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OSC Obtains Discipline Against Commerce Department Employee for Hatch Act Violations

FOR IMMEDIATE RELEASE

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Last week, the U.S. Office of Special Counsel (OSC) secured discipline against a Commerce Department GS-15 employee for violating the Hatch Act by engaging in partisan political activities while at work and soliciting contributions for a political party. In a settlement agreement signed by the employee and OSC, the employee admitted to violating the Hatch Act and agreed to be suspended without pay for 50 days.

The employee, a supervisor within the Commerce Department's Bureau of Industry and Security, served as a member of the Montgomery County, Maryland, Republican Central Committee (Central Committee). On numerous occasions, the Commerce Department provided him with guidance on prohibited and permitted activities under the Hatch Act. Before taking his position on the Central Committee, he sought ethics advice from Commerce Department counsel and was provided warnings about conducting political activities while at work and to avoid soliciting political contributions at any time, even while off duty.

Disregarding the guidance he was provided, OSC's investigation found that, while on duty and/or in his Commerce Department office, the employee communicated with Republican candidates and provided assistance with their campaigns. He also communicated with other members of the Central Committee in support of Central Committee matters.

In violation of the 24/7 statutory ban on soliciting contributions for partisan candidates or groups, the employee invited approximately 100 people to a party fundraiser in 2014 and asked them to mail checks to his home address in order to attend.

"This case is a prime example of what the Hatch Act is meant to stop. Federal executive branch employees are barred from engaging in partisan political activities while on duty and in the federal workplace and from soliciting or receiving financial contributions at any time," said Special Counsel Carolyn Lerner.

The U.S. Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency. Our basic authorities come from four federal statutes: The Civil Service Reform Act, the Whistleblower Protection Act, the Hatch Act, and the Uniformed Services Employment & Reemployment Rights Act (USERRA). OSC's primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing, and to serve as a safe channel for allegations of wrongdoing. For more information, please visit our website at www.osc.gov.