

Summary: Investigation of Alleged Retaliation by a Manager with Office of Civil Rights

Report Date: October 14, 2016

OIG investigated an allegation that a manager with the Office of Civil Rights (OCR), U.S. Department of the Interior (DOI), retaliated against an OCR employee by removing the employee from OCR and placing the employee on a detail outside DOI. The manager allegedly did this because he suspected the employee had colluded with another OCR employee to file a complaint against him, which alleged he had engaged in improper hiring practices.

Our investigation did not reveal evidence of retaliation. According to the manager, he placed the employee on detail for disruptive behavior in the workplace, for undermining his authority, and not supporting his management decisions. He said he based his decision to detail the employee on the results of a consultant's "Office Climate Assessment Survey" of OCR as well as a consultation with HR and a discussion with his supervisor, who agreed with his decision. Our canvass interviews of OCR employees confirmed that morale in the office improved after the employee was detailed. We determined that although the hiring process in the complaint gave the appearance of a preselection, the manager did not violate any DOI or Office of Personnel Management regulations.

We did find that the manager placed the employee on detail in an effort to expedite the employee's departure from OCR instead of using the appropriate progressive discipline. In addition, he did not document the employee's misconduct, and had rated the employee as "superior" during the most recent end-of-year evaluation.

This is a summary of a report of investigation that we issued to the Office of Policy, Management and Budget for action.

