

This material is part of a collection that documents the harassment, discrimination, and retaliation perpetrated against Alaska's women research scientists by their supervisor, with full knowledge (and arguably, "tacit approval") of their federal employer, the USDA Agricultural Research Service (ARS)

From: lori.winton@xxxxx.xxx
Subject: Re: The "misconduct" of the P&P manuals
Date: May 14, 2008 7:04:24 AM GMT-08:00
To: ckbower@cmug.com

I wonder if the "formal" part comes in in the EEO. Shirley said before that if it goes to formal an investigation will be done. Obviously, someone found in violation of EEO policies is indulging in misconduct. since we all have lots of training and it's in our performance plans etc. they can't claim it's a performance issue.

performance vs misconduct is really yet another mistake made in my letter of caution. alberto called it misconduct. even though the letter shouldn't have written since it was a setup. HR should at least have realized it was not that i *wouldn't* do what was asked, but rather *couldn't* since i wasn't given information (that makes it performance i think?). but frankly, i did just what was asked so the whole thing should be moot.

On Wed, May 14, 2008 at 6:13 AM, CK B <ckbower@cmug.com> wrote:
Another "ah ha!" moment:

[P&P 461.5 \(Misconduct, Discipline, and Adverse Action\)](#)

9. INVESTIGATION OF MISCONDUCT BY OIG

Authority for requesting investigations of misconduct by OIG is vested in the Agency Head; Deputy Director, Administrative Management; Director, PD; Chief, LERB, PD; and those acting in the above positions.

OIG will review all requests for employee misconduct investigations and will cause an investigation to be made where the employee's alleged misconduct may be considered an official matter and where the requesting authority has advised that it is prepared to take formal action if investigation findings established the alleged misconduct.

Although I couldn't actually figure out who our Deputy Director, Administrative Management, PD, etc... are, I guess it's irrelevant, since they (whoever "they" are) will cause an investigation only if they are "prepared to take formal action if investigation findings established the alleged misconduct". Since at best they're not serious (and at worst, they're vicariously getting off on all this), they will never commit to formal action, therefore no investigation will ever be necessary...
