

NATIONAL RAILROAD PASSENGER CORPORATION
OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS
INVESTIGATIVE CLOSING REPORT

TITLE: Medical Leave Fraud CASE NUMBER: 09-147
DATE OF REPORT: April 8, 2010
REPORT PREPARED BY: [redacted], SBA and [redacted], SA [redacted]

1. FINDINGS OF FACT AND RECOMMENDATIONS

A. FINDINGS OF FACT

1. On September 23, 2009, the Office of Inspector General ("OIG"), Office of Investigations ("OI"), received information that [redacted] Reservations and Information ("R&I") Clerk, took a Medical Leave of Absence ("MLOA") to return to a teaching position or do work as a hair stylist.
2. According to Amtrak records, [redacted] started his MLOA on September 8, 2009. While on MLOA, [redacted] had a couple of MLOA extensions. Amtrak Health Services sent [redacted] a letter via certified mail on February 4, 2010, that requested additional medical documentation for continuation of his medical leave. Amtrak Health Services sent [redacted] a second letter on February 26, 2010, that advised him that additional information was needed to justify his continued medical leave.
3. [redacted] responded to the Amtrak Health Services request in March 2010. He informed them that no additional information was needed from his doctor. Therefore, no additional information would be provided.
4. OI then conferred with Special Agent [redacted] Public Schools ("CPS"), OIG. In a joint investigation with CPS, OI examined [redacted]'s CPS Time Sheets from 2007 through 2009 and compared that information with [redacted]'s work record for the same time period at Amtrak. [redacted]'s CPS time sheets showed that while on MLOA from Amtrak he worked daily for the CPS. This was in violation of Rule 21 Section B of the Transportation Communications International Union ("TCU") contract.¹
5. Additionally, [redacted], Chicago Union Station, notified [redacted] via Federal Express with information pursuant to Section 10, Article III of the September 2, 1994, agreement between the National Railroad Passenger Corporation ("NRPC"), Amtrak and the TCU. This stated that an employee not on authorized leave of absence who was absent from his/her assignment for more than fifteen (15) calendar days without notifying his/her supervisor would be considered resigned and would be removed from the seniority roster. Amtrak's personnel records showed [redacted]'s resignation was effective March 12, 2010.

B. RECOMMENDATION

1. Close case; allegation substantiated; employee resigned.

CLOSED

Chief Inspector: [redacted] Date 4/8/10
Deputy Inspector General/Counsel: [redacted] Date 4/21/2010

¹ An employee absent on leave who engages in other employment shall forfeit his seniority and be considered out of service, unless special arrangements shall have been made with the official granting the leave of absence and the designated representative of the organization.