

STATE OF OHIO
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

**REPORT OF
INVESTIGATION**



**AGENCY: OHIO BUREAU OF WORKERS' COMPENSATION
FILE ID NO.: 2012-CA00090
DATE OF REPORT: SEPTEMBER 5, 2013**

The Office of the Ohio Inspector General ... The State Watchdog

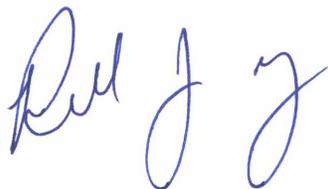
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The Inspector General’s Office remains dedicated to the principle that no public servant, regardless of rank or position, is above the law, and the strength of our government is built on the solid character of the individuals who hold the public trust.



Randall J. Meyer
Ohio Inspector General



STATE OF OHIO
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

REPORT OF INVESTIGATION

FILE ID NUMBER: 2012-CA00090

SUBJECT NAME: Kim Rogers

POSITION: Employer Service Specialist

AGENCY: Ohio Bureau of Workers' Compensation

BASIS FOR INVESTIGATION: Agency Referral

ALLEGATIONS: Operating a personal business on state time;
Theft of time;
Misuse or abuse of state property or equipment;
Misuse of position or office, other than to harass or threaten.

INITIATED: August 7, 2012

DATE OF REPORT: September 5, 2013

INITIAL ALLEGATION AND COMPLAINT SUMMARY

On June 28, 2012, the Ohio Bureau of Workers' Compensation (OBWC) Special Investigations Department referred several allegations to the Office of the Ohio Inspector General regarding Kim Rogers, an employer service specialist assigned to the Dayton Service Office. OBWC alleged Rogers had secondary employment in the sales industry; solicited OBWC employer customers and co-workers related to her secondary sales job while she was on state time; and used state resources, including the Internet and her work email account, to benefit her secondary employment.

Upon notification of these allegations from the Dayton Service Office, OBWC's Digital Forensics Unit extracted and analyzed data documenting Rogers' Internet usage and reviewed her email, phone records, payroll records, documents saved on Rogers' network drive, and daily computer activity. OBWC provided the following documents when referring the allegations:

- Statements from co-workers regarding conversations overheard between Rogers and unknown individuals related to her business; solicitations to them by Rogers related to her secondary employment; and observations of business cards for Rogers' secondary business, identified as ACN, located in her OBWC work area on top of her personal laptop.
- Email communications between Rogers and another OBWC employee; and between Rogers and an employer customer discussing their attendance at upcoming meetings for Rogers' secondary business.
- Captured screen shots showing Rogers using her OBWC computer to access her personal email account to send emails related to her secondary business during the work day; registering for secondary business activities; and saving documents related to her secondary business on the OBWC network. Records provided also show Rogers printing documents related to her secondary business on the OBWC printer.

On November 8, 2012, OBWC notified the Office of the Ohio Inspector General of additional allegations regarding Rogers' activities, including Rogers' use of her OBWC email account to correspond with Robert Fralick, an independent consultant employed by McGregor Metalworking Companies (MMC), about a job opportunity; accessing her personal email account

to send her resume to Deanna Chaffin, human resources director of MMC; and misuse of sick leave on the day she was scheduled to interview with Chaffin.

BACKGROUND

Ohio Bureau of Workers' Compensation

The Ohio Bureau of Workers' Compensation (OBWC) is responsible for providing workers' compensation insurance to all public and private employees except those that qualify for self-insurance. It is the largest exclusive workers' compensation system in the United States. An administrator/chief executive officer of OBWC is appointed by the governor. OBWC is also overseen by an 11-member board with members experienced in financial accounting, investments and securities and actuarial management. OBWC is funded through assessments paid by employers.¹

Employer Services, a division within OBWC, provides employer management services, including reviewing policies; responding to questions; meeting with employer customers to discuss their premium history; and educating employers on potential cost savings programs and work safety issues. These services are provided by employer service specialists assigned to OBWC's 12 service offices located throughout the state. The employer service specialists are assigned to work with employer customers based on geographic area.

ACN

According to their website, ACN is the "world's largest direct seller of telecommunications, energy, and other essential services people need and use every day, offering highly competitive services to consumers and small businesses in North America, Europe, Pacific, and Asia." These services are marketed directly to consumers by commission-based independent business owners who can distribute ACN's products by using relationship marketing² to "inform their family and friends" of ACN products and services. Independent business owners receive financial compensation from sales they make or those made by individuals they have sponsored within the organization.

¹ Source: Ohio Bureau of Workers' Compensation Annual Report.

² According to businessdictionary.com, relationship marketing is defined as "marketing activities that are aimed at developing and managing trusting and long-term relationships with larger customers."

Applicable Policies and Procedures

The following OBWC policies and procedures were reviewed during the course of this investigation:

Memo 1.01 – Ethics Rules (updated October 2012) references Ohio Administrative Code §4123-15-03(B)(1) prohibiting employees to “solicit or accept employment from anyone doing business with the commission or the bureau, unless the member or employee completely withdraws from any commission or bureau discretionary or decision-making activity regarding the party offering employment, and the commission or the bureau approves the withdrawal.”

Memo 4.11 – Outside Employment (revised December 2011), was derived from Ohio Revised Code §102.03(D) and Ohio Ethics Commission Advisory Opinion 96-004. The policy:

- Requires employees with outside employment to notify their immediate supervisor in writing of the employment and for their supervisor to determine whether this creates “an actual or apparent conflict of interest or otherwise interferes with the employee’s BWC work.” Once a determination is made, the supervisor is required to provide written notification of their decision and a copy should be placed in the employee’s personnel file.
- Prohibits a public official from using their employment to secure anything of value.
- Prohibits employees “to conduct or facilitate commerce, including the sale of goods or services from catalogs or other sources” on OBWC property, during work hours, or using state resources.

Memo 4.13 – Phone, Personal Computer, Fax, Software, Printer, and Handheld Organizers (revised January 2010) states:

- These tools are to be used for the main purpose of assisting an employee in completing his or her work assignments. Employees must also realize that the use of these tools for personal, recreational or other non-work related purposes is generally prohibited. Excessive personal use of any of these tools is strictly prohibited.

- Employees must recognize that the information stored within OBWC computer files is either confidential or sensitive in nature and that all such information is to be used only to complete work assignments.

Memo 4.11 – Internet, Electronic Mail, Webmail and Instant Messaging Policy (revised January 2013) states OBWC will tolerate a minimal amount of personal usage. However, that usage should only be for certain circumstances and that “these resources are provided to employees to conduct the business of the state.” The policy further states employees shall not:

- Transmit outgoing messages that serve as advertising or solicitation.
- Solicit for money or support on behalf of any activity that is not OBWC approved.
- Operate or conduct a business for personal gain.

Memo 4.26 – Telephone Policy (revised February 2012) provides employees are expected to use this equipment for legitimate business purposes and to keep personal calls to an absolute minimum in “frequency and duration.” The policy also allows for the use of personal cell phones during work hours but employees are expected to follow the same policies as they would for OBWC phones.

Memo 4.35 – Computer Acceptable Use Policy (revised October 2011) advises employee’s computer equipment, software, email accounts, and Internet are OBWC property and should be used for business purposes. Prohibited activities include “conducting business or enterprise other than OBWC’s (e.g., selling Avon or other products), for which the employee received benefits or remuneration.”

INVESTIGATIVE SUMMARY

In addition to the information provided by the Ohio Bureau of Workers’ Compensation Special Investigations Department and Digital Forensic Unit, the Office of the Ohio Inspector General (OIG) obtained the following as part of the investigation: Kim Rogers’ personnel file; confirmation of receipt of the applicable policies and procedures; emails sent and received on

Rogers' state account; Internet history; printer logs; timesheets; Assignment Tracker³ entries for MMC and its subsidiaries; and Rogers' personal cell phone⁴ records and bank account information obtained through a subpoena. Through interviews, the OIG determined Rogers was registered as an ACN independent business owner to sell products and services in approximately July 2011.

A review of Rogers' personnel file did not locate the required form of notification of outside employment or supervisor approval. On April 25, 2013, Dayton Service Office Manager Sandra Smith-Goff provided copies of two recent counsels Rogers' received from her supervisor, Jason Dickey. The first counseling was based on statements received from Rogers' co-workers in December 2011 related to personal cell phone use. Dickey emailed Rogers a copy of OBWC Memo 4.26 – Telephone Policy. The second counseling occurred after Dickey conducted a periodic review of employee Internet activity and found Rogers' usage to be high when compared to her co-workers and identification of her low Assignment Tracker and Time Tracking⁵ productivity. This counseling occurred on August 24, 2012, and resulted in Dickey emailing Rogers a copy of OBWC Memo 4.13 – Phone, Computer, Fax, Software, Printer and Handheld Organizers and Memo 4.14 – Internet, Electronic Mail, Webmail and Instant Messaging Policy.

During an interview conducted on April 19, 2013, Dickey stated Rogers' productivity had been low and it was noted on her evaluations. Dickey also stated Rogers' had issues with tracking her OBWC employer customer activities which was also noted on her evaluations, and that she had been disciplined on various issues in the past.

Records obtained show Rogers acknowledged receipt of OBWC's Code of Conduct on March 7, 1994, and the state of Ohio Ethics laws on July 18, 2006, which are summarized in OBWC Memo 1.01 – Ethics Rules. OBWC's training records reflect Rogers attended or completed

³ Assignment Tracker is a system used by employer services specialists, and others within OBWC, to document their employer customer activities, including on-site visits and virtual consultation activities conducted by telephone or email.

⁴ Rogers was not issued a state cell phone during the period under investigation.

⁵ Time Tracking is a system used by OBWC employees to document the amount of time spent on specific tasks, including virtual consults, on-site consulting, and travel.

ethics training on June 23, 2008, September 27, 2010, November 30, 2011, and November 2, 2012. On April 24, 2013, Dayton Service Office Manager Sandra Smith-Goff stated the subject of an employee having a secondary business was discussed during the 2010 ethics training. Smith-Goff provided documentation supporting Rogers attended this training. Rogers acknowledged she had received the Outside Employment policy, Memo 4.11, through an email receipt on January 6, 2012.

Operating a Business on State Time

On September 5, 2012, the Office of the Ohio Inspector General interviewed Rogers regarding the allegations she was operating a personal business on state time, and her failure to notify supervisors about her outside employment. Rogers stated she had a “side” job as an independent business owner providing relationship marketing services and had paid a fee to ACN to create a website for the business. During the interview, Rogers acknowledged being “somewhat” familiar with OBWC’s policy on secondary employment. When asked about completing a secondary employment form, Rogers responded the form was on her desk and she “hadn’t done it yet because I haven’t really done a whole lot with this.”

Rogers admitted to making phone calls related to her secondary employment during breaks while at OBWC. When asked whether she solicited other employees or private individuals while at work, Rogers acknowledged asking “a couple of my friends. You know, we’ve talked about it but that’s basically about it. I haven’t really no, pursued anyone on that. No.” When presented with emails showing she had contacted a company representative using her OBWC email account to discuss her personal business, Rogers responded “... but I think we had been talking about work stuff and then I just sent that at the end. Or I thought we had.” When investigators informed Rogers that these actions indicate she was running a secondary business on state time, Rogers responded, “I don’t believe I am running a secondary business. And, and to be honest with you, there’s – I mean I didn’t realize I guess I was using that much time.”

Soliciting Coworkers and Employer Customers for Outside Business

The Office of the Ohio Inspector General subpoenaed Rogers’ personal cell phone records and obtained a copy of Rogers’ Assignment Tracker⁶ entries. A comparison between the two determined Rogers made 152 calls using her personal cell phone to her assigned employer customers from July 1, 2011, through November 2, 2012. The dates and times of these phone calls show Rogers:

- Called six vendors after her last employer customer interaction documented in the Assignment Tracker.
- Made 78 calls during work hours. Six calls were made during a documented lunch break, and 68 calls were made after the documented work day ended. These calls were not documented in the Assignment Tracker.⁷

From a review of Rogers’ state email account and interviews conducted with co-workers and company representatives for certain employer customers assigned to her, the Office of the Ohio Inspector General found:

- Rogers told employer customer representatives from three separate companies she had a secondary business that might be of interest to them, may be able to save them money, and/or invited them to attend meetings involving the business.
- Rogers sent emails to employer customer representatives from three different companies referencing or discussing her personal business from her OBWC email account on the following dates:

Company	Dates
A	7/20/11; 9/6/11; and 9/21/11
B	11/3/11; 11/14/11; 11/15/11; 11/22/11; 1/17/12; 1/18/12
C	12/7/12; 1/30/13

⁶ Assignment Tracker is a system used by employer services specialists, and others within OBWC, to document their employer customer activities, including on-site visits and virtual consultation activities conducted by telephone or email.

⁷ OBWC policies and procedures require on-site time or “significant” virtual contact time recorded in Time Tracking must have an assignment in the Assignment Tracker which includes phone calls to or from employers with questions about their programs or grants.

- Rogers sent the following email at 2:09 p.m. on November 14, 2011, to an employer customer representative:⁸

I left you a voice message today. I would like to invite you to a meeting tomorrow night @ 7pm @ the Holiday Inn Sharonville, 3855 Hauck Rd. I have a Regional Vice President coming in to launch energy and give a presentation and I want you to come!! Call me

Kimmie

- Rogers requested seven OBWC employees to review her website or asked for their personal email address, invited them to attend meetings related to the outside business, or asked them if they were interested in the secondary business.
- Rogers sent emails about her personal business to one OBWC employee on the following dates: November 21, 2011; November 29, 2011; and November 30, 2011; and an email to another OBWC employee on July 13, 2012.
- Three OBWC employees recalled, during interviews, occasions when Rogers had sent them an email about her personal business. The investigation was unable to obtain emails to support these statements.

During an interview conducted on April 19, 2013, Brad Ridenour, an ergonomist assigned to the OBWC Dayton Service Office, stated Rogers introduced him to ACN⁹ and was his ACN sponsor. Ridenour also said he had two customers, himself and his wife. When Ridenour was asked whether Rogers received a benefit when he became involved with ACN, Ridenour responded “No.” However, ACN’s business overview shows Rogers would earn from 1- up to a 10-percent residual income on her customers and would earn from a quarter of a percent to 8 percent on her team’s customers. As Ridenour’s sponsor, Rogers would have earned income from Ridenour’s customers as well.

The Office of the Ohio Inspector General subpoenaed Rogers’ personal bank records. From a review of these records, investigators discovered three deposited ACN checks totaling \$45.70 between October 18, 2011, and September 21, 2012. These three deposits support that Rogers received commissions from ACN and, therefore, personal benefit from her secondary business.

⁸ Prior to this date, the representative worked at one of the companies where Rogers was their assigned employer service specialist. At the time of this email, the representative had accepted employment at another company which is outside of the territory assigned to Rogers.

⁹ Ridenour has completed the required paperwork and notified OBWC of this secondary employment.

During an interview conducted on April 24, 2013, Rogers admitted to talking to co-workers about her secondary business and to possibly asking a couple of co-workers to attend a meeting. After initially denying anyone joined ACN, Rogers admitted Ridenour did, but stated that they had talked about it outside of OBWC. Ridenour was also invited to and attended an ACN meeting. Rogers also admitted mentioning her business to employer customer representatives of OBWC policies she managed. When asked if she invited these representatives to meetings to talk about joining ACN, Rogers replied, “a couple maybe.” Rogers then stated that she told them what she was doing and “really didn’t invite anybody to come to the meetings because I didn’t think anyone was interested or would be into doing anything like that.”

Seeking Employment with an Employer Customer

On November 8, 2012, OBWC provided emails documenting Rogers used her state email account to correspond with Robert Fralick, an independent consultant employed by McGregor Metalworking Companies (MMC), about possible employment and to develop her resume.

[\(Exhibit 1\)](#) The Office of the Ohio Inspector General reviewed Rogers’ emails provided by OBWC, Rogers’ Internet activity and screen shots taken during monitoring of Rogers’ computer usage, and Rogers’ personal cell phone records and determined:

- Rogers exchanged 24 emails with Fralick from her OBWC email account during work hours between August 29, 2012, and September 6, 2012, discussing her resume format, content, and where to send her resume.
- Rogers spent 176 minutes during the workday and 23 minutes after she had clocked out drafting her resume using her OBWC computer between August 29, 2012, and August 31, 2012.
- Rogers used her personal cell phone to make or receive 12 calls with Fralick between August 27, 2012, and September 28, 2012, during her work day. Based on Rogers’ statement during an April 24, 2013, interview that she was behind on her Assignment Tracker entries, the investigation is unable to determine whether these 12 calls included discussions of OBWC business for MMC.
- Rogers used her OBWC computer to access her personal email account, create an email, attach her resume she had previously saved on an OBWC network drive, and sent her

resume to Deana Chaffins, director of human resources at MMC, on September 4, 2012, at 7:36 a.m., during her work day.

- Rogers accessed MMC's information stored in the Uniform Document System (UDS) using her network credentials on September 5, 6, and 12, 2012, and October 5, 2012.
- Rogers documented on her Outlook calendar she participated in two separate virtual consulting engagements with MMC representatives which occurred between Rogers' September 26, 2012, interview with Chaffins and her October 11, 2012, interview with MMC's president. Neither of the virtual consultations was recorded in the Assignment Tracker.

Additionally, the Office of the Ohio Inspector General was informed Rogers failed to notify the Dayton Service Office Manager or her supervisor she applied for an open position at MMC. Rogers was assigned as MMC's employer service representative and continued to serve as their representative even after she sent MMC her resume. On the day Rogers was interviewed by the company president for the open MMC position, documents obtained show Rogers called in sick at 7:27 a.m. The OBWC Employee Call-off Record indicates Rogers' reason for requesting sick leave was because she was "not feeling well and will not be in." ([Exhibit 2](#))

Pursuant to Ohio Revised Code §124.382(D) "employees may use sick leave, provided a credit balance is available, upon approval of the responsible administrative officer of the employing unit, for absence due to personal illness, pregnancy, injury, exposure to contagious disease that could be communicated to other employees, and illness, injury, or death in the employee's immediate family."

During an April 19, 2013, interview with the Office of the Ohio Inspector General, Chaffins said that Fralick and Rogers were friends. Chaffins stated that Fralick told her that she should consider Rogers for the position. Chaffins responded to Fralick by requesting Rogers' resume. Chaffins also confirmed Rogers was present at an interview on October 11, 2012, but that the interview was conducted in the evening.

The investigation revealed Fralick had sent an email to Rogers on August 29, 2012, stating “get on that resume.” Fralick also sent an email to Chaffins where he explained he had spoken to Rogers about the position and Rogers had expressed a “strong interest.” In this email to Chaffins, Fralick also provided a brief summary of Rogers’ qualifications and ended by saying, “... you would be fortunate to pull her away from OBWC. However, I think she is frustrated with OBWC’s free fall to privatization and is galled by busy work that lacks challenge and utilizes so little of her ability.”

During a telephone interview on April 26, 2013, Chaffins stated she met with Fralick and Rogers on September 26, 2012, but could not recall whether Rogers participated by phone or in person. Chaffins also indicated she participated in an OBWC conference call on October 2, 2012, but was unable to recall whether Rogers participated in the call with her and Fralick.

During an interview conducted on April 24, 2013, Rogers stated that she did not initially apply for the position, but that Fralick recommended her for the position. Rogers admitted to saving her resume on the OBWC network drive and that she interviewed with Chaffins and MMC’s owner. When asked whether she notified anyone at OBWC that she was applying for this position, Rogers responded, “No.” Investigators asked Rogers how serving as MMC’s employer service specialist and applying for a position with MMC would be allowable under OBWC Employee Code of Conduct outlined in Memo 1.01, which prohibits employees from soliciting or accepting employment from anyone doing business with the bureau. Rogers responded, “... probably because I wasn’t aware of this ...” and “... the other thing is, to me, honestly, I don’t see where I was doing anything wrong because I didn’t solicit them and I wasn’t going out looking for them.”

Investigators asked Rogers to explain why she accessed MMC documents in the Uniform Document System after she applied for the position. Rogers initially responded, “I don’t remember,” but later added it was possible she had accessed the documents because she was preparing for a meeting with Chaffins and Fralick. Rogers believed the meeting occurred prior to her interviews and that she was working with MMC on employer service specialist “stuff”

which included completing a loss analysis and going through the "... whole program and everything."

Rogers was asked about her use of sick leave on October 11, 2012, the date of her second interview with MMC. Rogers responded she did not remember why she used sick leave that day. Rogers stated she knew the interview was late in the day, so if she did use leave for the whole day, Rogers concluded she must have been sick or had an appointment. Chaffins noted that Rogers' interview with MMC occurred in the evening. The Office of the Ohio Inspector General confirmed the end of the work day for Rogers is between 5:00 p.m. and 5:30 p.m. on Wednesdays and 3:30 p.m. and 4:00 p.m. the rest of the work week.

Misuse of State Resources

During the course of investigation, the Office of the Ohio Inspector General determined that while Rogers' was soliciting co-workers and employer customers relating to her secondary employment, Rogers utilized her state email account, accessed her personal email account to send and receive items related to her secondary employment, and saved personal documents to the OBWC network. A review of Rogers' Internet history, printer logs, and screen shots taken by the OBWC Digital Forensic Unit of her computer activity determined Rogers also used these state resources to:

- Access and print ACN flyers, access information about available utility services through ACN, company promotions, and locate additional opportunities for her secondary employment.
- Research job opportunities on Craigslist from January 1, 2012, through October 31, 2012.
- Create resumes from August 29, 2012, and September 6, 2012.
- Print three eBooks on "10 Tips to Have Him Eating Out of Your Hands.", "A Happy Married Life. A Buddhist Perspective." and "101 Powerful Affirmations."
- Print 37 pages related to her secondary business or job search activities.

On September 5, 2012, Rogers admitted to going to a website, "printed a couple of things" and accessing email at lunch. Rogers defended her activity by stating it was her understanding that "we're allowed to like on our breaks and lunches utilize – like go onto other websites to like look

at our emails or like, you know, to go to other websites.” Rogers also stated she was permitted do a limited amount of checking of her personal email account.

During the second interview conducted on April 24, 2013, with Rogers, she admitted to accessing “her personal emails at work” and saving her resume on her OBWC network drive. When Rogers was asked why she would use her work computer to send emails using her personal account, which benefited her personally and was not for a business purpose, Rogers, again replied, she believed OBWC employees were permitted to “personally use the computer” and are “allowed personal time to use the computer.” Rogers stated she did not understand that she was doing something wrong because no one had told her that she could not do that. Rogers added that if someone had told her to stop, she would have stopped.

Rogers was counseled by her supervisor twice in 2012 regarding her personal cell phone, Internet, and computer usage. However, documents provided to the Office of the Ohio Inspector General showed the activity continued to occur. Additionally, OBWC’s Special Investigations Department informed the Office of the Ohio Inspector General that during their monitoring of Rogers’ computer activity, it was noted she began deleting personal emails from her work email account, and personal documents from the OBWC network. This activity occurred shortly after her first interview with the Office of the Ohio Inspector General on September 5, 2012.

CONCLUSION

Through documents obtained and analyzed by the Office of the Ohio Inspector General and through interviews conducted with Kim Rogers, her co-workers and supervisor, and representatives from employer customers, it was determined Rogers:

- Failed to complete a notification of outside employment form or notify her supervisor of her personal business as required in OBWC Memo 4.11 – Outside Employment;
- Solicited co-workers regarding her secondary employment during work hours in violation of OBWC Memo 4.11 – Outside Employment;
- Sponsored a OBWC employee as part of her secondary employment of which she received a minimal amount of compensation;

- Solicited representatives from employer customers for which she acted as their employer services specialist and a company that a co-worker acted as an employer services specialist for regarding her secondary employment, during her work hours, in violation of OBWC Memo 4.11 – Outside Employment;
- Utilized state resources, including her OBWC email account, Internet, state computer, and state printer to conduct and solicit for her secondary employment in violation of OBWC Memo 4.13 – Phone, Personal Computer, Fax, Software, Printer and Handheld Organizers, Memo 4.14 – Internet, Electronic Mail, Webmail and Instant Messaging Policy, Memo 4.26 – Telephone Policy, and Memo 4.35 – Computer Security Acceptable Use Policy;
- Utilized state resources for personal purposes not related to her OBWC employment or secondary employment;
- Contacted, through numerous emails and phone conversations, an independent consultant working for an employer customer about an open position. These conversations resulted in Rogers’ sending the company her resume in violation of OBWC Memo 1.01 – Ethics Rules; and
- Failed to notify her supervisors of applying for the open position and continuing to act as the employer service specialist for the company in violation of Memo 1.01 – Ethics Rules.

Accordingly, the Office of the Ohio Inspector General finds reasonable cause to believe a wrongful act or omission occurred in these instances.

RECOMMENDATION(S)

The Office of the Ohio Inspector General makes the following recommendations and asks the Ohio Bureau of Workers’ Compensation to respond within 60 days with a plan detailing how the recommendations will be implemented. The Ohio Bureau of Workers’ Compensation should:

- 1) Internally review the actions of employees named in this report to determine whether their conduct and practices warrant further administrative action.

- 2) Review the applicable policies and procedures with employees in the Dayton Service Office.
- 3) Consider revising the Outside Employment policy to require annual reporting of secondary employment by employees to determine whether conflicts exist.
- 4) Consider emphasizing in the ethics training that employees seeking future employment with an assigned employer customer provide their supervisors with written notification and recusal requests. Also consider implementing controls to prevent employees from accessing the employer customer data once notification has been received.

REFERRALS

The Office of the Ohio Inspector General will provide a copy of this report to the Ohio Ethics Commission.

[\(Click here for Exhibits 1 – 2 combined\)](#)



STATE OF OHIO
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

NAME OF REPORT: Ohio Bureau Of Workers' Compensation

FILE ID #: 2012-CA00090

KEEPER OF RECORDS CERTIFICATION

This is a true and correct copy of the report which is required to be prepared by the Office of the Ohio Inspector General pursuant to Section 121.42 of the Ohio Revised Code.

Jill Jones
KEEPER OF RECORDS

CERTIFIED
September 5, 2013

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