

DON Fleet Card Program, Card User Certification Course

## Lesson 3

# Disciplinary Guidelines



March 1, 2012

This is Lesson 3 of the Fleet Card Program Card User Certification Course. This lesson discusses disciplinary guidelines for misuse of a Fleet Card.

## Lesson 3: Major Topics

- **The Role of Human Resources & the Appropriate Legal Office in Disciplinary Actions Related to Fleet Card Misuse**
- **Appropriate Disciplinary Actions for Civilian Personnel Involved in Fleet Card Misuse**
- **Appropriate Disciplinary Actions for Military Personnel Involved in Fleet Card Misuse**

March 1, 2012

“I had the Fleet Card in my wallet and accidentally used it to refuel my own car.” Sure, it could happen but it’s best to make sure it doesn’t. This lesson discusses the role of Human Resources & the Appropriate Legal Office in Disciplinary Actions Related to Fleet Card Misuse. The lesson then reviews what are considered Appropriate Disciplinary Actions for Civilian Personnel Involved in Fleet Card Misuse and Appropriate Disciplinary Actions for Military Personnel Involved in Fleet Card Misuse.

# **Human Resources & Legal Office Guidance**

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- Managers & Supervisors Use Discretion
- Solicit Support from HR & Legal
- Selection of the Charge and Penalty
  - DON's Past Practice
  - Regulatory Guidance
  - Applicable Case Law
  - Good Judgment

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The Fleet Card Program has the potential to be misused and abused. This lesson reviews general guidelines for handling such cases. Managers and supervisors should use discretion and handle each Fleet Card misuse in a manner appropriate to the individual case. The circumstances of each case will determine the appropriate type of action, if any, that should be taken. The supporting Human Resources Office and appropriate legal office should assist the supervisor in the selection of the charge and appropriate penalty based on the DON's past practice, regulatory guidance, applicable case law and good judgment.

Disciplinary actions can vary depending on the personnel involved, for example military verses civilian personnel. Let's first look at penalty guidance for civilian personnel.

**Civilian Personnel**  
**Penalty Guidance**

<b>OFFENSES</b>	<b>FIRST OFFENSE</b>	<b>SECOND OFFENSE</b>	<b>THIRD OFFENSE</b>
Misuse of Government sponsored Fleet Card (e.g. use for unauthorized personal expenses)	Letter of Counseling to removal	5-day suspension to removal	10-day suspension to removal
Unauthorized use of or failure to appropriately control use of Fleet Card as a card user, Accountable Official responsible for use or oversight of the Card.	Letter of Counseling to removal	14-day suspension to removal	30-day suspension to removal

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It is important for all program participants to understand that penalty guidelines for Civilian personnel involved in Fleet Card misuse, abuse or fraud include removal from government service as an available option even for a first offense, if the circumstances warrant. This chart is a sample matrix of offenses and suggested penalties. This chart is taken from an Assistant Secretary of Defense memo dated 4 NOV 02 and provides a sense of appropriate disciplinary action for a civilian employee.

Disciplinary actions can include informal actions, such as written or verbal counseling and greater oversight. Actions could also include account suspension or cancellation, official letters of reprimand, demotion, removal, or potential criminal prosecution. Again, managers and supervisors should use their discretion in handling Fleet Card misuse in a manner appropriate to each individual case and should seek legal and HR guidance. All decisions to impose disciplinary action in any specific case must comply with applicable law and regulatory guidance.

## Military Personnel

# Penalty Guidance

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- **Uniform Code of Military Justice**
  - Counseling
  - Admonishment
  - Reprimand
  - Non-Judicial Punishment
  - Court-Martial
  - Administrative Separation
  
- **Other Disciplinary Actions**
  - Pecuniary Liability
  - Criminal Prosecution in Civilian Courts
  - Modify or Revoke Access to Classified Information

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Military personnel who misuse, abuse or commit fraud with the Fleet Card are subject to actions available under the Uniform Code of Military Justice. These actions include counseling, admonishment, reprimand, non-judicial punishment, court-martial and administrative separation. In appropriate cases, pecuniary liability and criminal prosecution in civilian courts are additional ways of holding military personnel accountable for charge card misuse.

Military personnel who misuse the Fleet Card may have their access to classified information modified or revoked. Commanders and supervisors must ensure that security clearance reviews are conducted when a Fleet Card User comes under investigation for charge card misuse.

In taking disciplinary action against military personnel who misuse the Fleet Card, commanders or supervisors should consult with legal advisors, as necessary.

## Lesson 3: Major Topics Review

- The role of Human Resources & the Appropriate Legal Office in Disciplinary Actions Related to Fleet Card Misuse
- Appropriate Disciplinary Actions for Civilian Personnel Involved in Fleet Card Misuse
- Appropriate Disciplinary Actions for Military Personnel Involved in Fleet Card Misuse

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This concludes the third and final lesson of this Fleet Card Card User course. Close this lesson, return to the main menu and click the link to the certification test. You will need to select the "Register" option and complete the registration form in order to take the test and print your certificate of completion.

Good luck.