



OFFICE OF THE INSPECTOR GENERAL

Montgomery County, Maryland



MEMORANDUM OF INVESTIGATION

TO: Richard S. Madaleno
Chief Administrative Officer

FROM: Megan Davey Limarzi, Esq.
Inspector General

DATE: September 12, 2025

SUBJECT: OIG Investigation- Alleged Misuse of County Time and Unauthorized Outside Employment by DPS Field Supervisor

The Montgomery County Office of the Inspector General (OIG) recently concluded an investigation into allegations that a Department of Permitting Services (DPS) field supervisor engaged in outside employment during work hours and was absent without taking requisite leave. The investigation found that the subject performed work for private businesses without Ethics Commission approval but found no evidence that this work occurred during County work hours. However, the subject admitted to attending approximately eight medical appointments during work hours without taking leave.

Background

Predication

On June 18, 2025, the OIG received an anonymous complaint alleging that a DPS field supervisor performed worked for a private electrical contractor during County hours and transported their children during telework days without taking leave.

Applicable Policy and Regulations

- County Telework Policy: Employee participation in the telework program is voluntary, and supervisors and department directors must review and approve or deny the employee's telework request. While teleworking, the employee is bound by all County rules, policies, practices, and instructions as if they were working at their official duty station.
- The County Ethics Law requires employees who wish to engage in outside employment to obtain approval from the Ethics Commission (Ethics).

Investigative Findings

On June 23, 2025, Ethics staff advised that they had no record of the subject ever requesting approval for outside employment. Additionally, staff provided the OIG with a copy of the subject's 2024 annual financial disclosure which did not list any secondary employment. Ethics staff shared that the subject has taken the required ethics training as recently as April 13, 2023.

The requirement for employees to seek prior approval for any outside employment activities is discussed during this training.

In addition to allegedly performing work for a private electrical contractor during work hours, the OIG learned that the subject also established their own private company in December 2014, but according to a Maryland Business Entity search, the business was dissolved in April of 2016.

Outside Employment

The subject told investigators that they were not currently employed outside of their job with the County. However, the subject provided that they had previous affiliations with two private companies:

- The subject told investigators that they received approval in 2015 to perform work for their prior business. However, the County's Ethics Commission has no record of that approval.
- The subject also stated that in approximately 2018 they and a former DPS inspector established an electrical contractor business. The subject claimed to have given up their ownership interest when they realized that they would be equally liable for the overall tax burden for the business but continued working for the business on weekends until they were promoted to their current position later that year. The owner of the electrical contracting business confirmed that the subject has not worked for the company since 2018.

The subject told investigators that they did not request approval from the County's Ethics Commission to work for the electrical contractor since they did not earn more than \$600 per year, which they believed was the Internal Revenue Service limit for reporting income.

Misuse of County Time

A DPS inspector who reported to the subject for several years informed OIG investigators that the subject was frequently unresponsive, often failed to answer their phone, and on at least one occasion did not appear for a scheduled site inspection. The inspector noted that the subject and their spouse are actively involved in their children's athletic activities but had no direct knowledge of the subject attending such events during work hours. The inspector expressed concern that the subject may have been conducting personal business during County time, citing frequent telework, unexplained absences, and group messages indicating unavailability.

The subject's supervisor corroborated that staff had grown frustrated with the subject's lack of availability, which negatively impacted morale. Due to the subject's unresponsiveness, inspectors reportedly frequently contacted the second-level supervisor directly with questions or concerns. The supervisor recalled one instance where they called the subject during work hours and heard children in the background, prompting them to instruct the subject to take one hour of leave.

The supervisor also noted that under the DPS's post-pandemic return-to-office practice, field supervisors were expected to telework no more than two days per week. However, the subject was rarely seen in the office. The supervisor verbally counseled the subject on telework

expectations immediately prior to their interview with the OIG. The supervisor said that the timing of the counseling was coincidental.

The subject told OIG investigators that on telework days, they begin work at 6:00 a.m., may take two 15-minute breaks, and typically logs off at 4:00 p.m. The subject acknowledged occasionally dropping off their children at school or visiting a nearby baseball field during breaks but denied participating in athletic activities during work hours. The subject emphasized that most practices and games occur after business hours.

The subject expressed surprise at allegations that they were not available during work hours, asserting that they always respond to calls or texts, communicated their availability to staff via group messages and denied ever missing a scheduled site visit. The subject noted that earlier this year they were on a combination of telework, sick leave, and Family Medical Leave Act (FMLA) leave for more than two months, which OIG investigators confirmed was reflected on the subject's timesheets for that period.

The subject admitted to attending approximately eight medical appointments during work hours over the past year without taking leave. They believed it was acceptable to do so if they worked extended hours on the same day, though they did not have approval to do so from their supervisor.

Conclusion

This investigation found that while employed by the County, a DPS field supervisor engaged in work for two private businesses without obtaining prior approval from the Ethics Commission. However, the OIG did not substantiate claims that they performed this work during County work hours.

Although some DPS staff made anecdotal claims suggesting otherwise, no evidence was found to support the allegation that the subject attended their children's athletic events during work hours without taking leave. However, the subject admitted to attending approximately eight medical appointments on telework days without using leave, as required by County policy.

Notably, while the subject's supervisor was aware of complaints from inspectors regarding the subject's consistent unavailability to support County-assigned duties, formal action was not promptly taken allowing the behavior to persist unaddressed for several months.

I am referring this matter to you for appropriate inquiry and action. This report has also been provided to the Ethics Commission. Please update our office with any action taken to address the issues identified in this memorandum.

Please contact me with any questions, or a member of your staff may contact Deputy Frank da Rosa, Francisco.darosa@montgomerycountymd.gov, with any questions.

Attachment: County Administrative Officer's Response

cc: Fariba Kassiri, Deputy Chief Administrative Officer
Rabbiah Sabbakhan, Director, DPS

Attachment: County's Chief Administrative Officer's Response

The OIG Provided the County's Chief Administrative Officer with a confidential version of this report on September 12, 2025, and received the following response on September 15, 2025.



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

Richard S. Madaleno
Chief Administrative Officer

MEMORANDUM

September 15, 2025

TO: Megan Davey Limarzi, Inspector General

FROM: Richard S. Madaleno, Chief Administrative Officer *RSM*

SUBJECT: Confidential OIG Investigation - DPS Field Supervisor

We appreciate the opportunity to respond to the findings of the Office of Inspector General's investigation concerning allegations regarding a Department of Permitting Services (DPS) Field Supervisor. While the investigation could not substantiate a number of the allegations, we are concerned about the issues that were found regarding compliance with County policies concerning leave and telework administration and the Ethics Law requirements with respect to outside employment.

I have discussed these matters with DPS leadership and am certain they will be reinforcing the importance of maintaining full compliance with these policies and requirements throughout all divisions and across the hierarchy of the department. We will update your office with the actions taken to address the issues identified in the draft memorandum.

Thank you for bringing these matters to my attention.

cc: Fariba Kassiri, Deputy Chief Administrative Officer, Office of the County Executive
Rabbiah Sabbakhan, Director, Department of Permitting Services
Bill Broglie, Internal Audit Manager, Office of the County Executive

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