

Department of Veterans Affairs

2011-01682-IQ-0104
Memorandum

Date: June 28, 2011

From: Assistant Inspector General for Investigations (51)

Subj: Administrative Investigation, Conflict of Interest, West Palm Beach VA Medical Center, Florida (2011-01682-IQ-0104)

To: Director, West Palm Beach VA Medical Center

1. The VA Office of Inspector General Administrative Investigations Division, while conducting another investigation, discovered that [REDACTED] on extended sick leave pending [REDACTED] retirement) Human Resources (HR) Officer at the West Palm Beach VA Medical Center, engaged in a conflict of interest when he signed as the approving official on his own official personnel actions. To assess this matter, we interviewed [REDACTED] at the West Palm Beach VA Medical Center, and you. We were unable to interview [REDACTED] due to his being on extended sick leave. (b) (7)(C)

2. We found that [REDACTED] engaged in a conflict of interest when he signed, as the authorizing official, personnel actions leading to his own monetary gain. We recognize that [REDACTED] signing these actions may have been ministerial and administrative in nature and that the actions were approved by his supervisors, prior to his signing them; however, as an [REDACTED] he knew, or should have known, that applying his signature to these actions as the approving official constituted a conflict of interest. Further, the issue of HR Officer's signing their own personnel actions was discussed in a December 9, 2009, HR Conference, in which a solution was given, yet, we found [REDACTED] authorizing his own personnel actions as recent as August 2010. We suggest that you ensure a mechanism is put in place to avoid future occurrences of HR Officers signing their own personnel actions. We are providing this memorandum for your information and official use to take whatever action you deem appropriate. No response is necessary. (b) (7)(C)

3. Standards of Ethical Conduct for Employees of the Executive Branch state that employees shall not use public office for private gain and prohibits participating in matters affecting an employee's own financial interests (18 USC § 208). 5 CFR § 2635.702 and § 2635.902(g).

4. While conducting another administrative investigation, we discovered Notification of Personnel Action forms (SF-50s) for [REDACTED] with his electronic and/or hand-signed signature in the authorizing block, such as retention incentives, individual cash awards, and general salary adjustments, from January 2008 to August 2010. You told us that you did not know why [REDACTED]'s signature appeared on his own SF-50s but that his name was automatically filled into the authorizing block by the electronic system. You said that it was an administrative oversight and that these personnel actions were all appropriate and approved by [REDACTED]'s supervisors. You also said that his signature in the authorizing (b) (7)(C)

block of his own personnel actions was improper and that someone else with the proper authority should have signed the SF-50s relating to [REDACTED].

5. [REDACTED] told us that once we made her aware of this issue, she relayed it up through her chain of command and that they were going to take corrective action to avoid any future oversights. She said that the issue was originally discussed in December 2009 but that they had not yet taken the steps to avoid this type of conflict. Recorded minutes from a December 9, 2009, HRM Conference Call reflected that in a discussion of electronic official personnel folders, the speaker told attendees that "personnel actions on the HR Officer should be signed by another authorized signer, such as the Director." [REDACTED] told us that in the future, they would manually process these personnel actions, using paper rather than electronic forms, to obtain signatures until they could put in place a mechanism to avoid HR Officers electronically authorizing their own personnel actions.

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6. We found that [REDACTED] engaged in a conflict of interest when he signed, as the authorizing official, personnel actions leading to his own monetary gain. We recognize that [REDACTED] signing these actions may have been ministerial and administrative in nature and that the actions were approved by his supervisors, prior to his signing them; however, as an HR Officer, he knew, or should have known, that applying his signature to these actions as the approving official constituted a conflict of interest. Further, the issue of HR Officer's signing their own personnel actions was discussed in a December 9, 2009, HR Conference, in which several solutions were given, yet, we found [REDACTED] authorizing his own personnel actions as recent as August 2010. We suggest that you ensure a mechanism is put in place to avoid future occurrences of HR Officers signing their own personnel actions.

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7. We are providing this memorandum to you for your information and official use and whatever action you deem appropriate. It is subject to the provisions of the Privacy Act of 2974 (5 USC § 552a). You may discuss the contents of this memorandum with [REDACTED] and he may have a copy of the redacted version, within the bounds of the Privacy Act. The unredacted version may not be released to [REDACTED]. If you have any questions, please call [REDACTED].

[REDACTED]