



DEFENSE CONTRACT MANAGEMENT AGENCY
3901 A AVENUE, BUILDING 10500
FORT LEE, VA 23801-1809

October 14, 2015

MEMORANDUM FOR THE CHIEF OPERATIONS OFFICER (COO)

SUBJECT: Informal Investigation of DCMA Pittsburgh

1. This memorandum sets forth the findings of the informal and independent investigation into anonymous allegations concerning DCMA Pittsburgh as directed in your September 18, 2015 appointment memo (Tab A). Bottom Line Up Front:

a. Prohibited Personnel Practices Concerning (b) (6): There is no finding of prohibited personnel practices concerning the hiring or subsequent promotions of (b) (6).

b. Prohibited Personnel Practices Concerning (b) (6): There is no finding of prohibited personnel practices concerning the hiring or subsequent promotion of (b) (6).

c. Prohibited Personnel Practices Concerning (b) (6): There is no finding of prohibited personnel practices concerning the hiring or subsequent promotion of (b) (6).

d. Low Morale: There does appear to be low morale at ATK/ABL.

e. Ancillary Findings: (b) (5)

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2. **Background and Scope.** On September 14, 2015 the DCMA Director (Lt Gen Masiello) requested that the Chief Operations Officer look into an anonymously sent letter, postmarked September 11, 2015, concerning DCMA Pittsburgh leadership engaging in prohibited personnel practices for certain hiring action, as well as there being low morale at ATK/ABL. (Tab B) As a result of these anonymous allegations, I was directed to conduct an informal, independent investigation into the following:

a. Whether the DCMA Pittsburgh leadership engaged in prohibited personnel practices in the hiring and subsequent promotions of (b) (6)

b. Whether the DCMA Pittsburgh leadership engaged in prohibited personnel practices in the hiring and subsequent promotion of (b) (6)

c. Whether the DCMA Pittsburgh leadership engaged in prohibited personnel practices in the hiring and subsequent promotion of (b) (6)

d. Whether there is low morale at ATK/ABL.

3. Summary of Efforts. (b) (5)

(b) (5)

4. Summary of Evidence.

a. (b) (6) Hiring and Promotion Actions.

i. The first allegation made in the anonymous complaint was that prohibited personnel actions were committed with the hiring and subsequent promotions of (b) (6). (Tab B) Specifically, the first allegation concerning her initial hiring action was that (b) (6) was hired into a GS-1910-11 “status” slot position after less than one (1) year experience as an intern at ATK-ABL with no other industry or business experience.

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ii. The second allegation concerning (b) (6) was that (b) (6) career was “fast-tracked,” alluding to favoritism in giving (b) (6) additional duties, setting (b) (6) up for rapid career advancement. In contradiction to what the anonymous allegation suggests, (b) (6) was promoted to the GS-0340-12 position a year and a half, not one (1) year, from (b) (6) initial hiring action. (Tab I, DD and XX) Furthermore, this position was competed, (b) (6) was at the very least minimally qualified for the position, and there is no indication that any prohibited personnel actions occurred.

iii. The third allegation concerning (b) (6) was that (b) (6) was pre-selected for (b) (6) current position. The anonymous allegation alleges that the GS-1910-13 Team Lead position was posted in 2014, pulled down, and then re-posted in 2015 only after (b) (6) had three (3) years of federal service so (b) (6) could qualify for the position. There are factual inaccuracies with this allegation. The job posting was pulled back, but apparently because it was initially announced with the incorrect status of who could apply for the position. (Tabs I, YY and ZZ) More importantly, given that (b) (6) was a GS-12 for one (1) year prior to this position being announced, (b) (6) was minimally qualified for time-in-grade for the position.¹

¹ As such, the fact that (b) (6) was a federal employee for three (3) years by the time of the second announcement is of no consequence.

Therefore, given this position was properly competed under current local and Agency policy, there was nothing uncovered that would suggest that any prohibited personnel practices occurred in regards to this hiring action.²

b. (b) (6) Hiring and Promotion Actions.

i. The second allegation made in the anonymous complaint was that prohibited personnel actions were committed with the hiring and subsequent promotions of (b) (6) (Tab B) Specifically, the first allegation was that (b) (6) was hired as a GS-1910 Keystone in 2012, and in less than one (1) year, was promoted to GS-1910-11. There are factual inaccuracies with this allegation as well. (b) (6) was hired as a GS-1910-07 intern in October 2011,³ was subsequently promoted to GS-1910-09 in October 2012, left the Keystone program in May 2013 and became a GS-1910-11 Quality Assurance Representative, and was promoted to GS-1910-12 Technical Lead in September 2015. (Tabs J, FF, HH and TT) (b) (6) was a GS-11 for approximately two (2) years prior to this position being announced, and as such (b) (6) minimally qualified for time-in-grade for the GS-12 position. Therefore, given this position was properly competed under current local and Agency policy, there was nothing uncovered that would suggest that any prohibited personnel practices occurred in regards to this hiring action.⁴

ii. The second allegation concerning (b) (6) was that the (b) (6) of (b) (6) “selected” (b) (6) for a Tier 2 leadership program over more experienced applicants. (Tab B) It does not appear this characterization of the program is accurate. The process for selection to this program is that the opportunity for involvement is widely disseminated to the workforce, and ATK/ABL applicants send their resume to the Philadelphia CMO through the Pittsburgh Quality Group Lead. A panel is convened,⁵ and there appears to be a 100% selection rate for those that apply. (Tab S) As such, there does not appear to be any merit in regards to this particular complaint.

c. (b) (6) Hiring and Promotion Actions/Johnstown, PA Hiring Actions.

i. The third allegation made in the anonymous complaint was that prohibited personnel actions were committed with the hiring and subsequent promotions of (b) (6) (Tab B) The first allegation concerning (b) (6) hiring action was that (b) (6) (b) (6) have been drinking buddies for a long period of time,⁶ and that (b) (6) was the selecting official or (b) (6) hiring action for a GS-1910-11 Quality Assurance Specialist position in 2013. It does appear that (b) (6) was hired into an Engineering position in August 2013,⁷ but the position was a ladder 11/12. (Tab S and EE) As such, with appropriate duty

² Despite what the anonymous complaint suggests, (b) (6), not (b) (6) was the hiring official for this action. It is important to note that (b) (6) who from a general perspective is held in high regard by almost all employees interviewed, is overwhelmingly impressed by (b) (6) duty performance thus far in (b) (6) current position.

³ Not 2012, as the anonymous complaint alleges.

⁴ A more in-depth analysis of this hiring action was not conducted given the action is the subject of a pending Union grievance.

⁵ Although a panel selects participants for this program, which makes the anonymous allegation inaccurate, it is important to note that (b) (6) does sit on this panel and provides input on the selection process.

⁶ (b) (6) confirmed that (b) (6) was previously a bartender at the “Moose Lodge” as well.

⁷ Not a GS-1910-11 (Quality Assurance position), as the allegation suggests.

performance, (b) (6) was eligible for promotion to GS-12 in September 2014. Although (b) (6) does admit to having known (b) (6) prior to (b) employment with the Agency, there was no evidence to suggest that any prohibited personnel practices were committed in regards to this hiring action.⁸ If, as the certificate of eligibles suggests and the anonymous complaint concludes, (b) (6) has applied for a Supervisory Quality Assurance GS-1910-13 position, (b) (6) not (b) (6) would be the selecting official for that hiring action. (Tab S and EE) As such, no prohibited personnel practices were identified for this particular hiring action.

ii. During the course of the investigation, other hiring actions out of Johnstown, PA were called into question. (Tab F and O) Specifically, it was alleged that (b) (6) another bartender at the "Moose Lodge," was inappropriately hired by (b) (6) and there was also suspicion that (b) (6)'s girlfriend was receiving help with her resume and would soon be inappropriately hired as well.⁹ (b) (6) did acknowledge that (b) was the selecting official for (b) (6)'s hiring action, but went on to note that it was a Schedule A hiring action for someone with a disability. (b) (6) also denied any knowledge of (b) (6) having a girlfriend or (b) (6)'s girlfriend applying for a job with the Agency, but did note in the past several "Moose Lodge" waitresses have inquired about jobs with the Agency, and (b) has directed them to the USAJOBS website. (Tab S) (b) (5)

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d. Morale at ATK/ABL. The anonymous complaint concluded that "morale is rock bottom among workforce (sic) at ATK/ABL." (Tab B) All of the interviewees were asked how they would rate the overall morale of the workforce at ATK/ABL from 1-10, 1 being low, 5 being neutral, and 10 being high.¹⁰ (Tabs C-X) The average of all responses to this question came to be 4.8. For those that responded below a 5, the reasons ranged from perceived favoritism among employees, lack of guidance from supervisors, inappropriate hiring actions, lack of trust amongst the employees (especially in the supervisor/subordinate relationship), among other things. Of the three (3) African American employees that were interviewed, two (2) broke down into tears when asked whether they enjoyed coming to work. (Tabs E and U) Both cited tension with co-workers and a frustration over working conditions as the reason why they became emotional.

e. Management Directed Reassignment (MDR) Allegation. During the course of the investigation, one (1) interviewee, (b) (6) brought to my attention when discussing workforce morale a matter that warranted further investigation. (Tab O) Specifically, (b) (6) alleged that during a recent mid-year performance review, (b) first and second line supervisors, (b) (6) and (b) (6), had threatened to "MDR" (b) (6) for a perceived performance failure. Their purported reasoning was that (b) (6) was executing so many additional duties for the CMO Commander (COL Tonie Jackson), that (b) was not successfully performing the essential functions of his primary job. (b) (6) explained this severely affected

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⁹ These allegations suggest the same pattern as (b) (6)'s hiring action: people that (b) (6) knew from the "Moose Lodge" that (b) gave a competitive advantage to in hiring for positions in Johnstown.

¹⁰ No employee rated the workforce's morale as either a 1 or 10.

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f. Other Perceived Inappropriate Promotion Actions. During the course of the investigation, several other promotion actions were called into question as possible prohibited personnel actions that warranted further investigation.

i. The first allegation was that the promotion action concerning (b) (6) was inappropriate. (Tab F) Specifically, it was alleged that (b) (6) was hired as a GS-1910 Keystone in 2014, and subsequently promoted to a GS-1910-11 in August 2015 in an “over-hire” status without completing the Keystone program. It does appear that (b) (6) did not complete the Keystone program before he was promoted to this position, but it is also apparent from the Job Opportunity Announcement that the minimal requirement to qualify for this position was one (1) year of experience (with no time-in-grade requirement), which (b) (6) obtained in the Keystone program.¹¹ (Tabs Q and AAA) As such, no prohibited personnel practices were identified in this particular promotion action.

ii. The second allegation was that the promotion action concerning (b) (6) was inappropriate. (Tab F) Specifically, it was alleged that (b) (6), formerly a management analyst GS-0343-09, was promoted to a GS-1910-11 position after the MSO re-organization “did away” with (b) (6) job without the position being posted or advertised. This allegation is without merit. (b) (6) was in fact a GS-9 Management Analyst, and the MSO re-organization did factor into (b) (6) decision to apply for (b) (6) current position. It is also apparent that (b) (6) did apply for this job through a posted Job Opportunity Announcement through USAJOBS, and having discussed his Quality background when (b) (6) previously worked for FEMA, that (b) (6) met the minimal requirements to be considered for this position. (Tabs H and GG) As such, no prohibited personnel practices were identified in this particular promotion action.

5. Findings.

(b) (5)

¹¹ It appears that (b) (6) believes that it is a requirement for a Keystone employee to complete their program before being eligible to compete for a promotion. This is not the case. Furthermore, there was no indication that (b) (6) was in an “over-hire” status after (b) (6) selection for promotion.

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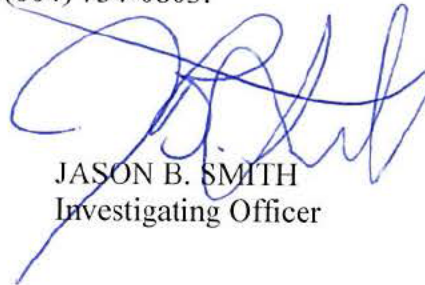
6. Recommendations.

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7. Point of contact is the undersigned at (804) 734-0803.



JASON B. SMITH
Investigating Officer

Encls:

Tab A: Appointment as Command Investigating Officer, dated September 18, 2015

Tab B: Anonymous Allegations, marked for action September 14, 2015; postmarked September 11, 2015

Tab C: DA Form 2823, (b) (6) Quality Assurance Engineer

Tab D: DA Form 2823, (b) (6) Quality Assurance Specialist

Tab E: DA Form 2823, (b) (6) Quality Assurance Specialist

Tab F: DA Form 2823, (b) (6) Program Integrator

Tab G: DA Form 2823, (b) (6) Quality Assurance Technical Lead

Tab H: DA Form 2823, (b) (6) Quality Assurance Specialist

Tab I: DA Form 2823, (b) (6) Quality Assurance Team Lead

Tab J: DA Form 2823, (b) (6) Quality Assurance Technical Lead

Tab K: DA Form 2823, (b) (6) Program Integrator

Tab L: DA Form 2823, (b) (6) Engineering Team Lead

Tab M: DA Form 2823, (b) (6) CDR USN, DCMA Pittsburgh Commander

Tab N: DA Form 2823, (b) (6) Quality Assurance Specialist

Tab O: DA Form 2823, (b) (6) Software Engineer

Tab P: DA Form 2823, (b) (6) Quality Assurance Specialist

Tab Q: DA Form 2823, (b) (6) Quality Assurance Specialist

¹⁴ Most of the employees stated that (b) (6) and (b) (6) come to ATK/ABL a couple of times a month (most of the time at the same time), (b) (6) less. It is recognized that DCMA Pittsburgh is a widely dispersed geographic command; however, scheduling a more formal arrangement where these three leaders are present on a more consistent basis (and at different times, unless mission dictates otherwise) would probably assist in the workforces' view concerning accessibility and guidance from senior leadership.

Tab R: DA Form 2823, (b) (6) Quality Assurance Technical Lead
 Tab S: DA Form 2823, (b) (6) DCMA Pittsburgh Deputy Commander
 Tab T: DA Form 2823, (b) (6) Quality Assurance Team Lead
 Tab U: DA Form 2823, (b) (6) Procurement Technician
 Tab V: DA Form 2823, (b) (6) Quality Assurance Technical Lead
 Tab W: DA Form 2823, (b) (6) Quality Assurance Specialist
 Tab X: DA Form 2823, (b) (6) Quality Assurance Specialist
 Tab Y: MFR, Conversation with (b) (6) dated October 9, 2015
 Tab Z: Email, Conversation with (b) (6) dated October 11, 2015
 Tab AA: MFR, Conversation with (b) (6) dated October 13, 2015
 Tab BB: DCMA Pittsburgh, ATK/ABL Organizational Chart
 Tab CC: MSPB.GOV, "Prohibited Personnel Practices" and "Merit Systems Principles, dated October 1, 2015
 Tab DD: AST, Certificates of Eligibles, (b) (6) Hiring and Promotion Actions, dated October 2, 2015
 Tab EE, AST, Certificates of Eligibles, (b) (6) Hiring and Promotion Actions, dated October 2, 2015
 Tab FF, AST, Certificates of Eligibles, (b) (6) Hiring and Promotion Actions, dated October 2, 2015
 Tab GG, USAJOBS.GOV, Job Opportunity Announcement (b) (6), SWH815EHA6149281368538, dated April 9, 2015
 Tab HH, USAJOBS.GOV, Job Opportunity Announcement (b) (6), SWH815EHA6149691380396R, dated April 16, 2015
 Tab II, (b) (6) Information Concerning (b) (6) s Initial Hiring Action, dated October 13, 2015
 Tab JJ, (b) (6) Recommendations from Interview Panel to (b) (6) undated
 Tab KK, (b) (6) Step 2 Grievance Decision; Grievance DCMA-E-2014-032, dated August 20, 2014
 Tab LL, (b) (6) Unfair Labor Practice, Case No. BN-CA-14-0534, dated August 24-November 4, 2014
 Tab MM, (b) (6) E-mail Concerning Efforts to Conduct Command Climate Surveys, dated October 2-November 7, 2014
 Tab NN, EEO, Panel Review Information, FY 12-15
 Tab OO, (b) (6) Step 1 Grievance Decision; Grievance DCMA-W-2015-054, dated September 17, 2015
 Tab PP, (b) (6) DCMA Pittsburgh Communication Guidance, dated May 2, 2015
 Tab QQ, (b) (6) FY 15 DCMA Pittsburgh Awards Program, dated June 19, 2015
 Tab RR, (b) (6) FY 15 DCMA Pittsburgh Hiring Guidance, dated February 19, 2015
 Tab SS, (b) (6) E-mail Communications to Workforce, dated September 11-22, 2015
 Tab TT, (b) (6) Documents Pertaining to (b) (6) Hiring Action, dated August 14, 2015
 Tab UU, (b) (6) Documents Pertaining to (b) (6) Hiring Action, undated
 Tab VV, (b) (6) Email RE: Investigation, dated October 7, 2015
 Tab WW, USAJOBS.GOV, Job Opportunity Announcement, Expedited Hiring Authority Announcement (b) (6) Initial Hiring Action), undated

Tab XX, USAJOBS.GOV, Job Opportunity Announcement (b) (6) First Promotion),
SWH812P6052862831581R, dated January 29, 2013

Tab YY, USAJOBS.GOV, Job Opportunity Announcement, SWH814P61109341156157, dated
July 2, 2014

Tab ZZ, USAJOBS.GOV, Job Opportunity Announcement (b) (6) Second Promotion),
SWH814P61109341208139R, dated September 8, 2014

Tab AAA, USAJOBS.GOV, Job Opportunity Announcement (b) (6) Promotion),
SWH815EEHA7490081426026