



Office of the Washington State Auditor  
Pat McCarthy

# Whistleblower Investigation Report

## Department of Social and Health Services

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**Office of the Washington State Auditor  
Pat McCarthy**

May 8, 2025

Cheryl Strange, Secretary  
Department of Social and Health Services

**Report on Whistleblower Investigation**

Attached is the official report on Whistleblower Case No. 24-011 at the Department of Social and Health Services.

The State Auditor's Office received an assertion of improper governmental activity at the Department. This assertion was submitted to us under the provisions of Chapter 42.40 of the Revised Code of Washington, the Whistleblower Act. We have investigated the assertion independently and objectively through interviews and by reviewing relevant documents. This report contains the results of our investigation.

If you are a member of the media and have questions about this report, please contact Assistant Director of Communications Adam Wilson at (564) 999-0799. Otherwise, please contact Assistant Director for State Audit and Special Investigations Jim Brownell at (564) 999-0782.

Sincerely,

Pat McCarthy, State Auditor

Olympia, WA

cc: Governor Bob Ferguson

Andrew Colvin, Disclosure & Ethics Administrator

Kate Reynolds, Executive Director, Executive Ethics Board

Scott Bills, Investigator

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# WHISTLEBLOWER INVESTIGATION REPORT

## Assertions and Results

Our Office received a whistleblower complaint asserting a Program Specialist 3 (Subject) is taking time off work and failing to submit leave slips. Additionally, the complaint asserted that the Subject is accumulating flex hours that they did not actually work.

We found no reasonable cause to believe the improper governmental action occurred; however, we made a recommendation to Department management about improving oversight of employee time and attendance, specifically for employees who are eligible to flex their time.

## Background

The Department of Social Health Services Mobile Office has eight Mobile Office trucks deployed throughout the state every day, reaching clients and working to assist underserved areas. These vehicles provide opportunities for services to be delivered in environments that may not have Department “brick-and-mortar” offices nearby. Each Department Mobile Office is staffed by specialists who determine people’s eligibility for state and federal medical, cash and food assistance programs.

The Subject works within the mobile community services office (MCSO). Staff within the MSCO Department use the software Barcode, an electronic database that houses client records.

## About the Investigation

We received a whistleblower complaint asserting the Subject was using state resources for private gain by failing to submit leave for time not worked.

To determine whether an improper governmental action occurred, we obtained the following documentation from the Department for the period of May 2023 to May 2024:

- Position description
- Time and leave summaries
- Official work schedule and duty station
- Travel records
- Mobile community service event calendar
- Barcode activity reports

We reviewed the Subject's working time for the period of May 2023 to May 2024 by analyzing the following information:

- Timesheet hours (beginning and end)
- Leave usage (if applicable)
- Log in and log out times of the Barcode system
- Barcode event ID (times)
- Mobile CSO event date & times

Through our analysis, we identified days when the subject worked both less and more than their normal work schedule. However, we were unable to substantiate the actual number of hours the Subject may have worked less than their normal work schedule and did not submit leave, because of the flexible nature of the Subject's job.

We interviewed the Subject's supervisor who said the Subject has multiple duties that they conduct outside of the Barcode system, such as regular truck maintenance, generator maintenance, and setting up for the mobile outreach events. The Supervisor also said the Subject can flex time as necessary, and the day they work less is typically a Friday. The Supervisor said employees in the Subject's position cannot work overtime. The Supervisor said that before this investigation, the Subject's flex time was not formally tracked. During the investigative period, the Supervisor said the Subject communicated by email when they were taking flex time for hours they accrued in a given work week. During the interview, we provided dates when, according to documentation we received from the Department, the Subject appeared to have accrued and used flex time for breaks and their lunch period. According to emails we obtained from the Department, the Supervisor knew the Subject was banking time when they worked through breaks and lunch periods.

We contacted the Human Resources unit at Department headquarters to ask whether the Department's policy allows employees to accrue flex time by working through breaks and lunch periods. A Department Senior HR Business Partner said the Department's policies do not allow employees to bank flex time by working through break times. Additionally, the Senior HR Business Partner said Washington Administrative Code notes that employees cannot combine breaks to start or leave early. They also said that if an employee is working in the office or at home, they are expected to take breaks throughout the day.

During our interview with the Subject, they acknowledged they accumulated flex time by working through their breaks. They also said they have other duties besides working in Barcode that include cleaning and servicing the vehicle, maintaining the generator, batch work, training, reports, and requesting interpreter services, which aligned with their supervisor's description of their work duties.

Because the Supervisor knew the Subject was banking flex time for breaks and lunch periods, we found no reasonable cause to believe the Subject committed an improper governmental action.

## **Recommendation**

While we found no reasonable cause to believe an improper governmental action occurred, we recommend the Department strengthen its internal controls over its monitoring of employees that are permitted to flex their work time. We also recommend the Department communicate to supervisors that banking flex time by not taking breaks or working through lunch is not permitted.

## **State Auditor's Office Concluding Remarks**

We thank Department officials and personnel for their assistance and cooperation during the investigation.

## WHISTLEBLOWER INVESTIGATION CRITERIA

We came to our determination in this investigation by evaluating the facts against the criteria below:

**RCW 42.52.160 Use of persons, money, or property for private gain** - (1) No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.

**WAC 292-110-010(1) and (3) – Use of state resources** - (1) Statement of principles. All state employees and officers are responsible for the proper use of state resources, including funds, facilities, tools, property, and their time. This section does not restrict the use of state resources as described in subsections (2) and (3) of this section.