



**OFFICE OF INSPECTOR GENERAL**  
*City of Albuquerque*

Nicole Kelley  
Acting Inspector General

P.O. Box 1293, Suite 5025  
Albuquerque, New Mexico 87103  
Telephone: (505) 768-3150  
Fax: (505) 768-3158

---

**Report of Investigation**

**FILE NO:** 19-0008-I

**DATE:** June 23, 2021

**SUBJECT:** Aviation Department: Possible Theft

**STATUS:** Final

**INVESTIGATOR:** JoVonne O'Connell

DocuSigned by:  
*Nicole Kelley*  
07E2FA5E2FAD4AC...

---

NICOLE KELLEY  
INSPECTOR GENERAL, ACTING  
OFFICE OF THE INSPECTOR GENERAL

DocuSigned by:  
*Edmund E. Perea, Esq.*  
845A1F5A8314C3...

---

EDMUND E. PEREA, ESQ.  
ACCOUNTABILITY IN GOVERNMENT OVERSIGHT COMMITTEE CHAIR

**DISTRIBUTION:**

**Honorable Mayor**  
**President City Council**  
**Chief Administrative Officer**  
**City Councilors**  
**Director Council Services**  
**City Attorney**  
**Director of Aviation Department**  
**Members, Accountability and Government Oversight Committee**  
**File**

## Executive Summary

The Office of Inspector General (OIG) for the City of Albuquerque (City), NM, conducted an investigation based on information received regarding concerns involving the Aviation Department Custodial Division. Employees within the Division felt that the Custodial Coordinator (CC), who is the Division Manager, along with one of the Custodial Shift Supervisors (S1), show favoritism to some employees and treat other employees badly. There were concerns that some employees had their pay docked for being late or forgetting to enter their time in Kronos, while other employees were allowed to use their vacation time to make up for the difference. Employees stated that the Custodial Shift Supervisors had to give their Kronos login passwords to the CC, who reportedly would go in and edit time in Kronos under their names. It was reported that another Custodial Shift Supervisor (S2) was earning a significant amount of overtime. However, employees did not see S2 around during a majority of these overtime shifts. The CC is also alleged to have ordered supplies for personal gain and profit.

Employees felt if they reported their concerns to Aviation HR, nothing would be done. In addition, employees were concerned that when they confided in Aviation HR, whatever was said was immediately shared with the CC. Employees also did not feel comfortable addressing concerns with the union steward with the Custodial Division, as he was rumored to be related to S1.

During the course of the investigation, the OIG reviewed purchase requests and orders made by the CC for the Custodial Division. The OIG found that some of the supplies ordered seemed odd and not fitting for a Custodial Division. However, there was not enough evidence to substantiate concerns that the CC and S1 were ordering and taking supplies for their own personal gain. There is also not enough evidence to show what happened to some of these supplies.

During the course of the investigation, the OIG also reviewed the Kronos timecard records, as well as badge swipe and key usage records for S2. Timecard records show that S2 had 22 instances of overtime shifts worked. However, badge swipe and key usage records do not show any activity for S2 during 19 of the 22 overtime shifts, which were during the day shift (7:00 AM to 3:30 PM). S2 argued that he was working on projects and cleaning the floors at some vacant buildings outside of the main airport during these overtime day shifts. However, per the Aviation Director, each of the buildings S2 was referring to was being leased, and the tenants of the buildings were responsible for their own cleaning services. Other than the CC, there also was not anybody else who could verify S2's whereabouts or that he was working on special cleaning projects outside of the main airport during these overtime day shifts. In addition, the timecard records showed that the CC was manually clocking out for S2 during each of his overtime day shifts.

The OIG found that there were violations of City policies. In addition, during the course of the investigation, the OIG found that employees, to include supervisors and Aviation HR, were not clear on policies. They were either not sure if written policies existed with regard to certain situations, or they were unsure of what the policies stated. The OIG learned that the Custodial Division does have what is called a "Remedial" policy, which is reportedly reviewed and signed by custodial staff on an annual basis. However, the OIG found the Remedial to be fairly basic.

## **Abbreviations**

A1: Accountant  
AHR: Aviation Senior Personnel and Labor Relations Officer  
C1: Custodial employee 1  
C2: Custodial employee 2  
C3: Custodial employee 3  
C4: Custodial employee 4  
C5: Custodial employee 5  
CC: Custodial Coordinator  
S1: Supervisor 1  
S2: Supervisor 2

## **Introduction**

The OIG was contacted by a concerned individual who shared that the CC has created a hostile work environment, especially for those employees who he does not like. This has included employees being written up, employees having their pay docked for forgetting to put time in the Kronos system or for coming in late. CC also has one of the Custodial Shift Supervisors (S1) doing the same. It is also alleged that another Custodial Shift Supervisor (S2) has been paid for a significant amount of overtime; however, staff do not recall seeing S2 during these overtime hours. The CC has also made supervisors give him their passwords to computers so he can edit time in Kronos under their names. The CC is also alleged to have ordered supplies for personal gain and profit. This was reported before to Aviation Human Resources (HR), but was not acted on by Aviation HR's person (AHR). The hostile work environment has also been reported to HR several times, but nothing has ever been done. According to the complainant, this has created an environment in which custodial staff do not want to come to work, which has resulted in more employees calling out than ever before.

## **Scope**

The scope of this investigation focused on the allegations asserted by the complainant and the review into the allegations brought forth by the complainant, as well as additional concerns that came up during the course of the investigation. The methodology consisted of reviewing relevant documents and interviewing City personnel who could provide information regarding the allegations.

The following activities were conducted as part of the investigative process:

- Interviews of Aviation personnel
- Interviews of Human Resources (HR) personnel
- Discussions with other City personnel
- Review of relevant documents and records
- Review of relevant policies, procedures and directives
- Review of relevant City employee rules and regulations

## **Investigation and Interviews**

### **Background and Information from Employee Interviews**

There are three separate shifts that those within the custodial staff work. They are the day shift, which is 7:00 am to 3:30 pm; the swing shift, which is 3:00 pm to 11:30 pm; and the graveyard shift, which is 11:00 pm to 7:30 am. There are two supervisors assigned to each shift. Employees clock in and out by swiping their badge at a time clock which is connected to the Kronos timekeeping system. Supervisors clock in and out by swiping their badge as well. Supervisors can also clock in and out by logging into Kronos from a computer.

With regard to time off requests, the OIG learned that the supervisors have a physical calendar. When an employee wants to request time off, they will ask their supervisor, and if there is still availability for the requested day(s), the employee will write their name on the physical calendar. Only two employees per shift, per day can be approved for leave. Leave requests can be submitted up to 30 days in advance, unless the employee already has reservations and/or tickets to an event. If so, proof of this must be submitted. The employee is then responsible for submitting the time off request in Kronos. Employees shared that if there are instances in which an employee forgets the final step of submitting the request in Kronos, it is dependent on who the employee is and who the supervisor is as to how it is handled.

The Custodial Shift Supervisors confirmed that they provided their login passwords for Kronos to the CC. This was allegedly so they could assist with doing another supervisor's timekeeper tasks if that supervisor was not at work. However, it was stated that those on probation were pressured to provide their password to the CC, and if they did not, then the CC would give those individuals grief and make them feel like they could be let go. One individual stated they even went to AHR with these concerns, but did not know if AHR did anything about it.

Supervisors admitted to not utilizing the delegation function in Kronos, and stated they did not really know how to use this function. Concerns were also expressed that the CC would log into Kronos under other supervisors' credentials and change how employees were coded if the employee was late or was gone for whatever reason. Supervisors shared that they have had instances in which their employees came in a couple minutes late. They shared this is usually handled by the supervisor talking to the employee about the tardy and then coding the employee as vacation to cover that time. Supervisors reported they have gone into their Kronos afterward and noticed that the coding for these employees had been changed to AWAL.

#### **Work Environment:**

Employees expressed feeling bullied and harassed by the CC and S1. It was reported that there are cameras in the lunch room and in the elevators and that the CC and S1 liked to track employees and would watch employees on the cameras. They would allegedly also call employees, ask what they were doing and inform the employees that they could see the them.

It was relayed to the OIG that there have been instances where the CC has opened investigations against custodial employees and then subsequently was asked to be the hearing officer for the same employees' pre-determination hearings. The OIG found an email from April 2019 where AHR

asked the CC if he could be the hearing officer at the pre-determination hearing for one custodial employee. Another email from May of 2019 shows that AHR expressed she wanted the CC to be the hearing officer for another custodial employee's pre-determination hearing.

It was reported that S1 would make fun of one employee, C2, and the way he spoke. It was also alleged on one occasion C2 left his (cleaning) cart in one of the hallways, which is allowed as long as the cart is out of public view. However, S1 allegedly threw C2's cleaning rags all over the floor and told C2 that he needed to pick them up.

Employees have requested to be moved from S1's supervision because they feel like S1 is abusive towards them. It was relayed that S1 would send employees to the rental car area as a form of punishment. The rental car area is separate from the airport. When a custodial employee is at the rental car area, they are by themselves. It is secluded in a sense, and custodial employees do not have any one else to communicate with when they are there. It was reported that when one employee expressed concerns about being at the rental car area longer than they expected to be there, S1 told the employee "Run your mouth some more and you'll be there longer."

It was also reported to the OIG that some of the younger female employees felt uncomfortable around S1. It was reported that S1 would stand behind the employees and watch them clean, and would allegedly make comments along the lines of "I'm going to enjoy you working here." However, it was reported that these employees were afraid to report their concerns because in some situations the employees were still on probation.

The OIG learned that S1 became involved with one employee, C1, and the two were involved in a relationship for approximately a year and a half. It was reported that during part of this time, S1 was C1's direct supervisor.

Employees expressed that they did not feel comfortable going to the union steward for the Custodial Division (C4) because C4 was close with S1 and it was also rumored that C4 and S1 were related. It was reported that C4 would also make fun of C2.

Employees also did not feel confident in addressing their concerns with AHR. It was relayed that employees have gone to AHR with various concerns and either no action is taken, or AHR shares all the information with the CC. Employees explained that concerns have been shared with AHR, and within a very short amount of time the CC knows what was shared.

Employees expressed concerns that some employees are favored, while other employees are picked on or targeted. Employees who are favored do not have to work; they remain in areas where they are not monitored. Some employees who work the graveyard shift sleep. It was stated to the OIG that APD plays "let's find night crew" to see if they can find who is sleeping and where.

Those employees who are not favored are under constant supervisory scrutiny. It was expressed that the environment is that you do not step out of line.

During the course of the investigation the issue of badge suspensions due to security violations also came up. The OIG learned of one employee, C5, who recently had their badge suspended due to a security violation. It was relayed to the OIG that C5 was placed on an unpaid suspension, but the person who was then the timekeeper was given the directive by AHR to change C5's status to

paid. The OIG found that employees did not seem to be very clear on how these situations are to be handled. Some employees were under the impression that if an employee has their badge pulled and is suspended, then it is an unpaid suspension. Other employees felt it was dependent on who you are. Most employees, including supervisors, were not clear if there were written policies or directives with regard to badge suspensions.

During the course of the investigation, concerns of racism were also revealed. It was expressed that there was discrimination against African American employees and applicants/interviewees. They either are not hired at all, or if they are hired they do not last long.

#### Supplies:

There was a general consensus among the employees that there were questionable supplies that had been ordered. Employees reported items such as motor oil, antifreeze, Turtle Wax and car detailer, as well as Armor All. Some employees commented they did not know why Turtle Wax was ordered for the Custodial Division, as they do not use it. These items were also not used for Aviation vehicles. Some employees reported seeing these items briefly and then they quickly disappeared. It was also relayed to the OIG that there was a picture on Facebook of the CC on his personal boat and in the picture was a bottle of Turtle Wax.

It was reported that at one point, Freon for air conditioning was ordered, but nobody knows what happened to it nor did they understand why a Custodial Division would need Freon, as the Custodial Division does not service air conditioning units. Employees further commented that one has to be certified and licensed in the State of New Mexico to even order Freon.

Other reported items include several green, heavy, waterproof canvas tarps that were allegedly ordered to cover the machinery as protection from debris from the construction going on at the airport. However, it was pointed out that the machines and heavy equipment are kept in closets. In addition, employees did not understand why these particular tarps were ordered, as they reportedly cost \$88 each. The blue polyurethane tarps could have been ordered to cover the machinery at the cost of approximately \$13 each. It was reported that only one of the canvas tarps can be found and it is unknown where the others are.

It was reported that gallon size bottles of Tide laundry detergent were ordered. Employees explained that for the washing machines utilized by the Custodial Division, the normal set up is that a five-gallon jug with industrial detergent is hooked up to the machines. There is a connected tube that draws a measured amount of the detergent up from the jug and feeds it into the machine. Employees did not understand why one-gallon bottles of Tide would be needed given the way the washing machines were set up. Some reported that the Tide seemed to quickly vanish as well.

The CC is supposed to be the one who orders supplies, but it was reported that S1 also seems to order supplies a lot. The other supervisors are not allowed to do big ordering. If the other supervisors need something, they can complete what is referred to as a "pick list". However, this is generally for small items that come from the warehouse at the airport. Bigger items, or those not kept on hand at the warehouse are ordered from Grainger, and only the CC can place Grainger orders. It was also reported that there are a couple of closets that only the CC, S1 and possibly S2 have access to, but not the other supervisors.

### Questionable Overtime:

During the interviews with the OIG, employees expressed concerns that S2 was paid for a significant amount of overtime, yet employees reported never seeing S2 around the airport at all during these overtime shifts. The CC has been seen walking out with S2, but then S2 is not seen again during the overtime day shifts. It was also relayed to the OIG that amongst the supervisors, there is not a significant need for them to work overtime because they do not need to due to the fact that they have “upgrades”.

It was reported that at one point the City’s transparency website showed S2’s year to date earnings being higher than the CC’s year to date earnings. These concerns were brought to the attention of AHR and the issue stopped for a while, but then continued to occur. It was alleged that S2 also owns his own floor cleaning company, but the name of the company was unknown.

### Promotions

During the course of the investigation, additional concerns were brought to the attention of the OIG regarding employees who were potentially overlooked for, or denied, promotional opportunities.

C3:

C3 has been employed with the custodial division for close to six years. In 2016 C3 took the Pre-Management Development Program offered through the City’s Employee Learning Center (Formerly known as Public Service University -- PSU). In June of 2017 C3 applied for a Custodial Shift Supervisor position. C3 stated she checked before applying to make sure she was eligible and that she had the go ahead to apply for this position. She applied and met the minimum qualifications. Her application was then forwarded with those sent to Aviation. However, C3 was not granted an interview. When she inquired as to why, she was informed by AHR that she included her work history on her resume, but did not include it on her application. According to C3, AHR told her if she was given an interview and scored the highest out of the interviewees, “downtown” (Central HR) would not allow her to be hired due to the fact that she cannot fill out her application properly.

It was also relayed to the OIG that the CC gave C3 a hard time about attending the Pre-Management Development Program. C3 described one occasion in which she went to ask the CC a question and he allegedly told her that his job was more important than her “petty little class” and that C3 “would never make supervisor as long as he is boss”. C3 felt this was true as she was denied an interview. It was also expressed that AHR and the CC are friends and as a result, may have played a part in things.

The OIG spoke with the person who was the instructor of the Pre-Management Development Program that C3 had participated in. He remembered C3 and stated that she did very well in the class and felt that she was qualified to be a supervisor. He was surprised to learn that she had not been granted an interview for the Custodial Shift Supervisor position.

The OIG asked Central HR to look into this issue and was informed that upon review, it looked like C3 only had four years of custodial experience. Per the job posting, six years of custodial work and one year of supervisory experience were required to meet the minimum qualifications for the Custodial Shift Supervisor position. The OIG pointed out that C3 had successfully completed the year-long Pre-Management Development Program, which gives employees who complete this program two years of service credit as a supervisor when applying for entry-level supervisory positions within the City. In addition, upon OIG's review of C3's application packet, C3 stated within the Supplemental Questions section of the application that she had "13 or more" years of custodial experience and explained where and what type of custodial experience she possessed.

A1:

Another employee, A1, is not part of the custodial division but has been employed with the Aviation Department for approximately the past fifteen years. A1 worked her way up in her particular line of work, receiving a couple of promotions during her time with Aviation. Since then, A1 has applied for one particular position three different times. However, each time the position has been offered to somebody else.

When this particular position first became available, A1 took over some of the duties of the person who was leaving the position. A1 applied for the position, but another person was hired. At the time, A1 was told that she was not qualified for the position because she did not have at least six months of experience.

A1 stated that the person who was hired for the position eventually ended up leaving, so she applied for the position again. A1 stated that this time she qualified, as two years had passed and she now had enough experience. However, A1 did not get the position. She did not know the reason why.

More recently, the position became available again, and A1 applied for a third time. Again, A1 did not get the job. She stated that during the time the position was vacant, she again filled in doing the job duties of this particular position. However, another individual ended up getting the position.

A1 confirmed that she was granted an interview each of the three times she applied for the position. However, she did not know why she was not chosen for the position, other than being told that she did not qualify. A1 informed us that she was asked to train the person most recently hired into this position, since A1 had experience performing the job duties of the position during the times it was vacant. A1 admitted that with the most recent hire, she did not wish to help train. She commented that the most recent hire previously held a lower level position than A1 and had far fewer years of experience than A1.

During the course of the investigation, the OIG learned that this most recent hire is closely related to the individual who held the position prior to it becoming available when A1 had applied the first time. The title of the position was also changed prior to the most recent.



The OIG brought this to the attention of Central HR and pointed out that if A1 was passed over for this position, but then was asked to train the person who was hired into the position, it did not seem to be a fair process. HR stated this could be problematic. The OIG suggested that Central HR consider taking a further look into the matter.

### **Purchase Requests and Orders**

The OIG reviewed purchase requests and orders from the custodial division for the timeframe of January 2018 through July 2019. The purchase requests and orders show the following:

- On March 28, 2018, two 4 packs of Tide brand high efficiency laundry detergent (100 oz. bottles) were ordered at the cost of \$110.25 per pack (\$220.50 total). These items were received on April 10, 2018
- On April 23, 2018, three 4 packs of Tide brand high efficiency laundry detergent (100 oz. bottles) were ordered at the price of \$110.25 per pack (\$330.75 total). These items were received on April 26, 2018
- On July 17, 2018, four 4 packs of Tide brand high efficiency laundry detergent (100 oz. bottles) were ordered at the price of \$110.25 per pack (\$441.00 total). These items were received on July 20, 2018
- On November 29, 2018 twenty 100 oz. jugs of Tide brand original scent liquid laundry detergent were ordered at the price of \$30.18 per jug (\$603.60 total). One jug was received on December 6, 2018; thirteen jugs were received on December 18, 2018; three jugs were received on January 9, 2019; and three jugs were received on January 31, 2019

A purchase request dated May 17, 2018 shows the following:

- Four 16 oz. spray bottles of TurtleWax brand Express Shine Carnauba spray cleaner wax were ordered on May 17, 2018 at the price of \$8.11 per bottle (\$32.44 total) and received on May 29, 2018
- Four 20 oz. spray bottles of TurtleWax brand Ice Spray Car Wax Detailer were ordered on May 17, 2018 at the price of \$9.40 per bottle (\$37.60 total) and received on May 29, 2018. The product details describe this as a product that “is formulated to give your vehicle a smooth, clean shine, and protects against paint from harsh environments.”
- Four 20 oz. spray bottles of TurtleWax brand Ice Spray Wax (White) were ordered on May 17, 2018 at the price of \$9.40 per bottle (\$37.60 total) and received on May 29, 2018
- Two containers of Armor All brand leather cleaner wipes were ordered on May 22, 2018 at the price of \$3.40 per container (\$6.80 total) and received on May 29, 2018
- Two 16 oz. spray bottles of 303 Aerospace Protectant brand vehicle protectant were ordered on May 22, 2018 at the price of \$14.80 per bottle (\$29.60 total). One bottle was received on May 29, 2018 and the second bottle was received on November 13, 2018. The product details describe this as a product for “vehicle interiors” which “protects and beautifies vinyl, rubber, plastic, leather, and fiberglass.”

A purchase request dated May 30, 2018 shows the following:

- Six 7 ft. 6" x 9 ft. 6" polyester coated cotton canvas water resistant tarps were ordered on May 30, 2018 at the price of \$82.21 per tarp (\$493.26 total) and received on June 11, 2018
- Six containers of Armor All brand leather cleaner wipes were ordered on May 31, 2018 at the price of \$3.40 per container (\$20.40 total) and received on June 11, 2018

A purchase request dated July 17, 2018 shows the following:

- A single 1-gallon jug of 303 Aerospace Protectant brand vehicle protectant was ordered on July 17, 2018 and received on July 20, 2018 at the price of \$90.69. The product details describe this as a product for "vehicle interiors" which "protects and beautifies vinyl, rubber, plastic, leather, and fiberglass."

A purchase request dated August 2, 2018 shows the following:

- Five 20 oz. spray bottles of TurtleWax brand Ice Spray Car Wax Detailer were ordered on August 2, 2018 at the price of \$9.40 per bottle (\$47.00 total). Four bottles were received on August 13, 2018 and one bottle was received on August 15, 2018. The product details describe this as a product that "is formulated to give your vehicle a smooth, clean shine, and protects against paint from harsh environments."
- Five 20 oz. spray bottles of TurtleWax brand Ice Spray Wax (White) were ordered on August 2, 2018 at the price of \$9.40 per bottle (\$47.00 total). Four bottles were received on August 13, 2018 and one bottle was received on August 15, 2018

### **Review of Kronos Timecard Records and Overtime**

The OIG reviewed Kronos timecard records for S2. The time period reviewed was from December 21, 2018 through November 16, 2019. S2 is regularly scheduled to work the graveyard shift from 11:00 PM to 7:30 AM Sunday through Thursday. His scheduled days off are Fridays and Saturdays.

During the course of the investigation, it was reported that S2 had a significant amount of overtime in comparison to the other Custodial Shift Supervisors. A majority of S2's overtime is during the day shift, which is 7:00 AM to 3:30 PM, and immediately follows his regular graveyard shift. During the course of the investigation it was reported that S2 was on the clock, but was not at the airport. Employees reported never seeing him around during these overtime shifts.

The OIG looked at year to date earnings for the custodial shift supervisors for 2019 and found that S2 did have the highest earnings out of all the supervisors, despite the supervisors all having the same rate of pay. At one point, S2's year to date earnings were only approximately \$3,200 less than the Custodial Coordinator's earnings, despite the CC earning a little over \$9 per hour more than S2.

Kronos shows that S2 had overtime on the following days:

- January 3, 2019      8 hours      7:30 AM to 3:30 PM
- January 4, 2019      8 hours      7:30 AM to 3:30 PM
- January 5, 2019      8 hours      10:59 PM to 7:30 AM      (\*Saturday)

- January 7, 2019 8 hours 7:30 AM to 3:30 PM
- January 14, 2019 8 hours 7:30 AM to 3:30 PM
- January 15, 2019 8 hours 7:30 AM to 3:30 PM
- January 25, 2019 8 hours 7:30 AM to 3:30 PM
- January 28, 2019 8 hours 7:30 AM to 3:30 PM
  
- February 7, 2019 8 hours 7:30 AM to 3:30 PM
- February 8, 2019 8 hours 7:30 AM to 3:30 PM
- February 11, 2019 8 hours 7:30 AM to 3:30 PM
- February 12, 2019 8 hours 7:30 AM to 3:30 PM
- February 22, 2019 8 hours 7:30 AM to 3:30 PM
- February 28, 2019 8 hours 7:30 AM to 3:30 PM
  
- April 29, 2019 8 hours 7:30 AM to 3:30 PM
- April 30, 2019 8 hours 7:30 AM to 3:30 PM
- 
- May 21, 2019 8 hours 7:30 AM to 3:30 PM
- May 28, 2019 8 hours 7:30 AM to 3:30 PM
- May 29, 2019 8 hours 7:30 AM to 3:30 PM
  
- June 3, 2019 8 hours 7:30 AM to 3:30 PM
  
- July 26, 2019 8 hours 10:59 PM to 7:30 AM (\*Friday)
  
- September 14, 2019 8 hours 10:51 PM to 7:27 AM (\*Saturday)

The OIG reviewed Kronos timecard reports and found that in 19 of the 22 instances where S2 worked an overtime shift, his direct supervisor, the CC, manually clocked S2 out at 3:30 PM, which was the end time of the 8-hour overtime day shift. These shifts were all when S2 had worked a double shift.

There are essentially three methods in which an employee can clock in and out:

1. When an employee swipes the time clock. This will show on the Kronos timecard report as “Workforce Device Manager”. Under the “User” column it will say “SuperUser” and will include a description of the location of the time clock.
2. The PC method of an employee logging into Kronos from a computer. This will show on the Kronos timecard report as “Time Stamp” and will include the employee ID number under the “User” column.
3. When an employee’s supervisor goes into Kronos and manually clocks the employee in or out. This will show on the Kronos timecard report as “Timecard Editor” and will include the supervisor’s employee ID number under the “User” column.

It is not common practice for a supervisor to manually clock an employee in or out of Kronos. In most instances where this occurs, it is because that employee forgot to clock in or out.

The CC did include a notation in Kronos for most of S2's overtime shifts with a brief reason for the overtime. The reasons ranged from S2 allegedly helping with coverage, to helping with clean up or a project, to helping with "snow clean-up" in one instance. There were five instances in which no notation was made explaining the reason for overtime.

During the course of the investigation, the OIG also learned that whenever an employee works overtime, they are supposed to complete an Overtime Request Form which must be signed off on. The OIG learned that there was no record found of any Overtime Request Forms completed for S2.

### **Badge Swipes and Key Usage**

Aviation employees have identification badges which they also have to swipe to gain access to numerous areas of the airport, including access to the employee parking lot.

The OIG reviewed the badge swipe reports for S2, with a focus on the days S2 had overtime hours. The badge swipe reports showed the following:

#### **January 2<sup>nd</sup>/3<sup>rd</sup> 2019 (regular shift – graveyard)**

##### **Badge Swipes**

- January 2, 2019: Swiped into the employee parking lot at 10:49:06 PM.
- January 3, 2019: At 12:12:00 AM swiped a door on the secure side of the airport. \* The report shows no additional badge swipes for the remainder of the shift.

##### **Key Fob Activity**

- January 2, 2019: Key use at 10:57:48 PM and again at 11:12:15 PM
- January 3, 2019: Seven key uses between 12:06:54 AM and 7:15:39 AM

#### **January 3<sup>rd</sup> 2019 (overtime shift – day)**

##### **Badge Swipes**

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

##### **Key Fob Activity**

- The report shows S2 had no key usage at all during the entire 8-hour duration of this shift.

#### **January 3<sup>rd</sup>/4<sup>th</sup> 2019 (regular shift – graveyard)**

##### **Badge Swipes**

- January 3, 2019: Swiped into the employee parking lot at 10:51:26 PM.
- January 4, 2019: At 12:06:52 AM swiped to access a door on the secure side of the airport. \* The report shows no additional badge swipes for the remainder of the shift.

##### **Key Fob Activity**

- January 3, 2019: Key use at 10:58:28 PM, 11:10:12 PM and 11:10:14 PM

- January 4, 2019: Seven key uses between 12:08:40 AM and 7:27:20 AM

January 4<sup>th</sup> 2019 (overtime shift – day)

Badge Swipes

- Swiped into the employee parking lot at 9:45:50 AM. \* The report shows no additional badge swipes for the remainder of the shift.

Key Fob Activity

- Key use at 7:38:53 AM, 8:12:43 AM and 8:12:43 AM. \* The report shows no additional key usage for the remainder of this shift.

January 5<sup>th</sup>/6<sup>th</sup> 2019 (overtime shift – graveyard) (Saturday night/Sunday morning)

Badge Swipes

- January 5, 2019: Swiped into the employee parking lot at 10:53:50 PM.
- January 6, 2019: At 12:13:00 AM and again at 5:45:22 AM, swiped a door on the secure side of the airport. \* The report shows no additional badge swipes during this shift.

Key Fob Activity

- January 5, 2019: Key use at 10:59:54 PM and again at 11:07:04 PM
- January 6, 2019: Ten key uses between 12:15:21 AM and 7:30:04 AM

January 6<sup>th</sup>/7<sup>th</sup> 2019 (regular shift – graveyard)

Badge Swipes

- January 6:2019: Swiped into the employee parking lot at 10:51:48 PM.
- January 7, 2019: At 12:08:52 AM and again at 6:09:14 AM, swiped a door on the secure side of the airport. \* The report shows no additional badge swipes during this shift.

Key Fob Activity

- January 6, 2019: Key use at 10:59:31 PM and again at 11:11:13 PM
- January 7, 2019: Seven key uses between 12:10:42 AM and 7:13:49 AM

January 7<sup>th</sup> 2019 (overtime shift – day)

Badge Swipes

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

Key Fob Activity

- The report shows S2 had no key usage at all during the entire 8-hour duration of this shift.

January 13<sup>th</sup>/14<sup>th</sup> 2019 (regular shift – graveyard)

Badge Swipes

- January 13, 2019: Swiped into the employee parking lot at 10:48:52 PM.
- January 14, 2019: At 12:16:20 AM and again at 6:03:28 AM, swiped a door on the secure side of the airport. \*The report shows no additional badge swipes during this shift.

Key Fob Activity

- January 13, 2019: Key use at 10:57:25 PM and again at 11:07:56 PM
- January 14, 2019: Eleven key uses between 12:18:42 AM and 7:26:23 AM

January 14<sup>th</sup> 2019 (overtime shift – day)

Badge Swipes

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

Key Fob Activity

- The report shows that S2 had no key usage at all during the entire 8-hour duration of this shift.

January 14<sup>th</sup>/15<sup>th</sup> 2019 (regular shift – graveyard)

Badge Swipes

- January 14, 2019: Swiped into the employee parking lot at 10:52:46 PM.
- January 14, 2019: At 11:39:42 PM swiped to access a door on the secure side of the airport. \* The report shows no additional badge swipes for the remainder of the shift.

Key Fob Activity

- January 14, 2019: Eight key uses between 11:00:58 PM and 11:42:06 PM
- January 15, 2019: Five key uses between 12:56:50 AM and 7:18:25 AM

January 15<sup>th</sup> 2019 (overtime shift – day)

Badge Swipes

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

Key Fob Activity

- The report shows that S2 had no key usage at all during the entire 8-hour duration of this shift.

January 24<sup>th</sup>/25<sup>th</sup> 2019 (regular shift – graveyard)

Badge Swipes

- January 24, 2019: Swiped into the employee parking lot at 10:51:38 PM.

- January 24, 2019: At 11:39:42 PM swiped to access a door on the secure side of the airport.
- January 25, 2019: The badge swipe report shows activity at the following times: 12:36:42 AM; 12:38:00 AM; 12:42:18 AM; 12:43:30 AM; 2:02:46 AM; 2:20:10 AM; 4:12:54 AM; 4:15:24 AM; 4:16:36 AM; 4:38:56 AM; 4:40:56 AM; 4:43:14 AM; and 4:44:28 AM

#### Key Fob Activity

- January 24, 2019: Key use at 11:00:38 PM and again at 11:42:47 PM
- January 25, 2019: Eighteen key uses between 12:52:18 AM and 7:10:32 AM

#### January 25<sup>th</sup> 2019 (overtime shift – day)

##### Badge Swipes

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

##### Key Fob Activity

- The report shows S2 had no key usage at all during the entire 8-hour duration of this shift.

#### January 27<sup>th</sup>/28<sup>th</sup> 2019 (regular shift – graveyard)

##### Badge Swipes

- January 27, 2019: Swiped into the employee parking lot at 10:53:36 PM.
- January 27, 2019: At 11:41:44 PM swiped to access a door on the secure side of the airport.
- January 28, 2019: At 4:02:02 AM and again at 6:12:22 AM, swiped a door on the secure side of the airport. \* The report shows no additional badge swipes during this shift.

##### Key Fob Activity

- January 27, 2019: Six key uses between 11:00:15 PM and 11:43:52 PM
- January 28, 2019: Seven key uses between 2:07:29 AM and 7:26:27 AM

#### January 28<sup>th</sup> 2019 (overtime shift – day)

##### Badge Swipes

- The badge swipe report shows that S2 had no badge swipes at all during the entire 8-hour duration of this shift.

##### Key Fob Activity

- The report shows S2 had no key usage at all during the entire 8-hour duration of this shift.

#### February 1<sup>st</sup>/2<sup>nd</sup> 2019 (overtime shift – graveyard) (Friday night/Saturday morning)

##### Badge Swipes

- February 1, 2019: Swiped into the employee parking lot at 10:49:44 PM

- February 1, 2019: At 11:44:00 PM swiped to access a door on the secure side of the airport
- February 2, 2019: At 5:40:20 AM swiped to access a door on the secure side of the airport. \* The report shows no additional badge swipes during this shift

#### Key Fob Activity

- February 1, 2019: Seven key uses between 10:57:16 PM and 11:45:38 PM
- February 2, 2019: Thirteen key uses between 1:03:14 AM and 8:11:31 AM

#### February 6<sup>th</sup>/7<sup>th</sup> 2019 (regular shift – graveyard)

##### Badge Swipes

- February 6, 2019: Swiped into the employee parking lot at 10:53:38 PM.
- February 6, 2019: At 11:42:56 PM swiped to access a door on the secure side of the airport.
- February 7, 2019: The badge swipe report shows activity at 12:39:30 AM, 12:51:40 AM and 4:12:02 AM. \* The report shows no additional badge swipes during this shift.

##### Key Fob Activity

- February 6, 2019: Key use at 11:00:18 PM, 11:12:01 PM and 11:45:19 PM
- February 7, 2019: Six key uses between 1:06:56 AM and 7:19:42 AM

#### February 7<sup>th</sup> 2019 (overtime shift – day)

##### Badge Swipes

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

##### Key Fob Activity

- The report shows S2 had no key usage at all during the entire 8-hour duration of this shift.

#### February 7<sup>th</sup>/8<sup>th</sup> 2019 (regular shift – graveyard)

##### Badge Swipes

- February 7, 2019: Swiped into the employee parking lot at 10:47:10 PM.
- February 7, 2019: At 11:41:34 PM swiped to access a door on the secure side of the airport.
- February 8, 2019: The badge swipe report shows activity at 2:14:10 AM, 2:16:02 AM, 2:31:08 AM and 4:24:06 AM. \* The report shows no additional badge swipes during this shift.

##### Key Fob Activity

- February 7, 2019: Key use at 10:54:21 PM
- February 8, 2019: Eleven key uses between 12:24:23 AM and 7:01:46 AM



February 8<sup>th</sup> 2019 (overtime shift – day)

Badge Swipes

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

Key Fob Activity

- The report shows S2 had no key usage at all during the entire 8-hour duration of this shift.

February 10<sup>th</sup>/11<sup>th</sup> 2019 (regular shift – graveyard)

Badge Swipes

- February 10, 2019: Swiped into the employee parking lot at 10:51:18 PM.
- February 10, 2019: At 11:50:40 PM swiped to access a door on the secure side of the airport.
- February 11, 2019: At 4:14:58 AM and again at 6:03:06 AM, swiped a door on the secure side of the airport. \*The report shows no additional badge swipes during this shift.

Key Fob Activity

- February 10, 2019: Key use at 10:59:20 PM, 11:06:00 PM and 11:52:54 PM
- February 11, 2019: Seven key uses between 12:29:59 AM and 7:18:22 AM

February 11<sup>th</sup> 2019 (overtime shift – day)

Badge Swipes

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

Key Fob Activity

- The report shows S2 had no key usage at all during the entire 8-hour duration of this shift.

February 11<sup>th</sup>/12<sup>th</sup> 2019 (regular shift – graveyard)

Badge Swipes

- February 11, 2019: Swiped into the employee parking lot at 10:51:36 PM.
- February 11, 2019: The badge swipe report shows activity at the following times: 11:33:06 PM; 11:34:06 PM; 11:34:58 PM; 11:35:44 PM; 11:36:10 PM; 11:37:08 PM; 11:37:26 PM; 11:37:50 PM; 11:38:58 PM; and 11:41:56 PM
- February 12, 2019: The badge swipe report shows activity at the following times: 1:40:22 AM; 1:40:42 AM; 1:42:28 AM; 1:42:52 AM; 1:43:16 AM; 1:43:46 AM; 1:43:58 AM; and 4:23:22 AM

Key Fob Activity

- February 11, 2019: Four key uses between 10:59:53 PM and 11:44:26 PM
- February 12, 2019: Thirteen key uses between 12:03:33 AM and 7:17:29 AM

February 12<sup>th</sup> 2019 (overtime shift – day)

Badge Swipes

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

Key Fob Activity

- The report shows S2 had no key usage at all during the entire 8-hour duration of this shift.

February 21<sup>st</sup>/22<sup>nd</sup> 2019 (regular shift – graveyard)

Badge Swipes

- February 21, 2019: Swiped into the employee parking lot at 10:49:42 PM.
- February 21, 2019: At 11:39:26 PM swiped to access a door on the secure side of the airport.
- February 22, 2019: The badge swipe report shows activity at the following times: 1:42:44 AM; 4:17:08 AM; 4:25: AM; 4:26:42 AM; 4:27:18 AM; 4:31:44 AM; 4:33:52 AM; 4:35:42 AM; 4:37:16 AM; 4:41:16 AM; 4:42:14 AM; 4:45:06 AM; 4:48:48 AM; and 5:46:58 AM

Key Fob Activity

- February 21, 2019: Key use at 10:56:06 PM
- February 22, 2019: Twenty-two key uses between 12:23:31 AM and 7:21:20 AM

February 22<sup>nd</sup> 2019 (overtime shift – day)

Badge Swipes

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

Key Fob Activity

- The report shows S2 had no key usage at all during the entire 8-hour duration of this shift.

February 27<sup>th</sup>/28<sup>th</sup> 2019 (regular shift – graveyard)

Badge Swipes

- February 27, 2019: Swiped into the employee parking lot at 10:52:28 PM.
- February 27, 2019: The badge swipe report shows activity at the following times: 11:39:54 PM; 11:42:24 PM; 11:42:36 PM; and 11:43:44 PM
- February 28, 2019: The badge swipe report shows activity at the following times: 4:34:44 AM; 4:37:24 AM; 4:37:36 AM; 4:38:56 AM; 6:17:18 AM; and 6:47:16 AM

Key Fob Activity

- February 27, 2019: Key use at 10:59:23 PM, 11:20:49 PM and 11:24:36 PM
- February 28, 2019: Five key uses between 12:38:13 AM and 6:59:34 AM

February 28<sup>th</sup> 2019 (overtime shift – day)

Badge Swipes

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

Key Fob Activity

- The report shows S2 had no key usage at all during the entire 8-hour duration of this shift.

April 28<sup>th</sup>/29<sup>th</sup> 2019 (regular shift – graveyard)

Badge Swipes

- April 28, 2019: Swiped into the employee parking lot at 10:50:20 PM.
- April 28, 2019: The badge swipe report shows activity at the following times: 11:36:18 PM; 11:38:38 PM; 11:38:52 PM; and 11:40:06 PM
- April 29, 2019: The badge swipe report shows activity at the following times: 5:58:12 AM; 6:00:32 AM; 6:00:44 AM; and 6:01:58 AM

Key Fob Activity

- April 28, 2019: Six key uses between 10:59:54 PM and 11:41:45 PM
- April 29, 2019: Four key uses between 3:09:25 AM and 7:13:56 AM

April 29<sup>th</sup> 2019 (overtime shift – day)

Badge Swipes

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

Key Fob Activity

- The report shows S2 had no key usage at all during the entire 8-hour duration of this shift.

April 29<sup>th</sup>/30<sup>th</sup> 2019 (regular shift – graveyard)

Badge Swipes

- April 29, 2019: Swiped into the employee parking lot at 10:51:46 PM.
- April 29, 2019: The badge swipe report shows activity at the following times: 11:39:56 PM; 11:40:08 PM; 11:42:10 PM; 11:42:22 PM; and 11:43:34 PM
- April 30, 2019: The badge swipe report shows activity at the following times: 5:43:18 AM; 5:46:02 AM; 5:46:16 AM; and 5:47:12 AM

Key Fob Activity

- April 29, 2019: Six key uses between 10:59:16 PM and 11:47:01 PM
- April 30, 2019: Eleven key uses between 12:37:05 AM and 7:08:16 AM

April 30<sup>th</sup> 2019 (overtime shift – day)

Badge Swipes

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

Key Fob Activity

- The report shows S2 had no key usage at all during the entire 8-hour duration of this shift.

May 20<sup>th</sup>/21<sup>st</sup> 2019 (regular shift – graveyard)

Badge Swipes

- May 20, 2019: Swiped into the employee parking lot at 10:49:46 PM.
- May 20, 2019: The badge swipe report shows activity at the following times: 11:36:54 PM; 11:39:10 PM; 11:39:22 PM; and 11:40:30 PM
- May 21, 2019: The badge swipe report shows activity at the following times: 4:19:26 AM; 4:22:00 AM; 4:22:12 AM; and 4:23:48 AM

Key Fob Activity

- May 20, 2019: Twelve key uses between 10:59:13 PM and 11:44:29 PM
- May 21, 2019: Seven key uses between 2:10:23 AM and 7:13:01 AM

May 21<sup>st</sup> 2019 (overtime shift – day)

Badge Swipes

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

Key Fob Activity

- The report shows S2 had no key usage at all during the entire 8-hour duration of this shift.

May 27<sup>th</sup>/28<sup>th</sup> 2019 (regular shift – graveyard)

Badge Swipes

- May 27, 2019: Swiped into the employee parking lot at 10:51:48 PM.
- May 27, 2019: The badge swipe report shows activity at the following times: 11:30:12 PM; 11:33:06 PM; 11:33:20 PM; and 11:35:20 PM
- May 28, 2019: The badge swipe report shows activity at the following times: 5:44:38 AM; 5:47:16 AM; 5:49:32 AM; and 5:50:44 AM

Key Fob Activity

- May 27, 2019: Seven key uses between 10:59:53 PM and 11:37:50 PM
- May 28, 2019: Twenty key uses between 1:49:17 AM and 7:30:00 AM

May 28, 2019 (overtime shift – day)

Badge Swipes

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

Key Fob Activity

- The report shows S2 had no key usage at all during the entire 8-hour duration of this shift.

May 28<sup>th</sup>/29<sup>th</sup> 2019 (regular shift – graveyard)

Badge Swipes

- May 28, 2019: Swiped into the employee parking lot at 10:50:04 PM.
- May 28, 2019: The badge swipe report shows activity at the following times: 11:38:22 PM; 11:41:00 PM; 11:41:16 PM; and 11:42:40 PM
- May 29, 2019: The badge swipe report shows activity at the following times: 4:06:56 AM; 4:09:26 AM; 4:09:42 AM; and 4:10:50 AM

Key Fob Activity

- May 28, 2019: Key use at 10:59:46 PM
- May 29, 2019: Four key uses between 12:54:55 AM and 7:26:42 AM

May 29<sup>th</sup> 2019 (overtime shift – day)

Badge Swipes

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

Key Fob Activity

- The report shows S2 had no key usage at all during the entire 8-hour duration of this shift.

June 2<sup>nd</sup>/3<sup>rd</sup> 2019 (regular shift – graveyard)

Badge Swipes

- June 2, 2019: Swiped into the employee parking lot at 10:48:34 PM.
- June 2, 2019: The badge swipe report shows activity at the following times: 11:34:50 PM; 11:37:08 PM; 11:37:20 PM; and 11:38:28 PM
- June 3, 2019: The badge swipe report shows activity at the following times: 4:06:22 AM; 4:08:44 AM; 4:08:58 AM; 4:10:12 AM; 4:18:04 AM; 4:19:06 AM; 4:19:56 AM; 4:21:02 AM; and 4:22:18 AM

Key Fob Activity

- June 2, 2019: Six key uses between 10:57:45 PM and 11:40:42 PM
- June 3, 2019: Four key uses between 1:37:33 AM and 7:31:50 AM

June 3<sup>rd</sup> 2019 (overtime shift – day)

Badge Swipes

- The badge swipe report shows S2 had no badge swipes at all during the entire 8-hour duration of this shift.

Key Fob Activity

- The report shows S2 had no key usage at all during the entire 8-hour duration of this shift.

July 26<sup>th</sup>/27<sup>th</sup> 2019 (overtime shift – graveyard) (Friday night/Saturday morning)

Badge Swipes

- July 26, 2019: Swiped into the employee parking lot at 10:53:30 PM.
- July 26, 2019: The badge swipe report shows activity at the following times: 11:40:44 PM; 11:42:58 PM; 11:43:10 PM; and 11:44:18 PM
- July 27, 2019: At 4:41:40 AM and again at 5:20:56 AM, swiped a door on the secure side of the airport. \* The report shows no additional badge swipes during this shift.

Key Fob Activity

- July 26, 2019: Key use at 10:59:38 PM and again at 11:46:00 PM
- July 27, 2019: Four key uses between 12:08:52 AM and 7:11:29 AM

September 14<sup>th</sup>/15<sup>th</sup> (overtime shift – graveyard) (Saturday night/Sunday morning)

Badge Swipes

- September 14, 2019: Swiped into the employee parking lot at 10:44:44 PM.
- September 14, 2019: At 11:49:12 PM swiped a door on the secure side of the airport.  
\* The report shows no additional badge swipes for the remainder of the shift.

Key Fob Activity

- September 14, 2019: Five key uses between 10:52:05 PM and 11:59:27 PM
- September 15, 2019: Five key uses between 12:19:04 AM and 3:00:20 AM

**Interview with AHR**

The OIG met with AHR regarding the concerns brought forth.

AHR did not know if the Aviation Department has written policies in place with regard to employees entering time. However, AHR stated that there are Kronos manuals and job aides. AHR indicated that without going through these, she did not know off the top of her head what these manuals and job aides say. Though AHR explained that it is a general, accepted practice that any employee who is non-exempt has to clock in and clock out for any time worked. This would apply to the Custodial Division.

In situations where an employee has forgotten to clock in or out, AHR explained there is a form that was recently rolled out by Central Payroll that an employee has to complete and mark down

why they forgot to clock in or out and provide justification. The employee's supervisor then has to add the time once the employee has signed the form. Prior to this new form, there was only communication between the supervisor and the employee if the employee forgot to clock in or out. The OIG asked if there was a policy or directive that came out with the form. AHR stated that Aviation sent an email out based off the email received from Central Payroll, though she could not remember if the email sent by Aviation was sent to supervisors and division managers, or if it went to all Aviation employees. If the email did go to only supervisors and managers, AHR confirmed that it would then be their responsibility to relay the information to all of their employees and to provide them with the form. AHR also confirmed that a copy of the completed form would go to Aviation HR for employees' payroll files.

AHR confirmed that the Custodial Division has what is referred to as a "remedial" policy. It was AHR's understanding that the CC and the custodial shift supervisors will issue this remedial around the beginning of the calendar year. The CC would be the one to make changes to the remedial from one year to the next, but the CC will ask AHR to review it. AHR stated she does not pass this on to Central HR or anybody else; it is usually just discussed between herself and the CC. The remedial does not have to be reviewed or signed off on by the Aviation Director. However, custodial employees are asked to sign a form verifying that they have received and reviewed the remedial so that form can then be placed in the employee's file. AHR indicated that she did not remember if these forms were signed and turned in with the most recent remedial.

AHR explained that both AWAL and Leave Without Pay are just payroll codes, but AWAL means an employee is Absent Without Approved Leave. PLW means Personal Leave Without Pay, and only the Director can approve Personal Leave Without Pay and can approve it for up to two weeks. The OIG provided AHR with a hypothetical situation of three employees calling in that they are going to be late, with each having a legitimate reason. One employee is coded as AWAL; one employee is coded as Personal Leave Without Pay; and the third employee is allowed to use some of their vacation leave to cover for the time. The OIG asked if this type of situation is possible, to which AHR stated it is possible. When the OIG pointed out that all three employees provided a legitimate reason as to why they were late, and questioned why each employee could be coded completely different, AHR stated that each would have to be looked at on a case-by-case basis. AHR also shared that if an employee is coded AWAL, it is not necessarily always followed up with disciplinary action. She reiterated that AWAL is just a payroll code.

AHR indicated that no custodial employees have really come to her with complaints of disparaging treatment from their supervisors or the CC. AHR also indicated that concerns of retaliation have also not been addressed to her specifically. AHR commented that the City policies are very clear on retaliation, and one of the first things she tells employees is that if they are treated differently for any reason, they need to tell AHR right away so that she can talk with the employee about their concerns. She further stated that is also why in certain investigations, they separate employees from supervisors, because they want to reduce the interactions or the perception of any kind of retaliation.

For clarification, the OIG asked AHR that if an employee went to her with a complaint, but the employee did not want to put that complaint in writing, would AHR still investigate the complaint. AHR responded that it would be dependent on the situation. If the complaint is based on hearsay, AHR is not able to investigate hearsay and so nothing would be investigated. However, it is all on a case-by-case basis, such as what the hearsay is and if it can be proven. If it is an allegation

of policy being broken, AHR stated she would have to issue a Notice of Investigation and then the employee would have to cooperate with the investigation. AHR indicated that she has to review everything that is brought to her and then she will decide whether something is investigated or not.

The OIG pointed out that employees are not confident in going to AHR with their concerns because nothing is done anyway, or it all comes back as being the employee's fault. AHR explained that unfortunately, a lot of the complaints that are brought from the Custodial Division are hearsay, and a lot of times witnesses do not want to talk or cooperate.

The OIG pointed out that there has been more than one complaint that employees have gone to AHR with concerns and AHR has turned around and shared the information with the CC. AHR denied this ever happening. However, she stated that if an employee brings a complaint to her that has to be addressed, the only person she can address it with is the Division Manager, and the CC is the Division Manager for custodial. If the complaint involves the CC, then according to AHR, "obviously" she is not going to tell him about it. She stated that she would never just "rat an employee out" to a supervisor.

Any allegations of harassment or sexual harassment that AHR has received are forwarded to Risk Management to be "farmed out" to an investigator with one of the private investigation firms. Though AHR indicated that no concerns have been brought to her attention concerning S1. With regard to concerns of any racial discrimination, AHR indicated that nothing has ever been brought to her attention. She also has not been made aware of any complaint that Aviation's hiring practices have excluded African American applicants or have demonstrated prejudice in any way. AHR stated that if an individual does not report anything to her or to Central HR or to 311, then she does not have any way of knowing that these types of things are occurring.

The OIG asked if employees having each other's password is allowed. AHR stated she does not know if it is allowed, but knows that it happens. She relayed that at the direction of Central Payroll, she herself shares a password to Kronos with the accounting assistant. She stated that if there is a written policy or directive with regard to the sharing of passwords, she is not sure where it is and it would be something she would have to research. AHR admitted it had been brought to her attention that there was concern of the CC having the Kronos passwords of the custodial supervisors. AHR stated she spoke to the CC and told him that it was not a good idea to be sharing passwords, and that it would be better if supervisors used the delegation function in Kronos. AHR stated that she did not follow up to make sure this was done and she did not communicate with the custodial supervisors in any way suggesting that they should consider changing their passwords. AHR commented she did not think to do this because none of the supervisors complained to her about it. The OIG pointed out to AHR that there is a City policy which prohibits the sharing of passwords.

The OIG asked AHR about situations in which an employee has their badge confiscated and the employee is placed on suspension. The OIG asked if the employee's suspension is paid or unpaid. According to AHR, it is "case-by-case and all depends"; it is up to the CC. For TSA violations, the policy states that employees are initially paid for the time off due to losing their badge. If the disciplinary process is started, then an employee can be suspended and their pay can be taken away, but only if they go through the formal disciplinary process. In the case involving C5, AHR did not know who was initially made aware of C5's violation. She stated the only reason she heard of the violation is because the accounting assistant told her. The OIG asked AHR if she instructed



payroll to change C5 to paid instead of unpaid, as it was the OIG's understand that C5 was placed on unpaid suspension. AHR stated she does not remember sending an email or providing the direction to change C5's status. However, she reiterated that per the badge violation policy, employees are initially to be coded vacation as part of the process. Therefore, if C5 would have been coded as suspension, unpaid, that would have been a violation of his Collective Bargaining Agreement rights, and it would have been against the badge violation policy, which states that an employee is able to be paid vacation first. AHR stated employees have to be coded vacation when they have their badge taken away until due process is served.

AHR further explained that the process should have been as follows: Somebody from the security team should have notified AHR of the violation; AHR would have been issued a Notice of Investigation; an investigation and interview should have taken place, and then if necessary, a pre-determination hearing would have been scheduled. The findings and recommendations then would have been issued, and a Notification of Final Action would have been issued as well. AHR stated this did not happen in the case of C5, as AHR was not notified of the violation. AHR confirmed that she should have been notified of C5's violation. AHR did admit to being notified by the accounting assistant of the badge suspension of C5. In addition, AHR stated to her knowledge, there was no investigation in the matter involving C5. According to AHR, it is possible that an employee could get a violation from TSA and Aviation might never know about it, unless that employee self-reports.

AHR admitted that it had been brought to her attention that supplies were being ordered for custodial staff for their own personal profit or gain. She stated that these allegations came up during the previous investigation. AHR was made aware of an allegation that supplies were being stolen. She was then informed that the claims were unsubstantiated. AHR also pointed out that the CC has to provide justification of his orders to the Purchasing Division, but that is the extent of knowledge she has with regard to custodial supplies.

With regard to employees who may be having a personal, romantic relationship, AHR indicated that per Central HR, there is no issue with relationships between employees unless one individual is supervising the other, or has influence or authority over the other. AHR confirmed that C1 had gone to her and disclosed that she was in a relationship with S1. However, shortly after that, C1 accepted a position with a different City department. While C1 was still with Aviation, C1 and S1 were separated so that they no longer worked the same shift.

AHR recalled the situation in which C3's application for the Custodial Shift Supervisor position was rejected. According to AHR, just because a person makes it through the initial screening by Central HR does not mean that they are qualified for the position. The referred list is sent to the department and the department goes through each application to verify experience and the minimum qualifications. If a person does not include their experience in the body of the application, then Aviation is not able to qualify that application, even if the person has included that information elsewhere. According to AHR, the application is all they can go off of, per Central HR. AHR did not know if this was a written policy or directive, commenting "probably just email". AHR added "it's practice" and is just the way they have always done it. It is the instruction provided by Central HR. To deny a person an interview would be done by someone in Aviation HR and not Central HR. However, AHR also stated that either herself or someone under her does the second round of screening, and those verified, qualified applicants are passed on to the hiring manager, which for the Custodial Division is the CC. AHR reiterated that if an applicant does not

meet the minimum qualifications, their application packet does not get passed on to the hiring manager.

AHR stated that from what she can recall, C3 did not qualify due to her lack of supervisory experience. AHR believes that she spoke to C3 after the fact and let her know how she could improve upon her application. AHR stated she did not recall it being brought to her attention that the CC told C3 that she would never be a supervisor as long as he was there. According to AHR, nobody has influence on who HR qualifies.

### **Interview with S1**

The OIG met with S1 to discuss operations of the Custodial Division and some of the concerns related to the Division.

With regard to employees clocking in late, S1 stated that per the division's remedial policy, if an employee clocks in past the seven-minute grace window (seven minutes past their start time), supervisors were instructed to code the employee as AWAL. However, if an employee has called beforehand to let supervisors know they are going to be late and have a reason as to why they are late, then the supervisor will enter that employee's vacation time. If an employee forgets to punch in, S1 stated that with her employees, she warns them, and will enter their time into Kronos along with the reason why. S1 explained there is a comments section, so she will enter a note in there. She also explained that it may be an issue that the employee tried swiping their badge, but the Kronos machine would not accept the badge swipe. In that case, S1 stated that she will tell the employee to get their badge fixed, and will clock that employee in. S1 indicated these procedures are written in the remedial policy.

S1 indicated that at one point she had given her Kronos login password to the CC. However, she indicated this was back when she did not know the Kronos system all that well, and she was going on vacation and did not know how to do the delegate function in Kronos. She provided the CC with her login password because she needed him to do her Kronos while she was gone. S1 admitted that she has not changed her password since then. When asked if the CC still has her login password as a result, she stated that she assumed so. She did not know if the other supervisors had given their Kronos login passwords to the CC as well.

With regard to employees who have their badge pulled and are put on suspension due to airport security violations, S1 indicated that she is still confused as to what the process is for a situation such as this. She stated she has asked the CC how an employee should be coded in these types of situations. She now knows that if an employee's badge is expired, then the employee is coded with their vacation time. With regard to employee suspension, S1 commented that is still a puzzle to her. She stated she has even asked the payroll person, but was still not clear on what to do. S1 stated it is still confusing how to code an employee when they are "suspended with their badge". S1 was unaware of any written procedures in place with regard to employee suspensions.

According to S1, there are written policies regarding employees who have a second job or outside employment. However, she stated that often times they are unaware of individuals who do have a second job; "a lot of times it's just a lot of hearsay". Or a lot of times an employee will "slip" in front of a different supervisor. Employees are still required to disclose another job and fill out an outside employment form, but S1 stated that from what she has seen, employees do not tell the

supervisors. With regard to the outside employment forms, supervisors are not required to sign off on these. S1 indicated that these forms are taken to Human Resources (HR) and they do not know where the forms go from there. Employees either give a completed form to their supervisor, or employees will take the completed form directly to HR themselves. HR does not contact the supervisor to inform them that an employee has turned in an outside employment form. S1 is not aware of any of her employees that have second jobs. She indicated that she knew of only one individual, but does not believe he has another job any longer. The OIG asked S1 if she was aware of any of the other supervisors having second jobs, to which S1 stated she did not know of any.

The OIG asked S1 about the process for working overtime, both for custodial employees and for supervisors. S1 stated that for employees, the offer is thrown out there as voluntary, especially if a shift is very short-handed. The offer will be put out via the radio, or employees will be called together at the end of a shift and will be asked if anybody is interested in volunteering for overtime. Sometimes there are employees who are willing to stay for overtime. If there are no volunteers, that is when it will change to mandatory overtime, especially if a shift is really short-handed. With regard to supervisors working overtime, if a supervisor is needing to take time off, they can go to the other supervisors and ask if any are willing to cover their shift. If not, then they have to go to "upgrades". An "upgrade" is a custodial employee who is somewhat like a lead [custodian], who is in place of a supervisor.

S1 was asked if there are any of the supervisors who work more overtime than the others, or who tend to volunteer for overtime a lot more than the other supervisors. S1 claimed there was not. She explained a lot of the time the volunteering is if the "upgrades" time has maxed out, as "upgrades" are only allotted a certain number of hours that they can work as an "upgrade".

S1 stated that the CC is in charge of ordering supplies. She stated that there is a warehouse at Aviation and that all Grainger orders have to go through the warehouse. The CC places the Grainger orders. The Aviation warehouse will then contact the CC to inform him that the orders from Grainger have arrived. As far as other supplies, supervisors can get those through the Aviation warehouse through what is referred to as a "pick list". Once the pick list is entered, then the warehouse will contact the supervisors to let them know that the items are ready to be taken over to where the custodial division keeps their supplies, which is in the supply room under A Concourse. S1 indicated that all custodians have access to the door of the supply room, but they have to have a key to unlock the door. All supervisors have keys to the supply room, and the custodial employees will get the key from their supervisor, if they need items from the supply room, or if they need to restock the supply room.

S1 claimed that she has never seen, nor is she aware of any of the following items having ever been ordered for the custodial division: Turtle Wax, motor oil, Freon and tarps. S1 stated that there have never been any supplies that have been loaded onto her personal vehicle.

Regarding the bottles of Tide laundry detergent, S1 indicated that the last time she had seen a bottle of Tide is when they were having problems with the laundry machines dispensing the soap. S1 claimed she could not remember approximately how long ago she saw the Tide.

S1 claimed she is unaware of some of the female employees expressing concerns that S1 makes them feel uncomfortable and watches them while they clean. S1 admitted that she and C1 are currently dating, and that they have been dating for approximately a year and a half. S1 denied

ever being C1's direct supervisor. She also commented that she did not initially disclose her relationship with C1 because she does not want to "put her business out there".

S1 denied having knowledge of employees being harassed or made fun of, including C2 and the way he speaks. She also denied throwing C2's cleaning rags and making him pick them up.

S1 claimed that custodial employees are not sent to the rental car area as a form of punishment. She also denied ever having told C3 that if C3 kept "running her mouth" then she would be sent to the rental car area.

S1 confirmed that she is "clan related" to C4. She explained that clan related is not blood related. S1 provided further explanation of what this means in their culture. S1 admitted that she is currently C4's direct supervisor.

### **Interview with S2**

The OIG met with S2 to discuss operations of the Custodial Division and some of the concerns related to the Division.

S2 explained that in situations where an employee has forgotten to punch in (or out), usually the supervisor will add the time into Kronos, along with a note as to why the supervisor has manually entered the time. S2 also shared that if an employee comes in late three (3) times within the same pay period, then that employee is issued a letter of instruction. Tardiness and no-calls, no-shows are documented and sent to Human Resources (HR). S2 explained that there is a seven (7) minute leeway time in Kronos. This means if an employee comes in and clocks in at six (6) minutes past their start time, then they are not considered late. However, if it is eight (8) minutes past an employee's start time, then they are considered late. Even if an employee comes in late, they still clock in themselves; the supervisor does not enter the time for them. The OIG asked if employees have to use their own personal leave to make up the difference or if they are just not paid for that time. S2 stated that there was a recent email that went out stating that an employee should be marked as AWAL for the period of time they are late. This directive came from HR. Prior to this directive, S2 stated that employees would use their vacation leave to make up the time and complete the 80 hours for the pay period.

When an employee has their airport security badge suspended and taken from them due to a TSA violation, that employee is placed on an unpaid three-day suspension.

S2 stated that there are Aviation employees who work a second job. These employees are required to complete an outside employment form. One copy is kept in the employee's personal file and another copy is kept on file with Aviation's HR. The OIG asked S2 if he himself has a second job. S2 stated that he used to, but once he began employment with Aviation, he quit his second job.

With regard to supplies, S2 explained to the OIG that the supervisors have access to whatever supplies are on hand at the warehouse. The supervisors fill out what is called a "pick list" on the computer, which will show what the warehouse had on hand. The supervisors submit what they want and the quantity. This does not have to be signed off on by the CC. For supplies that are not on hand at the warehouse, these are ordered through Grainger, and only the CC can order supplies.

The S2 confirmed that tarps have been ordered in the past. He indicated that these were ordered to cover up machinery that was being stored in an area of the airport that was very dusty and dirty. The S2 also confirmed that Tide laundry detergent has been ordered. He admitted that the washing machines use their own special detergent. However, at one point that detergent was unavailable to order, so according to S2, "luckily" the custodial division already had the Tide detergent on hand to use. S2 also claimed there is Tide detergent for concrete that allegedly can be poured into the floor scrubbers and will clean and deodorize the floors. However, S2 indicated they could not find this particular Tide to order, so allegedly the CC suggested trying the regular Tide for the floor scrubbers. S2 stated that luckily this worked out, but they did not use as much of the Tide as they originally thought they were going to use.

S2 indicated he is not aware of any supplies that have gone missing. S2 agreed that the Tide laundry detergent was a questionable item for the custodial division, but he could not think of any other supplies that did not seem fitting for the custodial division or for Aviation. S2 admitted that Turtle Wax had been ordered for the custodial division. He explained that their machinery is three to four years old and it was proposed to clean the machinery by spraying the exterior with the Turtle Wax, especially since the machinery is sometimes in view of the public. However, according to S2, they only did this for about three or four months and then stopped.

The OIG met with S2 a second time to inquire about S2's overtime. S2 explained to the OIG that he always swipes his badge to clock in and out for his shift. He stated that the only time he did not use his badge was when he worked overtime. S2 confirmed that most of the overtime he worked was during the day shift, immediately following his regular graveyard shift. He also explained that when an employee works overtime, they get a half hour break in between the end of their regular shift and the overtime shift. When S2 worked overtime, it was essentially like a double shift and he indicated after this half hour break, he would begin work at about 8:00 AM. He added that from there, an employee stays on the clock; they do not clock out. S2 confirmed that when he works overtime, it is for the entire shift and is never a partial shift. He stated that he would normally stay until 3:00 PM but he would not clock out, per the CC. According to S2, the CC claimed to have received instructions from payroll and the accounting assistant, to not clock out because it was throwing his overtime off every time S2 clocked in and out. S2 believed it was shorting him a half hour, so their way to fix that was to have the CC manually clock S2 out. Per Kronos timecard reports, the CC manually clocked S2 out at 3:30 PM each time S2 showed overtime worked during the day shift. S2 did not know if this was the normal process for anybody who worked overtime and essentially a double shift. S2 confirmed that the CC is the one who approves his timecard.

The OIG asked S2 what the process is when a supervisor forgets to clock in or out. S2 indicated that he did not know, as he has never forgotten to clock in or out. The OIG asked if supervisors are required to complete a Kronos Timesheet Change Request Form if they for some reason fail to clock in or out. According to S2, this is something new that just recently started about three or four months ago. Completed forms are turned into the person who is currently overseeing the custodial division.

S2 indicated that some supervisors work overtime fairly often, but not all of them; there are a few who will work overtime. Some of the reasons supervisors work overtime is to provide coverage for a shift. S2 stated that for him, personally, it was mainly to provide coverage. He would cover a lot of days following his own shift, because coverage was needed during the day.

With regard to “upgrades”, S2 explained that they are regular custodial employees who have been pre-qualified with Central HR to fill in essentially as an acting supervisor when regular supervisors are not around. Upgrades can fill in when a supervisor has the day off and there is not another supervisor available to provide coverage. Every shift has its own “upgrades”. “Upgrades” fill in as supervisors, but they cannot discipline the employees. The OIG asked if it is necessary for supervisors to put in overtime if there are “upgrades” available. It was pointed out that per the union contract, overtime has to be offered to M-Series employees (supervisors) who are available to work first before it is offered to “upgrades”. Overtime cannot be offered to blue collar employees until M-Series employees deny the offered overtime.

The OIG pointed out that in 2019 S2 had significantly more overtime than the other supervisors. According to S2, he was offered the overtime, so he took it. He did not know if overtime was offered to the other supervisors. S2 stated that he would put in overtime during the day shift or the graveyard shift. He stated he cannot work the swing shift. S2 stated he would usually stay and put in overtime during the day shift to “help out”. According to S2, he did complete an Overtime Request Form each time he worked overtime. He verified that this form is required whenever overtime is worked, and that the CC signed off on this form.

S2 stated that the day shift is “four times busier” than the graveyard shift, and it is busier for supervisors just the same as it is busier for the custodial workers. During the graveyard shift, most of the work is detailing the airport. The graveyard shift does “a lot of machinery”; inspection and “taking care of the machines”. S2 went on to explain that the day shift involves a lot of radio calls; lost and found; spills; clean ups.

S2 confirmed that during any given shift the custodial staff and supervisors have to swipe their badge to gain access through various doors and area of the airport. He also confirmed that during any given shift, the supervisors all have to use a key they have been issued to open various closets and areas. The OIG informed S2 that upon review of his badge swipe reports and key fob activity reports, there was plenty of badge swipes and key usage during his regularly scheduled shifts. However, the reports show absolutely no badge swipes or key usage during any of his overtime day shifts. S2 claimed this was because during the day shifts he did a lot of “projects” that were not at the airport. S2 stated there are three buildings outside the airport. He could not remember the names of these buildings and thought perhaps one building may have been called “Sunport 1”. He explained that these buildings were closer to the rental car area. S2 indicated he got access to these buildings through a “number pad”; there was no swiping of his badge to gain access to these buildings. He stated this is where he was working at most of the time during these overtime day shifts, and was “doing carpets, floors” because he is “the only one who knows how to do carpets and flooring”. He described the buildings as being an office-type building in the front and a big warehouse in the back. He stated this is where the floor is; “the big floor area”. He added that most of these buildings are like this with office areas in the front and a warehouse on the side.

S2 did not know who worked in these office buildings; they would just let him know when it needed to be cleaned. He assumed it was just people needing it every so often. The OIG asked if these buildings looked occupied and like there was office business that went on there. He stated no, and that most of the time when he was in there they were empty. The OIG then asked why they would care about the floors being cleaned so often if there was nobody occupying the building. S2 then responded that there is somebody probably renting it out, but stated he was not

sure. He added that all he knew is when he went back in there, it seemed used. The floors were dirty, there was dust on the carpets. According to S2, the warehouse-type buildings were also completely empty. He indicated they were “just a mess” with dust, paperwork and leaves. They did not look like they were being used at the time he was cleaning them.

S2 stated that the CC is the only one who could verify that S2 was going out to these buildings to do this work. He did not know if this had to be approved by anyone higher than the CC, and he did not know if anyone was aware that he was doing this. S2 also indicated that the only person he is aware of who could verify his access to these buildings is the CC. S2 gained access through a key pad. He did not know if anybody else had access to those buildings. S2 commented the CC had to get the code from somewhere, so he probably knew other people who know about the buildings.

The OIG pointed out that during 2019 there were approximately 22 instances where S2 worked overtime. When asked if he was working on “projects” outside of the main airport during each of these instances, S2 stated yes. S2 maintained that the CC did not ever clock S2 out during an overtime shift when S2 was not really working. It was pointed out that S2 should have at least one badge swipe during his overtime shift. However, S2 claimed that he did not even badge into the employee parking lot when he was coming back from his break between 7:30 AM and 8:00 AM. He claimed that during this time, his family only had one car and that is why he was working a lot of overtime because he needed another car for his wife. He indicated that he would go to her job at UNM and she would drop him back off at the airport, so there would be no badge swipe even for the parking lot.

The OIG pointed out that upon review of S2’s file, not one copy of an Overtime Request Form was found, despite S2 claiming that he completed one of these forms every time he worked an overtime shift. S2 commented that is not on him; he turned everything in. He stated he turned the forms into the CC. He did not know what the CC did with these forms thereafter. The OIG further pointed out that the overtime S2 was accruing came to almost to a complete halt once the CC was no longer at the airport. S2 stated this is because there was no longer anybody asking him to work overtime. He further stated that now he has a partner on graveyard, so there is no need for him to cover on graveyard or day shift because nobody is asking him anymore.

The OIG pointed out that in the Kronos system for S2’s timecard the CC usually entered a notation in the comment section providing an explanation as to why S2 was working overtime. The OIG pointed out that most of these comments indicated that S2 was helping with coverage. None of the comments indicated that S2 was working on projects outside of the main airport.

The OIG pointed out to S2 that he changed his story from initially stating that a typical overtime day shift for him was very busy and involved responding to a lot of radio calls and tending to spills and other clean ups, to indicating that all his overtime day shifts involved working on special carpet and floor cleaning projects outside of the main airport. S2 claimed that he misunderstood the initial question when it was asked of him earlier in the interview.

The OIG asked why a supervisor, who is earning time and a half in overtime pay, would be sent out to clean these buildings rather than a regular custodial employee. S2 claimed that it is because he is the only one who really knows how to do floors and carpets; extracting and bonding the carpets and then scrubbing the back floors and using different chemicals to scrub the floors in the

back. S2 clarified that “extracting” the carpets meant cleaning the carpets with the machine; “wetting the carpet and picking it up with the extractor”. The OIG pointed out to S2 that there are other custodial employees who also know how to use the carpet extractor machines. S2 then stated “They say they know how to take off spots the way I do; the different methods that I know. I’ve been through training, I’ve been doing this almost 20 years now. And I don’t think there’s any custodian that knows the experience that I have.” He further commented that with the warehouse, he did not know if it was left open when it was windy, because every time he went in there the floor “was not good; it was in bad shape”. S2 indicated he has not been out to these buildings in several months and does not know if they are currently being occupied. The OIG asked if the CC had S2 out at these buildings during each of the 19 – 22 instances that S2 worked an overtime day shift so that he could clean the floors. S2 commented that sometimes the cleaning just needed to be redone, and with carpet, you do not know what the results are going to be until the 2<sup>nd</sup> or 3<sup>rd</sup> day; after the carpet is dry, spots come up.

### **Site Visits**

The OIG made a couple of visits to the airport to view the buildings that S2 was referring to. Based on S2’s description, the OIG found one building on the initial visit. This was an office-type building located at:

- 3721 Spirit Drive SE. Upon inspection of the building, the OIG did not see any sort of key pad anywhere where S2 could gain entry. The only thing visible was a lock box utilized by real estate companies, which was open with no keys inside.

Upon the OIG’s second visit, S2 confirmed that 3721 Spirit Drive SE was one of the buildings he was referring to. S2 then showed the OIG the other two buildings he was referring to, which were located at:

- 2235 Access Road C SE. This building had an office-type building in the front with a warehouse-type building behind. There did appear to be some sort of keypad near the entry of the front office-type building.
- 3500 Access Road C SE. This was an office-type building, and upon inspection, the OIG did not see any sort of key pad anywhere where S2 could gain entry.

### **Aviation Director**

The OIG asked the Aviation Director (Director) about these three buildings. Per the Director:

- The building located at 3721 Spirit Drive SE had been leased until the tenant moved out towards the end of 2019. The Director relayed that the keys were turned over on December 6, 2019. The Director shared that the interior of this building was spotless when the tenant moved out; so much so, that they were given their deposit back. The Director also shared that per the contract, the tenant is responsible for the custodial services themselves.
- The building located at 2235 Access Road C SE (Sunport Hangar IV) is still being leased by Eclipse. The Director stated there would be no reason the Custodial Division would



clean this building. Again, per the contract, the tenant is responsible for the custodial services themselves.

- The building located at 3500 Access Road C SE had been leased until the tenant vacated on August 8, 2019. Once again, as per contract, the tenant was solely responsible for their custodial services. The Director relayed that nothing has been done/cleaned in the property since the tenant vacated in August.

The Director informed the OIG that those within the Maintenance Division attend to these buildings; however, the Custodial Division does not.

### **Follow Ups**

The OIG spoke with the Acting Aviation Timekeeper who stated that they never once encountered an issue where an employee was shorted time when they swiped to clock out at the end of an overtime shift. If this was in fact an issue, especially a recurrent issue, then it should have been reported to DTI to be rectified. Even when an employee has worked a double shift, with the second shift being an overtime shift, the employee should be clocking themselves out.

The OIG spoke with the person in the Department of Information Technology (DTI) who also conducts training for Kronos. DTI stated that a supervisor clocking out for an employee should not be a consistent practice and this is not the way employees are trained in Kronos. DTI explained that the only time a supervisor is to clock an employee out is when the timeclock is down, when the PC is down or if an employee has forgotten to punch out, which is the most common reason. DTI also shared that in limited situations, employees who are working off site (and who have authorization to work off site) can do tele-time, and in this case the employee would be set up to where they can clock out from a cell phone. DTI explained that employees clocking in and out is a way to validate that they were at work. There is not that validation if a supervisor is clocking out for the employee.

### **Interview with CC**

The OIG met with the CC to discuss operations of the Custodial Division and some of the concerns related to the Division.

According to the CC, there are written policies in place with regard to how employees are to enter their time. In situations where an employee forgets to clock in, the supervisor will go into Kronos and manually enter the time for the employee, along with a notation in the comments section. When an employee has requested and been approved vacation leave, it is the employee's responsibility to enter this into Kronos. The CC confirmed that there is a seven-minute window in Kronos that an employee has after their scheduled start time before they are considered officially late. If an employee goes past this seven-minute window, how that time is coded depends on the situation. For example, the CC indicated that if the employee calls in and reports car trouble or something along those lines, then the employee will be granted some leeway and they will be coded "vacation"; especially if they can provide some kind of proof of why they were late. The CC stated that per Aviation's "HR people" supervisors have been instructed to code employees as AWAL, vacation or floating time. The CC stated that if an employee is coded as AWAL then they cannot be disciplined because the AWAL coding is like discipline in and of itself because that

employee is not getting paid for that time. If the employee is coded as vacation or floating time in which they are actually paid for the time missed, then that employee can be disciplined later down the line. If an employee is late three times within the same pay period, then they are issued a Letter of Instruction. The CC indicated that this is the practice across the board for custodial employees.

With regard to time off requests for custodial employees, the CC explained that an employee will verbally request time off from their supervisor, and if approved, the employee's name will be written down on the calendar for whatever day(s) and time they have requested to be off. It is then the employee's responsibility to enter that time into the Kronos database. Time off requests are only allowed a maximum of thirty days in advance, unless the employee has reservations and they can provide proof of those reservations. Only two people per shift, per day are allowed time off. The CC stated that in the event that an employee forgets to enter the time into Kronos, the leave is unpaid. This is the case even if the employee received verbal approval from their supervisor to take time off and the time off was notated on the physical calendar. According to the CC, this is standard practice for all employees across the board. He explained that according to the union contract, City rules and regulations and policies and procedures of the airport, it is stated that an employee has to enter their time into Kronos within 24 hours of that employee taking off of work. The CC stated that when that employee takes off and the time has not been entered into Kronos, that employee is basically like a "no show, no call". There is no documentation other than the physical calendar.

The CC stated that the custodial division has a "remedial" policy that sums up everything. This is updated every year and distributed to the custodial staff. Employees also sign this remedial policy.

The CC stated that he has never instructed any employees to provide their login information. However, he commented that supervisors are told so many times from HR and Payroll to fix other people's timesheets when they are off, and so all supervisors had each other's Kronos passwords at one time. However, the CC claimed that he no longer had anybody else's password and it has been at least two or three months since he has. Though he reiterated that supervisors are told all the time to go in and fix things in Kronos. The CC stated he is aware of the "delegation" function in Kronos, but stated he does not know how to use it, nor do any of his staff. He does not feel he or the supervisors were properly trained on how to use Kronos.

The CC had no knowledge of there being policies in place to address when an employee is placed on suspension. He indicated that there has been discussion with HR regarding what to do; however, he stated that AHR does not really know what to tell management. At this point in time, when an employee has been placed on suspension, the CC relays this and the supervisor sends an email to AHR asking how to properly code the suspended employee. The CC stated that per AHR, employees' vacation time has been used to cover the time they are on suspension, so the employee is still paid during this time. The CC was not aware of any instances in which an employee was suspended without pay. According to the CC, AHR is always notified when an employee is placed on suspension, no matter what the reason for the suspension may be.

Regarding employees who have a second job, the CC was unsure if there are actual written policies in place concerning this situation. However, he stated that there is a form that employees are required to complete when they do have additional employment outside of the Aviation Department. Outside employment forms are distributed on an annual basis, and employees are asked to fill them out if they do have a second job. However, it is up to the employee to be

forthcoming as to whether they have a second job. The CC stated that neither he nor any of the supervisors are allowed to disapprove an employee having a second job. He claimed that since he has been working for Aviation, he has never known of anybody to have a second job.

With regard to employees working overtime, the CC stated this is done on an "as needed basis". For example, if there is an upcoming project, then a list will go out indicating that there is a need for overtime and it is offered to all three shifts. The CC stated that there is often a need for overtime during the day shift, and when they are short-staffed, the overtime is mandatory due to job duties that need to be done that day. Therefore, those who work the graveyard shift will often be asked to stay and work the day shift. The CC stated that supervisors will also stay for the next shift, and this is mainly when there are projects that need to be completed. The CC further commented that there is one supervisor who will take on almost any overtime he can get. Other supervisors will pick up overtime if they are given enough notice of an upcoming project. The CC stated that he has never approved overtime for any employee or supervisor who did not in fact work that overtime. The CC also denied ever having manually clocked an employee in or out.

Regarding supplies, the CC stated that he is in charge of ordering supplies for the custodial division. Custodial employees will inform the supervisors what supplies are needed and the supervisors will then let the CC know. The CC commented that he also has is "own little stockroom" with certain supplies, and if those are running short, then he will order more to keep the stock up. The CC further explained that there are certain supplies that the supervisors can get themselves, and with these items, supervisors will complete a "pick list" of supplies that they need. The Aviation Department does have their own warehouse at the airport where supervisors are able to get a certain amount of supplies. However, with any items that need to be ordered from Grainger, only the CC can order those items. Supervisors can make a Grainger list, and they can send it to the CC.

The type of items that are kept in the warehouse on site are: all paper goods such as paper towels, tissue, toilet paper, etc. The type of items that the CC keeps in his inventory are extracting fluid for the carpet extractors, chemicals for the Kaivac machine, special gloves for one of the employees who has an allergy to the blue gloves. The CC stated that only he and anybody above him has access to these particular items; the supervisors do not. However, all custodial staff and supervisors have access to the regular custodial closets that are located throughout the airport. Supervisors are the only ones who have access to the closets which house the machinery, such as carpet extractors, buffers, riding scrubbers and Kaivac machines.

Every item that is ordered, the CC stated he has to be able to justify that item for the custodial division. The CC stated that he would not order items such as motor oil or Freon; he would not be able to justify those types of items. The CC shared that he had ordered some new equipment, which was basically back up equipment if any of the others became out of service. He stated that he did order tarps so that he could cover the newer equipment and keep it clean. With regard to Turtle Wax, the CC commented that Turtle Wax is a "broad brand", and he ordered some to help keep the machines clean. He shared that he also ordered Turtle Wax brand leather cleaner because all of the seating is leather and not vinyl. With regard to the machinery, the CC stated that they get really dirty and dusty, and they are out in the public. The City spends a lot of money on this equipment and the CC stated he would like to keep them presentable and maintain the upkeep on them. He explained that the Turtle Wax is not like the older traditional form of wax, it is more of a detailing spray where you can spray and then just wipe off.

The CC claimed that he is unaware of any supplies being taken for personal use. He stated that the Turtle Wax was not used on his personal boat. With regard to the Tide laundry detergent, the CC commented that he is a floor guy and S1 is a floor guy. The CC indicated that he did some research and found that laundry detergent is very good at cleaning brick, so he ordered Tide -- commenting that he "randomly picked Tide"; "That's what they (Grainger) had and that was the biggest bottle they had." According to the CC, they put the Tide in the riding scrubbers and it cleans brick and concrete "amazingly" and also "gives off a decent aroma".

The CC indicated that they also use the Tide to wash the rags, because the custodial division has to do their own laundry. He explained that for years, they have had five-gallon buckets of laundry detergent. However, now with a new purchasing system that has been implemented, the CC stated it is looking like he will not be able to purchase the soap that they had been using for the laundry. As a result, the CC stated he gave staff about five or six gallons of the Tide so that they could fill the containers that feed into the washers. They would use one five-gallon bucket filled with the Tide and one filled with the other laundry detergent to make it last longer. The CC shared that awhile back, the system broke down on the soap dispenser and would not pump the soap into the machines. As a result, the custodial division had to use Tide and manually pour it into the machines. The CC commented "Thank goodness I had it (Tide)."

The CC stated he is unaware of any employees loading supplies in an Aviation vehicle and then taking the supplies out to their personal vehicle. He stated supplies are loaded onto City vehicles from the warehouse dock and then are driven around to the secure side of the airport, but not as far as going to personal vehicles and dropping off supplies.

The CC was asked about C3 who participated in the City's Pre-Management Development program. He denied giving C3 a hard time for participating in the program and telling them that it was not important. He indicated that there has been a couple of employees who have gone through this program. The CC claimed he actually encourages employees to better themselves; "every single person". The CC also denied telling C3 that they would never be a supervisor as long as the CC was there. The OIG asked about C3 being denied an interview when they applied for a supervisor position a couple years back. The CC claimed that he did not recall C3 applying for a supervisor position.

The CC stated that he had been made aware of the relationship between S1 and C1. He stated that this was reported to him and he and HR got together and moved S1 to a different shift.

The CC denied there being any type of discrimination against African-Americans being employed as custodial workers, commenting that they have not had any African American people in "years". The CC then retracted that and named two individuals that he "believed could be" African American. The CC stated that there may also have been a temporary (temp) employee or two, but he could not recall.

The CC denies there ever having been an instance where he disciplined an employee who had an infraction, and then was subsequently the hearing officer during the pre-determination hearing for that employee. The CC stated that he has not been a hearing officer at all and has only done investigations. He added that he was supposed to be getting ready to become a hearing officer soon, but has not done so.

The CC denied being aware of any favoritism towards certain employees or supervisors. He commented that he treats all his supervisors the same. The CC stated he is not aware of any supervisors showing favoritism to any employees while giving other employees a hard time.

### **Conclusion**

Upon review of applicable policies and procedures, the OIG found that the CC was in violation of the City of Albuquerque's IT Policies Standards and Procedures:

#### *User ID Security*

*User IDs and passwords shall not be shared among users.*

At some point the CC did have the Kronos login passwords for the other supervisors. The CC and the other supervisors did not use the delegate function in Kronos and admitted that they were not well versed in using this function. They also had not received any proper training with regard to using Kronos.

The OIG learned that as of December 2019, managers and supervisors for all the different divisions within the Aviation Department received Aviation Payroll Manager Training. Along with the training, managers all received a 94-page Aviation Payroll Manager Manual put together by the Acting Aviation Timekeeper.

The OIG also found an email from Central Payroll to all time keepers, dated September 27, 2018, which included the following statement: *"Remember changing an employee's punches is not an acceptable practice, unless the punch was made in error and the employee has filled out and signed the attached form, or sent an e-mail specifying the change to be made."*

The following was also pasted to the email:

## Altering time sheets can mean *personal liability* for HR, managers

**I**f you're responsible for approving time sheets or signing off on alterations to the hours reported by employees, take note: It's not just your organization that risks a big fine and costly litigation. Your personal assets are also at risk, as a new court ruling shows.

That's because the Fair Labor Standards Act allows employees to sue their bosses, execs and HR professionals for personal liability for altering pay records.

For that reason, make sure supervisors don't tolerate—or, worse, encourage—off-the-clock work or the altering of time records. U.S. Department of Labor officials announced last year that they're receiving more complaints about employees forced to work through breaks.

For breaks to be unpaid, employees must be *completely* relieved of their duties. (That's one reason to discourage them from eating lunch at their desks.)

**Recent case:** A group of "living assistants" (hourly workers) at a home for the disabled worked 48-hour weekend shifts and were required to check on each resident every two hours, around the clock. When those employees turned in their time sheets, managers routinely deducted eight hours because each living assistant supposedly got two four-hour breaks. The CEO then signed off on the altered time sheets.

**The problem:** The employees couldn't leave the building during "breaks" and had to call the main office once an hour. Because the time wasn't their own, the court said they should be compensated.

**The kicker:** The court held the CEO personally liable, ordering him and the company to pay more than \$500,000 to the employees, including \$155,000 as a penalty. (*Chao v. SelfPride*, No. 06-1203, 4th Cir.)

This email, along with the form and pasted article, was forwarded again to all time keepers on June 11, 2019. A review of emails show that this was sent to the CC and AHR.

From all the information gathered, it appears that S2 was not doing work at the buildings he reported being at during his overtime day shifts. S2 reported these buildings as being completely empty. However, per the Aviation Director, each of the buildings was being leased and the tenants of the buildings were responsible for their own custodial services. Badge swipe and key fob activity reports show no activity for the entirety of each of S2's overtime day shifts. Aviation employees reported not seeing S2 around, even on one occasion, during these overtime day shifts. In addition, Kronos timecard reports show the CC manually clocked S2 out during each of his overtime day shifts, which does not provide the proper validation that S2 was present during these work hours. The comments the CC entered in Kronos also do not line up with the reason S2 provided for his overtime day shifts.

There was not enough evidence to substantiate concerns that S1 was harassing female employees and making them feel uncomfortable. However, S1 indicated that she and C1 had been in a romantic relationship for approximately a year and a half, but stated that she was not C1's direct supervisor when they were dating. The OIG reviewed PeopleSoft records which show C1 being S1's direct report from approximately March 2017 to the end of June 2018. Per the timeframes provided, S1 and C1 were in a romantic relationship for part of this time period. In addition, the relationship was not immediately disclosed to HR. As a result, S1 was in violation of section 311 Prohibitions of the City of Albuquerque's Employment Rules and Regulations:

### *311.2 Employment of Relatives*

*City employees may not directly supervise, control or influence the work or employment status of a relative or the affairs of the organizational unit in which the relative is employed. The term "relative" includes spouse, child, stepchild, mother, father, grandparents, grandchild, mother-in-law, father-in-law, brother, sister, brother-in-law, sister-in-law, son-in-law and daughter-in-law. The term also includes a domestic partner and the mother, father, brother, sister, child, stepchild, grandparents or grandchild or the domestic partner.*

The OIG acknowledges that some of the supplies ordered seem odd and not fitting for a custodial division. However, there was not enough evidence to substantiate concerns that the CC and S1 were ordering and taking supplies for their own personal gain. There is also not enough evidence to show what happened to some of these supplies.

During the course of the investigation, the OIG found that employees were not clear on policies, and aside from the Remedial for the custodial division, were unclear if there were additional written policies. The OIG reviewed the Remedial, which was in the form of an Interoffice Memorandum and was fairly basic. Employees and supervisors were also unaware of any policies with regard to employee suspensions due to TSA security violations. The OIG found there was confusion about how to handle such situations and how to code employees who were placed on suspension.

The OIG will be referring this to the State of New Mexico Office of the Attorney General for their consideration.

### **Update as of June 2021:**

On March 13, 2020 the OIG referred this case to the State of New Mexico Office of the Attorney General and forwarded this investigative report. On October 1, 2020, the OIG received notification from the Attorney General's Office that they referred this case to the Bernalillo County District Attorney's Office. The OIG was also provided with a copy of the reference letter and packet that was sent to the DA's office. On December 11, 2020, the OIG called the DA's Office to inquire about the status of the case. The OIG spoke with an employee who stated that she would forward the information to the investigations unit and inquire about the status. The OIG also sent a follow up email to the employee on this same date and attached the letter and packet from the Attorney General's Office. The OIG never heard back, and therefore followed up with the employee via

email on January 25, 2021 to inquire about the status. The OIG contacted the DA's office again on March 4, 2021 both by phone and at the following general email address: [contactus@da2nd.state.nm.us](mailto:contactus@da2nd.state.nm.us). The OIG provided a history of the attempted contacts and again attached the letter and packet from the Attorney General's office. As of June 2021, the OIG has not been contacted by the DA's office and is unaware of the status of this case.

Although this investigative report was presented at the February 27, 2020 AGO Committee meeting and the Committee approved the report, the OIG did not post this investigative report to the OIG website so there would be no risk of impairment to any subsequent investigation conducted by another jurisdiction.

It should also be noted that per the PeopleSoft HR database (HRMPROD), the OIG found that the CC went into early retirement on October 24, 2020.