



DEPARTMENT OF THE ARMY
JOINT FORCES HEADQUARTERS - MICHIGAN
MICHIGAN ARMY NATIONAL GUARD
SURFACE MAINTENANCE MANAGEMENT OFFICE
3323 NORTH MARTIN LUTHER KING JR. BOULEVARD
LANSING MI 48906-2934

NGMI-LOG-SMO

12 February 2014

MEMORANDUM FOR JOSEPH L. SMOCK

SUBJECT: Proposed Adverse Action Notice - Removal

1. This is notification that I propose to remove you from your position as a Facility Management Specialist, GS 09, in accordance with Technician Personnel Regulation 752. This letter constitutes your 30 day notice of removal.

2. The proposed removal is for conduct in violation of and punishable under TPR 752, Annex D (Table of Penalties for Various Offenses), Table D-1, item 11, stealing, actual or attempted, unauthorized possession of government property or property of others, or collusion with others to commit such acts. As part of the Standards of Ethical Conduct for Federal Employees, a fundamental principle of ethical service is to protect and conserve Federal property, and not use it for other than authorized activities. Evidence in the form of sworn statements indicates the following occurred.

- a. You wrongfully removed a flat screen television from the MATES building;
- b. You wrongfully removed sheets of OSB from the MATES building;
- c. You wrongfully removed wood from the MATES building;
- d. You wrongfully removed sheets of luan from the MATES building;
- e. You wrongfully installed government purchased tires on your son's truck;
- f. You wrongfully removed heaters from the buildings at Camp Grayling;
- g. You wrongfully removed equipment parts from the air-to-ground range;
- h. You wrongfully removed diesel fuel from the MATES building;
- i. You wrongfully appropriated a chainsaw purchased with government funds to your own use.

3. Evidence in the form of the below sworn statements and anticipated testimony will establish the allegations against you.

- a. Sworn statement from MSG Thad Cooper
- b. Sworn statement from MSG Janet Fouts
- c. Sworn statement from CW2 Todd Witcher

4. You are entitled to interview witnesses, and any other employees or military members who may have relevant information regarding this proposed adverse action, if they are willing to be interviewed. You may arrange interviews on your own or with my

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assistance. I have enclosed all documents that I have relied upon for your use and review.

517-481-8105

5. You have the right to reply to this proposed action orally, in writing, or both. Your written reply should be sent to the deciding official, COL Gregory A. Durkac at Gregory.a.durkac.mil@mail.mil. Your written and/or oral replies must be received by the deciding official COL Gregory A. Durkac by 19 February 2014. You may request an extension of this deadline by providing your reason(s) to the deciding official, who may grant all, a portion, or none of the extension request. You will be allowed up to four (4) hours of excused absence to prepare and answer the proposed action. You must arrange such absence with the undersigned prior to taking the leave.

6. You may seek assistance regarding procedural issues by contacting the Labor Relations Specialist CW4 Andrew Mosciski, at DSN 623-9686 or COMM (517) 481-7686.

7. An Original Decision will be issued by the deciding official after receipt of replies or after the reply period has ended. If the proposed action is upheld it will be affected on the date established in the original decision.

8. If your conduct is affected by some personal problem, you are advised of the Military One Source Program. You may call them for free and confidential advice at 1-800-342-9647 or visit their website at <http://www.militaryonesource.mil> . If you would like more information about this program, I urge you to contact the Human Resource Office Employee Relations Branch @ (517) 481-7704 / 7707.

Encls


SCOTT L. MEYERS
LTC, FA MIARNG
Surface Maintenance Manager

I hereby certify hand delivery of this Proposed Action Notice. My signature and date merely acknowledge receipt of this document and implies neither innocence nor guilt.

Joseph L. Smock

Date