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OFFICE OF SPECIAL COUNSEL FILES COMPLAINT FOR DISCIPLINARY ACTION AGAINST VA EMPLOYEE FOR VIOLATING THE HATCH ACT

FOR IMMEDIATE RELEASE

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WASHINGTON, D.C./August 11, 2009 – On August 10, 2009, the United States Office of Special Counsel (OSC) filed a complaint with the Merit Systems Protection Board (MSPB) requesting that an administrative officer with the Department of Veteran Affairs (VA) be removed from her employment for engaging in political activity prohibited by the Hatch Act. An investigation recently conducted by OSC found evidence that the administrative officer, who works at a VA medical center in Georgia, engaged in prohibited political activity, while using her official title, and while on duty and in the VA workplace.

OSC's initial investigation into the administrative officer's activities found evidence that she disseminated over thirty e-mails that were either directed toward the success or failure of candidates or political parties in the 2008 Presidential election. Several e-mails asked the recipient to take further action such as forwarding the e-mail to even more recipients, or voting online. The administrative officer's official title and agency information were also included in the majority of the e-mails.

Thus, OSC's investigation found evidence that the VA administrative officer violated two of the Hatch Act's prohibitions – the prohibition against engaging in political activity while on duty and/or in a federal building (5 U.S.C. § 7324), and the prohibition against use of one's official title while participating in political activity (5 U.S.C. § 7323(a)(1)). In fulfilling its mission to safeguard the merit system, OSC has filed a complaint with the MSPB, seeking the VA administrative officer's removal from employment for knowingly violating the Hatch Act.

OSC is an independent investigative and prosecutorial agency with jurisdiction to enforce the Hatch Act. OSC is authorized to provide advisory opinions on the Hatch Act, and enforces the provisions of the Act by investigating allegations of violations and filing petitions for disciplinary action such as the one described above. For more information please visit our web site at www.osc.gov or call 1-800-872-9855.