

March 28, 2014

**Registered Mail and Electronic Mail**

John Howe  
1466 Roscoe Road  
Charlotte, VT 05445

Dear John:

You are hereby temporarily relieved from duty, with pay, for a period of up to thirty (30) work days, in order to permit the State to conduct and complete an investigation into allegations of misconduct including, but not limited to, authorizing non-State employees to sign State documents on your behalf and permitting a non-State employee access to your State cellular telephone.

I have asked Senior Investigator Joseph LaPorte to investigate these allegations. Mr. LaPorte will meet you at 1:00 p.m. on Thursday, April 10<sup>th</sup>, 2014. The meeting will occur at the Department of Human Resources Investigations Unit, located at 110 State Street in Montpelier, Vermont.

**Duties While Relieved From Duty.** Temporary relief from duty with pay is not considered to be disciplinary action. During this period of relief from duty, you are to abide by the following instructions:

1. Immediately inform your supervisor of any work that needs immediate attention.
2. You are not to engage in any work activity related to the Agency of Human Services/Department of Disabilities, Aging and Independent Living without specific authorization of your supervisor. Unless specifically approved by your supervisor, do not use any Agency of Human Services/Department of Disabilities, Aging and Independent Living equipment or access any Agency of Human Services/Department of Disabilities, Aging and Independent Living files, including computer files, and do not visit your work site or other Agency of Human Services/Department of Disabilities, Aging and Independent Living work sites.
3. Remain available and reachable by telephone during the hours of 7:45 am and 4:30 pm, Monday through Friday, to participate as needed with the investigation or to respond to any questions that may arise regarding your work assignments. Leave a telephone number with me where you can be reached. If you are not going to be available for a short period of time, you may be required to use your accrued leave.

**Duties Regarding Investigation.** You are also advised that Personnel Policy 17.0 provides: "State employees have an obligation to cooperate with their employer regarding employment investigations. It is part of the responsibility of an employee to answer truthfully and fully the work-related inquiries of the State."



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Refusing to answer, answering incompletely, or answering untruthfully, questions relating to work is considered misconduct for which an employee may be disciplined up to and including dismissal.

Do not take any action injurious to the integrity of the investigation, including but not limited to: (1) threatening or harassing any witness or complainant; (2) attempting to influence the recollection or testimony of any witness or complainant; (3) colluding with any individual to fabricate or misrepresent facts pertaining to the investigation; or (4) destroying or altering evidence pertaining to the investigation. Failure on your part to follow this directive may lead to disciplinary action being taken against you up to and including your dismissal.

Be advised if you choose to speak with other state employees or witnesses who are not VSEA representatives or Stewards about the facts or allegations concerning the matters under investigation, we have the right to interview those individuals about those conversations and any information arising from those interviews could be considered by the Agency of Human Services/Department of Disabilities, Aging and Independent Living in imposing discipline.

**No Retaliation.** Do not retaliate against anyone whom you believe may have brought information to the attention of the employer, or whom you think may have cooperated with or participated in the investigation.

Failure to comply with the above instructions may result in appropriate discipline, up to and including dismissal.

**Right of Representation.** You are hereby notified that you have the right to request representation by VSEA or private counsel at your own expense, at any interview or resulting hearing connected with this investigation.

Sincerely,



Diane P. Dalmassé, Director

c: DHR Labor Relations Division  
Joseph LaPorte, Senior Investigator, DHRIU