

Marvin Green

v.

HRC, Secretary,  
U.S. Dept. of State

DOS Case: DOS F-125-10  
EEOC Case: 570-2011-00700X

Exhibit 32.

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See Instructions Before Completing

U.S. Department of State

# U.S. FOREIGN SERVICE EMPLOYEE EVALUATION REPORT

For employees at Class FS-02 and below and all career candidates regardless of grade

## SUBMISSION CONTROL

DATE RECEIVED IN POST/BUREAU (mm-dd-yyyy) 03-07-2011	DATE RECEIVED IN HR/PE (mm-dd-yyyy) 03-06-2011	DATE RELEASED TO DEPARTMENT FILES (mm-dd-yyyy)
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NAME OF EMPLOYEE BEING RATED (Last, First, MI)

GREEN, MARVIN E.

TYPE OF REPORT

REGULAR  CAREER CANDIDATE  VOLUNTARY   
 INTERIM: Change of Rater  Duties  Assignment

GRADE

FS - 04

SSN

XXX-XX-4490

POSITION TITLE

IMS

POST OR ORGANIZATION

331301 - WELLINGTON

PERIOD COVERED (mm-dd-yyyy)

From 09-27-2010 To 02-28-2011

RATER: SIMAS, TIMOTHY J.

GRADE: FS - 03

TITLE: IMO

REVIEWER: HERREN, JAMES D.

GRADE: FS - 01

TITLE: MANAGEMENT COUNSELOR

After careful review, I consider this report to be complete, in conformance with the instructions, and adequately documented by specific examples of performance.

A. /s/ TIMOTHY SIMAS 03-08-2011 B. /s/ JAMES HERREN 03-08-2011  
Rater's signature upon completion of Sections I, III, IV, and V Date (mm-dd-yyyy) Reviewer's signature upon completion of Section VI Date (mm-dd-yyyy)

### I. CERTIFICATION - WORK REQUIREMENTS AND COUNSELING

Work requirements were established by rater, reviewer, and employee on (mm-dd-yyyy) 11-01-2010  
 applicable, requirements were revised on (mm-dd-yyyy) \_\_\_\_\_

Rater and rated employee held counseling sessions to discuss performance on at least two dates as follows: (mm-dd-yyyy)

1. 01-19-2011 2. 01-26-2011 3. \_\_\_\_\_ 4. \_\_\_\_\_

In the case of an unsatisfactory performance rating, this is also to certify that the requirements of 3 FAH-1 H-2814.3 (tenured employees), 3 FAH-1 H-2326 (employees subject to administrative promotion), or 3 FAM 2248 (FSO Career Candidates) have been met.

I certify that counseling sessions took place during the rating period and that at least one of them was documented in writing using the Counseling Certification Form (DS-1974).

/s/ TIMOTHY SIMAS /s/ MARVIN GREEN 03-02-2011  
Rating Officer Rated Employee Date (mm-dd-yyyy)

### II. REVIEW PANEL STATEMENT (Completed by Review Panel)

A. **Examples of Performance:** Specific examples have been provided in all sections  Yes (If not, return for rewrite)

B. **Certification:** This report has been prepared according to the regulations and contains no inadmissible material.

\_\_\_\_\_  
Date (mm-dd-yyyy)

\_\_\_\_\_  
Panel Chairperson's Name - Type

\_\_\_\_\_  
Signature

C. **Comments:** (If submitted late, indicate who is responsible for delay.)

**III. EMPLOYEE'S POSITION AND WORK REQUIREMENTS (Established by Rater, Reviewer and Employee)**

Describe the position and where it fits in the staffing pattern; indicate the number and kind of employees supervised or team affiliation(s) and tasking(s), whichever is applicable.

As the Information Management Specialist (IMS), Marvin serves as part of Wellington's two-person Information Program Center (IPC). Under guidance from the Information Management Officer (IMO) and post management directives, the IMS assists in the oversight of all Embassy Information Technology/Communications operations. The IMS assists with the supervision of three Locally Engaged Staff (LES) positions. The IMS reports to the IMO and performs the duties of the IMO in his absence.

B. Divide work requirements into two categories: continuing responsibilities and specific objectives (including, as appropriate, professional development activities), listing these in descending priority order.

Continuing Responsibilities:

1. Ensure the proper management of classified national security information under E.O. 13526.
2. Safeguard managed property and resources to protect against fraud, waste, and mismanagement. Complete required inventories in cooperation with the GSO.
3. Maintain a high level of knowledge regarding current regulations, instructions, and standard operating procedures to ensure fast, reliable, and accurate transmission, receipt, reproduction, distribution, and destruction, where appropriate, for all IPC telegraphic cable communications.
4. Perform operator maintenance and technical control functions on all high-speed electronic systems both digital and analog used for terminal circuit connectivity, classified and unclassified computer networks, telephone, and unique equipment used by tenant agencies at post.
5. Serve as Alternate Communications Security Custodian (COMSEC) and Alternate Information Systems Security Officer (A/ISSO).
6. Safeguard classified pouch operational security, availability, and resources.  
Support all post communication requirements to include primary oversight of post's technology infrastructure. Provide support to four separate United States Government agencies that have differing missions and equipment.
8. Provide on-site monitoring and troubleshooting to Global Positioning Satellite monitoring station located in the Embassy. Ensure that a high state of data availability exists between post and the managing agency located in St. Louis, Missouri. Serve as focal point for their annual technician visits and assist in any hands-on or consultative work that may be required.
9. Monitor successful continuation of the Cyber Security Awareness program for Wellington, Auckland, and Apia.

Specific Objectives:

1. Serve as Christchurch IPC site manager for Secretary of State visit, responsible for co-ordination with Department's Mobile Communications team (MC), site control rooms, VIP kit arrival and departure, and act as facilitator for any communications needs.
2. Assess and dispose of all old, replaced, unused, un-needed, or surplus equipment from IPC. Completing all required paperwork.
3. Update procedures used in the IPC, and maintain Standard Operating Procedures (SOPs).
4. Monitor the ClassNet servers daily by reviewing the system log files, respond to errors found and monitor the system backups to ensure that system restore files are current and available.

C. Describe any special circumstances influencing the work program.

Support to Embassy Apia is hampered by time zone differences and limited American staff. Additionally, all classified support for Consul Auckland and Apia is handled by Embassy Wellington IPC.

**IV. EVALUATION OF PERFORMANCE AND ACCOMPLISHMENTS** (Completed by Rater)

For employees at Class FS-02 and below and all career candidates regardless of grade

**General Appraisal:**

All Employees: Performance was satisfactory or better (If no, see instructions for documenting unsatisfactory performance)

YES

NO



**B. Discussion:** Identify at least three of the work requirements including continuing responsibilities and/or specific objectives listed in Section III. For each, using examples, describe the employee's performance and accomplishments.

IMS Marvin Green has worked hard in his first five months here. He has continued to develop the skills required to be a professional Information Management Specialist (IMS).

Marvin was delegated to assist with the technical setup for the Secretary's overnight visit to Christchurch, NZ. He coordinated the established plan for the communications, control rooms, and technical infrastructures at the two hotels. The team lead for the Secretary's Mobile Communications group (MC) praised his performance, especially in a city weakened by earthquake damage and located hundreds of miles from the embassy.

He worked to improve the efficiency and security of our network operations. The Information Technology score (iPost) is a dynamically determined percentage based on the performance, security and configuration management of the post's network. He succeeded in raising Wellington's iPost score from 61% to 94.9%. He should be proud of this accomplishment, but he needs to pay closer attention to solving existing system issues. He will begin working on an issue and then abandon the effort, without solving the problem.

Marvin worked at disposing of the accumulated old equipment and cleaning up of the Information Processing Center (IPC). He organized the old printers, monitors and computers, moving them to a new location, taking note of the serial numbers and Identification tags so that we were better prepared for the annual equipment inventory.

He attacked the annual inventory with energy. He registered with the Integrated Logistics Management System (ILMS) and worked closely with the asset management team to update the inventory properly and get the paperwork in time.

Marvin continued his education by qualifying as an Accredited Bio Hazard inspector for incoming shipping container. This certification allows him to inspect containers entering the country and assists in protecting New Zealand's unique ecology.

**V. EVALUATION OF POTENTIAL (Completed by Rater)****For Career Candidates only: Assessment of career potential as a Foreign Service Officer or Foreign Service Specialist:**

- Unable to assess potential from observations to date
- Candidate is unlikely to serve effectively even with additional experience
- Candidate is likely to serve effectively but judgment is contingent on additional evaluated experience
- Candidate is recommended for tenure and can be expected to serve successfully across a normal career span (see instructions)  
(Support your choice by discussing below the candidate's potential for successful service across a normal career span, citing examples which illustrate strengths and weaknesses in each of the competencies cited below.)

**B. For employees at Class FS-02 and below and all career candidates regardless of grade:**

For each of the competency groups listed below, draw on specific examples of performance to describe the rated employee's potential for advancement in the Service. (See Core Precepts for definitions of competencies.)

1. Leadership Skills 2. Managerial Skills 3. Interpersonal Skills 4. Communication and Foreign Language Skills  
5. Intellectual Skills 6. Substantive Knowledge

I've observed Marvin's work in the IPC for five months now, and I'm uncomfortable with his demonstrated performance and sense of responsibility, so far. He has made errors of judgment that aren't acceptable in this job.

**Leadership, management Skills:**

Marvin worked on his skills during the Secretary of State's visit to New Zealand in November 2010. He followed the established plan, He had responsibility for assisting the setup of four (4) control rooms in two (2) separate hotels and assist and the computer and communications operations at the sites. He coordinated with New Zealand Telecom to install the needed telephone circuits and worked with Regional Information Management Center's (RIMC) radio technicians for the visit. In addition, he was essential to the logistics operation involved in moving all the VIP equipment for the MC teams in and out through Christchurch's airport, and he acted as the baggage officer for the flight. This required dealing with the New Zealand military, police and security services at both the airport and the hotels to make sure that all items cleared customs and were delivered to the correct rooms. However, during the visit, I received numerous reports that Marvin was missing and unable to be located. These absences occurred during the critical initial set up at the hotels, when decisions needed to be made, and he was missing. I also tried to reach him, unsuccessfully.

**Interpersonal and communication skills:**

Marvin's interpersonal skills need to be refined to function effectively in a Foreign Service environment. We deal in a very sensitive and classified environment where obvious and repeated mistakes should not be tolerated. The decisions made in this office, and the actions we take, have serious consequences. Learning is important and mistakes will happen, but making a mistake should never be treated lightly. He needs to communicate with our customers. If he has questions or needs more information, he needs to communicate that to them. People need to know that he is a professional and will act accordingly. For example, he repeatedly delivered highly classified packages to the wrong groups and the customers had the impression that he either didn't understand why they were upset or didn't care. Our job is to ensure that communications are received and dispatched correctly and accurately, and someone from our office needs to be available at all times for safety and potentially for recall to work. Marvin has chosen not to have a landline at his house, and twice he has left his work cell phone and his "duty" call-in cell phone at the embassy. This means that there is no way to get in touch with him or notify him of the need to report to work. When he realized that he didn't have the phones, he did not return to the embassy to retrieve them. We are on call because a cable requires immediate action, even at night, and we are required to be at the embassy to handle the cable within two (2) hours. His action, even after repeated reminders, demonstrates a lack of responsibility. He needs to be more aware and conscientious concerning the responsibilities of the job.

**Substantive Knowledge:**

Marvin is working on learning more about our COMSEC account in preparation for our annual audit. His knowledge of COMSEC procedure and policy is increasing.

**Intellectual skills:**

I needed to quickly ascertain if certain missing items were located in our pouch room and asked Marvin to check. Hours later, when I went to the pouch room, he was doing an elaborate spread sheet that didn't answer my question.

C. **Areas for Improvement:** The following must be completed. Employees should be made aware of areas where they should concentrate their efforts to improve. Specify at least one area in which he/she might best direct such efforts. Area(s) cited must be explicitly linked to one or more of the competency groups listed in Section V B and must have been discussed with the employee in counseling during the rating period. Justify your recommendation with examples and indicate below competency group(s) being addressed. *(The response is not to be directed as a need for formal training.)*

Specify Competency Substantive Knowledge Specify Competency \_\_\_\_\_

Marvin needs to actively explore his responsibilities and the details involved with this job. He constantly asks questions about how to fill a form or complete a process, but when asked if he's read the directions, he'd reply No! He needs to be actively reading the regulations required for this job and spend some time establishing a personal Standard Operating Procedures (SOP) manual.

#### VI. REVIEW STATEMENT *(Completed by Reviewer)*

Assess the employee's performance and potential (if a career candidate, potential to serve across a normal career span - see instructions). Independent observations are encouraged and must be supported by additional examples of performance observed this rating period. Note differences with the rater's appraisal or recommendations. Comment on relations between rater and employee.

Marvin Green's relationship with his rating officer was tenuous at best and openly hostile at other times. It first came to my attention over a disagreement on overtime processing and continued as they openly picked at each other over minor procedural functions. This culminated with a series of meetings with me, the HRO, the employee, and the rating officer to discuss proper decorum in the work place. These discussions helped to clear the air and to identify a series of misunderstandings and pre-conceived notions that contributed to a less than civil working environment. Both officers agreed to move forward and to conduct business in a professional and productive manner.

Marvin pre-dated my arrival by a few weeks, but both of our introductions to Mission Wellington revolved around a Secretary of State visit held in two cities. Marvin was assigned to the team supporting the visit away from Wellington, while his supervisor handled things in the capital. The visit was a huge success, and Marvin received rave reviews from the advance team that he worked with.

During the absence of the IMO, Marvin initiated an update of Post's emergency destruction plan and conducted an emergency destruction drill. His approach to both was very systematic and thorough. While he did not complete the emergency destruction plan, he made good headway and provided the IMO with a strong base document that he was able to quickly complete.

New Zealand has very strict bio hazard laws in place to protect its unique ecology and agriculturally dependant export economy. One of the laws requires all incoming shipments to be screened by an accredited New Zealand Bio Hazard Inspector. Typically the Embassy's GSO office handles this role for the Mission. In an attempt to help the mission, Marvin volunteered to take the requisite training and is now our certified backup for bio hazard inspections.

Marvin takes going green quite seriously. He has chosen to not have a vehicle here in New Zealand, preferring to walk to work. In his own words walking to work allows him to, "...take in the views of Wellington Harbor and creates a sense of well being, while reducing carbon emissions and improving cardiovascular health."

## VII. STATEMENT BY RATED EMPLOYEE

**Discussion:** This section is intended to provide the rated employee's views on the period of performance appraised. You must comment on your most significant events during the period. You may also address any activities or problems not adequately covered in this report, or aspects of the appraisal which need clarification or correction. You are encouraged to state your current career goals including training and assignments desired over the next 5 years. *(Continuation sheets may be used.)*

I came to the Wellington IPC with the intention of contributing to the achievement of operational standards of the highest possible level. My previous posting was with a State Department veteran of 26 years who ran a small but exacting operation where I learned a good deal. In Wellington my new supervisor has been filling in some gaps in my learning, particularly in the area of COMSEC (COMMUNICATIONS SECURITY) and secure transfer procedures (delivery of secure items). In addition I have been entrusted exclusively with the Embassy's emergency duty recall phone.

Soon after arriving at post I was detailed to Christchurch to support the Secretary's visit. This is how the Embassy's team lead described my contribution:

"Christchurch:

Marvin: Marvin's performance during the Secretary's visit was flawless, which is particularly noteworthy given it was his first such visit and only recently arrived at Post. The advance team commented how promptly he responded to any requests for assistance and was very pleased with how well the IT requirements were met before they arrived. Marvin also honed his leadership skills, taking the Consulate's IT Specialist Iain Cameron under his wing to show him how to manage the specialized set-up for the Secretary's visit. It is important to note that Marvin achieved his accomplishments without the backbone of a nearby Embassy or Consulate for support. Moreover, he managed all this in a city and hotel with a fragile infrastructure, weakened by the September 2010 Canterbury earthquake."

iPost monitors our classnet computers to prevent malicious intrusions from occurring by making sure the latest virus protection and patch updates are applied. Improving iPost scores is something I had previously proved good at. Upon arrival in Wellington I set out to bring the iPost scores to 100%. I first contacted the IT Service Center to obtain assistance in getting the SMS scan function working. Problems related to a IIS (Internet Information Service) web server function were identified and an upgrade to IIS was performed by service center personnel. Starting from a 61% score I began applying SMS patches and virus protection updates to improve Wellington's score. Checking it right now on my classnet computer the current score is 97.2%--and with a few more tweaks I am sure we will hit 100% very soon.

Another less glamorous contribution I've made was to clean out the IPC (Information Programs Center) foyer area. I removed and disposed of typewriters, various radio parts, printers, monitors and a couple of CPUs. My supervisor then assisted me in sending my first cable, requesting disposition instructions for the obsolete equipment. I then scheduled the janitorial service to come up and scrub and wax the floors while I vacuumed out the inner foyer and obtained some original paint from the embassy maintenance section; I then did a touchup on 9 years of scratches of the foyer's day gate and other doors and frames.

My second ongoing physical effort is to assist my supervisor in sorting out obsolete equipment that dates back through 12 years of GITM (4 year hardware refresh) upgrades--some of it still in use! In doing the recent inventory I identified additional equipment assigned to classified areas that we can dispose of and have prepared and submitted 70 items on DS-584 (Nonexpendable Property Transaction) forms identifying additional equipment that can be disposed of pending my supervisors approval. Currently I am sorting this equipment into staging areas to facilitate disposal.

Most of my COMSEC training has been on-the-job in Wellington. In passing our COMSEC audit yesterday the auditor was able to give me several hours of training on the SDS, CARDS and the EEKD (COMSEC encryption key delivery) systems--correcting some basic misunderstandings that I had in this "key" area.

I'm still drawn to another tour in Africa but most posts are 2 person shops that only take trainees and an experienced FS-3 or above. Serving at a larger post where I can utilize my computer Systems Administration skills might benefit both the Department as well as myself. On the other hand, my son is scheduled for an MBA at George Washington and I might be interested in a D.C. tour if I can convince him to bunk with the "old man".

I acknowledge receipt of this report.

Date Section VII completed (mm-dd-yyyy)

03-06-2011

/s/ MARVIN GREEN

Employee's Signature