

**VA**



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# News Release

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## **VA Forced to Delay Removing Employee Caught Watching Pornography**

### *VA Supports Congress' Effort to Change Legislation to Expedite Process*

**WASHINGTON** – After a thorough internal review of an employee of the Michael DeBakey Veterans Affairs Medical Center in Houston caught watching pornography while with a patient, the designated proposing official recommended removal from federal service.

The Department of Veterans Affairs (VA) immediately removed the employee in question from patient care and placed the employee on administrative duties. Due to current law, the deciding official cannot affect a final determination for 30 days from the date the proposal for removal was made. VA is committed to ensuring every employee retains his or her right to due process while at the same time reducing the time it takes to remove employees who have engaged in misconduct.

“This is an example of why we need accountability legislation as soon as possible,” said Secretary of Veterans Affairs Dr. David J. Shulkin. “It’s unacceptable that VA has to wait 30 days to act on a proposed removal.”

Under current law, VA must continue to pay employees who are in the process of being removed. During this advance notice period, at least 30 days from the date that the employee’s removal has been proposed, assuming there is no evidence that the employee has committed a crime, an employee must be paid. If the employee has been assessed as a potential danger to Veterans, the employee should be placed on administrative leave with pay. If employees do not pose an immediate threat to Veterans, they are typically placed on administrative duties, which limits their contact with Veterans and their families while ensuring they aren’t sitting at home collecting a pay check without providing any services to the government.

VA is grateful that Congress has made employee accountability a priority. VA has been working with Congress to ensure legislation would provide VA the ability to expedite removals while still preserving an employee’s right to due process. Without these legislative changes, VA will continue to be forced to delay immediate actions to remove employees from federal service.

“Current legislation in Congress reduces the amount of time we have to wait before taking action,” Shulkin said. “I look forward to working with both the Senate and the House to ensure final legislation gives us the flexibility we need.”

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