

STATE OF OHIO
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

REPORT OF
INVESTIGATION



AGENCY: OHIO DEPARTMENT OF JOB AND FAMILY SERVICES
FILE ID NO.: 2011-142
DATE OF REPORT: FEBRUARY 13, 2012

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

“Safeguarding integrity in state government”

The Ohio Office of the Inspector General is authorized by state law to investigate alleged wrongful acts or omissions committed by state officers or state employees involved in the management and operation of state agencies. We at the Inspector General’s Office recognize that the majority of state employees and public officials are hardworking, honest, and trustworthy individuals. However, we also believe that the responsibilities of this Office are critical in ensuring that state government and those doing or seeking to do business with the State of Ohio act with the highest of standards. It is the commitment of the Inspector General’s Office to fulfill its mission of safeguarding integrity in state government. We strive to restore trust in government by conducting impartial investigations in matters referred for investigation and offering objective conclusions based upon those investigations.

Statutory authority for conducting such investigations is defined in *Ohio Revised Code §121.41* through *121.50*. A *Report of Investigation* is issued based on the findings of the Office, and copies are delivered to the Governor of Ohio and the director of the agency subject to the investigation. At the discretion of the Inspector General, copies of the report may also be forwarded to law enforcement agencies or other state agencies responsible for investigating, auditing, reviewing, or evaluating the management and operation of state agencies. The *Report of Investigation* by the Ohio Inspector General is a public record under *Ohio Revised Code §149.43* and related sections of *Chapter 149*. It is available to the public for a fee that does not exceed the cost of reproducing and delivering the report.

The Office of the Inspector General does not serve as an advocate for either the complainant or the agency involved in a particular case. The role of the Office is to ensure that the process of investigating state agencies is conducted completely, fairly, and impartially. The Inspector General’s Office may or may not find wrongdoing associated with a particular investigation. However, the Office always reserves the right to make administrative recommendations for improving the operation of state government or referring a matter to the appropriate agency for review.

The Inspector General’s Office remains dedicated to the principle that no public servant, regardless of rank or position, is above the law, and the strength of our government is built on the solid character of the individuals who hold the public trust.



STATE OF OHIO
OFFICE OF THE INSPECTOR GENERAL
RANDALL J. MEYER, INSPECTOR GENERAL

REPORT OF INVESTIGATION

FILE ID NUMBER: 2011-142

SUBJECT NAME: Leigh Maynard-West

POSITION: State Agency Employee

AGENCY: Ohio Department of Job and Family Services

BASIS FOR INVESTIGATION: Agency Complaint

ALLEGATIONS: Abuse of Office/Position

INITIATED: July 25, 2011

DATE OF REPORT: February 13, 2012

INITIAL ALLEGATION AND COMPLAINT SUMMARY

On July 13, 2011, the Office of the Ohio Inspector General received a complaint from the Ohio Department of Job and Family Services (ODJFS) alleging suspected illegal and/or improper activity by an employee in the Special Claims Section of the Office of Unemployment. In particular, ODJFS suspected an employee, Leigh Maynard-West, was processing weekly unemployment claims for an individual not assigned to her. The Office of the Ohio Inspector General opened an investigation on July 25, 2011.

BACKGROUND

According to the Ohio Department of Job and Family Services, the Special Claims Section of the Office of Unemployment "...handles claims based upon employment with the military, federal civilian employers, and ODJFS. In addition, this department processes claims that result from combining wages earned in two or more states; transmits wage information between Ohio and other states, including the Virgin Islands and Puerto Rico, for use in the combined wage program; acts as an intermediary between claimants and other state [unemployment compensation] agencies; and administers the Disaster Unemployment Assistance (DUA) program."¹

As a claims representative in the Special Claims Section, Leigh Maynard-West's job duties included, but were not limited to:

- Processing claims according to established policies and procedures;
- Processing claims transferred from other departments;
- Answering telephone inquiries regarding claims and explaining appeal rights and procedures to claimants; and
- Processing weekly claims for claimants who elect to file by telephone.

To qualify for unemployment compensation, claims must be submitted weekly by the claimant, and he or she is required to answer questions regarding current eligibility. According to the Ohio

¹ See: <http://jfs.ohio.gov/ouc/ucben/PolicyAndPayment.stm>.

Unemployment Compensation Guide,² the “questions include whether the claimant was physically/mentally able to work, available for work, actively seeking work according to his or her work search instructions, and whether the claimant refused any offers of suitable work.” Claimants may file weekly claims by telephone or online. If the claimant elects to file by telephone and chooses to speak to an individual rather than using the automated system, he or she is forwarded to a claims representative. The claimant is assigned to a claims representative based on the last four digits of the claimant’s Social Security Number. The claims representative then asks the questions necessary of the claimant and records his or her responses in the claims system. If the claimant is deemed eligible to continue receiving unemployment compensation, the applicable payment will be processed.

The following Ohio Department of Job and Family Services policies were reviewed during the course of the investigation:

- *IPP.005 – Processing of ODJFS Work Actions.* Section VI.B. states, “ODJFS employees shall not, on a normal basis, process any ODJFS work actions for themselves, relative, co-workers or friends.” A work action includes claims. **(Exhibit 1)**
- *IPP.10002 – Computer and Information Systems Usage.* Section VI.C states ODJFS employees are prohibited from using any computer system for illegal purposes. **(Exhibit 2)**
- *IPP.0003 – Standards of Employee Conduct.* This policy states that ODJFS employees shall only use government property, including computer systems, for official purposes and are not to conduct illegal activities during working hours. **(Exhibit 3)**

INVESTIGATIVE SUMMARY

The Office of the Ohio Inspector General received copies of a claimant’s weekly unemployment compensation claims from the Ohio Department of Job and Family Services showing the claims were processed by Maynard-West. According to the ODJFS Office of the Chief Inspector, the last four digits of the individual’s Social Security Number were not in the range assigned to Maynard-West.

² See: <http://www.odjfs.state.oh.us/forms/inter.asp>; Form Number 08201.

The Office of the Ohio Inspector General interviewed Maynard-West. She acknowledged she did process the individual's weekly unemployment compensation claims even though the claimant was not assigned to her. She also acknowledged she processed the weekly claims prior to the individual calling to verify the information. Maynard-West stated she did not know the individual outside of their weekly telephone conversations, but admitted they were "Facebook friends." Maynard-West stated the claimant initially sent the "friend request" to her, and this occurred after she began processing his weekly claims. She further explained that her former supervisor knew of the situation, and since the claimant would only speak to Maynard-West, her supervisor said, "you've adopted him."

Maynard-West's former supervisor was also interviewed and stated that claims specialists could process general questions from claimants outside their queue, but specific questions or requests would need to go to the proper claims representative. The supervisor further stated she would not have told Maynard-West to "adopt" a claimant. Background information gathered during the investigation on Maynard-West and the claimant found no evidence to support that the two had previously known each other prior to the period in question.

In her interview with the Office of the Ohio Inspector General, Maynard-West revealed that she also processed weekly unemployment compensation claims for two additional individuals not assigned to her. However, she did not admit to processing the weekly claims of these two additional individuals prior to their calls to the ODJFS telephone system as she had for the original claimant.

After interviewing Maynard-West, discussions were held with representatives of the ODJFS Office of the Chief Inspector. An examination of the files for the three claimants confirmed that all three were entitled to the unemployment compensation benefits Maynard-West processed for them. However, by processing the weekly claim prior to the individual calling ODJFS and without verifying the information directly with that claimant, Maynard-West could potentially have processed a fraudulent claim.

CONCLUSION

The Office of the Ohio Inspector General found that Leigh Maynard-West violated several Ohio Department of Job and Family Services' policies when processing weekly unemployment compensation claims for three individuals not assigned to her. Although the claimants were all entitled to the benefits they received, Maynard-West could potentially have committed a fraudulent act by processing weekly unemployment compensation claims prior to individual claimants calling ODJFS to directly confirm the information.

Accordingly, there is reasonable cause to believe a wrongful act or omission occurred in this instance.

RECOMMENDATIONS

The Office of the Ohio Inspector General makes the following recommendation and asks the Ohio Department of Job and Family Services respond within 60 days detailing a plan on how these recommendations will be implemented. ODJFS should:

- 1) Review the actions of Leigh Maynard-West to determine whether her conduct and practice warrants further administrative action.
- 2) Review the appropriate policies and procedures with Maynard-West and require that she sign an acknowledgement form stating she understands the policy and will abide by it in the future.



STATE OF OHIO
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

**NAME OF REPORT: Ohio Department of Job and
Family Services**
FILE ID #: 2011-142

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 read "Jill Jones".

Jill Jones
KEEPER OF RECORDS

CERTIFIED
February 13, 2012

MAILING ADDRESS

OFFICE OF THE INSPECTOR GENERAL
JAMES A. RHODES STATE OFFICE TOWER
30 EAST BROAD STREET – SUITE 2940
COLUMBUS, OH 43215-3414

TELEPHONE

(614) 644-9110

IN STATE TOLL- FREE

(800) 686-1525

FAX

(614) 644-9504

E-MAIL

OIG_WATCHDOG@OIG.STATE.OH.US

INTERNET

WATCHDOG.OHIO.GOV