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November 9, 2021

Via Email:
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Richard Altomare, SAC
Supervisory Air Marshal in Charge
Philadelphia Field Office

RE: Philadelphia Field Office - Use of Earned Sick Leave

This law firm is the legal representative of the Air Marshal Association and, resultingly, we represent the majority of the Federal Air Marshals ("FAM") in the Philadelphia Field Office. By this letter, we bring to your attention the workforce's concerns regarding FAM use of earned sick leave for medical appointments and/or surgeries. There is a particular concern that FAMs are being instructed to reschedule, change or alter existing medical appointments and surgeries so that they will not conflict with preplanned flight schedules.

While our client understands that FAMs should attempt to schedule routine, preventative medical appointments for when they are not scheduled to work, there are times where medical appointments and surgeries cannot be planned and using earned sick leave is a necessity. The directive issued in this regard during an October 22, 2021 Town Hall conference call was concerning as it was inferred to be a blanket directive and seemingly suggested that FAMs should forego necessary medical appointments and surgeries if they interfere with schedule. Clearly, this directive was not well received, and it sent an unambiguous message to the FAMs that the Philadelphia Field Office does not care about its workforce.

According to our client, this directive has not only been issued to FAMs during the October 22 meeting, but it was implemented by the management team. For example, two managers were reported to have requested that a FAM change his scheduled surgery date to a date in the future when he could be removed from the flight scheduling process so that his flight change would not be counted against the daily flight numbers for the Field Office. The surgery at issue was related to cancer treatment. Given that this FAM was taking earned time off to have surgery for a serious health condition, the actions of these managers is not only deplorable but unlawful.

As you are aware, agency policy and regulations provide that managers must grant an employee sick leave when he or she requires medical, dental or optical examination or treatment. The discretion to deny such requests is limited.

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We request that you reiterate to FAMs on the next Field Office conference call that employees are encouraged and entitled to utilize sick leave for medical appointments and surgeries. Please advise management to support FAMs in this regard. If you agree with the proffered solution, we will not be required to take further action on this issue.

Very truly yours,

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