

STATE OF OHIO  
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

REPORT OF  
INVESTIGATION



**AGENCY: OHIO BUREAU OF WORKERS' COMPENSATION**  
**FILE ID NO.: 2010-296**  
**DATE OF REPORT: MARCH 6, 2012**

## The Office of the Ohio Inspector General.... The State Watchdog

*“Safeguarding integrity in state government”*

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RANDALL J. MEYER, INSPECTOR GENERAL

**REPORT OF INVESTIGATION**

**FILE ID NUMBER:** 2010-296

**SUBJECT NAME:** Fredrick (Rick) Brown

**POSITION:** Management Analyst Supervisor 2

**AGENCY:** Ohio Bureau of Workers' Compensation

**BASIS FOR INVESTIGATION:** Complaint

**ALLEGATIONS:** Operating a business or private interest on state time;  
Misuse of state property or equipment.

**INITIATED:** August 6, 2010

**DATE OF REPORT:** March 6, 2012

## **INITIAL ALLEGATION AND COMPLAINT SUMMARY**

On August 6, 2010, the Office of the Ohio Inspector General received an anonymous complaint that alleged Fredrick (Rick) Brown, an Ohio Bureau of Workers' Compensation (OBWC) employee, was utilizing state equipment for personal use. The complainant alleged Brown listed his OBWC email address and telephone number on both the Ohio High School Athletic Association roster to promote his involvement as a girls volleyball referee, and his affiliation with the Central Ohio Boys Volleyball Officials Association. The complaint alleged this activity took place during Brown's scheduled work hours and Brown benefited financially from using state resources for non-work related activities.

## **BACKGROUND**

Ohio's workers' compensation system is the largest state-funded insurance system in the nation, serving approximately 256,000 employers and 1.2 million injured workers. It is the mission of the Ohio Bureau of Workers' Compensation (OBWC) to protect injured workers and employers from loss as a result of workplace accidents, and to enhance the general health and well-being of Ohioans and the Ohio economy.

At the time of the investigation, Brown worked at OBWC as a Management Analyst Supervisor 2. His job duties and responsibilities included planning and directing a management evaluation and monitoring system for the Employer Programs, which included the Drug-Free Workplace Program, and coordinating activities of multiple teams or units of management analysts, supervising team/unit supervisors, and serving as an agency manager when required.

## **INVESTIGATIVE SUMMARY**

With assistance from the Ohio Bureau of Workers' Compensation Special Investigations Division and the OBWC Cyber Crime Unit, data from Brown's state-issued computer was collected and analyzed. The information included 4,983,341 records of Internet activity; 759,261 records of disk activity; 791,220 screenshots of computer activity; 9,097 emails; and 6,668 documents. Additionally, files saved on the hard drive of Brown's state-issued computer and on OBWC's network drive were collected. Records related to documents Brown faxed and printed, as well as his Internet use and phone records, were also obtained.

The records obtained were analyzed to determine whether Brown used state resources for his personal use. A review of the documents Brown saved to the OBWC network drive for the period of time from September 22, 2010, to May 31, 2011, revealed a total of 1,024 non-work related documents. These documents included officiating records, scheduling records, officiating earnings records, and investment records. **(Exhibit 1)**

Brown's print log for the time period of September 22, 2010, to May 31, 2011, reflected that he sent 244 non-work related documents to the OBWC printer. A number of the non-work related documents were multiple pages in length, and many documents had volleyball-related titles. **(Exhibit 2)**

A review of Brown's OBWC email account identified 1,164 non-work related emails sent between September 22, 2010, and May 31, 2011. The majority of these non-work related emails pertained to Brown's involvement in officiating volleyball matches. However, the review of Brown's OBWC email account also identified other non-work related emails regarding Brown's private investments and those of his family members. Brown's OBWC phone records also reflected numerous calls to an investment company.

In addition to reviewing files from Brown's network drive, printer log, and email account, Brown's Internet records were also analyzed. Brown's Internet records revealed that he accessed the Internet for non-work related research. **(Exhibit 3)** This was in violation of the OBWC computer policy memo, titled "4.14 INTERNET, ELECTRONIC MAIL, WEBMAIL and INSTANT MESSAGING POLICY," which states:

The BWC recognizes that it may be occasionally necessary for an employee to utilize the Internet or email for non-work related reasons. A minimal amount of personal usage will be tolerated, but should only be undertaken in certain, limited circumstances. As is the case with all BWC resources, employees will be held accountable for their proper use.

**(Exhibit 4)**

A review of Brown's Internet records indicated that during the period of time from September 22, 2010, to May 31, 2011, Brown conducted no less than 254 hours of personal business while

on state time. The majority of this time centered on his work with volleyball. During this time period, Brown's rate of pay was \$41.36/hour. Therefore, Brown was paid \$10,505.44 in wages by OBWC for conducting non-OBWC work.

Brown's personal bank records were subpoenaed to determine what, if any, monies were made by officiating sporting events. A review of Brown's bank records for the period of time from December 9, 2009, to March 7, 2011, identified that Brown was compensated approximately \$17,100 for his work related to officiating volleyball games. Although Brown did not officiate volleyball games on state time, he utilized state resources to schedule and perform non-work related tasks with regard to his personal officiating duties.

On June 1, 2011, Brown was interviewed by Office of the Ohio Inspector General. During the interview, Brown admitted to using his state computer for personal use pertaining to his involvement in officiating. Brown estimated that he spent "...probably a couple hundred hours" over the last year conducting personal business on OBWC time. After the interview, Brown met with the OBWC Human Resources Department and Labor Relations, at which time he resigned from his employment with OBWC.

### **CONCLUSION**

This investigation found that a public employee, Frederic Brown, used his position at the Ohio Bureau of Workers' Compensation, as well as public equipment and time, to benefit his private business.

**Accordingly, we find reasonable cause to believe that a wrongful act or omission occurred in this instance.**

### **REFERRALS**

An investigative referral package was provided to the Franklin County Prosecutor's Office for consideration.



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RANDALL J. MEYER, INSPECTOR GENERAL

**NAME OF REPORT: Ohio Bureau of Workers' Compensation**  
**FILE ID #: 2010-296**

**KEEPER OF RECORDS CERTIFICATION**

**This is a true and correct copy of the report which is required to be prepared by the Office of the Ohio Inspector General pursuant to Section 121.42 of the Ohio Revised Code.**

A handwritten signature in black ink, appearing to be "Jill Jones", is written over a horizontal line.

**Jill Jones**  
**KEEPER OF RECORDS**

**CERTIFIED**  
**March 6, 2012**

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