

Arizona Department of Administration – Human Resources Division

CONFIDENTIAL

**ADMINISTRATIVE INQUIRY
SUMMARY REPORT**

Agency Name : Board of Cosmetology

Agency Contact & Phone: Donna Aune 480-784-4539

Complainant Name: ADOA General Services Division

Date Received: 2/8/2016

Complaint: Investigation alleging misuse of a state vehicle for personal reasons on behalf of ADOA General Services Division. A prior investigation for misuse of a state vehicle was conducted on June 24, 2013 based on an anonymous complaint.

Lead Investigator: Jan Plank

Phone: 602.364.0126

Witness Names

Title

Donna Aune

Executive Director

JoAnne Ayotte

Compliance Department Manager

BACKGROUND INFORMATION

On February 3, 2016 the Deputy Director of the Arizona Department of Administration (ADOA), Kevin Donnellan, contacted Elizabeth Thorson, statewide Director of Human Resources to request an investigation into the practices of the Arizona Board of Cosmetology related to state vehicle usage.

The Board's Executive Director, Donna Aune, had previously been investigated in 2013 for transporting her son on multiple occasions in a state vehicle from [REDACTED]

[REDACTED] That allegation was substantiated, as were allegations of retaliation and written threats by Ms. Aune regarding suing for slander former agency [REDACTED], who participated in that investigation. These threats of retaliation were substantiated via emails written by Ms. Aune to [REDACTED] and submitted to ADOA. ADOA investigators had made repeated requests to Ms. Aune to keep the investigation confidential, which she violated.

[REDACTED]

Ms. Aune has been at the Board of Cosmetology since 1987 and has been the Executive Director since 2009. Her annual compensation is \$109,725.

SUMMARY FINDINGS

Director Aune and Compliance Manager Joanne Ayotte were interviewed in person. Both acknowledged that three state vehicles are checked out from ADOA Fleet Management and are taken home to personal residences of employees each week. Ms. Aune and Ms. Ayotte "share" one of the vehicles and two

investigators, Takejah Lambert and Amber Moore, utilize the other two. Ms. Aune uses the vehicle to drive to work on Mondays, the day Ms. Ayotte is off due to her 4/10 work schedule, and most Fridays, when the two drive in together.

Ms. Ayotte supervises inspections and investigations but also performs some of the function herself, conducting field work on a regular basis. She indicated that often she teleworks Tuesday-Thursday in addition to being off on Mondays. Both Ms. Aune and Ms. Ayotte stated that they had been driving together and taking the state vehicles home "for 30 years."

Ms. Ayotte also indicated that Director Aune offers to perform inspections in the Bullhead City/Laughlin area herself, which was also noted in the 2013 investigation. However, Ms. Aune takes her own vehicle and claims mileage reimbursement for those trips, which the 2013 investigation confirmed that her husband accompanies her on.

The Domicile of Duty for each employee using a state vehicle at the Board is their home address. Commuting mileage from the employee's home address to the office location is never deducted, even on travel claims, per Ms. Aune.

Ms. Aune, when questioned, had no idea what the costs related to using the ADOA fleet vehicles were, stating that, "Nola (the General Services Division Assistant Director that oversees the vehicle fleet program) told me it was quite costly." The total cost for utilization of the three vehicles, including gas, was \$19,452 for fiscal year 2015. For the first half of fiscal year 2016 the cost has been \$19,301.

When Ms. Aune was initially questioned about her use of the state vehicle, she responded, "*I never use them.*" Later, she stated she had "lied" and did recall that she picks up the vehicle from Ms. Ayotte's home on Monday mornings, drives it to work, drives it back to her residence Monday evenings, and then picks Ms. Ayotte up Tuesday morning if Ms. Ayotte is coming into the office. Alternatively, at times Ms. Aune drops Ms. Ayotte at her residence on Friday evening and takes the vehicle home to her residence over the weekend. Ms. Ayotte and Ms. Aune admittedly "rideshare" in the state vehicle.

Although Ms. Aune indicated that there are "some inspections done on Saturdays, when pressed for more information, she acknowledged that there were "not many." A check of work and mileage logs submitted by the agency as part of this investigation revealed that Ms. Ayotte worked one Saturday in 2015 and one Sunday where she noted, "drove home," but she did not list her original destination. The other two investigators had no weekend work listed for all of 2015. Ms. Aune failed to produce any records of her vehicle use when requested.

Ms. Ayotte stated that she is aware "*you can't do your weekly grocery shopping in the state vehicle,*" but if "*you need a birthday card at Walgreens*" or "*need to stop to get some food it is ok.*"

Several times during Ms. Aune's interview she stated she felt that she "*was being interrogated*" and at one point indicated, "*You know, I feel like I need an attorney.*"

Ms. Aune and Ms. Ayotte denied any wrongdoing related to the use of the state vehicles, and indicated, "*If things have changed, we were never told.*"

██████████ stated when she met with Ms. Aune and Ms. Ayotte on 2/2/16 to discuss state vehicle use that they had alluded to the use of a state vehicle or mileage reimbursement as an incentive and motivation to attract new investigators. ██████████ reported that they had indicated that they just hired a new investigator and she was told that she would have use of the vehicle from her home. Ms. Ayotte denied saying this.

REMEDIES

The agency, as of February 9, 2016 has voluntarily forfeited the use of state vehicles going forward as a result of this investigation.

Prepared by: Jan Plank , Chief Human Resources Officer – ADOA Shared Services
Date: 2/9/16

Reviewed by: Nancy Gomez, Deputy Director of Operations - ADOA Human Resources
Date: 2/10/16