

Foreign Service Grievance Board

May 2, 1974

TO: Assistant Director for Personnel **and** Training
United States Information Agency

SUBJECT: Record of Proceedings 73-155-0SIA-18
Remedial Order in the Case of
Grievant, FSXO-3

Summary

Grievant filed an informal grievance involving his performance file with tJSIA in August 1973. He was not satisfied with the Agency's proposed remedy presented in a letter to him of December 14, 1973, and he filed his formal grievance with this Board on December 18, 1973.

Grievant received double performance evaluation reports while he was PAO in redacted between 1966 and 1968. In Yaounde, the reports were prepared by the DCM and reviewed the Ambassador. In Washington, the reports were prepared by the then Deputy Assistant Area Director, Mr. David OuBois, **and** reviewed by the then Assistant Area Director, Mr. Mark Lewis. {Hereafter the reports prepared in redacted are referred to "Embassy reports" and those pr epared in Washington as ⁰IAgis agency t he Agen main reports that they are inaccurate, erroneous, and false. He states that they are prejudicial and contrast sharply with the simultaneous Embassy appraisal of his performance. He states that the Agency reports are also contradicted by earlier and subsequent evaluation reports in his file; and complains that a portion of the favorable Embassy reports was missing from his file from 1968 until tefe grievance was considered at the informal level.

In his initial grievance, he asked that major portions of the Agency reports be deleted but in February 1974 he amended his grievance to request that the Agency reports be expunged in their entirety, leaving the Embassy reports in his file to cover his Yaounde performance.

The Board accepted grievant's grievance on January 3, 1974. It reviewed his file, interviewed grievant and USIA officials who served with him in Yaounde. A meeting was also held with Mr. DuBois. The Board telephoned the former Ambassador to redacted, Mr. Robert L. Payton, who responded to the Board's questions in a letter of February 5, 1974.

Background

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evaluations were so favorable, he decided not to rebut
the Agency's criticisms. However, he discovered their
detrimental effects in the summer of 1973 when an officer,
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in connection with an assignment, made specific reference
to some of the criticisms in the Agency reports on him as
a PAO and he decided to ask for relief.

During the meeting with the Board, Mr. DuBois regretted that he had been the only Area officer to visit redacted during grievant's assignment there. Six months after grievant arrived, Mr. DuBois spent four days in redacted. Mr. DuBois felt that grievant needed assistance since, at the age of 31, he was the youngest PAO in Africa and because this was his first PAO assignment. Mr. DuBois commented that it was exceptional for him to prepare such harsh evaluation reports but he had done so in the hope that the criticism might help grievant in his performance.

Issues and Findings: Conflicting Views of grievant

Mr. DuBois' reports reflect impressions of grievant which are at variance with the many OERs in his file from 1959 to 1973. He appears to have gained and retained for 18 months following his brief visit to redacted negative views of grievant's personality and professional abilities which conflict with opinions appearing in other reports on him from redacted. Inspector Charles Bossier spent two weeks with grievant in redacted. He wrote a favorable evaluation report on him in which he echoed a view of him in an earlier report from redacted: "He is indeed one of

the finest young officers I have met in my career" and predicted an excellent future for him. These views were shared by the DCM and the Ambassador in their reports on him.

As an example of the conflicting views of grievant, Mr. DuBois saw him as a "loner" whereas the Embassy [the reports ascribe much of his success to his facility in reaching people at all levels. In particular, the Embassy praised him, for his ability to create friendly relationships "with redacted officials who initially had not been forthcoming in their attitude towards the Embassy.

Mr. DuBois was particularly critical of grievant's supervisory and managerial abilities. He faulted him i for not having been able to raise the efficiency and dedication to the Agency of two former Peace Corps members on their first USIS assignment. Their inadequacies were admitted by the Agency and noted at the Embassy. Against the Agency's criticism are comiaejits in the Embassy's reports praising him for making the best possible use of his small staff's strengths and weaknesses. The two inadequate staff members were replaced with qualified personnel during the last years of grievant's assignment- The Agency continued to criticize grievant's leadership and credited the staff and not grievant with the improvement at tJSIS. In contrast, the Eiabassy observed in its reports for this period that grievant ran his shop well, trained his staff, was interested in his people and imparted his tone to the organisation. Ambassador Payton, in his letter to the Board, praised grievant's supervision and concludes: "In all of this, grievant's own strong leadership was evident."

During his Washington assignment, grievant had an opportunity to demonstrate his executive and managerial talents. He participated in a managerial seminar with executives from the private sector and was rated aiong the top 5 percent against a national average score of 57 percent.

Mr. DuBois' reports reveal his concern over grievant's continued interest in completing a JPh.D, program in redacted history which was interrupted in 1964 when he was transferred to redacted. While serving as a PAO, grievant researched redacted history and culture.

This caused Mr, DuBois to suggest in his reports -that grievant might not remain with the Agency once he had his Ph.D. The Agency reports also alleged that lie had not given his responsibilities as a PAQ the same attention that he had paid to his Ph.D. research work, Bhow-ever, there was never any doubt in grievant's *ami* mind regarding his future which he saw as a OSIS career officer. He answered a question regarding his future goals on Inspector Bossier's report form by atating that he wanted leava of absence to complete his Ph.D. following his tour in redacted and before his next OSIS assignment. Mr. Bossier concurred fully and emphasized in his report *the* advantages to the Agency of grievant's academic training. Contrary to the Agency's apparent objections, the Ambassador saw no conflict between the Pfa.0. research and the FAO functions. Instead the Embassy report supports his efforts to complete his Ph.D. In his letter to the Board, Ambassador Payton wrote that he had encouraged other Embassy officers to follow grievant's example because the in-depth study of redacted history and culture contributed to the improved understanding between the Embassy and the redacted government. He added that the effects of grievant's research in redacted history and culture raised his effectiveness and accounted to a great extent for the consistent ratings of him as an outstanding officer.

Mr. DuBois was critical of grievant's assessment of USIS potentials and policies in redacted, submitted in a report in April 1968 (CPPM) ,, This criticise had not been brought to grievant's attention before ha saw the report against the requirement of 3 FAM 542.1. Ambassador Payton refuted this criti cism i n his lette r t o the Bo a Quinn stating that on the and no grievant's country per US meetings and added that the had proven them both f rect. The Agency reports which questioned grievant's managerial skills and his dedication to his job expressed for these reasons doubts about his advancement potential and recommended against promotion to FSIO-3. In contrast. Inspector Bossier as well as the Embassy in their respective reports urged his promotion and concluded that he was unquestionably suitable for advancement to highest rank. Grievant's performance since he was assigned to OSIA in 1969 is described as outstanding, confirming the growth potential which Inspector Bossier and Embassy officials anticipated.

Conclusion

The Board finds the Agency reports tr. startling conflict not only with the concurrent Embassy reports but with I previous and subsequent performance evaluation reports In [grievant's strong performance file as well. Conse- | quently, the Board finds that the Agency reports project a distorted image of grievant's personality and profes- f sional ability in areas which are extremely important in a Foreign Service Information Officer's career.

The Agency reports also lack examples to substantiate much of the criticisms of grievant's performance in redacted. The Board believes that the Agency's Rating and Reviewing Officers could have been disadvantaged in being

required to discuss abstract subjects at such a geographic distance from the Rated Officer. In any case, certain misconceptions about grievant appear in the Agency reports, giving a false impression of him. Therefore, the Board orders the Agency reports expunged from grievant's file and returned to it for storage, leaving in the file the Embassy's reports for that period of his career. In their place, the following statement is to be inserted:

"The reports prepared by the Assistant Area Director's office for the periods 8/16/66-6/15/67 and 6/15/67-6/15/68 have been removed from the file by order of the Foreign Service Grievance Board in accordance with 3 FAM 667.2<D."

With respect to the favorable Part I of the redacted OER for 6/15/67 to 6/15/68 which was missing from grievant's file for five consecutive years the Board finds that in spite of its absence, grievant as had a rapid rate of promotion. While five Selection Boards reviewed his file with only the corresponding negative Part I of the Agency report for that period, the third of these five Selection Boards ranked grievant sufficiently high for him to be promoted to FSIO-3, effective May 1971, when he was 36 years old. The Board concludes that the absence of the redacted report in his file did not retard grievant's career advancement and finds that no remedy is required.

The Board anticipates a confirmation from the Agency within 30 days that it has complied with this Remedial Order.

William E. Simkin
Chairman Foreign
Service Grievance Board

Grievant and ■
Mr. Pernick