

EMPLOYEE/MANAGEMENT RELATIONS

- 1. REASON FOR ISSUE:** To implement provisions of the “Veterans Access, Choice, and Accountability Act of 2014” (Public Law 113-146, dated August 7, 2014) as it relates to penalties for falsification of data regarding access to care or quality measures.
- 2. SUMMARY OF CONTENTS/MAJOR CHANGES:** This handbook contains VA procedures on employee/management relations. The pages in this handbook replace the corresponding page numbers in VA Handbook 5021. Revised text is contained in [brackets]. This revision adds a penalty range for falsification of data specific to access to care or quality measures. These changes will be incorporated into the electronic version of VA Handbook 5021 that is maintained on the [Office of Human Resources Management Web site](#). Instructions for reporting infractions regarding access to care or quality measures will be issued separately by the Employee Relations and Performance Management Service.
- 3. RESPONSIBLE OFFICE:** The Employee Relations and Performance Management Service (051), Office of the Deputy Assistant Secretary for Human Resources Management.
- 4. RELATED DIRECTIVE:** VA Directive 5021, Employee/Management Relations.
- 5. RESCISSIONS:** None.

CERTIFIED BY:

/s/
Stephen W. Warren
Executive in Charge and Chief Information Officer
Office of Information and Technology

**BY DIRECTION OF THE SECRETARY
OF VETERANS AFFAIRS:**

/s/
Gina S. Farrisee
Assistant Secretary for
Human Resources and Administration

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PART I

APPENDIX A

NATURE OF OFFENSE	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE
	Minimum to Maximum	Minimum to Maximum	Minimum to Maximum
Information and Security			
11. Failure to safeguard confidential matter or access to such.	Admonishment Removal	Reprimand Removal	14 days Removal
12. [Offenses related to falsification:	[]	[]	[]
a.] Intentional falsification, misstatement, or concealment of material fact;	[Reprimand Removal	[14 days Removal	[Removal
[b. W]illfully forging or falsifying official Government documents;	Reprimand Removal	14 days Removal	Removal
[c. Willfully submitting or directing others to submit false data concerning wait times for health care or quality measures related to health care; or	Reprimand Removal	14 days Removal	Removal
d. R]efusal to cooperate in an investigative proceeding.	Reprimand Removal]	14 days Removal]	Removal]
13. Except as specifically authorized, disclosing or using direct or indirect information obtained as a result of employment in VA, which is of a confidential nature or which represents a matter of trust; or any other information so obtained of such character that its disclosure or use would be contrary to the best interests of the Government, VA, or the Veterans being served by it.	Reprimand Removal	Removal	
14. Violation of the Privacy Act, HIPAA or other laws, regulations and/or policy pertaining to information disclosure.	Reprimand Removal	14 days Removal	Removal
General Misconduct			
15. Loafing, willful idleness, or waste of time.	Admonishment Reprimand	Reprimand 14 days	14 days Removal
16. Careless or negligent workmanship resulting in waste or delay.	Admonishment Reprimand	Reprimand 14 days	14 days Removal

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	Minimum to Maximum	Minimum to Maximum	Minimum to Maximum
17. Sleeping on duty. a. Where safety of patients, beneficiaries, members, employees or property is not endangered. b. Where safety of patients, beneficiaries, members, employees, or property may be endangered.	Admonishment Reprimand 7 days Removal	Reprimand 14 days Removal	14 days Removal
18. Deliberate failure or unreasonable delay in carrying out instructions.	Admonishment Reprimand	7 days 14 days	14 days Removal
19. Deliberate refusal to carry out any proper order from a supervisor having responsibility for the work of the employee; willful resistance to same.	Reprimand Removal	14 days Removal	Removal

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