

To: Je vacation[jeevacation@gmail.com]
From: [REDACTED]
Sent: Tue 7/20/2010 3:30:23 AM
Subject: Fw: Letter
CL Montgomery.doc

Fyi from Carol,

Sent from my BlackBerry® wireless handheld

From: Carol Montgomery <[REDACTED]>
Date: Mon, 19 Jul 2010 20:16:27 -0700 (PDT)
To: <[REDACTED]>
Cc: carol [REDACTED]
Subject: Letter

Larry and Jeff:

Here is the letter that I had to send. After talking with Jeffery and trying every thing I could think of. I wrote to her hoping she can help.

I will be sending the letter in the mail on Tuesday. Hope all is going well with for you. I hope you have been able to return to STT full time if that is what you wanted. Please if your in Washington State area. Please stop so I can see you. I will met you any place. Please call me any time . I miss you both.

Love You Carol Montogmery

Carol L. Montgomery [REDACTED] 8123

July 18, 2010

Honorable Patty Murray Senator (D), State of Washington

2930 Wetmore Avenue, Ste. 903
Everett, Washington 98201
Phone: (425) 259-6515

To the Honorable Patty Murray,

Subject: Assistance and/or Resolution to a Hardship Transfer

My name is Carol Montgomery. I am a constituent from your state currently working in the US Virgin Islands (USVI). I have worked for US Customs/Customs and Border Protection (CBP) for the past 15 years. I started my federal career in Anchorage, AK, where I worked for 8 years. I transferred to Salt Lake City, UT for 4 ½ years and from there took a position and transferred to St Thomas, USVI where I agreed to work for 1 year minimum, after which I was asked to extend for one more year, which I did. I have completed the initial assignment time and gone beyond that for the needs of the service.

I am currently in a situation of a personal nature, where I am having to care for two sick parents. As stated above, I am assigned to the Area Port of St. Thomas, USVI. In October of 2009, I requested and was approved to take time off to vacation with my family. It was during this time (one week prior) that my father was diagnosed with esophageal cancer. This vacation may have turned out to be our family's last vacation together judging from the doctor's diagnosis that the cancer is terminal. It was at this time in October, that I requested a hardship transfer to help my mother with the care of my elderly father. Before I left St. Thomas, I was informed by management through Chief Murray David that the hardship transfer "should be approved" by the time I returned my leave was over; it was not. I was later informed that I needed to find my own position and if so, I would be released from current my duty station in St. Thomas, USVI. I went through the inquiry process with the Seattle Office of Field Operation (Seattle OFO), and they assisted in finding a position within their area that is 40 minutes from my parent's house in Stanwood at the port of Anacortes, Washington. This position was cleared and I was offered the position by Seattle Office of Field Operations' Mission Support Specialist, Jacquelyn Timme in February 2010. All that was needed from the losing port (St. Thomas) was a release date so I could be added to the employee roles of the Seattle Office of Field Operations. The release would have to come from my current duty station St. Thomas, though the San Juan Office of Field Operations (San Juan OFO). Again, this did not happen. This was back in February 2010. Never did anyone from management in the Area Port of St. Thomas or San Juan OFO tell me why it (the hardship request) was not approved. I am not privy to any correspondence that was told to Seattle OFO (if any), but Seattle OFO went and held the position open until March 2010. Needing to fill the position, they (Seattle OFO) posted an opening for the Port of Anacortes, Washington, the same location I was offered back in February 2010. I applied for this same position again in March 2010. This position was listed as a lateral position with no moving expenses or promotions. After I had applied for this position, the criteria was changed allowing for moving expenses and only open to those outside the USA. I was and currently am at my parent's home and would not need to move. I could be and I am ready to start work the next day, if allowed. I have no children so I will not be able to turn to my own children in my older age. I need to keep working and keep saving so I do not want to resign.

I am just having a very hard time understanding why every time a request is made of me, I comply and another road block seems to be put in place or conjured up by either St. Thomas or San Juan OFO. I have tried to follow every protocol as outlined by CBP and NTEU-CBP booklet *Your Guide to Your Workplace* and done all that I have been asked to do, but nothing seems to satisfy whoever is denying my transfer request. I have complied in fulfilling all requests that have been made of me. In April of 2010, was forced into a position that I had to

request and invoke my rights as an employee to the entitlement of the provision of the Family and Medical Leave to care for my father. Under this entitlement, I am granted up to three months of advance leave (sick/annual), which are allowed under the program and will end on July 27, 2010.

I know that I would be a tremendous asset for the Port of Anacortes as demonstrated by my performance and abilities in St. Thomas. I come to work daily giving 110% of myself to make sure that the job of protecting our country from terrorist for CBP is carried out with great vigilance and diligence, which I take very seriously. Being allowed to transfer to the Port of Anacortes would not only benefit me with having to care for my parents, but the port would gain a very dedicated employee. I believe I have followed and will continue to follow all protocols to a "T". I am failing to understand why as a white female who has been with the federal government more than 15 years, dependable, always willing to go out of my way to help in any way, I have also been recognized for my ability to my job in an excellent manner, I have many accolades from travelers who sent in letters thanking me for the service that I have provided above and beyond the call of duty but I can't believe that someone would not grant me this hardship transfer. I do not wish to resign from CBP and lose all of the time that the government has invested in me and me in it (the government). I do not want to see my parents suffer or be placed in a nursing home. That, I do not want to happen and I do not think that anyone in my situation would want either.

For the past eight months I have tried everything from requesting a hardship transfer, to temporary duty assignments (TDY) to locations in the state of Washington. The Seattle OFO said they could work with me as long as my present duty station (the Area Port of St. Thomas) would okay it, by releasing me to the Seattle OFO. Again, that did not happen. I have tried the leave share program; that did not work either. In December 2009, I requested from Mission Support Specialist Glenda L. Sanchez for help in being placed on the federal leave share program. After more than three months, I was told I was approved, but the message that was distributed throughout our nationwide system from CBPO Merla Bess, was sent out with my name misspelled. It had no information as why I needed the donated leave or a phone number where someone who wanted to donate leave to me could call and ask questions or possibly donate. I have saved all e-mails and communications as proof of all the allegations and claims that I am making. So with this information known, I went and requested 240 hours of advance sick leave (which I was granted), while still working on the hardship transfer leave without pay under the Family Medical Leave Act of 1993. I will need to pay this leave back or work off during the course of my federal career. Please help me be able to continue my dream to keep working for CBP and also allow me to help my parents in their dire time of need.

In September of 2009, when I submitted my first request for a hardship transfer, I advised management about my family members that are in the vicinity of my parents residence. I have a brother who lives in Arlington, Washington about 15 miles from my parents who would help, but currently he is being treated for rectal cancer. This has been going on for the past three years. He too has had to miss a lot of work while undergoing his own treatments for cancer to include undergoing four surgeries, he has had MRSA, reconstruction of his colostomy and two hernia repairs. He is the father of five children ages seven to 16, and is expecting more surgeries to in the near future. My sister Linda lives about one hour from my parents. She is mother that works fulltime and care for her disabled granddaughter.

In May, my father was diagnosed by Dr. Jacqueline Wong, MD, Vitreoretinal Surgeon that he has bleeding behind his right eye and would lose his eyesight. Dr. Wong needs to do Surgery

but will not do it until his heart and valve is fixed. On Saturday, July 3rd, my father fell and had a comminuted fracture of proximal right *humerus* extending to the *metadiaphyseal* region, and was referred to an Orthopedic surgeon. They will not do surgery until the heart and valve are repaired. He will be undergoing valve and heart surgery some time this month at the University of Washington, under a research study program. It has been determined that he would not live through a traditional open heart and valve surgery. This research study program is being very closely monitored by the Food and Drug Administration. It has taken longer than our family had hoped to get the necessary approval(s). We were told during the past weeks that my father should be able to get the needed surgery by the end of July or first of August. My mother is 73 years old and suffers from her own medical problems. In recent weeks, it was requested that she have a CT scan of her abdomen. During an examination, her Internal medicine doctor felt something that should not be on the right side of her stomach. This CT scan was completed on Tuesday, July 13th.

I am not trying to runaway from St. Thomas, but I do not understand, with all the documentation that I have provided to them (management), why they continue to put up road blocks hindering my transfer to take care of my ailing parents. With all that is going on in my life, in the past three years, I have witnessed other officers that have requested hardship transfers from the Port of St. Thomas, with less need than myself, that have been approved for one reason or another without all of the problems that I am having to deal with. I feel as if I am being punished for being a whistle blower on a co-worker or possibly management has stored information in my employee official personal folder. This would be information I have not been provided, which could be causing why there are the road blocks. I am at a loss for words, but I would like to know why I am being unfairly treated?

Since I joined US Customs/CBP, I have been a model employee and a very dependable employee. I feel that this is an unfair labor practice and I feel very much discriminated against as a person. I feel management is being deceitful and is willfully obstructing my right to request for and be allowed to transfers that I am entitled to. I was told I need to resign or return to St. Thomas on July 26th. I feel they (the Area Port of St. Thomas and the San Juan OFO), are telling me to withdraw the request for a hardship transfer, so they can approve someone else's request to transfer from St. Thomas. I have all necessary documentation needed to verify all requests, claims and allegations I have made in this request. On or about June 16, 2010, I notified the supervisor in St. Thomas that I was going to request an investigation through one of my state representatives to look into the problems I am having. I was told "oh no, we are not trying to stall this, that will not be necessary." In believing their word I did not do forward anything then, but now, the harassment continues and I feel I have no other recourse but to ask for your assistance in getting this matter resolved. With all that is happening, it is causing a tremendous amount of stress, I have lost weight, my hair continues to fall out daily and every time I think about the situation I start crying but I continue my faith and beliefs. Overall, it is taking a tremendous toll on my mind, body and soul.

Thank you in advance for all your assistance and understanding in resolving this request. If your office is not the appropriate place to get the help I seek, and there is someone else that can better get this resolved, could you please forward this request to that office and notify me via phone at [REDACTED] or email me at [REDACTED] of the change of venue for resolve.

Sincerely,

Carol L. Montgomery

CBP Officer,