



United States Department of State

Bureau of African Affairs

Washington, D.C. 20520

January 31, 2019

Julius Che Banka
Yaounde, Cameroon

Dear Mr. Banka:

We are in receipt of your complaint dated December 28, 2018, and have discussed the facts regarding your separation from the U.S. Mission in Cameroon with Mission officials who have knowledge of and/or documents regarding this action.

We understand that, on June 14, 2018, you were advised of your separation for cause by U.S. Embassy Human Resources Officer (HRO) Harby Issa. Your separation was a result of the Embassy Regional Security Office (RSO) finding that you had been involved in the theft of embassy property—a charge to which you admitted. Further, you involved one of your direct reports in this theft, resulting in that employee being disciplined, as well.

Though that letter of separation does not specify the reason for your separation other than to state that it was due to security reasons, you were advised orally at the time that your theft of Embassy property constituted grounds for termination of your employment. It does not seem credible that this termination came as a surprise, after your own admission of this malfeasance to the RSO.

On June 26, after Embassy Management was advised that you were claiming unlawful termination, HRO Issa prepared an amended letter, dated June 26, 2018, which more explicitly described the causes for your separation. To wit:

- Unauthorized use of United States property, equipment, and vehicles.
- Theft of United States property.
- Unauthorized use of status.

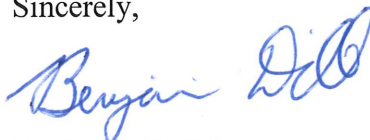
However, you refused to sign receipt of this amended letter. As post is still attempting to deliver the letter into your possession for your records, we have included a copy of it with this response.

Cameroonian labor law does not require the payment of severance when the separation is due to the employee's theft of employer property, thus you are not entitled to severance pay.

For the above reasons, the Bureau of African Affairs supports this separation and the non-payment of severance as valid.

Any further grievance of your separation should be directed to the U.S. Embassy Cameroon management, which is the final arbiter for all Locally Employed Staff grievances.

Sincerely,



Benjamin B. Dille
Executive Director
Bureau of African Affairs

Attachment:

Banka termination letter dated June 26, 2018



Embassy of the United States of America

June 26, 2018

Mr. Julius Che Banka
Yaounde, Cameroon

SUBJECT: EMPLOYMENT SEPARATION

Mr. Banka:

On Thursday, June 14, 2018, the United States Embassy Regional Security Office (RSO) revoked your security certification, and seized your U.S. Embassy identification card due to security reasons (loss in confidence) for the following:

- E.10. Unauthorized use of United States property, equipment and vehicles.
- E.18. Theft of United States government property.
- F.14. Unauthorized use of status

The above offenses are from the Embassy's Locally Employed Staff Handbook, section XVI titled: Table of Offenses and Disciplinary Actions. In addition, your illegal activities broke the Handbook's *section V – Employee Responsibilities and Conduct*. Section V addresses use of U.S. government property, time and resources, integrity, and transmitting gifts or favors.

On May 4, 2018, the Assistant RSO began an investigation. According to the investigation, you admitted to swapping old phones in exchange for the Peace Corps' phones in order to profit financially. During the course of the investigation, other facts came to light to the ARSO. One example, confirmed that you engaged in selling wooden (House Hold Effects) HHE crates to one temporary Embassy worker for 25 000 CFAs. By using your status (Embassy position) you used an Embassy vehicle to transport the HHE crates.

Due to the above confirmed criminal activity the Embassy's Executive Office, RSO, and Management determined that your continued employment as Warehouse Manager - General Services was **not in the best interest of the U.S. Embassy, and it was terminated effective noon Thursday, June 14, 2018.**

The U.S. Embassy expects and requires that all staff uphold the highest standards of honesty and conduct.

Note: The Embassy will pay the following benefits: Hours worked this pay period (12); your accrued annual leave (if any); and your Defined Contribution Fund savings (will take 3-5 months). You are not eligible for the following: Severance payment, Special Immigrant Visa, and to apply to future U.S. Embassy job vacancies.



Harby Issa
Attaché - Human Resources Officer

Acknowledge receipt of this Separation for Cause letter by signing below.

I, JULIUS CHE BANKA, ACKNOWLEDGE RECEIPT OF THIS LETTER ON
TUESDAY, JUNE 26, 2018.

SIGNATURE: _____

* LETTER DELIVERED
ON 6-27-2018 (9AM);
MR. BANKA REFUSED TO
SIGN. LETTER RETURNED
TO HRD FOR OPF.

H/Issa
6-27-18
11:15A

Original: JCBanka/
Copy: OPF/