



# OFFICE OF THE INSPECTOR GENERAL

## U.S. Department of Justice

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### **INVESTIGATIVE SUMMARY**

#### **Findings of Misconduct by U.S. Marshal for Failing to Work an 8 Hour Day in Violation of Executive Branch Ethics Regulations, U.S. Marshals Service Leave Regulations, and U.S. Marshals Service Time & Attendance Policy**

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated an investigation upon receipt of an anonymous complaint that a U.S. Marshal did not regularly work 8 hours each day. United States Marshals Service (USMS) time and attendance policy specifically provides that U.S. Marshals are required to work a 40 hour work week and an 8 hour day reflecting the business hours of the district.

The OIG conducted surveillance of the U.S. Marshal over a period of three days. The OIG observed that on each of the three days, the U.S. Marshal worked for substantially fewer than 8 hours. The Marshal's certified time and attendance summary for the relevant pay period shows that the Marshal certified that he worked an 8 hour day on each of those three days. When interviewed by the OIG, the Marshal stated that he viewed his hours as flexible, and his short work days were more than offset by days on which he worked in excess of 8 hours. The OIG concluded that the Marshal violated ethics regulations for executive branch employees, regulations relating to leave specifically applicable to U.S. Marshals, and USMS time and attendance policy. The OIG concluded that the Marshal had ample notice of USMS policy regarding his expected hours of work.

The OIG has completed its investigation and provided a report to the USMS and the Office of the Deputy Attorney General.

*Posted to [oig.justice.gov](http://oig.justice.gov) on June 20, 2018*