

STATE OF OHIO  
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

REPORT OF  
INVESTIGATION



AGENCY: OHIO LIEUTENANT GOVERNOR'S OFFICE  
FILE ID NO.: 2014-CA00043  
DATE OF REPORT: NOVEMBER 24, 2015

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*“Safeguarding integrity in state government”*

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Randall J. Meyer  
Ohio Inspector General



STATE OF OHIO

# OFFICE OF THE INSPECTOR GENERAL

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RANDALL J. MEYER, INSPECTOR GENERAL

## REPORT OF INVESTIGATION

**FILE ID NUMBER:** 2014-CA00043

**SUBJECT NAME:** Laura Johnson;  
Heather Brandt

**POSITION:** Chief of Staff for the Lieutenant Governor's Office;  
Administrative Assistant to Chief of Staff

**AGENCY:** Ohio Lieutenant Governor's Office

**BASIS FOR INVESTIGATION:** Referral

**ALLEGATIONS:** Falsification of Records

**INITIATED:** June 9, 2014

**DATE OF REPORT:** November 24, 2015

## **INITIAL ALLEGATION AND COMPLAINT SUMMARY**

Lieutenant Governor Mary Taylor was notified by the Ohio Department of Administrative Services (ODAS) of a public records request made regarding members of her staff: Laura Johnson, chief of staff, and Heather Brandt, administrative assistant to Johnson and Lieutenant Governor Taylor. The records requested were covering the time period from January 1, 2014, to April 29, 2014. Among other items, the request asked for payroll records and records showing times in and out of any state parking garage for which ODAS maintains logs. During the legal review of the requested records, it was noted that for both Johnson and Brandt, the total amount of hours their respective cars were recorded as being in the Riffe Tower parking garage<sup>1</sup> was significantly less than the total amount of hours that each of them recorded as having worked during the same time period. A referral was made by the lieutenant governor on June 5, 2014, to the Office of the Ohio Inspector General and an investigation was opened upon receipt of the referral.

Brandt resigned her position on June 4, 2014, and Johnson resigned her position on June 5, 2014.

## **BACKGROUND**

### *Ohio Governor's Office*

The Ohio Governor's Office oversees the operations of state government and the governor serves as its chief executive officer. The major duties include creating administrative policies for state agencies; submitting biennial capital and operating budgets to the state legislature; and appointing various agency directors, state board and commission members, and judges to mid-term vacancies. The governor also serves as the commander-in-chief of the Ohio National Guard. The governor is elected to a four-year term with no more than two consecutive terms allowed. Funding for the governor's office is through general revenue funds and charges to other state agencies.<sup>2</sup>

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<sup>1</sup> ODAS parking logs showed Johnson and Brandt had parking passes only for the Riffe Tower parking garage.

<sup>2</sup> Source: Biennial budget documents.

*Ohio Lieutenant Governor's Office*

Mary Taylor was sworn in as Ohio's 65th lieutenant governor on January 10, 2011, the same day Governor John R. Kasich named her to lead Ohio's Common Sense Initiative (CSI) to reform Ohio's regulatory policies, as well as to serve as the director of the Ohio Department of Insurance (ODOI).

Given its role overseeing the policy and operations of the various agencies of state government, the Governor's Office has historically distributed its administrative costs among those agencies. In the case of the lieutenant governor, with Taylor's responsibilities as director of the Ohio Department of Insurance, the administrative expenses of staff in her office are incurred by the Ohio Department of Insurance.

*Applicable Rules, Policies and Procedures*

Ohio Department of Administrative Services Policies

ODAS time and attendance policies set forth the following minimum requirements related to state time and attendance policies. State agencies are required to be in compliance with these policies. State agencies are required to accurately maintain records of actual hours worked by employees. State agencies must observe set customer service hours, which are set as 8:00 a.m. to 5:00 p.m., from Monday through Friday. Once an agency has ensured that it is adequately staffed from 8:00 a.m. to 5:00 p.m., it may offer employees an alternative work schedule that offers flexibility in the scheduling of hours worked. The decision to offer a flexible work schedule during non-customer service hours remains solely at the discretion of the appointing authority. If an agency elects to offer employees such flexibility, the following two options are available:

- Flextime. Flextime schedules are based on worker needs within set parameters approved by a supervisor.
  - Examples: An employee must work 40 hours per week and be present on a daily basis, but may:
    - Adjust arrival and departure times on a daily basis.

- Define new standard working hours (e.g., a set schedule of 7:00 a.m. to 3:00 p.m. every day, or 7:00 a.m. to 3:00 p.m. on Tuesday and Thursday and 10:00 a.m. to 6:00 p.m. on Monday, Wednesday, and Friday).
  - Work extra hours one day to make up for shorter hours worked another day during the course of a standard 40-hour, five-day work week.
- Teleworking. Agencies must receive prior approval from the Ohio Department of Administrative Services before adopting and implementing a teleworking policy. Teleworking is a flexible work arrangement where employees are directed or permitted to work remotely from a designated alternative work location. Teleworking includes field working arrangements, and is also defined to include those circumstances where an employee receives compensation for work completed from home during an approved leave of absence or during hours that are outside of the employee's regular work schedule (i.e., after hours or on weekends).

Agencies teleworking policy should, at a minimum, specify:

- The positions or classifications eligible to participate in teleworking;
- The criteria agencies will use to select the individual employees, positions, or classifications that will participate in teleworking;
- The alternative work location;
- Specific hours and days per week to be worked at the alternative work location;
- Pertinent office equipment to be provided and by whom;
- Method of communication to be used between the official work location and the alternative work location;
- Duties to be performed by the employee and methods of evaluation to be employed; and
- How workers' compensation claims and other injuries will be documented and handled.

Ohio Department of Insurance Policies

The ODOI work schedules policy states, in part:

... Employees shall establish a set of standard work hours that are approved by the employee's supervisor or the Division's Assistant Director. All employees shall be at their work sites or "report in" locations, ready to commence work promptly at their starting time.

The ODOI tardiness and absence policy states, in part:

... Employees are expected to be at their work location, ready to commence their duties at their starting times (this includes before or after meal or break periods, leave, etc.). It is the intent of this policy to hold employees accountable for timeliness and for all hours in their workday.

Employees who are tardy for their starting times either have their pay adjusted or may submit a leave request for supervisor approval. A supervisor or manager,

... may adjust starting time or ending time of the workday so the employee works a full day. Whether the employee makes up this time during part of his/her lunch, at the end of the day or a combination thereof, he/she must receive prior approval from the supervisor.

Employees are not permitted to use this policy to adjust their work hours.

The ODOI Teleworking Policy states,

... The Department may authorize Teleworking for Eligible Employees to perform their assigned job responsibilities and duties where there is a legitimate operational need or during disasters or emergency situations, including public safety emergencies, weather emergencies or pandemic circumstances. Telework is not for the employee's convenience; it is for the benefit of the Department. ... Authorization for an employee to telework may be made orally by one of the authorized individuals<sup>3</sup> listed in this policy but must be documented in writing no later than the next business day.

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<sup>3</sup> Superintendent, deputy director, chief administrative officer.

The ODOI Pay Policy states,

... at the end of each two-week pay period each employee is required to submit a time sheet accurately reflecting his/her daily work and leaves taken during the pay period.

Each time sheet must be approved by his/her supervisor (or assistant director or chief in case of supervisor absence).

The ODAS Employee History Report of Laura Johnson indicates she was hired on September 21, 2009, at the Ohio Auditor's Office and resigned on January 23, 2010. Johnson was rehired on November 29, 2010, at the Ohio Office of Budget and Management. On January 30, 2011, Johnson transferred to the Ohio Department of Insurance, assuming the position of chief of staff for the lieutenant governor. Johnson resigned on June 5, 2014.

The ODAS Employee History Report of Heather Brandt indicates she was hired on January 18, 2011, at the Ohio Department of Insurance, assuming the position of executive administrator to Chief of Staff Laura Johnson. Brandt was on a leave of absence from June 16, 2011, until returning December 14, 2011. Brandt was on leave from February 14, 2012, until returning January 15, 2013. Brandt was again on leave from July 24, 2013, until returning September 4, 2013. Brandt resigned on June 4, 2014. During Brandt's employment, she used all available permissible leave and 191.3 hours of donated leave from co-workers.

### **INVESTIGATIVE SUMMARY**

On April 29, 2014, the Ohio Department of Administrative Services received a public records request for certain information related to two members of the Lieutenant Governor's Office staff: Laura Johnson, the chief of staff, and Heather Brandt, an administrative assistant to Johnson and Lieutenant Governor Taylor. The request asked for the following information:

- Payroll records for Laura Johnson and Heather Brandt showing hours recorded from January 1, 2014, to the date of the request.
- Records showing Laura Johnson and Heather Brandt's time in and out of any state parking garage for which ODAS maintains logs, for the period between January 1, 2014, and the date of the request.

On June 5, 2014, Lieutenant Governor Taylor referred a Notification of Possible Employee Improper Activity to the Office of the Ohio Inspector General. Lieutenant Governor Taylor wrote,

... DAS accessed the requested records and as is customary with every public records request, a legal review of the requested records was performed to determine that the requested records are indeed “public records” and not records that are exempt from public disclosure under R.C. 149.43.

This legal review of the requested records was completed by the Governor’s Chief Counsel D. Michael Grodhaus.

Both Johnson and Brandt had assigned offices in the Riffe Tower and were provided with parking passes to access the Riffe Tower parking garage. During the legal counsel review of the records, it was noted that the total amount of hours that Johnson and Brandt’s vehicles were recorded as being in the Riffe Tower garage was significantly less than the total amount of hours each recorded as work hours. There were also a number of days where Johnson and Brandt claimed work hours for times when their vehicles were not in the parking garage.

Lieutenant Governor Taylor’s notification added that,

... Due to certain personal issues each of them was experiencing, I allowed Ms. Johnson and Ms. Brandt *some* flexibility in their work schedules. But from the requested records it appears that during this four-month period both Ms. Johnson and Ms. Brandt claimed more hours working away from the Riffe Center than I anticipated.

In mid-May, 2014, the Governor’s Chief Counsel Grodhaus presented to both Johnson and Brandt the preliminary discrepancies between their work hours and garage records. Grodhaus asked both to review their records and to be prepared to explain the discrepancies and substantiate the hours they worked outside the office. On June 4, 2014, Brandt submitted her resignation and on June 5, 2014, Johnson submitted her resignation. On June 5, 2014, Lieutenant Governor Taylor referred the matter to the Office of the Ohio Inspector General.

On June 16, 2014, the Office of the Ohio Inspector General interviewed Paula Farrell, who from January 10, 2011, to December 29, 2013, was the executive assistant to Lieutenant Governor Taylor. Farrell said employees in the Lieutenant Governor's Office would start their day between 8:00 and 9:00 a.m. and then end their day whenever the workload permitted. Lieutenant Governor's Office employees would then flex their schedule to meet the required 40-hour work week.

Concerning Brandt's work attendance, Farrell said the alleged falsification of timesheets had been going on for a long time and she brought it to Johnson's attention in an email on June 9, 2013. Farrell said Johnson met with her the following day to go over her concerns expressed in the email, and Johnson said, "I'll get back to you," but Farrell told investigators, "she [Johnson] never spoke to me again about it." Farrell said around January 2013 it was her duty to approve the timesheets of the lieutenant governor's employees. Farrell said after questioning Johnson about Brandt's entries on her timesheet, Johnson and Brandt's timesheets were removed from Farrell's view for approval.<sup>4</sup>

In reviewing payroll records, Johnson was listed as the approver on Brandt's timesheet and Brandt was listed as the approver on Johnson's timesheet. Farrell said she talked to Sharon Maynard, the lieutenant governor's scheduler about this issue, but never mentioned it to Taylor.

On June 16, 2014, the Office of the Ohio Inspector General contacted Susan Verble, former deputy chief of staff for the lieutenant governor, to arrange a date and time to be interviewed. Verble resigned her position effective June 14, 2014, and said she would like to think about whether or not she would make herself available to be interviewed. Verble called the Office of the Ohio Inspector General the following day to decline to be interviewed.

On June 17, 2014, the Office of the Ohio Inspector General interviewed Jenna Mann, the former assistant communications director for the Lieutenant Governor's Office. Mann resigned from the position on April 27, 2014. Her duties included writing press releases or talking points,

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<sup>4</sup> Lieutenant Governor's Office employees began using an electronic timekeeping system on May 18, 2013.

working with the media and taking pictures at some of the events attended by the lieutenant governor. Mann stated her assigned work hours were 8:00 a.m. to 5:00 p.m. but that she was permitted to flex her schedule. Mann explained flextime as, "... if we got our 40 hours in the week ... --- uh if I came in at 9 and then left at 5:30 it'd still be okay as long as I got my 40 hours in in the one week." Mann added the flexing of her schedule did not require approval by a supervisor.

Mann was asked to whom she submitted her timesheet for approval. Mann stated,

... My direct supervisor was the Communication Director, so Chris Brock. And then before him, Stephanie Owen. Um when Stephanie was the Communications Director, Paula Farrell, the Executive Assistant at the time to the Lieutenant Governor would approve everyone's timesheets on the 30th Floor. Uh and I --- well, I think she did. I know that she approved mine and would approve my leave or overtime requests.

Mann was asked if she signed her timesheets. She responded,

... The first part that --- when I was working there it was all --- well, we would type it in Excel and print it and sign it. And then um later on we switched to an electronic virtual machine where we would just record it and then we would submit it for approval, so we didn't actually physically sign it.

Mann was asked if she knew who approved Johnson's or Brandt's timesheets. She said, "... Um Laura and Heather's timesheets were done through um Heather for most of the time and I believe at times Paula ... had approved them, but I'm not, not sure."

When asked about working from home, Mann said,

... I would work from home in the mornings for about an hour. I did the daily clips which is I would read all the newspapers and compile news clips that I thought that she should read --- the Lieutenant Governor and the staff, or if she was mentioned in them. And I started doing that in the office and the computer systems would continuously crash

so Laura Johnson gave me permission to do it at home because it was easier on my computer than... to do it at the office.

Mann added,

... I would just log into that e-mail, webpage, whatever you'd call it and I would type in my credentials and I could see my e-mail and that's where I would compile the clips into an e-mail message and then e-mail them out.

Mann said she used her personal computer when working from her home and did not remember if she had documented authorization to telework from home.

On June 19, 2014, the Office of the Ohio Inspector General interviewed Sharon Maynard, the scheduler for the Lieutenant Governor's Office. Maynard said she did not have assigned work hours, but a flex 40-hour work week. As the scheduler, Maynard had access to the calendars of both Mary Taylor and Laura Johnson.

According to Maynard, Farrell would approve Johnson and Brandt's timesheets when they first started working for the lieutenant governor, but when Farrell complained to Johnson about Brandt not being at work, Johnson took that duty away from Farrell. Maynard said Brandt would approve Johnson's timesheet and Brandt would also approve her own timesheet, acting as Johnson. Maynard explained Brandt would create her own timesheet and would submit it for approval to Johnson. Brandt would proceed to sign herself out of the computer system. Brandt would then sign herself back in to the computer as Johnson, and approve her own timesheet. Maynard said Brandt told her this was the process used.

Maynard also said Johnson's office telephone was always forwarded to Brandt. Maynard confirmed Johnson was not in the office often during the hours she claimed to be working. When asked where Johnson was during periods she was not in the office but was claiming work hours, Maynard said, "... sometimes I knew what she was doing and it was not work related ... She would get her hair done. She would get her nails done." When asked how she knew this, Maynard said that the hair and nail appointments were on Johnson's calendar. Maynard was

shown a printout of Johnson's calendar, and she explained that anything marked as "BP" stood for blocked personal. "BP Lee" meant a nail appointment because the nail technician's name was Lee. Maynard added she knew when Johnson had her hair done because Johnson would leave the office with straight hair and would come back to the office with curled hair.

Maynard was asked if she told anyone about Johnson and Brandt not being in the office during hours they were claiming work hours. Maynard said she told Johnson about Brandt being frequently out of the office. Maynard told Johnson, "I told her that this was --- that it was a problem. That her, her duties --- she doesn't have duties that re --- that could be done outside of the office." Maynard continued, saying she went on to tell Johnson,

... you need to fix this... because we're going to get in trouble over it. And that's what I would tell her... time and time again. And she would tell me stop talking, you're scaring me... on a number of occasions. Or she would just say, you know, it's --- don't worry about it.

Maynard noted she did not say anything to Johnson about her (Johnson) not being in the office.

Maynard stated that, on January 29, 2014, she talked to the lieutenant governor about Brandt and the

... specific times that I knew that Heather was claiming um to be working when Heather, herself, told me otherwise. Um... and just... just the --- the practice was wrong. Her working from home. She did not have duties... that could be done from home. She didn't have duties to justify working from home.

Maynard said the lieutenant governor's response was that she would look into it and would discuss it with ODOI Deputy Director Jillian Froment and Human Resources Director Tynesia Dorsey.

Maynard was asked by investigators if anyone had authorization to work from home. Maynard said, "No. As I understand we have an as-needed work from home which is not just 'cause you don't want to come to work today, you work from home. It's if there's a circumstance."

Maynard was asked if she told the lieutenant governor about Johnson's claiming work hours when not in the office. Maynard said, "I did not specifically say hair and nails. I, I did not um... I didn't have that specific conversation. I did have a conversation with the Lieutenant Governor that said, you know, Laura needs to turn herself around." Maynard said this conversation occurred sometime in March 2014, and the lieutenant governor's response was that she would talk to Johnson.

On June 19, 2014, the Office of the Ohio Inspector General interviewed Mark Hamlin, director of Regulatory Policy for the Common Sense Initiative (CSI) program. Hamlin explained the lieutenant governor is in charge of the CSI program which reviews business regulations. Hamlin said he reported to Johnson until her resignation. Hamlin said he does not have a set start time and explained his understanding of flex time:

... We have flex... time through the Department of Insurance where if we --- you know, we can flex if we work shorter period of time one day we can --- you know, six hours one day, we can work 10 hours the next day. Um... I don't believe it was ever communicated to me that I'm expected to be there at a certain time and stay 'til a certain time.

On July 7, 2014, the Office of the Ohio Inspector General interviewed Chris Brock, director of Communications for the Lieutenant Governor's Office and the ODOI. As the communications director, Brock creates press releases and talking points, organizes public events, coordinates with the media, and conducts media-related research. Brock said anytime the lieutenant governor has a public or official event, he would travel with her both in her role as the lieutenant governor and as the director of the Ohio Department of Insurance. Brock explained he does not have an assigned work start time and routinely works more than 80 hours per pay period. Brock said he generally gets into the office between 8:00 and 8:30 a.m., and generally leaves around 5:30 p.m. Brock, like the other Lieutenant Governor's Office employees interviewed, was unable to specify what Johnson's or Brandt's job responsibilities or duties were.

On July 22, 2014, the Office of the Ohio Inspector General interviewed Joan Olivieri, Ohio Department of Insurance Human Resources director. ODOI Human Resources is responsible for

personnel, hiring, benefits, payroll, labor relations, and policy. Olivieri said she was not aware of any ODOI employees that were exempt from ODOI policy. Olivieri agreed that the ODOI work schedule policy requires ODOI employees to have an established start and end time; however, "... it would be up to the supervisor to alter any kind of um schedule to allow flexing so it would come ... it would go back to the supervisor." When asked if ODOI employees could work whatever hours they wished as long as their hours add up to 40 hours at the end of the week, with supervisor approval, Olivieri said, "... then it'd be okay."

Olivieri was questioned about the timesheet approval process used in the Lieutenant Governor's Office. She said the Lieutenant Governor's Office started using the electronic timekeeping system on May 18, 2013. Prior to this date, employees would print out their timesheet, sign it, and submit it to the person designated as the approver, who would then sign the timesheet and send it on to payroll for entry into the system. Olivieri was asked to explain how the timesheets are approved electronically. She said,

... It's basically an electronic timesheet that has every day and you put in your ins and out punches, so to speak; any leave used; any overtime or comp time accrued. And then at the end of the pay period you hit submit and it goes... where the supervisor can see it. And then the supervisor goes in verifies that it's, indeed, correct and then hits an approve button.

Because the ODOI pay policy states that each timesheet must be approved by the employee's supervisor (or assistant director, or chief in case of supervisor absence), Olivieri was asked how a subordinate (Brandt) could be approving a supervisor's (Johnson) timesheet. Olivieri said, "We were just told to ask how they want it set up and that's how we did it." Olivieri explained that ODI Human Resources received instructions from the Lieutenant Governor's Office as to who would be the approving authority for individual employees. Olivieri also confirmed that neither Johnson nor Brandt had a telework agreement with ODI that would allow them to work from home.

On July 29, 2014, the Office of the Ohio Inspector General interviewed D. Michael Grodhaus, the Governor's Office chief counsel. Grodhaus stated around May 6<sup>th</sup> or 7<sup>th</sup>, 2014, one of his staff attorneys notified him of the public records request made to the Lieutenant Governor's Office, and the discrepancy between Johnson's and Brandt's claimed work hours and the parking garage records. Grodhaus instructed a staff attorney to compare Johnson's and Brandt's timesheets to the Riffe Tower parking garage records to see if there was a pattern. The staff attorney reported back to Grodhaus, saying, "... there's pretty large discrepancies in the number of hours over the four month period, January 1 to April 29, where the number of hours billed in many days versus the number of hours that their cars were, were in the garage." Investigators then asked Grodhaus if he or his staff had been able to determine the number of hours difference between Johnson's and Brandt's claimed work hours and the hours their vehicles were parked in the Riffe Tower garage. Grodhaus said the variance between garage time and work hours claimed for Laura Johnson was approximately 235 or 240 hours, and the variance for Brandt was about 100 hours. Grodhaus noted he, "... was a little alarmed that the discrepancy was that large" and explained that "... most of us are pretty much office bound, probably 95 percent of our time is spent in the office."

Grodhaus stated that during the last week of May 2014, he spoke to Johnson about the discrepancies between her hours she reported at work and the times her vehicle was parked in the Riffe Tower parking garage. Grodhaus provided Johnson with copies of her timesheets and garage records and asked her to prepare an explanation for the discrepancies. Grodhaus stated, that the following week, Johnson verbally responded to his questions, saying some of the time was spent traveling on state business, while the rest was "... doing work at home or doing phone calls or other things for which she was putting down as hours worked." Grodhaus added that even with Johnson's explanation, there were well over a hundred hours that could not be explained adequately. Grodhaus suggested to Johnson that she needed to do a better job of documenting the questionable claimed hours. In discussing Brandt's hours, Grodhaus said she had explanations for some days, while other days she did not have adequate explanations.

Grodhaus said during one meeting with Johnson, she "... claimed that the kind of schedule she was working where she was apparently doing a lot of things from home she, she claimed that the Lieutenant Governor had approved that arrangement." Grodhaus was unsure if Brandt had the same arrangement. While Grodhaus maintained that he was unaware of the flexibility the lieutenant governor granted to Johnson, it was his understanding that Johnson,

... believes she was always at the Lieutenant Governor's beck and call 24 hours a day, seven days a week and that there were times the Lieutenant Governor required Laura's efforts on an evening or a weekend, that Laura believe (sic), in particularly in light of her child, that she could come and go and work from home pretty much as Laura pleased. That's what she (Johnson), I think, that's what she (Johnson) believed.

#### *Timesheet Analysis*

The Office of the Ohio Inspector General requested and received the following records for review:

- Timesheets for Johnson and Brandt from June 1, 2013, to May 31, 2014;
- Riffe Tower parking garage records of Johnson and Brandt from July 12, 2013, to June 4, 2014;
- Email files for Johnson and Brandt;
- Outlook calendar appointments for Johnson;
- Johnson's personal cell phone records (obtained as a result of a subpoena issued on June 25, 2014);
- Johnson and Brandt's desk phone records;
- Computer usage logs (obtained via an Office of the Ohio Inspector General forensic analysis of the state-issued computers assigned to Johnson and Brandt);
- Personnel files of Johnson and Brandt; and
- Records from the Shiny Nail Salon and the Michael David Salon (obtained as a result of a subpoena issued for Shiny Nail Salon records on July 14, 2014, and a subpoena for Michael David Salon records on July 24, 2014).

Laura Johnson

A preliminary analysis of the records obtained was completed for Johnson, comparing claimed work time versus time her vehicle was parked in the Riffe Tower garage for the time period from July 12, 2013, through May 31, 2014.<sup>5</sup> Johnson claimed a total of 1,594.30 work hours during this time period. Total time claimed by Johnson as worked was determined by adding regular hours and comp time earned per the state of Ohio payroll records. Johnson's garage records indicate her vehicle was in the Riffe Tower garage for 798.45 hours.

<b>Analysis of Time - Johnson</b>	<b>Hours</b>
Hours Claimed as Worked (regular + comp time earned)	1,594.30
Hours Garage Records Show Car Parked in Garage	798.45
Hours Claimed as Worked but Car Not Parked in Garage	795.85

There were many instances where Johnson would list her start time hours before arriving at the Riffe office and would exit the Riffe office well before ending her work hours. The records also show Johnson routinely claimed time spent traveling to and from the Riffe office as work time, totaling approximately 86 hours.

As a result of a subpoena issued on July 14, 2014, the Office of the Ohio Inspector General obtained the payment records of Johnson at the Shiny Nails Salon in Gahanna, Ohio, which was frequented by Johnson according to her calendar and cell phone records. Also obtained by a subpoena issued on July 24, 2014, were the customer records of Johnson at the Michael David Salon in Westerville, Ohio, which was frequented by Johnson according to her calendar and cell phone records. All of these records were combined into a daily spreadsheet for analysis.

Investigators initially focused on the time Johnson attended salon appointments based on the statements made by Maynard in her interview. The analysis showed several times where Johnson's reported work end time was the same time as the salon appointment start times or her start time would be shortly after the appointment ended. An analysis of drive time was

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<sup>5</sup> Due to a change in vendors for the Riffe Tower garage, records were only available from July 12, 2013, when Johnson was first issued a new garage swipe card.

conducted, looking at work start and end times compared to garage entries and exits, as well as start and end time proximity to salon appointment start and end times (only looking at differences greater than 10 minutes and less than 60 minutes). It was determined drive times were approximately:

- 20 minutes from Johnson’s residence to downtown Columbus;
- 20 minutes from Johnson’s residence to Michael David Salon;
- 10 minutes from Johnson’s residence to Shiny Nails;
- 25 minutes from downtown to Michael David Salon; and
- 15 minutes from downtown to Shiny Nails.

The analysis showed Johnson’s time spent driving to and from hair and nail appointments claimed as work time totaled 17.5 hours.<sup>6</sup> Further the analysis showed Johnson claimed work hours while at the salon appointments on several occasions. The total amount claimed equaled approximately five hours.

Reviewing each day, investigators determined Johnson had a significant amount of drive time claimed as working hours, as well as hours claimed when at salon appointments:

<b>Johnson’s Activity Claimed as Work Time</b>	<b>Hours</b>	<b>\$ Value</b>
Drive Time to/from Work	68.5	\$3,952.45
Drive Time to/from Salon Appointments <sup>7</sup>	17.5	\$1,009.75
Time Claimed While at Salon Appointments	4.9	\$282.73

Additionally, from an analysis of obtained records, investigators determined that Johnson had claimed work hours during evenings or on weekends when there was very minimal to no telephone calls made or emails sent/received that may be considered work related. In response to Office of the Ohio Inspector General requests, no other substantial work product was provided by Johnson’s attorney to investigators for review that was generated by her during these periods of time.

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<sup>6</sup> These hours are included in the total drive time noted above as approximately 86 hours.

<sup>7</sup> Drive time includes hours prior to when garage records were available.

[\(Exhibit 1\)](#) – This exhibit shows a detailed analysis of Johnson’s time, including a color-coded key, displaying schedule of calls, meetings, emails, entry/exit records, timesheet records, drive analysis, and appointments that form the basis of questionable time.

Heather Brandt

Investigators completed an analysis of the records obtained for Brandt, comparing claimed work time versus time Brandt’s vehicle was parked in the Riffe Tower garage for the time period from July 12, 2013, through May 31, 2014. Brandt claimed 1,198.90 regular work hours plus comp time earned during this time period, while garage records indicate her vehicle was at the Riffe Tower garage for 981.42 hours.<sup>8</sup>

<b>Analysis of Time - Brandt</b>	<b>Hours</b>
Hours Claimed as Worked (regular + comp time earned)	1,198.90
Hours Garage Records Show Car Parked in Garage	981.42
Hours Claimed as Work but Car Not in Garage	217.48

The Office of the Ohio Inspector General requested, through Brandt’s attorney, any documentation to support the hours claimed as worked by Brandt at times her car was not parked in the Riffe Tower garage. Brandt’s attorney responded they had no documentation to provide.

[\(Exhibit 2\)](#) – This exhibit shows a detailed analysis of Brandt’s time, including a color-coded key, displaying schedule of calls, meetings, emails, entry/exit records, timesheet records, drive analysis, and appointments that form the basis of questionable time.

*Timesheet Approvals*

During interviews with members of the lieutenant governor’s staff, comments were made regarding Brandt approving Johnson’s timesheets as well as her own. Computer forensic analysis conducted by the Office of the Ohio Inspector General examined the timesheets for 24 pay periods from July 1, 2013, to May 16, 2014, to determine if Johnson’s account was signed in

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<sup>8</sup> There are no garage records for Brandt prior to July 9, 2013.

from a Governor's Office Internet Protocol (IP)<sup>9</sup> address while she was not at the office, and, if Johnson's account was signed into immediately before or immediately after Heather Brandt logged off or logged on from the same IP address. The analysis determined that:

- In 13 pay periods, Brandt's timesheets were approved by Johnson from a Riffe Tower – Governor's Office IP Address while Laura Johnson was not parked in the Riffe Tower parking garage.
- In 7 of the remaining 11 pay periods, Brandt logged off of her account right before Johnson logged on, or Brandt logged on to her account right after Johnson logged off; all from the same IP address.
- For the four other pay periods, Brandt was on leave and another individual approved Johnson's timesheets.

On August 14, 2014, the Office of the Ohio Inspector General interviewed Lieutenant Governor Mary Taylor. In the request made to the Office of the Ohio Inspector General to investigate this allegation, and during statements made to the news media, Taylor reported she allowed "... some flexibility" to Johnson and Brandt due to "personal issues" each was facing. Taylor also stated, after reviewing Johnson and Brandt's garage records and timesheets for the four-month period (January to April 2014), "... that both Ms. Johnson and Ms. Brandt claimed more hours working away from the Riffe Center than I anticipated."

Taylor explained Johnson's duties as the chief of staff was to manage the day-to-day operations of the office, which included participating in senior staff and other policy meetings with the Governor's Office staff; to participate in meetings with the Common Sense Initiative; and to be prepared to discuss any important issue, whether it was a budget-related issue, or anything that the Lieutenant Governor's Office would handle. Johnson did not regularly travel as part of her job duties. Taylor was unsure what Brandt's duties were as the assistant to the chief of staff, but did not believe traveling was a normal part of her duties.

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<sup>9</sup> Every machine on the Internet has a unique identifying number, called an IP Address. The IP stands for Internet Protocol, which is the language that computers use to communicate over the Internet.

Taylor was asked to explain what personal issues Johnson and Brandt were dealing with that allowed some flexibility in their work schedules, what flexibility was given, and what Taylor found to be more than she “anticipated.” Taylor said Brandt had serious health issues that resulted in her being absent from work, but “... it was my understanding it was leave. I will tell you Sharon did mention something to me at some point, and I do not recall specifically when, that she felt that Heather was taking off too much time and that potentially she was not working when she was, when she was scheduled to be working.” Taylor said she discussed this problem with Johnson, ODOI Deputy Director Froment, and ODOI Chief Administrative Officer Dorsey. The purpose of this discussion was to explore a possible move to another office. Taylor said she did not grant Brandt any flexibility to work outside the office.

Taylor said Johnson’s son had numerous doctor’s appointments and if there was “... a doctor’s appointment ... at 2 or 3:00,” Johnson might say, “... I’m gonna take him and then I’ll just work from home. Taylor said, “On those occasions I would generally say yes.” Regarding Johnson’s work from home, Taylor said that she expected,

... that she either had emails she needed to respond to; had phone calls that needed to be returned; or was --- or reviewing documentation required, you know, ... notes or something that was required from the day um that she didn’t get a chance to do while she was in the office. I did not expect there to be a situation where I’m working from home from noon to 4 or noon to 5, this was not what I agreed to, and I’m just available to be working, but I’m only gonna have two minutes of work during that time. That was not what I agreed to.

Additionally, Taylor granted permission to Johnson to come in to the office later on Thursday mornings so she could attend appointments with her son, with the understanding that Johnson would flex or make up the missed time. Taylor explained,

... So it wasn’t I expected every Monday or Tuesday or Wednesday she would be, you know, working from home three hours a day; or that every Monday or Friday she’d be working from home... outside of the Thursday morning, my expectation was she was in

the office working gen --- you know, our, our normal work hours except when we had this kind of conversation.

Taylor could not say what duties Johnson could perform outside of the office besides taking phone calls and responding to emails and did not recall when this limited flexibility was granted to Johnson, but agreed that it started before January 2014. Taylor admitted there was no process to document or account for work time claimed while Johnson was at home or away from the office. She agreed that any time Johnson spent in phone calls or emails that were business related while away from the office would be considered work time. However, only the actual time spent on those phone calls would be considered work time. Taylor said phone calls made during personal appointments like hair and nail appointments, or driving to or from those appointments, would not be considered work time. Taylor said she did not authorize and was not aware that Johnson claimed as work hours, time spent driving to and from the office, and to and from hair and nail appointments, or during those appointments.

On June 5, 2014, Lieutenant Governor Taylor stated she had a conversation with Johnson about the difference in time between the parking garage records and her timesheets<sup>10</sup> but was not comfortable with the verbal explanation from Johnson that the time was spent on phone calls and emails while away from the office. Taylor said that, as a result, she asked Johnson to resign, which Johnson did the following day. Also on June 5, 2014, Taylor said Brandt did not provide her with any explanation for the variance between the garage records and her (Brandt's) timesheets, and that Brandt asked her (Taylor) if she could help her (Brandt) find another job. After this conversation was over, Brandt resigned her position.

On September 2, 2014, the Office of the Ohio Inspector General interviewed Ohio Department of Insurance Deputy Director Jillian Froment and ODOI Chief Administrative Officer Tynesia Dorsey. Both Froment and Dorsey confirmed they met with the lieutenant governor and Johnson to discuss Brandt's extensive leave away from the office and what possible options were

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<sup>10</sup> Referring only to the January 1, 2014, through April 29, 2014, time period.

available, due to the fact Brandt used nearly all her possible leave balances. Both Froment and Dorsey confirmed no decision was made during this meeting.

Both Froment and Dorsey acknowledged that Johnson and Brandt were paid from ODOI funding; Johnson's and Brandt's timesheets were entered through the ODOI; both Johnson and Brandt signed ODOI policy manuals; and Johnson's and Brandt's personnel records were kept by the ODOI. However, neither Froment nor Dorsey considered Johnson and Brandt ODOI employees.

Based on the interviews conducted by the Office of the Ohio Inspector General, the Franklin County Prosecutor's Office and the Columbus City Attorney's Office requested further analysis of Johnson's timesheets (see timeline below). This analysis included additional reviews of Johnson's calendar appointments, both work-related and personal, and approved work time from home prior to or after doctors appointments as allowed by Taylor.

The following table is a breakdown of the hours from the secondary analysis focusing on times when Johnson's car was not in the garage but for which she claimed work hours:

<b>Analysis of Time - Johnson</b>	<b>Hours</b>
Time spent out of the office on work-related appointments	72.8
Time claimed as work but personal appointment noted on calendar	39.9
Approved time worked prior to doctors appointments	5.7
Questionable – time claimed as worked but unable to determine based on phone records or lack of calendar appointments	532.9

The following is a timeline of events regarding meetings between the Office of the Ohio Inspector General, the Franklin County Prosecutor's Office, and the Columbus City Attorney's Office and contact with Johnson's attorney:

- July 10, 2014 – the Franklin County Prosecutor advised the Office of the Ohio Inspector General that Johnson's attorney was Michael Miller.

- August 19, 2014 – the Office of the Ohio Inspector General contacted Miller to request an interview with his client. Miller stated he was not sure if he was still representing Johnson. Johnson’s new attorney, Terry Sherman, called to say he was now representing her.
- August 26, 2014 – the Office of the Ohio Inspector General met with representatives of the Franklin County Prosecutor’s Office and the Columbus City Attorney’s Office to review the facts of the investigation.
- November 3, 2014 – Letter sent to Johnson’s attorney again requesting an interview.
- November 10, 2014 – Sherman contacted the Office of the Ohio Inspector General and advised he was no longer representing Johnson.
- November 14, 2014 – Sherman contacted the Office of the Ohio Inspector General to advise he was again representing Johnson. Sherman declined to make his client available for an interview, but did request a meeting with the Office of the Ohio Inspector General to discuss the investigation.
- December 9, 2014 – The Office of the Ohio Inspector General and representatives of the Franklin County Prosecutor’s Office and the Columbus City Attorney’s Office confirmed with Johnson’s attorney that they would meet to discuss the analysis conducted on the records obtained and the questions each office had for Johnson. Due to scheduling conflicts and the upcoming holidays, Johnson’s attorney agreed to meet on January 16, 2015.
- January 16, 2015 – The Office of the Ohio Inspector General met with Johnson’s attorney to discuss the analysis.
- March 18, 2015 – Representatives of the Franklin County Prosecutor’s Office and the Columbus City Attorney’s Office requested a more detailed analysis be conducted by the Office of the Ohio Inspector General, further detailing the hours Johnson claimed as work but in which her car was not parked in the Riffe Tower garage, based on the interview with Lieutenant Governor Taylor.
- April 8, 2015 – The revised analysis was presented to the Franklin County Prosecutor’s Office and the Columbus City Attorney’s Office.

- April 20, 2015 – The revised analysis was presented to Johnson’s attorney to review with his client.
- June 3, 2015 – A written response was provided by Johnson’s attorney for the days in question.
- June 25, 2015 – A request was made to Johnson’s attorney for any supporting documentation to support the claims made in the written response from June 3, 2015.
- July 23, 2015 – The Office of the Ohio Inspector General received supporting documentation regarding the questionable hours listed in the detailed analysis.
- August 7, 2015 – The Office of the Ohio Inspector General provided a written response to the documentation that had been received from Johnson’s attorney to the Franklin County Prosecutor’s Office and the Columbus City Attorney’s Office.
- September 9, 2015 – The Office of the Ohio Inspector General met with representatives of the Franklin County Prosecutor’s Office and the Columbus City Attorney’s Office for a final presentation of the investigation.

## **CONCLUSION**

This investigation was initiated after allegations were received that Ohio Lieutenant Governor’s Office Chief of Staff Laura Johnson and Administrative Assistant Heather Brandt’s work hours claimed on their timesheets did not match the hours that their vehicles were parked in the Riffe Tower parking garage. A comparison of the timesheets submitted by Johnson and Brandt and garage records for their vehicles confirmed they were paid for hours when their vehicles were not parked in the garage.

Neither Johnson’s position as the lieutenant governor’s chief of staff nor Brandt’s position as assistant to the lieutenant governor’s chief of staff had documented job position descriptions or defined job duties, making it difficult to determine what each employee should have been doing during the hours they were paid. In addition to serving as lieutenant governor, Mary Taylor also holds the position of director of the Ohio Department of Insurance. Both ODAS and ODOI policies state that employees shall have an established set of standard work hours. The

Governor's Office time and attendance policy allows employees to flex their 80 hours worked within a standard two-week pay period.

Johnson and Brandt's positions are funded through the Ohio Department of Insurance. Johnson and Brandt signed acknowledgement of ODOI policy, and neither Johnson nor Brandt had a telework agreement as specified by ODOI policy. Johnson, Brandt, and other employees in the Lieutenant Governor's Office are ODOI employees who work in the Lieutenant Governor's Office.

The lieutenant governor gave Johnson limited authorization to start work at a later time<sup>11</sup> on Thursdays when Johnson had personal morning appointments, and to work from home after late afternoon personal appointments to make up for missed time in the office. Both of these limited authorizations were to be on an as-needed basis and were not a blanket approval. Johnson was not authorized to claim work hours for travel time to and from the office, or to and from hair and nail appointments, or during hair and nail appointments. Johnson claimed approximately 86 hours of drive time to and from work or salon appointments and another five hours of time spent at the salon as work hours. Furthermore, Taylor stated Johnson exceeded her limited authorization permitting Johnson to work from home. There was no documented ODOI teleworking authorization allowing Johnson to work from home or any other outside location. In total, the Office of the Ohio Inspector General questioned 532.9 hours claimed as work by Johnson when her car was not parked in the Riffe Tower garage and there was no corresponding work-related appointments listed on her calendar or corresponding work product.

**Accordingly, the Office of the Inspector General finds reasonable cause to believe a wrongful act or omission occurred in this instance.**

When co-workers complained to Johnson about Brandt's absences from work, Johnson removed the responsibility of approving her (Johnson's) and Brandt's timesheets from Executive Assistant Paula Farrell and delegated that authority to Johnson's subordinate, Brandt, in violation of the

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<sup>11</sup> Flextime.

ODOI Pay Policy. Johnson's ODOI electronic timesheet was sent to Brandt for approval and Brandt's timesheet was sent to Johnson for approval. However, computer records indicate Brandt would sign off the computer system and then sign on as Johnson to approve her own (Brandt's) timesheet. This occurred at times when Johnson was not in the office, and from the same IP address used by Brandt.

**Accordingly, the Office of the Inspector General finds reasonable cause to believe a wrongful act or omission occurred in this instance.**

In the roughly 41 months that Brandt was employed in the Lieutenant Governor's Office, she was on leave or leave of absence for roughly 19 months. During the last 11 months of Brandt's employment, her vehicle was parked in the Riffe Tower garage 217.48 hours less than the number of hours she claimed as work hours. There is no explanation for this variance, and Brandt had no job duties outside of the office. Taylor did not authorize Brandt to work outside of the office.

**Accordingly, the Office of the Inspector General finds reasonable cause to believe a wrongful act or omission occurred in this instance.**

**RECOMMENDATION(S)**

The Office of the Inspector General makes the following recommendations and asks the lieutenant governor to respond within 60 days with a plan detailing how the recommendations will be implemented. The Ohio Lieutenant Governor's Office should:

1. Provide job position descriptions for the position of chief of staff and assistant to the chief of staff.
2. Comply with Ohio Department of Administrative Services and Ohio Department of Insurance policies in requiring supervisor approval of all timesheets.

3. Make it clear to Ohio Department of Insurance employees who work in the Lieutenant Governor's Office that they must follow Ohio Department of Insurance policy, including time and attendance policy and teleworking policy.
4. Consider funding the payment of employees who work in the Lieutenant Governor's Office from a lieutenant governor's budget and establish a Lieutenant Governor's Office policy.

### **REFERRALS**

On September 9, 2015, the Office of the Ohio Inspector General met with representatives of the Franklin County Prosecutor's Office and the Columbus City Attorney's Office, Prosecuting Division, where the prosecutors determined there was insufficient evidence to pursue a criminal case.



STATE OF OHIO  
**OFFICE OF THE INSPECTOR GENERAL**

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RANDALL J. MEYER, INSPECTOR GENERAL

**NAME OF REPORT: Ohio Lieutenant Governor's Office**  
**FILE ID #: 2014-CA00043**

**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**  
**November 24, 2015**

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