



**OFFICE OF INSPECTOR GENERAL
CITY OF JACKSONVILLE**

REPORT OF INVESTIGATION

CASE NUMBER: 2016-0003

ISSUE DATE: SEPTEMBER 14, 2016

Steven E. Rohan
Interim Inspector General

"Enhancing Public Trust in Government"

**TIME AND ATTENDANCE FRAUD
FORMER COJ SOLID WASTE DIVISION EMPLOYEE
CHARGED WITH GRAND THEFT**

EXECUTIVE SUMMARY

Pursuant to a Jacksonville Sheriff's Office (JSO), Integrity Unit investigation, John Erwin, former Solid Waste Worker II, Solid Waste Division, Public Works Department, City of Jacksonville (COJ), was arrested on March 2, 2016, for violation of Florida Statute 812.014(2)(c)(1) Grand Theft \$300-\$4,999, (specifically for stealing COJ property).

On March 7, 2016, following Erwin's arrest, the Office of the State Attorney, Fourth Judicial Circuit (SAO) contacted the Office of Inspector General (OIG) and requested that an administrative investigation pursuant to COJ Ordinance §602.303 (j), relating to Erwin's time and attendance records be conducted. Prior to his arrest, Erwin resigned from his position with the COJ on February 26, 2016. He began his employment with the COJ on December 17, 2007.

The OIG investigation disclosed that from May 27, 2015 to February 17, 2016, Erwin received compensation from the COJ in the amount of \$3,751.71 for 240.50 hours (194.50 straight time hours and 46 prescheduled overtime hours) that were falsely reported. The \$3,751.71 in compensation consisted of \$2,757.73 for 194.50 straight time hours and \$993.98 for 46 prescheduled overtime hours, all of which were submitted and approved in the COJ's electronic Time and Attendance System (TAS). Erwin claimed to be working (while driving a COJ public vehicle) when Erwin was actually at (or near) his residence located in Jacksonville, Florida. At no time did Erwin have permission to drive his COJ public vehicle to his residence.

As a result of both the JSO criminal investigation and the OIG administrative investigation, on May 5, 2016, Erwin signed a Fourth Judicial Circuit of Florida Felony Pretrial Intervention Program Deferred Prosecution Agreement. The agreement provided a deferred prosecution for a period of twelve (12) months, pending compliance with the agreement. Additionally, in substance, the agreement required completing 50 hours of community service, and paying \$3,751.71 in restitution to COJ. The entire restitution amount was identified through the OIG investigation.

INVESTIGATIVE REPORT**ALLEGATION**

John Erwin was engaged in official misconduct relating to time and attendance fraud.

GOVERNING DIRECTIVES

- Florida Statute 812.014(2) (c) (1), Grand Theft \$300-\$4,999;
- Florida Statute 838.022, Official Misconduct; and
- COJ Civil Service and Personnel Rules and Regulations, Section 9.05 (1) including falsification of records (attendance) and conduct unbecoming a public employee.

INVESTIGATIVE FINDINGS

Records Review

During the investigation the OIG reviewed various Solid Waste Division records to include Automatic Vehicle Locator (AVL), Drive Cam Data relating to COJ public vehicles driven by Erwin, as well as Erwin's Time and Attendance System (TAS) records for the period May 2015 through February 2016 as summarized below:

AVL and Drive Cam Data

Per the review of both AVL and Drive Cam records on sixty-seven (67) different occasions totaling 240.50 hours, Erwin was at or near his residence for extended periods of time during his work hours and on days he claimed he worked prescheduled overtime. The various addresses were all located at or within the near vicinity (by hundreds of yards) of his residential address.

COJ Time and Attendance Records

TAS records for the period May 2015 through February 2016 were reviewed and disclosed that Erwin's time and attendance was approved by Dale Hotaling, Hazardous Waste Supervisor, Solid Waste Division, Public Works Department, COJ. TAS records confirmed that Erwin submitted and was paid by the COJ for the two hundred forty and ½ hours (240.50 hours) while he was at (or near) his residence. Erwin received \$3,751.71 in compensation from the COJ for 240.50 hours he falsely reported as having worked. The \$3,751.71 in compensation consisted of \$2,757.73 for 194.50 straight time hours and \$993.98 for 46 prescheduled overtime hours, all of which were submitted and approved in the COJ's electronic TAS. Erwin claimed to be working those hours (while driving a COJ public vehicle) when Erwin was actually at (or near) his residence located in Jacksonville, Florida.

Felony Pretrial Intervention Program Agreement

On May 5, 2016, Erwin entered into a Felony Pretrial Intervention Program Deferred Prosecution Agreement with the Fourth Judicial Circuit of Florida. The agreement provided a deferred prosecution for a period of twelve (12) months, pending compliance with the agreement. Additionally, in substance, the agreement required completing 50 hours of community service, and paying \$3,751.71 in restitution to COJ. The entire restitution amount was identified through the OIG investigation.

Testimony

Statement of Daniel Matthews, Radio Systems Technician, Radio System Maintenance and Support, Information Technologies Division, Finance and Administration Department, COJ

Matthews advised the AVL system was a Global Position System (GPS) that was wired to the COJ public vehicle's ignition and reflected the location, speed and direction of the COJ public vehicle. The AVL system was not covert and could be manipulated by unplugging the power source (main power cable) and tampering with the antenna connected to the device.

Interview of Twane Duckworth, Risk Manager, and Bruce Tyson, Senior Safety Officer, Risk Management Division, Finance and Administration Department, COJ

Duckworth and Tyson advised that the Drive Cam was a GPS device that contained a video event recorder. Drive Cam devices are installed on multiple COJ public vehicles as a method to determine the location, direction, and speed of the COJ public vehicle. Drive Cam devices are more tamper resistant.

Statement of Thomas Hudson, Solid Waste Franchise Investigator, Solid Waste Division, Public Works Department, COJ

Hudson advised that Erwin, an Illegal Dumping Boom Truck Operator, reported to him from approximately May 2015 through February 2016, until Erwin resigned. Erwin's duties included driving a COJ public vehicle within Duval County in order to pick up items and debris that were illegally dumped along the roadway and transport the collected debris to the landfill.

Hudson used the COJ's Citizen Active Response Effort (CARE) as an assignment tool and for daily work assignments for Erwin and other employees. He only saw Erwin at the beginning and end of each shift and gave employees the benefit of the doubt they were performing their work during the day.

Erwin submitted both straight time hours and preschedule overtime hours in TAS. Dale Hotaling, Hazardous Waste Supervisor, Disposal Operations, Solid Waste Division, Public Works Department, COJ approved Erwin's TAS entries. Hotaling would verify with Hudson, Erwin's work and prescheduled overtime hours. He was not authorized to approve Erwin's time and attendance (hours worked and prescheduled overtime hours) because his job classification did not include supervisory responsibilities. However, he was ultimately responsible for Erwin performing his job duties.

Erwin was not assigned a permanent COJ public vehicle and used one of several COJ Solid Waste Division public vehicles. Hudson noticed Erwin's productivity (debris tonnage on load tickets) had dropped around November 2015. In January 2016, he reviewed Erwin's daily COJ vehicle GPS data. He compared Erwin's work assignments with the GPS data from COJ vehicles driven by Erwin. His review determined that on multiple dates GPS data reflected Erwin's COJ vehicle was stationary for multiple hours near Erwin's residence. The GPS data review revealed "unknown road" entries on multiple occasions near Erwin's residence. In February 2016, he notified JSO regarding Erwin's misconduct.

Hudson never gave Erwin permission nor was he aware that Erwin was driving his COJ public vehicle to his residence during his shift(s) and claiming that time as worked. He was also not aware Erwin was claiming overtime when Erwin was actually at his residence.

Statement of Dale Hotaling, Hazardous Waste Supervisor, Disposal Operations, Solid Waste Division, Public Works Department, COJ

Hotaling advised that on a daily basis he directly supervised and approved TAS records for two (2) employees within the Household Hazardous Waste program. He had daily interactions only with the two Hazardous Materials employees he directly supervised.

In approximately 2014, he was assigned an additional seven Sanitary Services employees for time and attendance purposes. Erwin was one of the seven Sanitary Services Employees. However, Erwin directly reported to Hudson for daily work assignments. Hudson was not classified as a supervisor and was not authorized to approve Erwin's time and attendance. Hotaling's stated that the supervisor for Erwin was Hudson.

Hotaling approved Erwin's time and attendance (both daily work hours and overtime hours) in TAS. Hotaling stated that prior to approval he relied on information from Hudson in order to verify Erwin's time entries in TAS.

Hotaling stated that the TAS system was an "honor system" and Hotaling relied on what employees entered into TAS. He never gave Erwin permission nor was he aware that Erwin was driving his COJ public vehicle to his residence during his shift. Hotaling was not aware Erwin was claiming overtime when Erwin was actually at his residence.

Statement of Jeff Foster, Professional Engineer, Engineering and Construction Management Division, Public Works Department, COJ

Foster served as the Chief of the Solid Waste Division from June 2013 through March 2016. Approximately in July 2015, Erwin was transferred to Sanitary Services and reported to Hotaling for time and attendance purposes. Erwin reported to Hudson for daily work assignments.

He advised that all of the Sanitary Services employees reported to Hudson for daily work assignments, but their time and attendance was approved by Hotaling. If Hudson had any Sanitary Services employee disciplinary related issues, Hudson would have to contact Hotaling for corrective action. Hudson had no supervisory authority over the Sanitary Services employees.

Approximately in December 2015, he learned from Hudson that Erwin's productivity (load weight) was low and that Hudson reviewed the AVL data from COJ public vehicles driven by Erwin. AVL GPS data reflected Erwin was spending several hours a day at or near his residence.

Foster stated Erwin did not have permission to take the COJ public vehicle to his residence during his shift. He advised that employees are aware they are not to take their COJ public vehicles home during their shift. However, he could not specifically recall a prohibition in policy that would prohibit an employee from driving to their residence during their shift.

Foster stated that Solid Waste Division employees worked on an honor system. He also stated that when he was the Chief of the Solid Waste Division he would have ultimately been responsible for Erwin's actions. Hoteling would have been responsible for Erwin's time and attendance. Hudson would have been responsible for Erwin's daily work assignments.

CONCLUSIONS

A review of the COJ's Automatic Vehicle Locator (AVL) and Drive Cam records, along with Erwin's time and attendance records for the period May 27, 2015 to February 17, 2016, determined Erwin claimed and received salary compensation for two hundred forty and ½ hours (240.50 hours) while he was at (or near) his residence located in Jacksonville, Florida based on TAS records. Erwin received \$3,751.71 in salary overpayments consisting of \$2,757.73 for 194.50 straight time hours and \$993.98 for 46 prescheduled overtime hours. At no time did Erwin have permission to drive his COJ public vehicle to his residence. Erwin resigned on February 26, 2016 and was not interviewed in conjunction with the investigation.

Based upon records reviewed and statements obtained during this investigation, the allegation was **substantiated**.

RECOMMENDED CORRECTIVE ACTIONS

1. Review the current Solid Waste Division procedures to determine if the current supervisory structure ensures that all employees are reporting to a Supervisor, who is authorized to approve employee's time and attendance, oversee performance evaluations and issue corrective action when appropriate.
2. Establish internal control processes through written policies and procedures that will provide COJ management with a consistent way to verify the accuracy of time keeping related matters of employees within the Solid Waste Division.
3. Review Motor Vehicle Safety Policy, Executive Order No. 2015-4, revise (as appropriate), and redistribute to all employees citywide to ensure that all employees are aware of their responsibilities associated with the use of COJ public vehicles. Additionally, if an internal Use of Public Motor Vehicle policy has been established within Public Works Department, determine if any revisions are appropriate and redistribute to all departmental employees.

4. Recommend that COJ management consult with the Office of General Counsel to determine if pension forfeiture (in full or part) is warranted per Florida Statute Section 112.3173(3).
5. Advise if any personnel action was taken as a result of this investigation.

IDENTIFIED, QUESTIONED, AND AVOIDABLE COSTS

Identified Costs/Recoverable Funds: \$3,751.71

Identified/Recoverable Costs are defined as losses from disbursements or activities associated with fraudulent or negligent activity, or mismanagement, which have a substantial likelihood of recovery.

ERWIN'S RESPONSE

On August 2, 2016, the OIG mailed a copy of the draft Report of Investigation to Erwin and he was provided the opportunity to submit a written explanation or rebuttal to the findings as stated in this Report of Investigation within ten (10) calendar days. On August 8, 2016, a written response was received via email from Erwin and is attached in its entirety to this report. Erwin did not provide any information that would change the OIG's findings.

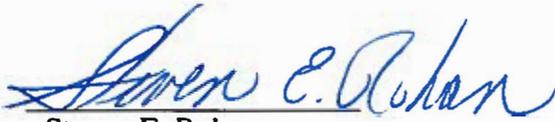
Further, Erwin and the State Attorney's Office entered into a Felony Pretrial Intervention Program Deferred Prosecution Agreement on May 5, 2016 whose terms specified the amount of restitution as \$3,751.71 (attached). As such, the amount of the restitution has been resolved and the OIG expects compliance with the terms of the agreement.

MANAGEMENT COMMENTS AND CORRECTIVE ACTIONS

On August 2, 2016, the Chief Administrative Officer, Office of Mayor Lenny Curry, City of Jacksonville, FL was provided the opportunity to submit a written explanation or rebuttal to the findings as stated in this Report of Investigation within twenty (20) calendar days due on August 22, 2016. The Administration subsequently requested and was granted two extensions with a response then due on September 13, 2016. On September 13, 2016, a written response was received from the Office of Mayor Lenny Curry and is attached in its entirety to this report.

The Office of Mayor Lenny Curry concurred with the findings and implemented various corrective actions per their attached response. Of significance, the Administration established and implemented a written Solid Waste Daily Work Order Procedure effective August 18, 2016, which provides for accountability and supervisory review of daily work being conducted within the Solid Waste Division. Additionally, the Administration made changes to ensure that supervisors assigning work to staff are also responsible for both time and attendance and oversee performance evaluations of the employees that they directly supervise.

Respectfully Submitted,



Steven E. Rohan
Interim Inspector General
September 14, 2016

Attachments: (with residence and email address redactions)
Felony Pretrial Intervention Program Deferred Prosecution Agreement,
dated May 5, 2016
J. Erwin's Response to Report of Investigation, dated August 8, 2016
Managements Response, dated September 13, 2016

cc: IG Distribution A

**This investigation has been conducted in accordance with the ASSOCIATION OF
INSPECTORS GENERAL Principles & Quality Standards for Investigations.**

FOURTH JUDICIAL CIRCUIT OF FLORIDA
FELONY PRETRIAL INTERVENTION PROGRAM
DEFERRED PROSECUTION AGREEMENT

NAME: JOHN ELBERT ERWIN
ADDRESS: [REDACTED]
JACKSONVILLE, FLORIDA 32219
PHONE:

S.A. CASE NO.: 16CF011723AD
CLERK NO.: 162016CF001886AXXMA
DOC NO.:
JAIL: NO

DEFENSE ATTORNEY: Dale C. Carson, (904) 355-6777

40TH DAY: April 11, 2016
SPEEDY TRIAL DATE: August 24, 2016

CHARGE(S): GRAND THEFT
STATUTE NO(S): 812.014(2)(c)

It being alleged that you have committed the above-listed offense(s) against the State of Florida on or about , and it further appearing after an investigation of the offense and into your background, that at this time the interest of the State of Florida, and your interest, will be best served by the following procedures:

THEREFORE, on the authority of Angela B. Corey, State Attorney in and for the Fourth Judicial Circuit, prosecution will be deferred for a period of **twelve (12) months** from this date, provided you abide by the following conditions:

1. You will refrain from violation of any law. If you are arrested for any reason, you will inform your Probation Officer immediately.
2. You will work regularly at a lawful and suitable occupation, and allow the Probation Officer to visit you at your employment site and maintain contact with your employer.
3. You will **not** change your residence or employment without notification to your probation officer. You will **not** travel out of the country and/or county of your residence while you participate in this program unless for medical emergencies and/or family loss and you will need to seek approval through the State Attorney's Office along with documentation.
4. You will not use intoxicants to excess; nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully, sold, dispensed or used.
5. You will not possess, carry, or own any firearm. You will not possess, carry, or own any weapons without first procuring the consent of your probation officer.
6. You will promptly and truthfully answer all inquiries directed to you by the Probation Officer, and allow the officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions he/she may give you.
7. You will report to the Probation Office once a month and submit a written monthly report as directed by your probation officer.
8. You will pay the following monetary obligations (plus a 4% surcharge) to the Department of Corrections, as directed by your Probation Officer by and the through the Departments of Corrections:

Restitution in the amount of **\$3751.71** to City of Jacksonville on a re-payment schedule to be determined by your probation officer.

RESTITUTION ADDRESS / PHONE: Kevin Stork
Comptroller
City of Jacksonville
117 West Duval Street
Jacksonville, FL 32202
REF: OIG Investigation 2016-0003

Crimes Compensation Trust Fund (Section 938.03, Florida Statutes) in the amount of **\$50.00**.

Crime Stoppers Trust Fund (Section 938.06, Florida Statutes) in the amount of **\$20.00**.

Cost of Supervision at a rate of **\$40.00** for each month of supervision for a total amount of **\$480.00**.

You will pay to the Department of Corrections a \$2 per month surcharge for each month you are under supervision pursuant to Section 948.09(1)(2), Florida Statutes.

The total amount due for all monetary obligations, plus a 4% surcharge, shall be paid in accordance with the priority schedule established by Administrative Order 94-22, issued by the Chief Judge of the Fourth Judicial Circuit.

- 9. You will attend an orientation session and any other self-improvement session, or drug testing as instructed by your Probation Officer.
- 10. You will perform 50 hours of community service work within the time frame and at a location stipulated by your probation officer.
- 11. All conditions must be completed thirty (30) days prior to the scheduled termination date, unless otherwise stipulated by the Department of Corrections.

SPECIAL CONDITIONS:

You will pay a one (1) time Program Administrative Fee of \$100.00. This fee will be paid to and collected by the Department of Corrections.

The State Attorney may, during the period of deferred prosecution, revoke and/or modify the conditions of your deferred prosecution by:

- 1. Changing the period of deferred prosecution with the advice and consent of your attorney.
- 2. Prosecuting you for this offense if you violate any of these conditions.
- 3. Voiding this agreement should it be determined that you have a prior record of adult criminal conviction.

Upon completion of this Pretrial Intervention Program, the State Attorney shall make the final determination as to further disposition of this charge.

Waiver of Speedy Trial

By signing this deferred prosecution agreement, the defendant, **JOHN ELBERT ERWIN** withdraws and/or waives his right to a speedy trial under the Constitution of Florida and of the United States of America, and under the Florida Rules of Criminal Procedure in the cause for which prosecution is being deferred.

In addition, the defendant withdraws and/or waives rights provided for under the Statute of Limitation under the United States Constitution, the Florida Constitution, or the Florida Rules of Criminal Procedure, in the course for which prosecution is being deferred. This waiver is given freely and voluntarily.

ANGELA B. COREY, STATE ATTORNEY
FOURTH JUDICIAL CIRCUIT

By: *Quintin P. Blain* FOR
PROGRAM DIRECTOR

5/6/16
DATE

I hereby state that the above has been explained to me. I understand the conditions of my deferred prosecution agreement, and I will comply with them. I fully understand the charges against me.

John Elbert Erwin
JOHN ELBERT ERWIN, DEFENDANT

5-5-16
DATE

COUNSEL FOR DEFENDANT
Quintin P. Blain
CORRECTIONAL PROBATION OFFICER

DATE
5/5/2016
DATE

From: john erwin [REDACTED]
Sent: Monday, August 08, 2016 8:11 AM
To: Inspector General
Subject: Response to letter

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Green Category

I am submitting this in response to a letter I received concerning charges brought against me in Case Number 2016-0003.

I was a driver of a solid waste boom truck the entire time I was assigned to work for the Solid Waste Department on Superior Street. At no time was I ever told I could not take my lunch and daily breaks at my personal home if I was in the area. I was allowed to stop anywhere else in the Duval County area at any restaurant I so chose. My wife was having some major health problems during my time working with the solid waste, so I would try and work my schedule during the day so I could get by my home and check on her if at all possible. My break time and lunch time were not paid time and I don't feel that being required to reimburse the city for that time is fair. I am 63 years old and am a disabled veteran with numerous health issues myself and the decline in my work performance that has been mentioned in the charges is the main culprit in this decline, if it even exists. I am a USMC Veteran and have always strived to be an honorable and honest person and if I did violate any city policies it was due to misunderstanding not thru any wanton attempt to deceive and defraud anyone. If I am required to repay any monies to the city then I will willingly do so, all I ask is that you be fair yourselves and not charge me for time that was not city time in the first place (lunch breaks and required daily breaks). Thank you for allowing me a chance to respond to these charges. John Erwin, city employee #66006.

**OFFICE OF MAYOR LENNY CURRY**

ST. JAMES BUILDING
117 W. DUVAL STREET, SUITE 400
JACKSONVILLE, FLORIDA 32202

TEL: (904) 630-1776
FAX: (904) 630-2391
www.coj.net

To: Lisa Green
Director of Investigations

From: Marlene Russell *Marlene Russell*
Director of Organizational Effectiveness

Date: September 13, 2016

SUBJECT: Response – Draft Report of Investigation
Case No. 2016-0003

Based on the conclusions in subject report and the recommended corrective actions from the Office of Inspector General, below are management comments regarding same.

Report Conclusion

A review of the City of Jacksonville (COJ) Automatic Vehicle Locator (AVL) and Drive Cam records, along with Erwin's time and attendance records for the period May 27, 2015 to February 17, 2016, determined Erwin claimed and received salary compensation for two hundred forty and ½ hours (240.50 hours) while he was at (or near) his residence located at [REDACTED] Jacksonville, Florida based on TAS records. Erwin received \$3,751.71 in salary overpayments consisting of \$2,757.73 for 194.50 straight time hours and \$993.98 for 46 prescheduled overtime hours. At no time did Erwin have permission to drive his COJ public vehicle to his residence. Erwin resigned on February 26, 2016 and was not interviewed in conjunction with the investigation. Based upon records reviewed and statements obtained during this investigation, the allegation was substantiated.

Recommended Corrective Action 1:

Review the current Solid Waste Division procedures to determine if the current supervisory structure ensures that all employees are reporting to a Supervisor, who is authorized to approve employee's time and attendance, oversee performance evaluations and issue corrective action when appropriate.

Management Comments:

The Solid Waste Division reviewed all employee supervision assignments and made appropriate changes to ensure that supervisors responsible for assigning work to staff also approve timesheets for same and oversee their performance evaluations as well as issuing corrective action as appropriate.

Recommended Corrective Action 2

Establish internal control processes through written policies and procedures that will provide COJ management with a consistent way to verify the accuracy of time keeping related matters of employees within the Solid Waste Division.

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Management Comments:

The Solid Waste Division has a written Daily Work Order Procedure (see attached) to describe the manner in which work is assigned to the Boom Truck Operator and Litter Crews. These employees are given assignments on a daily basis so their routes and workloads are not consistent from day to day. In order to maintain accountability and to provide a means for supervisory review of daily activities, these employees are required to track service addresses, mileage, arrival and departure times, etc.

Management receives the completed daily assignment forms and verifies the information with the employee submitted timesheet. This procedure was recently revised, and strengthened, by incorporating arrival and departure times at each service address. Management met with employees on August 18, 2016 to review and discuss the new process.

Recommended Corrective Action 3

Review Motor Vehicle Safety Policy, Executive Order No. 2015-4, revise (as appropriate), and redistribute to all employees citywide to ensure that all employees are aware of their responsibilities associated with the use of COJ public vehicles. Additionally, if an internal Use of Public Motor Vehicle policy has been established within Public Works Department, determine if any revisions are appropriate and redistribute to all departmental employees.

Management Comments:

The Executive Order (EO) was reviewed by the Administration with Risk Management in December, 2015. The EO was also on the agenda at the Mayor's Workplace Safety Committee meeting in January, 2016. Since that meeting, the City's Safety Office began distributing the EO to the Department Safety Representatives and Driver Coordinators at the quarterly meetings. The Department Safety Representatives were instructed to review the EO with their co-workers at their department/division safety meetings. Risk Management provides a copy of the EO to new employees attending the New Employee Orientation.

Recommended Corrective Action 4

Recommend that COJ management consult with the Office of General Counsel to determine if pension forfeiture (in full or part) is warranted per Florida Statute Section 112.3173(3).

Management Comments:

The Department of Public Works contacted John Sawyer, Office of General Counsel, who referred us to Ray Ferngren in the Pension Office. Mr. Ferngren stated that this is a potential forfeiture case. Both offices have a copy of the draft report. We were advised that the Pension Board ultimately makes the decision regarding pension forfeiture.

Recommended Corrective Action 5

Advise if any personnel action was taken as a result of this investigation.

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Management Comments:

Mr. Erwin resigned prior to Department of Public Works Administrative action. Once it was noted that the employee's productivity had declined and GPS vehicle data looked suspicious, JSO was asked to investigate. Disciplinary action was temporarily put on hold so as not to interfere with the investigation. Apparently, the employee was suspicious because he began to call in and request unscheduled leave daily. When Solid Waste management informed him that his leave would be considered unauthorized, he eventually resigned and communicated this with a text message.

The Solid Waste staff will be counseled on the importance of timesheet approvals and their responsibility to ensure the accuracy of time worked, and leave reported, by their employees. Additionally, employees will be reminded of the certification statement at the bottom of each employee timesheet approved in the Time and Attendance System (TAS) – "I hereby certify that to the best of my knowledge using reasonable diligence the attendance recorded above is true and accurate and such employee is legally entitled to the associated pay and leave described. In the event of a holiday and to comply with early payroll release, if any changes are required, I will immediately submit the necessary documents to adjust and recertify the corrected timesheet."

The Administration takes the investigation findings listed very seriously and has reviewed each recommended corrective action and responded accordingly.

Please let me know if you have any questions.

cc: Steve Rohan, Interim Inspector General
Sam E. Mousa, P.E., Chief Administrative Officer
John P. Pappas, P.E., Director of Public Works
Will Williams, Chief, Solid Waste Division
Dina Riddle, Department of Public Works
File No. 2016-0003

Attachments: Public Works/Solid Waste Division/Daily Work Order Procedure
Form – Litter Patrol Daily Report
Form – Daily Boom Truck Route Sheet

STANDARD OPERATING PROCEDURE

Department: Public Works

Division: Solid Waste

Subject: Solid Waste Daily Work Order Procedure

This procedure covers garbage collections made by Boom truck operators and Litter crews.

Daily Boom Truck Operations:

On a daily basis, Boom Truck Operators are given a list of addresses that require collection service. These are generated in one of two ways: 1) from the CARE system, or 2) from visual inspections made by garbage, recycle and yard waste truck drivers as they perform their daily assignments. The non-CARE issues are compiled each evening as the daily routes are completed, by the night shift Senior Truck Driver. All issues are separated by category and placed on the Boom Truck Route Sheet for service the following day. (See attached Daily Boom Truck Route Sheet)

The Boom Truck work is conducted as a one-man operation, and is expected to be completed in a timely manner and to the satisfaction of the Solid Waste Division Chief. Safeguards to ensure that this employee is productive and that there is documentation to support reported hours worked, are as follows:

- The truck driver is required to sign the Route Sheet each day, basically "certifying" that the information recorded on the sheet is accurate and complete,
- All service addresses, as well as, the arrival and departure times are recorded on the form and allow supervisors to perform a reasonability check,
- The vehicle is equipped with a Drive Cam camera that has GPS capabilities, which allows supervisors to verify the accuracy of the reported Route Sheet, and
- A number of assignments are visually spot checked by supervisors.

Daily Litter Crew Operations:

On a daily basis, the Litter Crews are given a list of addresses that require service to resolve a reported CARE issue, or to respond to a request made by another city agency or through the City's Blight Program. All issues are compiled by the supervisor and placed on the Litter Patrol Daily Report so the Litter Crews can perform the necessary collection. (See attached Litter Patrol Daily Report)

The Litter Crew is a three-man operation with the Truck Driver acting as the Lead, to ensure that assignments are completed in a timely manner and to the satisfaction of the Solid Waste Division Chief. Safeguards to ensure that the work is being performed and documented, are as follows:

- The truck driver is required to sign the Litter Patrol Daily Report, attesting to accuracy and completeness,
- All service addresses, arrival and departure times, total mileage, and amount of waste collected, are recorded on the form,

STANDARD OPERATING PROCEDURE

- The names of all employees and community service workers assigned to the litter crew are included on the daily form,
- The vehicle is equipped with a Drive Cam camera that has GPS capabilities, which allows supervisors to verify the accuracy of the Litter Patrol Daily Report, and
- A number of assignments are visually spot checked by supervisors.

DAILY BOOM TRUCK ROUTE SHEET

| | | | |
|------------------------|-------|----------------------------------|-------|
| DATE | _____ | DRIVER NAME | _____ |
| TRUCK NUMBER | _____ | | |
| TIME LEAVE YARD | _____ | TIME ARRIVE YARD | _____ |
| SERVICE REQUEST | | | |
| SERVICE ADDRESS | _____ | TIME ARRIVE TIME COMPLETED | _____ |
| SERVICE ADDRESS | _____ | TIME ARRIVE TIME COMPLETED | _____ |
| SERVICE ADDRESS | _____ | TIME ARRIVE TIME COMPLETED | _____ |
| SERVICE ADDRESS | _____ | TIME ARRIVE TIME COMPLETED | _____ |
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This document is not for payroll time recording.

Drivers signature _____