




EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF ADMINISTRATION
WASHINGTON, D.C. 20503

July 8, 2005

MEMORANDUM FOR LAURA JONES
LEAD MAIL ASSISTANT

FROM ANTHONY SCAFIDI 
CHIEF, VOICE SYSTEMS DIVISION
OFFICE OF THE CHIEF OPERATING OFFICER

SUBJECT: Notice of Decision

I am writing to advise you of my decision concerning the Notice of Proposed Removal dated June 1, 2005, which you received on June 2, 2005. The Notice of Proposed Removal notified you of your right to reply to the proposal in writing, orally or both. Your representative forwarded a written reply on your behalf on June 27, 2005.

In making a decision in this matter, I reviewed: the Notice of Proposed Removal dated June 1, 2005; an affidavit from Ms. Anita B. Cox-Harris dated May 27, 2005; an affidavit from Mr. Danilo Ibanez dated May 27, 2005; an architectural drawing of the Mailroom located at 1800 G Street, Washington, D.C.; 17 photographs of the 1800 G Street Mailroom, Ms. Cox-Harris' desk, Mr. Ibanez's desk, and scissors; the written reply forwarded by your representative on June 27, 2005; and your lengthy employment record with the Federal government. After careful consideration of the preceding documents and photographs, I have decided to sustain the charges of Disorderly and Insolent Conduct, and Failure to Follow Instructions set forth in the Notice of Proposed Removal.

Additionally, I have determined that removing you from Federal service is reasonable, will promote the efficiency of the service, and is fully warranted based on the sustained charges and all the relevant aggravating and mitigating factors, otherwise referred to as the "Douglas Factors." Your actions were serious and acted to undermine the authority and leadership of your supervisors and cannot be tolerated. Further you engaged in misconduct that suggests to me that you may have the potential for engaging in violence in the workplace. As Lead Mail Assistant, you are responsible for providing leadership to your colleagues in the General Services Division. As a result of your disorderly and insolent conduct and your failure to follow instructions you have lost the ability to lead others and I no longer have faith in your ability to perform the duties of your position satisfactorily or to set and provide examples of leadership to your colleagues.

Although I considered the fact that you have more than 16 years of experience as a Mail Assistant in the Executive Office of the President, Office of Administration (OA), I also considered that this is the fourth time in the last 12 months that you have received formal discipline for engaging in misconduct. First, on June 16, 2004, you received a Letter of Reprimand for using offensive language toward a colleague in the workplace. On August 13, 2004, you received a 3-day suspension for committing insolent behavior toward supervisors. Then, on January 13, 2005, you received a 10-day suspension for abusing and using insolent language towards your coworkers. In each instance, you received

notice that any further misconduct could be a basis for further disciplinary action, up to and including your removal from Federal service and your present position. You also received notice that you could seek the services of the Employee Assistance Program offered by the OA and the EOP. Thus, you received multiple opportunities to correct your misconduct and rehabilitate your professional standing in the OA.

Nevertheless, you have continued to fail in your basic professional obligations of conducting yourself in a professional manner expected of all OA and EOP employees as well as improving your attitude toward your colleagues and supervisors. Consistent with the preceding discussion, I have decided to sustain the charges against you and remove you from your position of Lead Mail Clerk, GS-305-08, and the Federal service, effective today, July 8, 2005.

You have the right to appeal this decision to the Merit Systems Protection Board (MSPB). You must submit your appeal to the MSPB within 30 calendar days of the effective date of this decision at the following address: Washington Regional Office, 1800 Diagonal Road, Alexandria, VA 22314. Attached, you will find an MSPB appeal form as well as MSPB rules and regulations.

If you believe this action is being taken for any unlawfully discriminatory reason, you have the right to file an Equal Employment Opportunity (EEO) complaint. Your EEO complaint must be filed with the Director, EEO Division, Ms. Linda Sites. You may contact Ms. Sites at her office in the New Executive Office Building, 725 17th Street, N.W., Room 2200, Washington, DC 20503, or by telephone at (202) 395-7704. If you decide to file an EEO complaint, you must contact Ms. Sites within 45 calendar days of your receipt of this notice.

Please note that in the event you believe you have been the subject of unlawful discrimination, you may file a "mixed case" appeal with the MSPB, or a "mixed case" discrimination complaint with the Equal Employment Opportunity Commission. You must choose one option; you may not choose both.

If you have any questions regarding your procedural rights, you may contact Mr. Robert McWhirter, Human Resources Specialist (Employee Relations), at (202) 395-1140.

Please sign, date, and return the accompanying copy of this memorandum as acknowledgement of receipt of the original.

- Attachments: MSPB Appeal Form
- MSPB Rules and Regulations
- Acknowledgement copy memorandum

Receipt Acknowledgement:

Laura C. Jones