

**OFFICE OF THE INSPECTOR GENERAL
CITY OF BALTIMORE**



**Isabel Mercedes Cumming
Inspector General**

**Investigative
Report Synopsis**

OIG Case # 19-0047-I

Issued: December 17, 2019



OFFICE OF THE INSPECTOR GENERAL
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City Hall, Suite 635
100 N. Holliday Street
Baltimore, MD 21202



December 17, 2019

Dear Citizens of Baltimore City,

The Office of the Inspector General (OIG) conducted an investigation into alleged financial waste and mismanagement within the curbside collections operation in the Department of Public Works' (DPW) Bureau of Solid Waste (SW).

Introduction

The mission of the OIG is to promote accountability, efficiency, and integrity in City government, as well as the investigation of complaints of fraud, financial waste, and abuse in City government. It was alleged that SW management from two SW locations were paying employees for overtime they did not work and created quasi-positions with "built in overtime" within SW without the authorization or guidance of DPW Management or Human Resources.

The allegations brought to the OIG were substantiated in part. The OIG gathered information from documents seized from SW, interviews with DPW staff, the Baltimore City Labor Commissioner, the Department of Human Resources and the Bureau of Budget Management and Research (BBMR) staff. The OIG attempted several times to meet with the AFSCME Local 44 union President, but due to his schedule the meeting never took place.

As previously outlined in an OIG public synopsis on July 30, 2019, the "task work" model has each SW mixed refuse and recycling crew assigned one (1) route per day. As a result of the staff shortage in SW, some routes do not have coverage and their completion are delayed. Per the union contract, permanent employees cannot be required to complete additional routes once their assigned route is complete, leading to management depending on temporary staff and volunteers to complete delayed routes, regardless whether a permanent employee completed their assigned route early, for example seven (7) hours into their ten (10) hour shift.

The investigation determined SW has limited internal controls, a lack of consistency, accountability, and a shortage of staff and inadequate working equipment. SW failed to adequately staff the curbside collection operation leading to frequent route delays, forcing the use of overtime. It was reported to the OIG that the SW Bureau Head's communications to his staff were unclear, lacked a clear vision leading to an environment ripe for financial waste.

The OIG has distributed Management Alerts and has engaged in several meetings with DPW executives to address emergent issues as they are uncovered. DPW executives have been working to correct questionable practices while this investigation was ongoing, and some issues raised in this report have been addressed. The OIG understands and appreciates the hard work completed by the crews of SW and attributes the financial waste and mismanagement uncovered to select members of the management team.

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Background

DPW's Bureau of Solid Waste (SW) is a multi-service operation. SW is tasked with keeping the City of Baltimore environmentally safe and sanitarly healthy in accordance with all governmental regulations and directives. SW is responsible for providing waste and recycling removal services for approximately 610,000 residents in Baltimore City. In addition to residential curbside collection SW administers services in the following areas:

- bulk trash collection services
- dumpster services (residential and commercial, front end loaders and roll off collections)
- right of way cleaning (street sweeping)
- alley and lot clean-up
- vacant property maintenance services
- rat control services
- high grass and weeds services
- corner can collections
- waste disposal and other services

SW has approximately 700 employees and an operating budget of \$88.7 million. A few years ago, the SW Bureau Head implemented a quadrant system for SW, which divided Baltimore City into four (4) areas. The SW Bureau Head assigned a Division Chief to each area and was able to then hold them accountable for their individual sections of the City. Below is an example¹ of what the curbside collections operation looks like in its simplistic form at the yard level, without any administrative staff. SW has two (2) yard locations that focus on curbside collection: Bowley's Lane and Reedbird Ave.

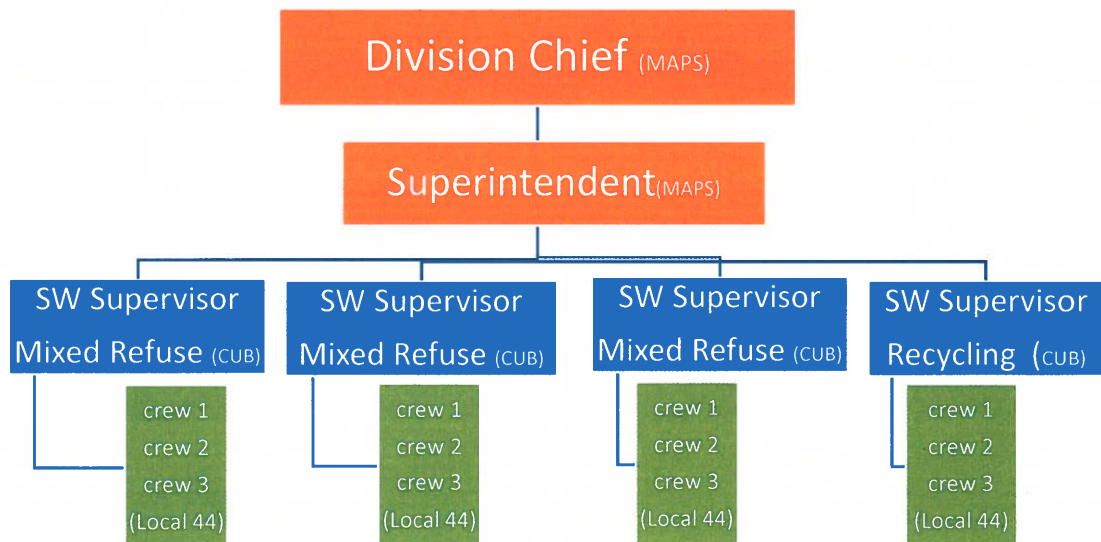


Figure 1 Example of Curbside Collection Hierarchy

¹ The example is only a snapshot of the curbside collection operation and does not show other operations such as property management or the sweeper operation. A typical crew for curbside collections is one (1) Solid Waste Driver (SWD) and (2) Solid Waste Worker (SWW).

Methodology

To obtain a holistic understanding of the curbside collection operation, the OIG collected information from several sources. On May 16, 2019 the OIG seized documents from the Reedbird and Bowley’s Lane SW locations. The documents seized were pertinent to daily trash and recycling routes, overtime and payroll from December 2018 until the date of the seizure.

Additionally, the OIG interviewed several former and current SW employees², representatives from DPW Human Resources (HR), Department of Human Resources (DHR) and the Labor Commissioners Office. Information was also received from the Baltimore City Archives.

Unfortunately, some data collected from the May seizures were incomplete limiting the analysis of the data. The OIG used Navman GPS data, E-Time data and information from HRIS³, to check and validate information received.

Staff Shortage

The SW Bureau Head told the OIG he is experiencing a staff shortage, specifically employees with commercial driver’s licenses (CDL). SW Bureau Head stated at the time of his interview he had approximately 56 vacancies that are fully funded permanent positions and approximately 30 individuals on light duty status or accident leave⁴. According to the Bureau of Budget Management and Research (BBMR), there are 57 vacancies in SW; however, the collections operation only has 16 vacancies, 5 of which require a CDL⁵.

| | <u>Classification Description</u> | <u>Program Description</u> | <u>Activity Description</u> |
|----|-----------------------------------|-----------------------------|-----------------------------|
| 1 | Heavy Equipment Operator II | Waste Removal and Recycling | Condominium Collections |
| 2 | Heavy Equipment Operator II | Waste Removal and Recycling | Condominium Collections |
| 3 | Heavy Equipment Operator II | Waste Removal and Recycling | Condominium Collections |
| 4 | Laborer Hourly | Waste Removal and Recycling | Condominium Collections |
| 5 | Motor Vehicle Driver I Hourly | Waste Removal and Recycling | Condominium Collections |
| 6 | Assistant Chf, Solid Waste Div | Waste Removal and Recycling | Mixed Refuse Collection |
| 7 | Solid Waste Asst Supt | Waste Removal and Recycling | Mixed Refuse Collection |
| 8 | Solid Waste Asst Supt | Waste Removal and Recycling | Mixed Refuse Collection |
| 9 | Solid Waste Supervisor | Waste Removal and Recycling | Mixed Refuse Collection |
| 10 | Solid Waste Supervisor | Waste Removal and Recycling | Mixed Refuse Collection |
| 11 | Solid Waste Worker | Waste Removal and Recycling | Mixed Refuse Collection |
| 12 | Solid Waste Worker | Waste Removal and Recycling | Mixed Refuse Collection |
| 13 | Solid Waste Worker | Waste Removal and Recycling | Mixed Refuse Collection |
| 14 | Solid Waste Worker | Waste Removal and Recycling | Mixed Refuse Collection |
| 15 | Motor Vehicle Driver II Hourly | Waste Removal and Recycling | Mixed Refuse Collection |
| 16 | Recycling Coordinator | Waste Removal and Recycling | Recycling Administration |

² The OIG interviewed individuals holding the title of SWW, SWD, SW Supervisor, Superintendent, Division Chief, Bureau Head
³ Navman in an application the City of Baltimore uses to track the whereabouts of City vehicles, it requires the use of a Global Positioning System. E-time is an application the City of Baltimore use as a time and attendance system. HRIS
⁴ Light duty means the individuals are given an alternative work assigned as a result of an on the job injury or they are on accident leave and are at home until they are released to work by a medical entity. The other 11 vacancies consist of four (4) SWW, two (2) SW supervisor, two (2) assistant superintendent, one (1) laborer, one (1) recycling coordinator and one (1) division chief.
⁵ The 16 vacancies include 3 heavy equipment operator IIs for the condominium dumpster collection operation and 13 from the curbside collection operation. Information is as of June 1, 2019

According to the SW Bureau Head, SW has approximately 60 temporary employees⁶ that are used to supplement the operation. The SW Bureau Head stated, “they are constantly moving individuals from temp[orary] to perm[anent] positions”. He went on to say that the process is collaborative with DPW Human Resources (HR) and Mercy Clinic⁷. SW Bureau Head stated that HR and Mercy would be the departments to “best answer the question, what drags the process out” in converting temporary employees to permanent. He went on to say he has been having trouble retaining approximately 60% of employees as they transition from temporary to permanent positions. The SW Bureau Head stated the challenge is “because they cannot pass the drug and alcohol tests”.⁸

The OIG used information supplied by BBMR to analyze how the staffing budget was being expended. In FY 19, SW budgeted approximately \$10.7 million dollars for permanent and temporary employees’ salary and wage differential as well as overtime, for the curbside operation. Actual FY 18 expenditures for the above-mentioned staffing needs was approximately \$11.3 million dollars. SW saved approximately \$736,000 by not filling permanent budgeted positions but, spent more than \$1.1 million dollars over the \$406,844 budget for overtime cost. According SW budget information, SW has funding for permanent employees however those funds are not being used to staff the operation to capacity, rather the operational needs are being funded through overtime.

During the investigation, SW managers stated that often the curbside collection operation must take employees from other SW operations, such as property management or bulk trash, in order to have all the routes serviced at an acceptable hour. The issue with pulling employees⁹ who are assigned to other operations is that it leaves the other operations short. Also, those “borrowed” employees do not work under the task work system, per the AFSCME MOU¹⁰. However, according to a DPW HR professional, when a “borrowed” employee is required or volunteers to work the curbside collection operation for the day, they are paid under the task work clause. When the route is complete, they are dismissed from any further duties for the day.

In theory this approach would be beneficial; however, the opposite holds true if the route is not completed prior to the end of the “borrowed” employee’s scheduled shift. During an analysis of SW “rundown” sheets, the OIG found on occasion “borrowed” employees scheduled to get off at 3:00 p.m. reported back to the yard at 3:00 p.m. and went home, even when the route was not complete. When that occurs, the route will be interrupted so the “borrowed” employee can be returned to the yard. The remaining crew will then have to wait at the yard for another available employee to complete the already delayed route¹¹.

Furthermore, while going through documents seized at the Bowley’s Lane location, the OIG came across a Motor Vehicle Driver II (MVD II) who regularly assists with the curbside collection operation. In reviewing his e-time records, MVD II’s regular schedule is Monday-Friday 7:00 a.m. to 3:00 p.m., an eight (8) hour shift; however, when he works for curbside collections, he gets paid for ten (10) hours adding two (2) additional hours of overtime pay regardless of the number of hours he worked. On MVD II’s February 2019 e-time entries there are several different occasions

⁶ Temporary employees are classified as seasonal maintenance aids (SMA) or seasonal maintenance aid drivers (SMAD)

⁷ All new hires must go to Mercy Clinic for fit for duty physicals, urinalysis and/or alcohol testing prior to their first official day of work

⁸ Random drug tests are given to drivers and laborers, both temporary and permanent

⁹ Employees that work in Solid Waste but not for routine services curbside collections work five (5) days a week at eight (8) hours a day

¹⁰ On July 30, 2019 the OIG released a public synopsis outlining the implementation of the task work system by SW. The report can be found at https://inspector-general.baltimorecity.gov/sites/default/files/Public%20Synopsis_signed%2019-0047-1.pdf

¹¹ The OIG requested the number of delayed routes from January 1, 2019 to June 30, 2019, DPW was unable to supply all the information requested as a result of the ransomware and therefore an accurate number of delayed routes cannot be reported.

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when his time has been inflated. For example, on February 6, 2019, the employee was given credit for ten (10) hours but the route was completed in four (4) hours. On February 12, 2019, the employee was given credit for ten (10) hours but the route was completed in seven (7) hours. SW supervisors informed the OIG that “borrowed” employees have authorization to go home after the route is completed unless they volunteer for an additional route.

Overtime Waste

In a review of the overtime slips and justification forms seized from the Bowley’s Lane and Reedbird Solid Waste yards, the OIG found some questionable justifications for overtime, wasteful overtime practices and discrepancies in the actual overtime worked by an employee and the number of compensated hours. The OIG also found that there is an unbalanced distribution in overtime. The AFSCME local 44 MOU Article 15 Overtime states:

Overtime work shall be offered equally to employees working within the same job classification in each work area. The offering of overtime shall be equalized over each six (6) month period beginning on the first day of the calendar month following the effective date of this Agreement, or on the first day of any calendar month this Agreement becomes effective.

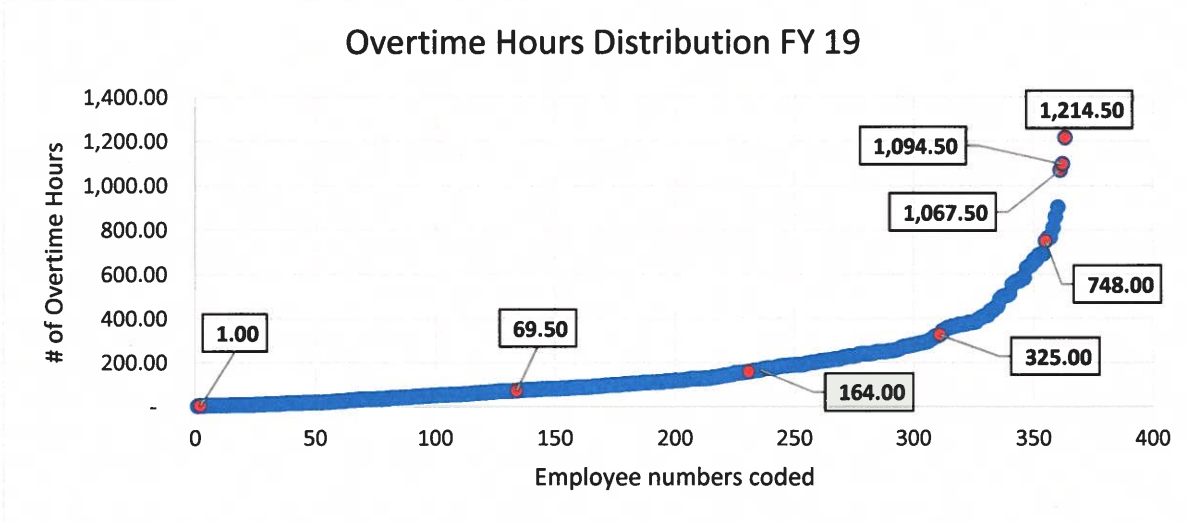
The OIG found that the overtime distribution in the curbside collection operation appears to be skewed, where some employees have over a thousand hours in overtime and others have less than half that. The OIG requested information regarding the processes to guarantee overtime is equal based on the needs of the curbside collection operation. A member of SW management informed the OIG they are not aware of a uniformed tracking procedure that all yards follow, but some yards track it independently. The individual stated SW used to complete biweekly reports that showed the percentage of overtime for each employee, but that “has not been given out in a while”. The OIG understands the shortage of Solid Waste Drivers (SWD) results in SWDs being afforded opportunities for overtime more frequently than Solid Waste Workers (SWW). It was also taken into consideration that if an individual is on “light duty” they may be skipped when overtime is available. For example, if a SWD is on “light duty” and one of the restrictions is they cannot drive a trash truck, they will be skipped and not asked to work because they are not capable of performing the duties.

According to data supplied to the OIG by BBMR, the top three (3) routine services curbside collections employees collectively received over \$100,000 in overtime payments for FY 19. All three of the individuals are represented by Local 44. SWD I, submitted overtime slips totaling over 1,200 hours, resulting in payments of approximately \$35,000 in addition to his regular salary of \$32,292. SWD II¹² submitted overtime slips for 1,060 hours of overtime, resulting in over \$33,000 in addition to his regular salary of \$43,339. SWD III is classified as a SWD and acts as the Yardman for Bowley’s Lane. SWD III submitted overtime slips for over 1,090 hours of overtime, resulting in over \$30,000 in addition to his regular salary of \$38,846. Below is a table of the top 15 overtime recipients for the curbside collection operation for FY 19.

¹² SWD II has been working in an acting supervisor capacity regularly since approximately September 2018

| Overtime Ranking | Overtime Compensation | # Over Hours | Employee Position |
|------------------|-----------------------|--------------|--|
| 1. | \$34,366.84 | 1,214.50 | Driver (Acting Suprvsr ¹³) |
| 2. | \$30,659.57 | 1,094.50 | Driver (Yardman) |
| 3. | \$33,360.83 | 1,067.50 | Driver (Acting Supervsr) |
| 4. | \$23,713.65 | 901.00 | Driver (Acting Supervsr) ¹⁴ |
| 5. | \$23,339.00 | 858.00 | Driver (Acting Supervsr) |
| 6. | \$22,661.52 | 809.00 | Driver (Yardman) |
| 7. | \$17,257.49 | 766.00 | Laborer |
| 8. | \$18,964.04 | 763.50 | Driver (2018) |
| 9. | \$18,165.12 | 748.00 | SWW (Night Watchman) |
| 10. | \$19,276.44 | 691.00 | SWW |
| 11. | \$19,299.95 | 689.00 | Driver |
| 12. | \$16,508.94 | 684.50 | SWW |
| 13. | \$17,400.07 | 663.50 | Driver |
| 14. | \$16,596.54 | 663.50 | SWW |
| 15. | \$18,363.76 | 641.80 | Driver |

BBMR was able to assist the OIG in retrieving SW overtime data. Below is a chart that displays the disparities in 362 employees who were paid overtime for hours ranging from 1 hour to over 1,200 hours in FY 19. The employees displayed on these charts are paid under the task work model.



During several interviews with SW staff and management it was stated that the Yardman is responsible for opening and closing the facility. It was also stated that SW superintendents are mandated to stay on location until “the last crew” has completed their route in addition to the SW supervisor who directly supervises the crew. The requirement for superintendents, supervisors and the Yardman to stay at the yard until the last crew completes their route, results in the unnecessary

¹³In reviewing a sample of the SW “rundown” sheets it appears that recipient #1 was working in the capacity of a SW supervisor in the absence of a supervisor on extended “FMLA” and Saturdays supervising the “gateways. Permanent SW supervisors acquire compensatory time instead of overtime, SWD acting in the capacity of supervisor will still receive overtime according information collected

¹⁴ In reviewing a sample of the SW “rundowns” sheets it shows that recipient #4 worked a significant number of Mondays for leaf collection supervision with contributed to a significant portion of his overtime

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accrual of compensatory time in addition to overtime. It was also clear during this investigation that no one could supply an accurate count of how many employees have access to keys to open and close the facilities, questioning the safety and security of the locations.

Additionally, at one facility the OIG observed a memo explaining that dumping the truck is a part of a SWD's task. However, according to documents seized, on many Saturdays and Mondays eight (8) hours of overtime is paid to a SWD to come in on their regularly scheduled day off to empty the trucks. The OIG also found several occasions where a route was delayed because the truck had to be dumped prior to the start of the route, often resulting in overtime. Additionally, according to several "rundowns" seized from the collection's yards, SWWs come in to clean trucks on Saturdays and Mondays for overtime. The OIG confirmed with a customer service representative from Wheelabrator Baltimore, since the City of Baltimore has a contract with the business, SW trucks can dispose of waste at any time.

It must be noted that even though the curbside collection operation is a Tuesday-Friday, ten (10) hour a day operation, crews come in on Saturdays and Mondays to service the Gateways¹⁵ and complete special assignments such as leaf collection or community clean-ups. SW supervision stated they attempted to utilize temporary employees for Saturdays and Mondays to decrease the use of overtime, since most temporary workers are scheduled either Monday-Friday or Tuesdays-Saturday from 6 a.m.-2 p.m. The investigation revealed even if the employees working are temporary, a permanent SW employee must be on location to supervise the daily operation. The individual is usually a SWD working in the capacity as a supervisor and receiving overtime compensation.

Collectively the Office Manager I at Bowley's Lane¹⁶, and the Office Manager II at Reedbird, submitted overtime slips in excess of 900 hours, for FY 19. The OIG was told by Office Manager II that administrative staff rotate working on Saturdays, resulting in overtime. The Office Manager II went on to tell the OIG that she does the payroll for some of the yards and is often required to work on her days off or late to get the payroll completed on time.

In interviews with SW employees, they disclosed supervisors regularly add an additional hour or two (2) to a crew's overtime slips as an incentive to get them to service another route after the completion of their first assigned route. The OIG found a couple of examples of this behavior. On one occasion the OIG found that four (4) hours of overtime was paid to the crew for a route that took 14 hours, however the GPS showed the truck was out for less than 10 hours. Additionally, during the investigation, the OIG found that on occasion some crew members are picked up "on the route", instead of meeting at the yard, which means they do not sign in. The OIG also selected a few "rundown" sheets to check the reported data against the trucks Global Positioning System (GPS). The OIG found instances where administrative paperwork said a route began at 6 a.m. and concluded at 4 p.m.; however, the GPS device on the truck read the truck was stationary at Bowley's Lane well after 6 a.m. and came back to the yard prior to 4 p.m. When asked by the OIG if there is overtime abuse at SW, a SW manager replied "holistically, I don't think there is overtime abuse just some people gaming the system".

On occasion crews will submit overtime slips when there are no comments or justifications given for the overtime. These practices call into question the accuracy of attendance data, the lack of

¹⁵ Gateways are the main streets that see a lot of pedestrian traffic, where corner cans are placed for public use

¹⁶ The office managers oversee both Property Management and Collections

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internal controls to monitor work attendance and the accountability of the supervisors for their subordinates.

Quasi-Job Positions

During the investigation it was revealed that supervisors developed “positions” at the yard level without the guidance and approval from the Department of Human Resources (DHR) or DPW HR. The Classification and Compensation Division Chief of DHR informed the OIG that there is no classification or “working title” for Yardman or Watchman. The “positions” of Yardman and Night Watchman are staffed by SWD and SWW¹⁷. The employees used to staff the Yardman and position are removed from the daily trash routes and are primarily tasked with doing worked in the yard. The OIG’s concern is taking SSW and SWD from their primary function of trash collection to do other duties, potentially causing a delay in routes being dispatched. SWD are placed in classification code 53812. Both Yardman have the 53812-classification code, which means they are classified as SWD and should be driving a route.

Yardman

The Yardman for the curbside collections’ locations at Bowley’s Lane and Reedbird are classified as SWD and were hired to drive mixed refuse or recycling routes. However, at the yard level management assigns individual duties of a Yardman. Solid Waste supervision informed the OIG that the Yardman is responsible for the following:

- Opening and closing the yard
- Troubleshoot issues with inoperable vehicles
- Take vehicles to central garage maintenance services are needed and file vehicle maintenance paperwork
- Take trucks to drivers if a truck becomes inoperable during the day (relay truck)
- Maintain an inventory of vehicles, vehicle registration and vehicle key accountability

SW management changed the Yardman schedule to a traditional work schedule, contrary to the curbside collection operation. The curbside collection operation is Tuesday-Friday 6:00 a.m.-4:00 p.m. while, the Yardman’s schedule is Monday-Friday 6 a.m. to 2 p.m., guaranteeing the Yardman at least 2 to 3 hours of overtime daily, because according to SW management the Yardman must stay at the yard until all routes are completed and all crews are in the yard.

The Yardman at the Bowley’s yard received over 1,100 hours of overtime in FY 19. The individual’s base salary is \$38,846, he received an additional \$32,000¹⁸ in overtime payments. The Yardman at the Reedbird yard received over 800 hours of overtime in FY 19, collecting over \$22,000 in overtime.

Night Watchman

The Reedbird yard is in Baltimore City’s Cherry Hill neighborhood and has been the target of vandalism and several break-ins¹⁹ over the years. According to SW managers, it was decided to create a Night Watchman position to act as guards of the Reedbird location when the yard was

¹⁷ Currently, the Bureau of Solid has multiple CDL driver classifications with a Motor Vehicle 1 (MVI) driver getting paid less than a SWD, if the MVI was tasked as the Yardman they would save the City Money and free the SWD to drive the routes

¹⁸ This amount is including meal allowance and Hazard duty pay

¹⁹ BPD supplied calls for services data to the Reedbird yard to the OIG, the calls did include break-ins and vandalization to city property to include trash trucks

closed. Reedbird management stated since the creation of the Night Watchman, break-ins and vandalization to the property has decreased. According to another senior level manager within SW, the Reedbird location previously had surveillance equipment, but the cables were torn down as a result of an accident. The manager stated that SW Bureau Head did not want to invest in purchasing a new surveillance system or repairing the existing surveillance equipment because it was too costly. SW Bureau Head’s alternative was to create the Night Watchman as “something that we need” in order to protect the yard. The manager went on to say that they are not sure why security guards are not used at the SW yard since the City has a contract with a security agency.

A mid-level manager stated “the yard is being watched seven days” a week by the Night Watchmen, “there is a team of Night Watchmen” that rotate shifts nightly and all day on Sundays²⁰. The manager went on to say the duties of the Night Watchmen are to “open up the yard” at the beginning of each day and “lock the yard” at the end of each day and patrol the yard when it is not open. When the OIG inquired about the surveillance system, SW managers at the Reedbird facility stated the Reedbird yard is equipped with surveillance cameras; however, they are not adequately placed to observe the entire yard. The mid-level manager told the OIG the Night Watchman also has access to a City owned “pickup truck that is stationed in front of the gate”. They continued to say that the Night Watchman “uses the pickup truck to go around and monitor [the yard] to make sure everything is ok”. The same manager informed the OIG that no formal security training is given to the Night Watchman, they are just told to “call the police” if they see an intruder.

In a preliminary analysis of the data, the OIG identified three SWWs who regularly work overtime as the Night Watchman on Sundays. Below is a table displaying the three (3) employees and the raw data derived from employee information, timesheets, payroll and overtime slips from January 1, 2019 to June 11, 2019.²¹

| Hourly Rate | Overtime Rate | # of OT hours total | # of OT hours (Night Watchmen ONLY) | Total OT paid | Total OT paid for Watchman |
|-------------|---------------|---------------------|-------------------------------------|---------------|----------------------------|
| \$16.0774 | \$24.11565 | 209 | 144 | \$5,233.10 | \$3,472.65 |
| \$17.9976 | \$26.9964 | 197 | 80 | \$5,318.29 | \$2,159.71 |
| \$16.0774 | \$24.11565 | 272.5 | 144 | \$6,571.51 | \$3,472.65 |

More than **\$9,100** in overtime compensation was paid for Sunday Night Watchman services, for a little less than six (6) months.

During the OIG investigation, it was found that the three (3) SWW’s working as Night Watchmen did not have Baltimore City government issued driving permits²² and are therefore not authorized to operate City owned vehicles in accordance with AM 501-1, a function a SW Manager stated Night Watchmen do.

The OIG is not questioning the necessity of the duties assigned to the Yardman employees, rather, the need for a SWD to perform them.²³

²⁰ The Night Watchmen arrive on duty at 5:00 p.m. and usually work until 5 a.m. during the weekday and Saturdays and there are 3 eight (8) hour shifts on Sunday.

²¹ The number of overtime hours Night Watchmen only column displays how many days the justification of Night Watchmen was noted on the employee’s timesheets in E-time.

²² Information confirmed by Baltimore City Risk’s Legal Officer.

²³ Currently, SW utilizes Motor Vehicle 1 drivers who have a CDL but do not drive a curbside collection route, and gets paid a lower rate than a SWD

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Internal Controls and Data Quality

In a review of attendance, sign in and out sheets, it was observed that many of the documents were not complete. The OIG was told the curbside collections operation does not use a “time clock” because they are task workers and it is difficult to capture time for them. Consequently, the curbside collections opted to use sign in and out sheets to track the attendance and hours worked. Some SW collections employees told the OIG they sign out at 4:00 p.m. even if they complete the route early because they get paid until 4:00 p.m. Other employees stated they put the actual time they complete the route on the sign out sheet. Some SW supervisors stated they must trust the crews because they are out “on the streets” a lot, when the crews complete the routes. One SW manager told the OIG there is “a lot of room for error” since collections does not have use of the biometric timeclock that other yards have access to. They went on to say they do the best they can, but it is very difficult to hold people accountable when there are so many people walking in and out. A SW employee told the OIG management is trying to work on getting a time clock up and running for curbside collections. One manager stated they are sure some people sign their “buddies in and out” because they know the supervisors are overwhelmed. One example of a lack of internal controls is that a SW supervisor was disciplined by SW management for overtime abuse on March 23, 2018²⁴, a day he was marked “sick” on his time sheet.

A former SW supervisor and SW Bureau Head confirmed that sometimes supervisors do not document their own compensatory time, which leads to inaccurate reporting of data. A superintendent told the OIG, they trust that the supervisors have checked the crew’s overtime for accuracy, so they just sign the slips when they get them. On other occasions overtime slips are submitted with no detailed justification for the overtime or no supervisor or superintendent signatures.

Furthermore, some SW supervisors and managers told the OIG that they do not have time to supervise the crews because they are out driving routes²⁵ and addressing citizen complaints. One supervisor contended that they have no choice but to trust the crews in reference to the hours they work because they do not have time to check behind them.

Mismanagement and Oversight

During the investigation, the OIG received several complaints about the SW Bureau Head, his management style and leadership. Several members of the SW management²⁶ team questioned SW Bureau Head’s knowledge of all operations that fall under SW. Several SW employees stated they understand the importance of the curbside collections function; however, SW Bureau Head regularly neglects the other functions of SW to include completely shutting them down to devote all available resources to curbside collections. They described SW Bureau Head’ primary focus as the curbside collection operation rather than making sure all the operations under SW have the proper resources and supervision needed to function. One member of the management team stated SW Bureau Head would take CDL drivers and SWW from a manager’s operation, reassign them to curbside collections for that day then question the same manager as to why certain work was not completed.

Managers at the yard level stated they have told SW Bureau Head on several occasions the routes are uneven, and some crews are required to go to the disposal facilities more frequently than other

²⁴ The SW supervisor and the crew underwent an internal DPW investigation, the OIG was not a part of the investigation

²⁵ Supervisors and Superintendents are not supposed to drive trash or recycling routes

²⁶ For the purpose of this report the management team is anyone holding the title or working in the capacity of a SW superintendent or above

crews, adding to the route time and extending the shift. Dwelling units in the City of Baltimore have been changing consistently over the past 10 years which would warrant a new route study. In some instances, entire blocks have been demolished, decreasing a crew's route time, where in other instances new homes and developments have been built increasing the route time. These ever-changing factors must be taken into consideration when mapping routes, routes distance and tonnage collected, modifications to routes should be made accordingly.

SW Bureau Head stated that the superintendent can modify the routes; however, based on interviews conducted by the OIG the superintendents believe they can change the route temporarily based on the needs of the day, but SW Bureau Head must authorize a permanent route change. The OIG was informed a route change would also call for the citizens to be notified that their collection day changes, as well as 311, a responsibility that should not fall on a superintendent that must manage the daily operation.

Several SW Managers interviewed, stated SW Bureau Head was aware the Bowley's Lane office building is in terrible condition but refused to repair the building. One manager stated that it took months to get the outside lights fixed in the area where the trucks were, which was a safety concern for the employees.

SW Bureau Head was asked about of the issues that were raised during this investigation. SW Bureau Head denied that he was aware of the sanitation conditions at Bowley's Lane and told the OIG he has a management meeting biweekly and those concerns should be addressed at that meeting. SW Bureau Head stated that he is aware of the staff shortage and he has been requesting addition funds for more employees. SW Bureau Head also stated that he runs into delays with DPW HR with hiring and replacing employees in a timely fashion. SW Bureau Head contended the City of Baltimore does not have a competitive salary and he loses a lot of his employees to surrounding counties. SW Bureau Head stated that he also loses potential employees as a result of their inability to pass pre-employment drug screenings. SW Bureau Head also said that superintendents can modify routes daily as needed and stated that SW is waiting on the approval to purchase routesmart²⁷. SW Bureau Head stated that he relies heavily on his management team to get the day to day operation completed, "they have [his] support."

Conclusion

Financial waste and mismanagement overshadowed the hard work of the men and women of SW. A consensus in SW is the need for adequate staffing to do their jobs. SW Bureau Head implementation of the quadrant system in 2017 did not fare well operationally even though it allows for more accountability. Additionally, the needs of each route were not evaluated at the time the quadrant system was adopted, calling for the need of a route study and staffing study to be conducted, addressing the imbalance of resources.

Additionally, computer literacy, payroll and supervisory training, adequate staffing, management oversight and accountability are deficient in the SW operation resulting in a breakdown in effective communication and internal controls. SW supervisors are very knowledgeable about the operation but fall short as to how to document and convey the information without assistance from administrative support or management.

²⁷ A route software that balances service days for residential waste collection, improves commercial service route operations, makes street sweeping routes more efficient
Speeding the development of better scenarios for snow removal and sanding/salting

SW management has failed to solicit assistance and guidance from DHR, DPW HR and BBMR to consider the use of alternative scheduling, reclassification of positions, repurposing of resources and addressing safety concerns.

The wasteful use of overtime in the absence of hiring permanent employees is not sustainable. The number of employees on sick and accident leave cripple the curbside collections forcing supervisors to pull staff from other operations or forcing temporary workers to work overtime.

The OIG recognizes SW work as some of the most difficult work in the City. Management must provide a more responsive environment for all employees to succeed in this work. The primary focus of this report is to note the lapses in efficiency and accountability within the curbside collection's operation in the Bureau of Solid Waste.

The response from DPW Deputy Director is attached.

Sincerely,



Isabel Mercedes Cumming, Inspector General
Office of the Inspector General

cc: Hon. Bernard C. "Jack" Young, Mayor of Baltimore City
Hon. Brandon Scott, City Council President
Hon. Joan M. Pratt, Baltimore City Comptroller
Honorable Members of the Baltimore City Council
Hon. Andre M. Davis, City Solicitor