



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Research Triangle Park, NC 27711

November 29, 2006

OFFICE OF  
THE CHIEF  
FINANCIAL  
OFFICER

**MEMORANDUM**

SUBJECT: Notice of Decision to Suspend  
*Douglas L. Barrett*  
FROM: Douglas L. Barrett, Director  
RTP Finance Center  
TO: Larry F. Fisher, Accountant  
Financial Services Section  
RTP Finance Center

On October 25, 2006, Ms. Mary Ann Keith, Chief, Financial Services Section proposed that you be suspended from duty without pay for four (4) calendar days. The reasons for the proposed suspension were Charge 1, "Offensive Conduct/Language (first offense)", and Charge 2, "Disrespectful Conduct/Communication to a Supervisor (first offense)." The Notice of Proposed Suspension informed you of your right to reply both orally and/or in writing to the proposal.

You presented a written response to me dated October 31, 2006. You sent me an email the following day. You stated you would like to follow up with a meeting to clarify any questions I might have. I responded to you by email on November 2, 2006 and informed you that if you had more information you wished to provide in a meeting, I would be glad to have you present it. You responded by email the same day. You did not request a meeting, but instead provided more information regarding an employee's statement. Therefore, I notified you by email that I would base my decision on the information you submitted. I explained that I would prepare my decision when I returned to the office on November 20, 2006.

I have carefully reviewed the materials relied upon to support the proposed action as well as your written replies. I also completed a Douglas Factors Evaluation of this proposed suspension. Based upon my review of the case file, and your responses, I have determined that the charges listed in the Notice of Proposed Suspension are fully supported by a preponderance of the evidence and that you should be suspended from duty without pay. I found no reason to mitigate the assessed proposed penalty of a four (4) calendar day suspension for the charges listed in the Notice of Proposed Suspension.

I believe this penalty to be within the bounds of reasonableness, to be an adequate deterrent of future violations and promotes the efficiency of the service. Accordingly, you are to be suspended without pay for a total of four (4) calendar days commencing on December 11, 2006 and ending on December 14, 2006. You are instructed to report for duty on your next regularly scheduled day.

However, I have attached for your review a proposed alternative discipline agreement. This proposal is offered as an alternative to the suspension of four (4) calendar days. I must have your response to this alternative discipline agreement no later than close of business Friday, December 1, 2006. Should you fail to respond to this proposed agreement, the suspension will be effective as listed above. This proposal for an alternative discipline agreement does not alter the time period for filing an administrative grievance in accordance with the EPA Order described below.

You are advised that future offenses of this nature will not be tolerated and will result in more severe disciplinary action, up to and including your possible removal from EPA employment.

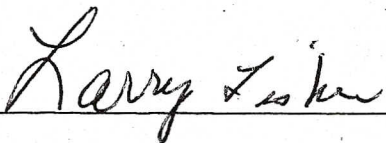
I urge you to seek assistance from the EPA-RTP Personal Counseling Program or other counseling center if you feel that this above cited misconduct is due to personal problems. You may contact the EPA-RTP Health Unit at 541-2101 for more information on the EPA-RTP Personal Counseling Program and to set up an appointment. Keep in mind, however, that your decision on whether or not to seek counseling assistance will have no bearing on this matter.

You may appeal this decision through the EPA Administrative Grievance System, EPA Order 3110.8A. You will be allowed a representative of your choice unless disallowed by Item 6(b) of the EPA Order.

You are asked to sign and date the acknowledgment copy of this letter provided. Your signature does not indicate agreement with the contents of this letter but merely indicates that you received it and any attachments thereof.

cc: Labor Relations, HRMD  
Mary S. Day, Director, HRMD

Attachment



RECEIPT ACKNOWLEDGED



DATE