

BACK PAY AND BUREAUCRATIC HAIRSPLITTING

– Misapplication of entrusted property

This charge appears to be based almost entirely upon OSA assertion. And if you are interested in the delicate minuet of state laws, consultant criteria, agency policy, bureaucratic double talk, perception that becomes fact, and preferential presentation of fact this is your issue.

Mr. Blunt told WSI employees that because he was not familiar with the staff that he would defer overdue raises and compensation but that back pay would be computed retroactively to December or 2004.

ND CC 65-02-01.2 directs the “Organization to establish personnel system”. No written determination or review from the AG office exists to establish the scope of remuneration authority regarding pay under this section of the ND Century Code. Has this been established by Burleigh County before we proceed in this prosecution?

This charge rests on the assertion that 3 of 7 WSI senior staff members were given preferential treatment in the form of a lump sum that was deemed by interpretation of OSA as a bonus rather than back payment computed on an established base pay rate. This is curious as 4 of the 7 members of the senior staff received the payment in an identical manner although those payments were considered legitimate under OSA criteria.

OSA cites no evidence that WSI Payroll personnel or staff legal council thought that there was anything illegal or untoward in this process!

The opinion of OSA does not equal illegal activity!