

## Office Memorandum

DATE: April 13, 2005

TO: Fardin Oliaei, Research Scientist  
Environmental Information and Reporting UnitFROM: Paul Hoff, Supervisor *PH*  
Environmental Information and Reporting Unit

PHONE: (651) 296-7799

SUBJECT: Written Reprimand

It is with disappointment that I must transmit to you this memo, which serves as disciplinary action which will be placed in your personnel file. The basis for this reprimand is recent actions on your part that violate the Minnesota Pollution Control Agency (MPCA) Media Policy. As a result of interviews you participated in with Minnesota Public Radio and the Town Life magazine, an internal investigation was conducted by Denise Legato, MPCA Human Resources Manager. You were represented at the investigatory meeting by Eric Kilberg and Tom Dougherty, MAPE representatives.

The media policy is designed to guide the manner in which we respond to news media inquiries. As the policy states "*We pride ourselves on the openness and accessibility of our activities. . . At the same time, however, we must complement our openness with careful coordination so that the public receives consistent and accurate information, particularly on complicated issues that involve interpretation of policy, health and safety considerations.*" The policy also provides staff with guidelines and instructions regarding dealings with the media, such as:

- Responses should be consistent with established agency policy.
- Avoid unnecessary speculation.
- Do not offer personal opinions that conflict with agency policy.
- Do not give off the record comments.
- When speaking to reporters or anyone else about agency activities, you are the MPCA. Consequently, your comments may be taken as agency policy, even if they do not accurately reflect it.
- Staff is not prohibited from expressing their personal opinions in public on agency activities, in letters or other forums. However, such expressions must be clearly labeled as personal opinions that do not necessarily represent the official position of the agency.

You and I have spoken about the requirements of the media policy on more than one occasion. When questioned during the investigation, you acknowledged that you are familiar with the policy. Yet information contained in both stories clearly reflects

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your personal opinions without the required disclaimers, misstates both the facts and the agency's positions, and indicates failure to notify me or the Public Information Office of at least one early contact you had with a media representative. Your description in the investigation of your personal relationship with the MPR reporter reinforces that you were aware you were providing personal opinions regarding the work of the agency that could be used in the report.

Your work as a scientist is directly connected to your employment with the MPCA. Therefore, it is critical that any information you provide to the media is accurate, complete, and in the proper context. In the two referenced interviews, the information provided did not meet these tests and inaccurately portrayed the MPCA. As a result, a considerable amount of follow-up by other employees has been necessary to remedy the misinformation, which is time taken away from other environmental work. ||

Further, by inserting your personal opinions on matters for which your knowledge is incomplete or incorrect, you have dishonored the hard work of our colleagues in the remediation and enforcement programs. These staff and their supervisors deserve better – they moved quickly to investigate and take corrective steps to reduce risk to citizens in Cottage Grove, Lake Elmo and Oakdale, and to provide assistance to your monitoring projects.

Your actions violate agency policy and leave no alternative but to take this disciplinary action to impress upon you the serious nature of this issue and the need to take immediate corrective action on your part. Effective immediately, you must contact me directly regarding any communication with the media regarding any aspect of your work as a MPCA Research Scientist. As an agency employee you are expected to fully comply with the media policy and all other agency policies. The Public Information Office may be conducting additional training in dealing with the media in the near future, and if this is scheduled, you will be required to attend. Contact with me must be made prior to your agreeing to speak to the media, should they contact you. I also expect that if you have any questions regarding this policy or other matters, that you will contact me prior to taking actions that are governed by these policies.

Please be advised that any further violations of this policy, or any other agency policy, may result in further disciplinary action up to and including discharge.

PH:tac

cc: MAPE  
Fardin Oliaei personnel file