

BEFORE THE WASHINGTON STATE
EXECUTIVE ETHICS BOARD

In the Matter of:

Brent Quebedeaux
Respondent.

No. 2024-014

STIPULATED FACTS,
CONCLUSIONS OF LAW AND
AGREED ORDER

THIS STIPULATION is entered into by Respondent, Brent Quebedeaux and Board Staff of the WASHINGTON STATE EXECUTIVE ETHICS BOARD (Board) through KATE REYNOLDS, Executive Director, pursuant to chapter 42.52 RCW, chapter 34.05 RCW, and WAC 292-100-090(1). The following stipulated facts, conclusions of law, and agreed order will be binding upon the parties if fully executed, and if accepted by the Board without modification(s), and will not be binding if rejected by the Board, or if the Respondent does not accept the Board's proposed modification(s), if any, to the stipulation. This stipulation is based on the following:

A. STIPULATED FACTS

1. On February 27, 2024, the Executive Ethics Board (Board) received an agency referral alleging that Brent Quebedeaux, a former employee of Washington Health Care Authority (HCA), may have violated the Ethics in Public Service Act by using state resources for private benefit or gain.

2. According to the HCA, Brent Quebedeaux was hired on as an IT Business Analyst-Journey for HCA on September 9, 2019, in the Enterprise Technology Services (ETS) Division. On December 1, 2019, Brent Quebedeaux was promoted into an IT Project Management-Journey

position. On June 1, 2020, Brent Quebedeaux passed his probationary period. Then, on February 8, 2024, Brent Quebedeaux was dismissed from employment with HCA.

3. According to the position description provided by HCA for the IT Project Management position, Brent Quebedeaux's work schedule was full time with a regular working schedule of 40 hours per week, Monday through Friday, from 8:00 a.m. to 4:30 p.m. The primary duties assigned to this position were listed as: *Leading IT projects throughout the agency, developing and implementing performance metrics, monitoring progress and budget of assigned projects, participating in team meetings, and providing regular status updates to project stakeholders.* According to records provided by the HCA, at the time of this complaint, Brent Quebedeaux was working fully remote.

4. According to the HCA Investigation Report, Brent Quebedeaux signed an HCA policy on September 16, 2019, acknowledging that all employees must comply with the Ethics in Public Service Act. The policy also indicates that if you have any questions to ask you supervisor or human resources.

5. According to the HCA Investigation Report, Brent Quebedeaux signed an HCA policy on September 16, 2019, acknowledging the use of Information Technology Assets which states in pertinent part:

- *Employees must use HCA-provided IT assets for official use only, except as allowed within this policy.*
- *This policy applies to the use of all HCA-provided IT assets. This includes use during break periods, lunch periods, and other "non-duty" periods, whether on or off HCA premises.*
- *Employees must use HCA's IT assets in a manner consistent with all Washington State ethics laws, rules, and other guidance.*

6. According to the HCA Investigation Report, Brent Quebedeaux signed an HCA Telework Agreement form on September 3, 2021, which states in pertinent part:

- *“I agree to use data, equipment, software, and supplies provided by HCA solely to fulfill my responsibilities as an employee of HCA. I understand that I am solely and exclusively authorized to use this equipment for official state business as specified in RCW 42.52.160. I understand the Ethics in State Government rules outlined in Chapter 42.52 RCW also apply to HCA-provided hardware, software, and/or data that I may use with personally owned computer equipment in my telework environment”.*
- *“Be accountable for my time and be actively conducting state business during my scheduled work time”.*
- *“Notify my supervisor in advance, or as soon as practical, if my telework location changes.*

7. According to the Telework Agreement, Brent Quebedeaux’s telework location was listed as his home address and his telework hours were listed as 32 hours/week from 8:00 a.m. to 4:30 p.m. The Telework Agreement also stated that any change to the agreed upon work schedule would have to be approved in advance by a supervisor.

8. According to the HCA Investigation Report, on August 15, 2023 Brent Quebedeaux’s supervisor reached out to Human Resources (HR) consultant Elise Drennan regarding concerns about lack of productivity, communication, and availability for Brent Quebedeaux. They expressed concern over times when Brent Quebedeaux was showing “away” on Teams for long periods of time without an explanation, not on scheduled leave, and not being responsive when contacted. Brent Quebedeaux’s supervisor also expressed concerns over the amount of work time Brent Quebedeaux claimed they were studying for the Project Management Professional (PMP) certification.

9. According to records provided by HCA, Brent Quebedeaux signed a Performance Development Plan (PDP) on October 25, 2022. Board Staff reviewed the key competency expectations listed in this PDP for the period of September 1, 2022 to August 31, 2023.

10. Board Staff noted in Brent Quebedeaux’s response to Board, they stated they believed studying to complete their PMP certification was part of their job description and part of

the goals in their evaluation. Board staff reviewed Brent Quebedeaux's job description as provided by HCA and did not note PMP as a requirement. Board staff also reviewed the goals listed in Brent Quebedeaux's PDP and noted PMP certification was not listed in the goals section, but was listed in the required training and development opportunities section.

11. According to HCA, on July 28, 2023, during a weekly close out meeting between Brent Quebedeaux and their supervisor Chatrina Pitsch, Brent Quebedeaux was reminded that project management duties were to remain a priority, and any study time beyond the six hours of work time per week allotted for PMP study time would need to be accomplished outside of normal business hours. This reminder was also sent in a recap email to Brent Quebedeaux on the same day. It was noted that even after this reminder Brent Quebedeaux continued to not meet the performance expectations.

12. According to the HCA Investigation Report, in order to attempt to estimate Brent Quebedeaux's productivity, HR was provided productivity data from IT, which included state email use, web browser site hits, Teams messages, and cell phone data usage. Scheduled days off, leave used, and holidays were all excluded from this analysis. Only gaps of approximately 16 minutes or greater were included and considered potential gaps in productive work time. The timeframe of July 21, 2023, to August 25, 2023, was captured due to Brent Quebedeaux being on leave prior to July 21, 2023 and website data only being available through August 25, 2023.

13. A time log of the above data was compiled and sent to Brent Quebedeaux on November 8, 2023. According to the HCA Investigation Report, between July 21, 2023, and August 25, 2023, a total of 141.6 unaccounted work hours were identified, or about 57% of Quebedeaux's scheduled work time over the time period. According to HCA, Brent Quebedeaux

was available to work 238 hours during their scheduled shifts in this time period. A breakdown of total inactive time was reported as follows:

- July 21, 2023:4.5 hours
- July 24, 2023:4.1 hours
- July 25, 2023:7.9 hours
- July 26, 2023:4.1 hours
- July 27, 2023:3.2 hours
- July 28, 2023:6.2 hours
- July 31, 2023:6.2 hours
- August 1, 2023:4.4 hours
- August 2, 2023:5.4 hours
- August 3, 2023:6.3 hours
- August 4, 2023:6.9 hours
- August 7, 2023:4.5 hours
- August 8, 2023:5.6 hours
- August 9, 2023:7.7 hours
- August 10, 2023:5.5 hours
- August 11, 2023:5.7 hours
- August 14, 2023:3.2 hours
- August 15, 2023:5.5 hours
- August 16, 2023:5.3 hours
- August 17, 2023:3.3 hours
- August 18, 2023:5.6 hours
- August 21, 2023:6.3 hours
- August 22, 2023:5.6 hours
- August 23, 2023:7.4 hours
- August 24, 2023:6.5 hours
- August 25, 2023:4.7 hours

14. On November 9, 2023, Brent Quebedeaux provided an emailed response to the above, in which they stated they had reviewed the time log provided by HR, and noted it was “difficult to reference what happened on a given day.” Brent Quebedeaux then indicated they had calculated time spent on usual daily tasks vs. the total possible inactive hours noted above.

15. Brent Quebedeaux stated they spent a large amount of time documenting OneNote for weekly reports to their supervisor, project notes, conversations etc. as well as Word and Excel desktop apps. Brent Quebedeaux did not believe use of these apps would have been reflected in

the time log report provided by HR. Brent Quebedeaux stated during July and August 2023, they had been “cramming pretty hard” for their PMP certification. Brent Quebedeaux stated this study time would have been in the form of taking practice exams, creating flash cards, referencing study guides, and would have been in written format. In their response, Brent Quebedeaux compiled a data set to reflect possible times not accounted for in the time log provided by HR. This included:

- a. Lunch and breaks (average 1 hr/day), total for 26-day period: 26 hours.
- b. PMP practice exams (average 3.5 hr/day x 6 exams), total for 26-day period: 21 hours.
- c. PMP study time (average 1.5 hr/day), total for 26-day period: 39 hours.
- d. Project documentation (average 1.5hr/day), total for 26-day period: 39 hours.
- e. Phone conversations (average 1 hr/day), total for 26-day period: 26 hours.

Total hours over 26-day period=151 hours

15. In their written response to HR, Brent Quebedeaux stated the total inactive hours in the time log report provided by HR was 137.1 hours. According to the information provided to Board staff, the total estimated gap of unaccounted for work hours reported by HCA in their investigation was 141.6. Brent Quebedeaux believed his response in which he “accounts” for 151 hours as noted above would make up for the discrepancy. Per the HCA investigation, Brent Quebedeaux was unable to provide any documentation supporting this estimation.

16. Brent Quebedeaux provided a written response to Board staff in which they stated their supervisor had changed to Chatrina Pitsch at one point during their employment. Brent Quebedeaux stated he had “questions and concerns” about this as Chatrina Pitsch had mainly functioned as a Business Analyst (BA) and not a Project manager (PM). Brent Quebedeaux believed these two roles didn’t work together and had different skill sets. Brent Quebedeaux stated they brought their concerns to Chief Information Officer Jerry Britcher, but was told the decision was final and there would be no change to it. Brent Quebedeaux stated Chatrina Pitsch’s

management style was “micro-management” as indicated by the requirement for Brent Quebedeaux to provide weekly written status reports and meet weekly.

17. Brent Quebedeaux stated they were criticized for their work product not being extensive and detailed enough, but believed they were never given specifics on how to improve them. Brent Quebedeaux claims under their previous supervisor they were praised for their documentation and project style. Brent Quebedeaux stated in July of 2023, they made the decision to look for another position outside of HCA as the situation had become “untenable.”

18. Brent Quebedeaux stated they were notified of the investigation in November of 2023 and were “shocked” by the allegations, as they had their evaluation only days before and were not told any of this. Board staff reviewed Brent Quebedeaux’s evaluation (PDP) from October 26, 2023, and noted the following:

- Project reports often lacked sufficient details on activities for the current period and upcoming. Risks, issues, and decisions were often not documented timely in status reports for communication to project stakeholders.
- There is a need for greater attention to detail and timeliness in meeting project management objectives.
- Changes have not been made over this review period to the project management prioritization process in regard to new solutions requested.
- Closer management and direction given on assigned tasks for project resources would aid in avoiding schedule slips and earlier detection of gaps in original scope.
- During this evaluation period a lack of cooperative attitude and inappropriate tone was addressed. Room for improvement was identified in support of other contracted project managers unfamiliar with HCA's policies and procedures and taking initiative to constructively contribute to working sessions with other team members.
- He often delivers his project deliverables on time to meet team deadlines, though the need for more detail was discussed in status reports. Brent's preferred method of communication is email, and I encourage more frequent live conversations with team members or project stakeholders through calls or meetings to more readily mitigate and resolve challenges that arise.

19. Board Staff noted on October 26, 2023, Brent Quebedeaux signed the evaluation

attesting that it had been reviewed with them. It was also signed by the evaluator, Chattrina Pitsch, and the reviewer, Chief Information Officer Jerry Britcher.

20. Additionally, according to the HCA Investigation Report, Brent Quebedeaux was also alleged to have worked outside the State of Washington without approval. When reviewing Brent Quebedeaux's VPN log in details, HR noted the location of Brent Quebedeaux's IP address logged into the VPN on July 3, 2023, July 5, 2023, and July 6, 2023 from California, and on July 31, 2023, and August 23, 2023 from Georgia. Brent Quebedeaux admitted to working from Palm Springs, California in July, but stated they had never been to Georgia.

21. Brent Quebedeaux explained that sometimes the internet routes through different states. Brent Quebedeaux claimed they thought approval to work outside of the state was not needed if the total time working outside of the state was less than two weeks. Board Staff reviewed HCA's Out of State Telework policy and noted HCA's standard rule for Out-of-State Telework requests is denial and the default assigned work location of all HCA positions, both on-site and telework eligible positions, is within the State of Washington. This policy further indicated that HCA may choose, but is not required, to support out of state telework through a structured exception process.

22. According to HCA, a pre-disciplinary hearing meeting was held on January 22, 2024, which was attended by Brent Quebedeaux, Chief Information Officer Jerry Britcher, HR Consultant Elise Drennan, and Washington Federation of State Employees Chief Shop Steward Marcella Simmons. When asked to clarify comments made during the investigatory interview regarding being "available" during the workday, Brent Quebedeaux clarified by stating that they had their HCA issued cell phone "on them" which is "everything" they needed to work and were available to be responsive.

23. Brent Quebedeaux further stated this investigation “came out of left field” and they felt if they were performing poorly, they could see a need for investigation but did not believe that to be the case. HR Consultant Elise Drennan confirmed that Brent Quebedeaux had received a counseling memo on August 25, 2023 as well as previous Performance and Development plan (PDP) evaluations which outlined that two of the three competencies listed had an evaluation rating of: “Improvement needed.”

24. According to HCA, because Brent Quebedeaux had stated in his pre-disciplinary meeting that he was able to accomplish “everything” on his agency-issued cellphone. HR was asked to review Brent Quebedeaux’s cell phone use, including calls made or received, and cell data used. In this review, HR removed 30 minutes per day for unpaid lunch periods to determine whether these considerations would significantly alter the gaps in productive time. After reviewing this data, HCA determined it didn’t appear that Brent Quebedeaux was spending a significant amount of time working on their HCA cell phone, only accounting for approximately three hours of additional productive time over this period. Including the removal of the unpaid lunch periods, this accounted for over 125 hours of time unaccounted for.

25. Board Staff reviewed a Notice of Termination dated February 8, 2024, that served as official notification to Brent Quebedeaux of their termination with the Service Capability Management and Business Analyst office in the Enterprise Technology Services (ETS) division at Health Care Authority (HCA).

26. According to the termination notification, the reason for the action being taken against Brent Quebedeaux as listed as “misuse of state time” by being paid to perform work but not produce any work during the periods identified in the Investigative Report. According to the

termination notification, misconduct was found to have occurred as articulated in the basis for the discipline section outlined in the notification.

27. It was noted that careful consideration was given to Brent Quebedeaux's employment history, current job responsibilities and performance expectations as well as their statements made during the investigation and pre-disciplinary process. It was also noted that although Brent Quebedeaux's supervisor had approved up to six hours during their workweek to study for their PMP and some study may have been conducted offline, it was still believed that they were not using their paid state time appropriately. It was noted that completion of the PMP certification was not a work assignment, but a goal for development which did not take priority over job duties as a project manager.

B. CONCLUSIONS OF LAW

1. The Ethics in Public Service Act, Chapter 42.52 RCW, prohibits state employees from Use of persons, money or property for private gain. RCW 42.52.160 states:

No state officer or state employee may employ or use any person, money, or property under the officers or employees official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee or another.

WAC 292-110-010 Use of state resources, states, in part:

.....
(3) Permitted personal use of state resources. This subsection applies to any use of state resources not included in subsection (2) of this section.

(a) A state officer or employee's use of state resources is de minimis only if each of the following conditions are met:

- (i) There is little or no cost to the state;
- (ii) Any use is brief;
- (iii) Any use occurs infrequently;
- (iv) The use does not interfere with the performance of any state officer's or employee's official duties;

- (v) The use does not compromise the security or integrity of state property, information systems, or software;
- (vi) The use is not for the purpose of conducting an outside business, in furtherance of private employment, or to realize a private financial gain; and
- (vii) The use is not for supporting, promoting the interests of, or soliciting for an outside organization or group.

2. The Board is authorized to impose sanctions for violations to the Ethics Act pursuant to RCW 42.52.360. The Board has set forth criteria in WAC 292-120-030 for imposing sanctions and consideration of any mitigating or aggravating factors.

C. AGGRAVATING AND MITIGATING FACTORS

In determining the appropriateness of the civil penalty, the Board reviewed the criteria in WAC 292-120-030. In the matter at hand, it is a mitigating factor that Brent Quebedeaux is currently a state employee in another agency.

D. STIPULATION AND AGREED ORDER

1. Pursuant to chapter 42.52 RCW, the Executive Ethics Board has jurisdiction over Brent Quebedeaux and over the subject matter of this complaint.
2. Under RCW 34.05.060, the Board can establish procedures for attempting and executing informal settlement of matters in lieu of more formal proceedings under the Administrative Procedures Act, including adjudicative hearings. The Board has established such procedures under WAC 292-100-090.
3. Pursuant to WAC 292-100-090(1), the parties have the authority to resolve this matter under the terms contained herein, subject to Board approval.
4. Brent Quebedeaux agrees that if any or all of the alleged violations were proven at a hearing, the Board may impose sanctions, including a civil penalty under RCW 42.52.480(1)(b) of up to \$5,000, or the greater of three times the economic value of anything received or sought in

violation of chapter 42.52 RCW, for each violation found. The Board may also order the payment of costs, including reasonable investigative costs, under RCW 42.52.480(1)(c).

5. Brent Quebedeaux further agrees that the evidence available to the Board is such that the Board may conclude they violated the Ethics in Public Service Act. Therefore, in the interest of seeking an informal and expeditious resolution of this matter, the parties agree to entry of the stipulated findings of fact, conclusions of law and agreed order.

6. Brent Quebedeaux waives the opportunity for a hearing, contingent upon acceptance of this stipulation by the Board, or their acceptance of any modification(s) proposed by the Board, pursuant to the provisions of WAC 292-100-090(2).

7. If the Board accepts this stipulation, the Board agrees to release and discharge from all further ethics proceedings under chapter 42.52 RCW for any allegations arising out of the facts in this matter, subject to payment of the full amount of the civil penalty due and owing, any other costs imposed, and compliance with all other terms and conditions of the stipulation. Brent Quebedeaux in turn agrees to release and discharge the Board, its officers, agents and employees from all claims, damages, and causes of action arising out of this complaint and this stipulation.

8. If the Board accepts this stipulation, it does not purport to settle any other claims between Brent Quebedeaux and the Washington State Executive Ethics Board, the State of Washington, or other third party, which may be filed in the future. No other claims of alleged violations are pending against Brent Quebedeaux at this time.

9. If the Board accepts this stipulation, it is enforceable under RCW 34.05.578 and any other applicable statutes or rules.

10. If the Board rejects this stipulation, or if Brent Quebedeaux does not accept the Board's proposed modification(s), if any, this matter will be scheduled for an administrative

hearing before the Board. If an administrative hearing is scheduled before the Board, Brent Quebedeaux any objection to participation by any Board member at the hearing to whom this stipulation was presented for approval under WAC 292-100-090(2). Further, Brent Quebedeaux understands and agrees that this stipulation as well as information obtained during any settlement discussions between the parties shall not be admitted into evidence during the administrative hearing, unless otherwise agreed by the parties.

11. Brent Quebedeaux agrees to pay a civil penalty in the amount of two thousand five hundred (\$2,500) associated with violations of RCW 42.52.

I. CERTIFICATION

I, Brent Quebedeaux, hereby certify that I have read this stipulation in its entirety, that my counsel of record, if any, has fully explained the legal significance and consequence of it. I further certify that I fully understand and agree to all of it, and that it may be presented to the Board without my appearance. I knowingly and voluntarily waive my right to a hearing in this matter and if the Board accepts the stipulation, I understand that I will receive a signed copy.

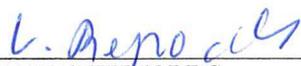


Brent Quebedeaux
Respondent

19 AUG 25

Date

Presented by:



KATE REYNOLDS
Executive Director

9/10/2025

Date

