



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service  
Centers for Disease Control  
and Prevention (CDC)

## Memorandum

**Date:** October 22, 2018

**From:** Center Director, National Center for Environmental Health (NCEH)

**To:** George Lubber, Supervisor, Health Scientist, Climate and Health Program,

**Subject:** Proposal to Remove

This is advance notice that I am proposing to remove you from your full-time position of Supervisory Health Scientist, GS-0601-15, in the Climate and Health Program, Division of Environment Health Science and Practice (DEHSP), National Center for Environment Health (NCEH), Centers for Disease Control and Prevention (CDC) and from Federal Service. The Agency is proposing this action to promote the efficiency of the service. This action will be effected no earlier than thirty (30) calendar days from the date you receive this memorandum. This notice of proposed removal is based on the following charges:

On March 1, 2018, Donna Knutson, Deputy Director, NCEH/ATSDR, and John Tibbs, the Management Official, NCEH/ATSDR were made aware of issues regarding the management of the Climate and Health Program that implicated you in alleged ethics violations, misuse of position, and conduct unbecoming of a federal employee. Mr. Tibbs and Ms. Mattie Gilliam, Deputy Management Officer followed-up over the next months with employees, the Director of Ethics for CDC, and the Business Integrity Service Office (BISM) to gather information and evidence that might refute or substantiate the charges. The issues below summarize the results of the due diligence employed to follow up on the issues.

### **Charge 1: Falsification of Time/Attendance Records**

**Specification 1:** On October 18, 2014, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on October 9, 2014. This certification was false in that you only performed duty for 5.5 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 2:** On September 19, 2015, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on September 10, 2015. This certification was false in that you only performed duty for 5.5 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 3:** On September 17, 2016, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on September 15, 2016. This certification was false in that you only performed duty for 5.5 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 4:** On October 15, 2016, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on October



6, 2016. This certification was false in that you only performed duty for 5.5 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 5:** On October 15, 2016, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance, indicating that you performed 8 hours of duty on October 13, 2016. This certification was false in that you only performed duty for 6.5 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 6:** On September 2, 2017, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on August 24, 2017. This certification was false in that you only performed duty for 6.5 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 7:** On September 2, 2017, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on August 31, 2017. This certification was false in that you only performed duty for 6.5 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 8:** On September 16, 2017, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on September 7, 2017. This certification was false in that you only performed duty for 6.5 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 9:** On October 14, 2017, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on October 5, 2017. This certification was false in that you only performed duty for 6.5 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 10:** On October 14, 2017, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on October 12, 2017. This certification was false in that you only performed duty for 6.5 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 11:** On October 28, 2017, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on October 19, 2017. This certification was false in that you only performed duty for 6.5 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 12:** On October 28, 2017, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on October 26, 2017. This certification was false in that you only performed duty for 6.5 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 13:** On November 11, 2017, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on November 2, 2017. This certification was false in that you only performed duty for 6.5 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.



**Specification 14:** On November 11, 2017, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on November 9, 2017. This certification was false in that you only performed duty for 6.5 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 15:** On November 25, 2017, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on November 16, 2017. This certification was false in that you only performed duty for 6.5 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 16:** On January 20, 2018, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on January 16, 2018. This certification was false in that you only performed duty for 6 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 17:** On February 3, 2018, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on January 23, 2018. This certification was false in that you only performed duty for 6 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 18:** On February 3, 2018, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on January 30, 2018. This certification was false in that you only performed duty for 6 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 19:** On February 17, 2018, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on February 6, 2018. This certification was false in that you only performed duty for 6 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 20:** On February 17, 2018, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on February 13, 2018. This certification was false in that you only performed duty for 6 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 21:** On March 3, 2018, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on February 20, 2018. This certification was false in that you only performed duty for 6 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 22:** On March 17, 2018, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on March 13, 2018. This certification was false in that you only performed duty for 6 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

**Specification 23:** On March 31, 2018, you certified your time and attendance record in TASNet, the CDC's electronic time and attendance system, indicating that you performed 8 hours of duty on March



20, 2018. This certification was false in that you only performed duty for 6 hours on that date. Your certification was knowingly false and made with the intent to mislead the Agency.

### **Charge 2: Failure to Obtain Prior Approval to Engage in Outside Activities**

The Centers for Disease Control and Prevention (CDC) adheres to the Department of Health and Human Services (HHS) policies, through 5 C.F.R. § 5501.106(d), requires that an employee obtain written approval from his or her supervisor to engage in outside activities, with or without compensation, in outside employment, including engaging in teaching, speaking, writing, or editing that relates to the employee official duties. HHS form HHS-520 must be completed forty-five (45) days prior to the engagement in outside activities. In addition, the form must be completed annually when reporting the outcome of the activities. There are three instances where prior approval requests were not found in the EPATS system or in the prior paper-based system.

**Specification 1:** You failed to obtain approval prior to your work as co-author on the book entitled *Global Climate Change and Human Health: From Science to Practice* between June 6, 2013, and its publication date in September 2015.

**Specification 2:** You failed to obtain approval prior to your work as co-author of a chapter in the book entitled *Foundations of Global Health* between July 22, 2016, and its publication date on March 2, 2018.

**Specification 3:** You failed to obtain approval prior to your work as an instructor for Emory University's "Advanced Seminar in Climate Change and Health: Research and Policy" between January 15 – April 30, 2018.

### **Charge 3: Misuse of Position**

**Specification 1:** On September 26, 2016, you encouraged, directed, coerced or requested that Kathryn Conlon be a guest lecturer at the Rollins School of Public Health, class EH 582, "*Global Climate Change: Health Impacts and Response*". At the time of your request, you were the Chief of the Climate and Health Program and you were directly supervising Ms. Conlon. Ms. Conlon's appearance as a guest lecturer was not required for the performance of her official duties or authorized in accordance with law or regulation.

**Specification 2:** On September 27, 2016, you asked Stasia Widerynski to co-author a chapter of the book entitled *Foundations of Global Health*. At the time of your request, you were the Chief of the Climate and Health Program and you were directly responsible for supervising the work of Ms. Widerynski, an ORISE contractor. Additionally, at the time of your request, you were engaged in working in a nongovernmental capacity as a co-author on the same book. Your action reasonably created the appearance of a conflict of interest.

**Specification 3:** In July 2017, you encouraged, directed, coerced, or requested that Kathryn Conlon and Chelsea Austin use official time to develop materials and produce a syllabus for a course, *Climate Adaptation*, for an unapproved outside activity with Yale University. In addition, you told Ms. Conlon that she would be the instructor of the WebEx course, and Ms. Austin would serve as a discussion leader, as well as "lecturer" status at Yale University. The program would be available to interested parties for a fee, collected by Yale University, and scheduled to run from October 22-November 21, 2018. You told Ms. Conlon and Ms. Austin that the project would fall under "official duties". At the time of your request, you were Chief, Climate and Health Program and you were directly responsible for supervising Ms. Conlon and supervising the work of Ms. Austin, an ORISE contractor. Ms. Conlon and Ms. Austin's



work on the course was not required for the performance of their official duties or authorized in accordance with law or regulation. Your conduct violated 5 C.F.R. § 2635.705(b).

**Specification 4:** On October 30, 2017, you encouraged, directed, coerced or requested that Kathryn Conlon to be a guest lecturer at the Rollins School of Public Health, class EH 582, "*Global Climate Change: Health Impacts and Response*". At the time of your request, you were the Chief of the Climate and Health Program and you were directly supervising Ms. Conlon. Ms. Conlon's appearance as a guest lecturer was not required for the performance of their official duties or authorized in accordance with law or regulation.

#### **Charge 4: Conduct Unbecoming to a Federal Employee**

**Specification 1:** Between June 19-23, 2016, while on duty and attending the annual meeting for the Council of State and Territorial Epidemiologists, you asked CDC colleagues to join you on a daylong fishing trip instead of attending the conference. Such conduct was unbecoming of a federal employee.

**Specification 2:** Between June 19-23, 2016, while on duty and attending the annual meeting for the Council of State and Territorial Epidemiologists, you revealed to another colleague that you had been "high" during the fishing trip. Such conduct was unbecoming of a federal employee.

**Specification 3:** Between October 30 and November 2, 2016, while on duty and attending the annual meeting for the American Public Health Association, you missed nearly all of your presentation and admitted to a colleague that you were late because you were hung over and still drunk from the night before. Such conduct was unbecoming of a federal employee.

The material relied upon to support the proposed action is on file in the Human Resources Office, Centers for Disease Control and Prevention (CDC). Should you desire to review this material, contact Ms. Treshia Simmons, Human Resources Specialist, at (770) 488-1124 or (404) 904-9207.

You may answer this notice in person (orally), in writing, or both, and may submit affidavits and other documentary evidence in support of your answer. Your written reply should be directed to Ms. Shaunette Crawford, Executive Officer, Centers for Disease Control and Prevention (CDC), Clifton Road, Building 21, Room 11031, Mailstop D25, Atlanta, Georgia 30329, or her designee, who will serve as the deciding official in this matter. Should you desire to answer in person, contact Ms. Crawford's office, telephone number (404) 639-7186, to arrange a meeting. You will be allowed 15 calendar days from the date you receive this notice to submit your answer. Consideration will be given to any answer you submit. As soon as possible after your answer is received, or after the expiration of the 15-day limit if you do not answer, you will be given a written decision.

You have the right to reply to this notice, and to submit affidavits in support of your reply, showing why this notice is inaccurate and any other reasons why your proposed removal should not be effected. You also have the right to be accompanied, represented, and advised by an attorney, at your own expense, or other representative of your choice. However, we may disallow as your representative, an individual whose activities as a representative would cause a conflict of interest or position, an employee who cannot be released from his or her official duties because of the priority needs of the government, or an employee whose release would give to unreasonable costs to the government.

If you choose someone to represent you, that person's name, address, and telephone number must be given to Ms. Crawford in writing providing your authorization for your representative to have access to official records personal to you and relevant to this proposed action.

You will be allowed four (4) hours of official time, if otherwise in an active duty status, to review the materials relied on to support this proposal, to secure affidavits, and to prepare an answer to this notice. Additional official time may be granted if necessary. You should arrange with your immediate supervisor for the use of official time.



Patrick N. Breysse, Ph.D.  
Director, NCEH/ATSDR

I acknowledge receipt of this proposal:



Employee Signature

10-22-18

Date