

Summary: Investigation of Reprisal Allegations at FWS Region 5 Fisheries Program

Report Date: July 28, 2016

OIG has concluded an investigation into allegations that an employee in the U.S. Fish and Wildlife Service's (FWS) Fisheries Program, Region 5, was reprimanded against by his supervisor for refusing to inflate a storm damage estimate for a fish hatchery, which was affected by Hurricane Irene in 2011. Between 2012 and 2016, the supervisor allegedly had a role in preventing the employee from being assigned to work details he wanted, kept him from being selected for positions that he applied for, and attempted to thwart him from receiving a detail (which he ultimately received). The supervisor also allegedly had the employee work outside his position description.

We found evidence that a senior manager in the fisheries program attempted to increase the hatchery's storm damage estimate by adding approximately \$6 million in capital improvements to it, that the employee tried to stop him, and that the employee expressed concerns about the issue to numerous people. Region 5 budget and engineering staff agreed that including the improvements in the estimate was improper.

We also found evidence that the employee experienced negative job-related actions after his involvement in the estimate and that his supervisor had influence over some of these actions. Before the employee became involved in the storm damage issues, he received detail and leadership opportunities, and the supervisor even offered him a supervisory position. Afterward, however, FWS managers denied the employee's four requests for details and rejected him for four positions he applied for. This sequence of events creates the appearance of reprisal.

The supervisor acknowledged that he had shared his concerns about the employee's communication style with some of the managers who were in charge of hiring for these details and positions. While witnesses corroborated the supervisor's claims that the employee could have trouble with interpersonal communications, we did not find official documentation of these concerns.

In addition, the employee did appear to have been working outside his position description even though he had expressed concerns to his supervisor about his workload and assigned tasks. We did not find sufficient evidence that the supervisor tried to stop the employee from receiving a recent detail.

This is a summary of an investigative report that was issued to the U.S. Fish and Wildlife Service for action.

