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# OFFICE OF INSPECTOR GENERAL

**2021-0001-INVI-P (1<sup>st</sup> Supplemental) – Suspected Violations of the Architect of the Capitol (AOC) “Government Ethics,” “Standards of Conduct,” “Authority and Responsibilities of the Office of Inspector General and Cooperation of AOC Employees” Policies and “Title 18, United States Code §1001 – Statements or Entries Generally”: **Substantiated****

On February 18, 2021, the AOC Office of Inspector General (OIG) published a report citing an employee with violations of AOC Order 38-1 Government Ethics, November 1, 2018; AOC Order 752-2, Standards of Conduct, April 25, 2014; AOC Order 40-1, Authority and Responsibilities of the Office of Inspector General and Cooperation of Architect of the Capitol Employees, March 12, 2019; and a violation of Title 18, United States Code §1001 - Statements or entries generally.

We found the employee worked outside employment while simultaneously being on paid Administrative Leave from the AOC due to being in a high risk category for contracting the Coronavirus (COVID-19).

The AOC granted the employee a reasonable accommodation of Administrative Leave as a result of an underlying health condition that placed them in a high-risk category. They requested the accommodation and claimed they could not perform their AOC duties, but our investigation showed they performed comparable work related to enhanced cleaning as a result of COVID-19. This contradicted their claim for a reasonable accommodation in order to prevent exposure and increased the employee’s risk of contracting the virus (the reason they requested an accommodation from the AOC).

We initially reviewed the Leave and Earnings Statements of the employee dating from March 15, 2020, through January 16, 2021. During that time frame, the AOC placed the employee on Administrative Leave thereby paying them \$40,913.04 to stay home from work in an effort to minimize risk and exposure to the COVID-19 virus. They additionally accrued 176 hours of Annual Leave (\$3,842.08) and 88 hours of Sick Leave (\$1,921.04) during this timeframe. Overall, our initial report stated the employee received \$46,676.16 in compensation and earned leave.

Based on recent data received from the Office of the Chief Financial Officer (OFCO), which included Agency contributions (i.e. Agency Thrift Savings Plan [TSP] matching amounts and Agency covered Health Insurance), the OIG recalculated the total Agency costs associated with the employee’s Administrative Leave to be \$62,061.11.



# Investigative Summary

2021-0001-INVI-P- 1<sup>st</sup> Supplemental "Abuse of COVID-19 Administrative Leave"

Table 1: AOC Employee's Salary and Benefits Table

Object Class Name	National Finance Center Object Code Name	2020	2021	Grand Total
Full-time Permanent - Payroll	FULL-TIME, WAGE BOARD, PERMANENT APPT.	\$36,303.13	\$1,728.72	\$ 38,031.85
Other Personnel Compensation - Payroll	NIGHT DIFFERENTIAL	\$4,033.67	\$192.08	\$4,225.75
<b>Total Personnel Compensation - Payroll</b>		<b>\$40,336.80</b>	<b>\$1920.80</b>	<b>\$42,257.60</b>
Civilian Personnel Benefits	1202 - FEGLI (AGENCY CONTRIBUTION)	\$83.37	\$3.97	\$87.34
	1203 - FEDERAL EMPLOYEE HEALTH BENEFITS (AGENCY CONTRIBUTION)	\$4,784.64	\$235.82	\$5,020.46
	1213 - HOSPITAL INSURANCE TAX (AGENCY CONTRIBUTION)	\$546.42	\$25.99	\$572.41
	1220 - FERS	\$9,686.55	\$466.75	\$10,153.30
	1269 - FULL FICA CONTRIBUTIONS - FERS (K)	\$2,336.25	\$111.13	\$2,447.38
	1274 - THRIFT SAVINGS PLAN GOVERNMENT BASIC CONTRIBUTION	\$403.41	\$19.21	\$422.62
<b>Civilian Personnel Benefits Total</b>		<b>\$18,890.64</b>	<b>\$912.87</b>	<b>\$19,803.51</b>
<b>Grand Total</b>		<b>\$59,227.44</b>	<b>\$2,833.67</b>	<b>\$62,061.11</b>

More specifically, the employee worked the additional job from October 13, 2020 through October 31, 2020 (Pay Period 21 and Pay Period 22). After receiving the comprehensive information provided by the OCFO, the OIG recalculated the total amount the employee improperly received from the AOC while they were on Administrative Leave and working an outside position. The previous report did not include additional financial Agency contributions. The OIG submits the total amount the employee received while performing outside employment while receiving AOC compensation, including health care and TSP, is \$5,651.68.

Table 2: AOC Employee's Salary and Benefits Tab

Object Class Name	National Finance Center Object Code Name	2020-21	2021-22	Grand Total
Full-time Permanent - Payroll	FULL-TIME, WAGE BOARD, PERMANENT APPT.	\$1,728.72	\$1,728.72	\$3,457.44
Other Personnel Compensation - Payroll	NIGHT DIFFERENTIAL	\$192.08	\$192.08	\$384.16
<b>Total Personnel Compensation - Payroll</b>		<b>\$1920.80</b>	<b>\$1920.80</b>	<b>\$3841.60</b>
Civilian Personnel Benefits	1202 - FEGLI (AGENCY CONTRIBUTION)	\$3.97	\$3.97	\$7.94
	1203 - FEDERAL EMPLOYEE HEALTH BENEFITS (AGENCY CONTRIBUTION)	\$227.84	\$227.84	\$455.68
	1213 - HOSPITAL INSURANCE TAX (AGENCY CONTRIBUTION)	\$26.02	\$26.02	\$52.04
	1220 - FERS	\$466.75	\$466.75	\$933.50
	1269 - FULL FICA CONTRIBUTIONS - FERS (K)	\$111.25	\$111.25	\$222.50
	1274 - THRIFT SAVINGS PLAN GOVERNMENT BASIC CONTRIBUTION	\$19.21	\$19.21	\$38.42
<b>Civilian Personnel Benefits Total</b>		<b>\$905.04</b>	<b>\$905.04</b>	<b>\$1810.08</b>
<b>Grand Total</b>		<b>\$2,825.84</b>	<b>\$2,825.84</b>	<b>\$5651.68</b>



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*2021-0001-INVI-P- 1<sup>st</sup> Supplemental "Abuse of COVID-19 Administrative Leave"*

AOC Management issued a memorandum on July 23, 2021, stating that the employee received a 10 day work suspension for their conduct. The OIG has closed the case and believes that to be a viable recoupment of funds; however, once the additional data was received from the OCFO, we felt it necessary to update the total Agency costs associated with the employee for the time period the employee claimed they could not perform their AOC duties.

**Final Management Action:** The employee received a 10 day work suspension for their conduct. The investigation is closed.