



United States Department of the Interior

NATIONAL PARK SERVICE
P.O. Box 37127
Washington, D. C. 20013-7127

IN REPLY REFER TO:

DIRECTOR'S ORDER # 68: NOTIFICATION PROTOCOL FOR CONDUCT OF EMPLOYEE INVESTIGATIONS

Director, National Park Service

Effective Date: January 5, 1998
Sunset Date: January 4, 2003

1. BACKGROUND

Appropriate notification to supervisors and managers regarding investigations of National Park Service (NPS) employees is an important component in managing an efficient and effective organization. Issues under investigation often have the potential to impact resources, involve fraud waste and abuse, or be detrimental to the physical and mental well being of other employees or the visiting public.

2. OBJECTIVES

The objectives of this Director's Order are to: 1) set forth required procedures for the notification to supervisors and managers regarding the conduct of investigations of NPS employees arising from criminal, administrative, and equal opportunity (EO) complaints; 2) assure the timely notification to supervisors and managers of the nature of complaints involving NPS employees allowing them to provide adequate safeguards for the protection and accountability of property, resources or other employees in their respective areas of delegated authority and; 3) outline specific roles and responsibilities of respective NPS officials as they relate to the investigative process.

3. AUTHORITY FOR THIS DIRECTOR'S ORDER

16 U.S.C. 1-4 (National Park Service Organic Act)

4. INSTRUCTIONS/REQUIREMENTS/POLICIES

4.1 The authority and responsibility for managing employee relations lies with Associate Directors, program managers, Regional Directors and superintendents. They are ultimately

accountable for the actions of their employees and it is imperative that they have complete and current knowledge of investigations that may impact other employees or responsibilities of the NPS.

4.2 It is the intent of this notification procedure to ensure that the most immediately responsible official be aware of matters involving alleged employee misconduct and be allowed to take necessary preventive or protective measures to assure the safety and well being of other employees or NPS natural, cultural, or fiscal resources. Notice of investigations will be provided to affected supervisors utilizing the organizational structure described in the re-organization plan of October 1995 and any subsequent approved amendments. Accountable supervisors will be made aware of the nature of impending investigations and their scope, and be provided with appropriate status and final reports documenting the findings of such investigations/inquiries. Initial notification should occur within 5 working days of the decision to conduct an investigation. This notification requirement begins at the level of park superintendent or program manager or higher authority where appropriate.

4.3 In accordance with 29 CFR 1614.108(b), investigations of hostile work environment may be conducted without the notification to superintendents or program managers in situations where the alleged hostile environment is so egregious and/or fear of retaliation by aggrieved parties or witnesses is so great that notification would only lead to coercion and/or intimidation of witnesses to the extent that they would not be honest in their statements to an investigator. The Director or the appropriate Associate Director or Regional Director will be notified as outlined in section 4.2.

4.4 If a park superintendent or program manager is alleged to be part of an incident being investigated then the notification moves to the next higher level of accountability, i.e. the Regional Director/Associate Director and ultimately, the Director.

5. RESPONSIBILITIES

The responsibility for initiating, conducting and overseeing a criminal, equal opportunity or administrative employee investigation is delegated to Departmental or Bureau officials. The Secretary of the Interior has delegated the responsibility to conduct, report and supervise investigations relating to Departmental programs and operations to the Office of the Inspector General (OIG). The OIG provides leadership and coordination and recommends policies for activities designed (a) to promote economy, efficiency and effectiveness in the administration of Department programs, and (b) to prevent and detect fraud and abuse. The complete role and responsibility of the OIG is contained in 355 DM. The Assistant Inspector General of Investigations is delegated overall responsibility for Departmental investigations. In turn, authority has been re-delegated to Bureaus to investigate matters assigned by statute or regulation to Departmental law enforcement units (e.g., relevant sections of 36 CFR).

The following paragraphs outline the roles and responsibilities of specific NPS officials for the investigative process:

5.1 **Associate Director, Administration**

The Associate Director, Administration is delegated the responsibility for coordination with the OIG and oversight of all criminal and administrative cases or inquiries remanded to the NPS from the OIG or for referral from the NPS to the OIG. Information in this regard is contained in NPS Federal Personnel Manual (FPM) 752 subchapter 1.2. Further instructions regarding administrative investigations will be included in Director's Order # 54 - Management Accountability.

5.2 **Service-wide Equal Opportunity (EO) Program Manager**

The EO program manager authorizes all formal EO complaint investigations service-wide. For further instruction refer to Special Directive 82-8, which will be succeeded by Director's Order # 16* - Equal Opportunity.

5.3 **NPS Law Enforcement Administrator**

The Chief/Deputy Chief, Ranger Activities Division is the law enforcement administrator for the NPS and is responsible for implementing law enforcement policies, procedures, standards and providing for inspection and oversight in order to control law enforcement activities within the NPS. For further information refer to NPS-9 - Law Enforcement, which will be succeeded by Director's Order # 9 - Law Enforcement.

(* C technical correction to original)
