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OFFICE OF INSPECTOR GENERAL

2020-0011-INVI-P – Suspected Violations of the Architect of the Capitol (AOC) “Government Ethics,” “Workplace Anti-Harassment,” “Security of Controlled Unclassified Information,” “Privacy Policy” and “Sexual Harassment in the Workplace” Policies: Not Substantiated; Violation of the AOC “Standards of Conduct” Policy: Substantiated

On April 16, 2020, the AOC Office of Inspector General (OIG) received information from the Office of Diversity, Inclusion and Dispute Resolution concerning an allegation that an employee misused their position as a temporary supervisor to access employee personnel records and used personal information found in the records to harass, embarrass, bully and adversely impact other employees.

The complainant, who wished to keep their identity confidential, alleged that personal information and personnel records were shared amongst employees on or around the time the employee was temporarily promoted.

The investigation determined that due to a vacancy and rotational detail, the employee received a temporary promotion from the position of Supervisor to Senior Supervisor on February 2, 2020. The temporary assignment was not to exceed May 23, 2020.

The OIG determined through testimony, documentary and digital forensic evidence that the employee did not use their temporary position as Senior Supervisor to obtain and disseminate personal information or personnel records in an attempt to harass or intimidate employees. The investigation disclosed that prior to their temporary promotion to the position of Senior Supervisor, they violated AOC Policy Order 752-2, Standards of Conduct, April 25, 2014, by using their AOC issued mobile device to transmit multiple photographs via Short Message Service (SMS/text) of an employee sleeping in what appeared to be a Congressional office.

The employee was forthcoming during an interview with the OIG and admitted to sending the photographs to a coworker in an effort to seek advice on managing a subordinate who had committed multiple policy violations. Upon review, the OIG determined that the photographs were sent, not in the context of a co-worker seeking advice from another manager, but with the statements “got them again” and “with a shoe off,” referring to catching the subordinate sleeping on duty multiple times. Additionally, these pictures were sent while they were the employee’s direct supervisor, prior to their temporary promotion to Senior Supervisor. These statements do not explicitly dismiss the possibility of previous verbal discussion between the supervisors referencing the subordinate and how to proceed; however, they do represent conduct unbecoming of an AOC employee in a management position.



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Investigative Summary

2020-0011-INVI-P *"Misuse of Position"*

Final Management Action: The OIG substantiated that the AOC employee violated AOC policy when they transmitted, via mobile device, photos of a subordinate sleeping. The administrative violation was submitted to the jurisdiction for consideration. The case is closed and management action is pending.