

## Opening Statement:

I want to express my gratitude to you for the opportunity to be heard today regarding the Philadelphia Regional Office and I am here to testify to the events as they happened to me. I am grateful for this opportunity to do the right thing for our Veterans. I am going to address an outline of events that brought me to the point of filing an EEO.

My name is Diana Blender. My story is one of harassment, belittlement and discrimination that occurred to me when I attempted to blow the whistle. Sadly for me, when I unearthed the true happenings of this department and their gross unjust manipulations of others, I was sent on a journey of daily abuse, mental cruelty, emotional torture and undeserved corrective job actions.

When I first came to triage I had great hopes and large amounts of pride that I was working with the Department of Veterans Affairs and my first supervisor was very pleased with my work ethic and was impressed with my dedication to become

proficient and effective at my job for the betterment of our department.

Our department was run by a highly proficient supervisor who was unceremoniously replaced at whim with an inexperienced, unskilled supervisor who had no experience in what the inner workings of our department also lacking in any historical knowledge of our operations. This new supervisor was totally ineffective in the daily management of our department and allowed staff members to realign the direction of the department in a highly negative and abusive manner.

These employees took this opportunity to redirect the most difficult work to others, mostly older people. They were harassed and verbally abused, all under the watchful eye of an ineffective assistant supervisor who allowed this abuse to continue and eventually escalate.

It was being done to benefit some, but much more importantly to the detriment of others, my self-included. We all knew this activity existed, had existed for almost three years and management looked the other way. At various times, changes

were made in the way the mail was distributed, to make it fair but these changes were never lasting and reverted almost immediately. When I was brave enough to address this ongoing situation with my superior's daily abuse to me in the workplace became my norm, and this behavior was encouraged my management.

Most of the targeted victims were older women and men who became aware of this abusive situation and addressed it with upper management.

Upon reporting it to my supervisor the retaliation was abusive, offensive and unbearable.

## HISTORY OF EVENTS:

- This chronology starts in mid-2008, with doing my job and picking up speed as required at my level. I was enjoying the work and proud of my accomplishments. My coach was very supportive and pleased with my progress and success.
- The work day started by picking up bundles of random mail (25 pieces each) that had been stamped and bundled the previous day. The work was difficult but manageable. As time went on, I noticed that some of my co-workers were way outperforming and doing exceptional amounts of work, they were coming in extra early to get their mail and removing difficult cases from their bundle and returning them to the stacks for others to complete.
- One day when I came in earlier than usual and went to get the mail, I noticed that two of my co-workers who were Claims Assistants, as I was, were separating the mail in to different piles and selecting out the easier work from the harder claims. They then bundled the easier work into the

requisite bundles of twenty five and distributed those easier claims to themselves and other friends. The other mail bundles of 25 pieces was left in each Claim Reps mail bin waiting to be picked up for processing and therefore was void of easy mail, which normally formed a part of the average used to determine processing amounts to be done. All of this was easy to discern this since the easier claims were yellow sheeted and much thinner than the normal claims. A stack of 25 easy claims is substantially lower than of 25 regular claims that took more time to process. I noticed that on some people's desks the pile of mail that they were to process was indeed much lower than normal. Those desks were the ones of those consistently performing way above normal. All of the time-consuming claims had been sorted out of their mail. That evidently was not happenstance.

- When I questioned them as to what they were doing, to placate me they let me into their scheme. The next day I reported this activity to my direct supervisor, who I later

found out was one of those benefiting from this unfair activity.

- Suddenly, I began to receiving a majority of very difficult claims to be processed. The action taken by my immediate supervisor was to start picking apart my daily work and returning pieces for correction of errors. The quality of my work prior to event was never in question. The upshot of my reporting this to him was that I was given only the most difficult claims and being forced to do them at the same rate as the easy ones. Hence, my evaluation was poorer and I was denied a much deserved promotion.
- I noticed that no one else, other than myself, were having their claims reviewed and being returned for corrections and it was obvious that I was being discriminated against for reporting the unfair activity in distributing the mail.
- Those who were coming in early had no real authority to do so, but it seemed to management to be adventitious since it relieved everyone else from the responsibility of

sorting the mail. Indeed management seemed to take the attitude that the discrepancy of work was no concern to them.

- It became apparent that those that benefited from the allocation of the easier mail were mostly men in a close knit clique. It was easy to notice the discrimination that was occurring against women in general, and also to older employees, was due to the fact that this particular male clique was now being put in charge. The result of the above mentioned selection of work was used to get rid of co-workers that were either women or people above a certain age.
- When I brought my concerns about gender discrimination to upper level management, the response was that there was no gender discrimination because our supervisor in charge was a woman.
- After my complaint there was an attempt to correct these issues. Then each person doing processing was given numbers corresponding to the last two digits of the Social

Security number on a claim and they were to get only those claims; this was a mixture of the easy and the more time consuming ones. It seemed like an equitable way of dividing up the work, and indeed, it was fair.

Unfortunately, this fair distribution of work did not continue for very long.

- When the time came for our office to begin to receive work from other Regional Offices, our work seemed to increase 10 fold. There was no way we could process the amount of work we were receiving on a daily basis. At one point we had 28,000 pieces of mail in shopping carts that we could not process. These pieces of incoming mail sat unopened for months. We also had thousands of pieces of returned mail from claimants that never got addressed and were left unopened. A majority of this mail was a part of EVR's (Eligibility Verification Requests). These eligibility reports were sent out by the VA to claimants to determine if their income and net worth still made them eligible for VA benefits. This was time sensitive material and therefor

if it remained unprocessed the individual was cut off from receiving benefits.

- Due to the fact that I was an exceptional worker, I was selected to process Congressional Claims. There was a special team in place to process these particular claims. I began that particular work under the tutelage of the Congressional Expert. I felt that handling the Congressional claims were critical. Processing of Congressional mail is also time sensitive. Because of our inability to keep up with our incoming mail, more and more claimants were seeking help from their congressman. At this time, I asked my supervisor on more than one occasion, for permission to go through the 28,000 pieces of mail and look specifically for Congressional envelopes. I was told this was not allowed. Management decided to distribute this mail throughout the building on a day when I was not at work. As soon as I returned to work the next day, I began to receive phone calls from other employees throughout the building, asking why they were getting Congressionals. I

asked them to send them to me (asap) and I would process them.

- I emailed my supervisor about the fact that Congressionals were being misdirected and I asked how this happened. She replied to me that the 28,000 pieces of mail were distributed for processing throughout the building. I asked why the Congressionals were not separated since they were done by a special team and should not be done in the same manner as most claims. I asked her if we could email supervisors throughout the building to separate Congressionals and send them back to our office. This was not done.
- At this time I made it very clear to her that I felt I was responsible for Congressionals and that what she had done would reflect on me. She replied, “Don’t worry about it.”
- Not long after this incident, instead of me retrieving the Congressionals as I recommended, the responsibility of

handling the Congressionals was taken away from me and I became management's scape goat.

- After the Congressionals incident, I was once again given an inordinate number of difficult claims. It seems that the old method of being able to rig the mail in favor of the chosen few was back into full force. At this time it was common knowledge that I filed an EEO complaint. So once again, I became a target.
- Not only was I being given difficult work, but actual harassment had started to occur. These are just some examples of the bullying I endured on a daily basis.
- I was in deep concentration doing work on my computer; there was a loud thump in back of me. I jumped up in fright because everything up until that point in time was calm and quiet and I was completely involved in my work. This loud thump was very unexpected. Tears came to my eyes as I spun around and noticed a co-worker, had quietly snuck up behind me and thumped a load of files on my desk. He walked away holding back his smirks and laughs.

- On the morning of April 12, 2011 there was a pile of mail on my desk waiting to be stamped. In accordance with the previous email from my supervisor, we were responsible for one hour of stamping, so I proceeded to stamp mail that was given to me. Suddenly, my male co-worker loomed over me and began abruptly taking my mail away with no explanation. I grabbed the mail back and asked, “What are you doing?” He said that he needed mail to stamp and so he was taking mine-ignoring that there were piles and piles of mail on the desks all around waiting for those that had not yet come to work. Clearly, I was his target. He then went away, but soon returned a few minutes later, bending over and shouldering me aside and then scooped up the mail that I was assigned to stamp. Again, when I asked him what he was doing, he replied that our supervisor told him that he should take my mail. When I approached my supervisor about this situation, she said that he approached her and told her that I was not doing my stamping. I then told my supervisor that this was

not true and I had been working for some time. Her response was, "Well I guess he lied."

I then approached my co-worker and asked him why he lied, he would not answer, but then after a minute he said very loudly (in means to humiliate me, so that all could hear), "I need to get the stamping done and you don't even have the right date on it." This was false, I had just adjusted the date on my stamping machine earlier that day and it was obvious on the mail that I had already stamped. The harassment was not over. Later that day, he appeared in our desk area where he had no business to be. His desk was in the front of the office and mine was in the back. Clearly, he had an agenda. He then spoke to my neighboring workers (the men) in a loud voice, so that all would hear, "Us guys are working hard because the men get the job done in this place." He appeared in our area again later that same afternoon, repeating the same remarks. He clearly wanted a confrontation with me, but did not get one.

- The above mentioned incidents were just a fraction of the injustices and harassment I witnessed and endured while working in triage for three years. A woman who sat behind me was fired because she would not sign a document falsely accusing me of something I had not done. Because of this and other hostile actions, I filed an EEO claim and attempted to transfer to another department. For a long time my requests for a transfer went unanswered. I then became a target of their malice.
- Once again, I want to express my gratitude to you for the opportunity to be heard. I am grateful for this chance to do the right thing for our Veterans.