



United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

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The Honorable Scott J. Bloch
Special Counsel
U.S. Office of Special Counsel
1730 M Street NW., Suite 300
Washington, D.C. 20036-4505

Subject: OSC File No. DI-04-0887

Dear Mr. Bloch:

Thank you for your March 3, 2004, letter to Secretary of Agriculture Ann M. Veneman requesting an investigation into allegations of employee negligence in the Food Safety and Inspection Service (FSIS). Mr. Arthur Fields, Food Inspector, disclosed to your office that two FSIS employees at the Pilgrim's Pride Plant located in Marshville, North Carolina, performed their job duties in a negligent manner. More specifically, Mr. Fields alleged the following:

1. Dianne Martin falls asleep for brief intervals at least ten times per day and also suffered an arm injury. Both conditions caused Ms. Martin to perform an unsatisfactory job inspecting chickens.
2. Claire Marsh wastes time dancing, listening to music on her headphones, and conversing with other employees rather than inspecting chickens.
3. Dr. Anthony Casacalenda, supervisor of Ms. Martin and Ms. Marsh, was informed of the situation; however, he did not take action to resolve the matter.

Pursuant to delegation of authority from Secretary Veneman to me, we investigated the allegations and took management action as we deemed appropriate. More specifically, we found that the allegation against Dianne Martin falling asleep was substantiated, and she received a one (1) pay period suspension in April 2004; the allegations against Claire Marsh were not substantiated; and the allegation that Dr. Anthony Casacalenda did not take disciplinary action was not substantiated. Per your request, we enclose a copy of the report of investigation.

The Honorable Scott J. Bloch
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Thank you for bringing this matter to our attention. Should you have any questions or desire additional information, please do not hesitate to contact me on (202) 720-0351, or have a member of your staff contact Barbara Masters, Acting Administrator for FSIS on (202) 720-7025.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Murano', with a long horizontal flourish extending to the right.

Elsa A. Murano
Under Secretary for Food Safety

Enclosure