Government spending are brought to the forefront and the government spends more money covering up the issues rather than repairing them, we have a problem!

Thank you for allowing further response to these oversights and thank you for the corrections put into place. Maybe it will now be a better place to work and live for my fellow former colleagues.

Respectfully,  
  
Angela J. Schultz