

1. Accepted Claim: Whether the agency discriminated against the Complainant when his supervisor sent him a letter of caution for excitable conduct in the workplace. Prepare questions for the Complainant.

2. Accepted Claim: Did the agency discriminate against Complainant because of her religion (Witchcraft) when it denied her leave? Prepare questions for the Complainant.

3. Accepted Claim: Whether the agency did not promote Complainant to the position of Auto Mechanic because of her sex. Prepare questions for the Complainant.

4. Accepted Claim: Whether the agency failed to reassign Complainant because of her race and disability. Prepare questions for the Complainant.

5. Accepted Claim:

Whether the agency discriminated against the Complainant when it rescinded its offer of employment as a motor vehicle operator because Complainant was not medically qualified for the position. Prepare questions for Complainant and agency witness who made decision that Complainant was not medically qualified for position.

6. Accepted Claim:

Whether the agency discriminated against Complainant based upon sex when he was harassed by several incidents leading to his removal from the Special Operations Team.

7. Accepted Claim:

Whether the agency discriminated against Complainant based upon his national origin (Pakistan) when he was not selected for the Supervisory Auditor Position.

8. Accepted Claim:

Was Complainant subjected to harassment because of disability or in retaliation for prior protected activity, when

1. since 10/22/12, he was isolated from coworkers, his office and administrative responsibilities were removed, and he was assigned clerical duties;

2. on 10/26/112, after being directed not to report to work and being denied advanced sick leave which resulted in numerous AWOL charges he was issued a leave restriction letter;

3. on 01/08/13, he was not selected for a supervisor's position.

Counselor's Report:

Complainant says: on September 25, 2012, RMO 2 notified Complainant “not to report to work without documentation claiming [he] was safe.” RMO 2 attested that on September 25, 2012, he phoned the Complainant to advise him that “he should not report back to work (or that we didn’t want him to report back to work) until he had medical clearance to do so...[T]his ‘directive’ was for the purpose of ensuring that [Complainant] was medically able to report to work, work effectively, and not further exasperate his medical condition. There was no mention, and in fact no intent that the ‘directive’ was in any way meant to imply that [Complainant] was, or might be, a hazard to other employees, or that he was not safe to be around with regard to other employees.” . Complainant attested that on October 1, 2012, he followed up with RMO 1 who “again informed [him] that [he] was not supposed to report to work until [he] had medical documentation stating that [he] was safe to report to work.” Complainant attested that RMO 1 told him that the agency perceived he was a security threat “based upon a report” that the Complainant drove “erratically in the parking lot the previous Friday.”

RMO 1 says: on September 21, 2012, Complainant left work early. A co-worker told RMO 1 that another employee saw Complainant “zooming out of the parking lot,” and “was concerned.” RMO 1 told the co-worker to tell the employee to provide RMO 1 with an e-mail message describing the event; RMO 1 sent the e-mail message to the agency’s IG. RMO 1 attested that she knew the agency “needed an appropriate medical release to cover the agency since [Complainant’s] erratic behavior in the parking lot was reported.”

9. Accepted Claim:

Whether the agency discriminated against Complainant based upon sex when he was told not to attend the agency’s Holiday Award Banquet at a local military base’s officer’s club because his use of the base men’s room would cause disruption.