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## **ANOTHER FEDERAL EMPLOYEE IS ORDERED REMOVED FOR VIOLATING THE HATCH ACT**

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### **FOR IMMEDIATE RELEASE**

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WASHINGTON, DC/March 14, 2011 – The Merit Systems Protection Board (MSPB) continues to order significant penalties for federal employees who violate the Hatch Act. In the most recent Hatch Act decision, the MSPB upheld the decision of an administrative law judge, which ordered an employee removed from his federal employment.

In this case, the Office of Special Counsel (OSC) filed a complaint for disciplinary action against a doctor who worked at a Department of Veterans Affairs (VA) medical center in Arizona. The employee violated several provisions of the Hatch Act on two separate occasions. First, he e-mailed an invitation to a Presidential campaign fundraiser to both co-workers and subordinate employees. Then, two days before he was scheduled to be interviewed by OSC regarding his political activities, the employee forwarded an e-mail from an Arizona State Treasurer candidate to a colleague, which requested political contributions for the candidate's campaign. The employee engaged in both these activities while he was on duty and in the VA facility.

The judge found that the VA employee violated the Hatch Act prohibitions against using one's official authority or influence to affect an election, soliciting political contributions, and engaging in political activity while on duty or in a federal room or building. In doing so, the judge noted that the "solicitation of political contributions from subordinates is among the most serious violations condemned by the Hatch Act." He also concluded that a federal employee's right to refrain from participating in political activity is "inhibited if other employees in the federal workplace solicit campaign contributions through the agency's e-mail system." The judge ruled that the presumptive penalty of removal was appropriate and that the VA employee shall be removed from his employment.

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*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, visit our website at [www.osc.gov](http://www.osc.gov) or call 1-800-85-HATCH.*