

New York State Office of the State Comptroller

Thomas P. DiNapoli

Division of State Government Accountability

Time and Attendance Practices for Public Safety Staff

City University of New York: York College



Executive Summary

Purpose

To determine whether York College had adequate controls over the time and attendance of Public Safety employees to provide reasonable assurance that they worked the hours for which they were compensated. The audit covered the period from January 1, 2012 to May 31, 2014.

Background

The City University of New York (CUNY) consists of 11 senior colleges, 6 community colleges, and several other specialized and professional schools, and has a total enrollment of about 460,000 students. CUNY's Central Administration (CUNY Central) provides general oversight of CUNY operations and is responsible for monitoring academic development and other activities at the individual colleges. Each college is responsible for complying with governing laws, regulations, policies, and guidelines.

York College (York) is a senior CUNY college located in Jamaica, Queens. York enrolls over 8,242 students in liberal arts, career, and professional programs on its 50-acre campus, which comprises eight buildings. York's Department of Public Safety (Department) is responsible for the enforcement of all college rules, as well as State and local laws, throughout the eight buildings. The Department consists of a director, campus Public Safety officers, and campus security assistants. The Department's security staff is augmented by contract security officers. In 2013, the Department had 42 Public Safety employees and the annual cost for Public Safety staff (including outside contractors) was about \$2,071,000. Overtime pay accounted for \$330,500 (16 percent) of the total payroll cost.

Key Findings

- Neither CUNY Central nor York had adequate internal controls over time and attendance for Public Safety officers. No one was responsible for verifying the hours worked by Department staff, and officers could alter time cards by writing over time stamps from punch clocks.
- The Department's current overtime process could result in the payment of unauthorized and/or excessive overtime costs. Department scheduling practices – specifically the staffing of an overnight fire watch shift on an overtime basis rather than as a regular shift – resulted in significant amounts of overtime for certain employees. York could have saved about \$40,500 by assigning the fire watch as a regular shift, either to junior staff or to a contracted security officer, at straight pay rather than overtime rates.
- Video from surveillance cameras indicated that a sergeant was paid overtime for hours that he did not actually work. Per the video footage, another officer (not the sergeant) actually worked a fire watch post assigned to the sergeant. Also, on three other nights, security officers assigned to the fire watch spent long periods of time in one area instead of patrolling the entire building, as otherwise required. One officer turned off the light, sat in a reclined position, and remained motionless for nearly five hours.

Key Recommendations

To CUNY Central:

- Develop and implement formal comprehensive policies and procedures for Public Safety officer timekeeping and overtime at the colleges and provide oversight to ensure compliance with such policies and procedures.

To York College:

- Develop and implement formal comprehensive policies and procedures for Public Safety officer timekeeping, including time card signatures and controls to ensure that time card stamps and any hand-written alterations are valid. Actively monitor compliance with such policies and procedures.
- Prepare an overtime budget for the Department, and compare budgeted and actual overtime. Ensure that the Department plans its overtime needs based on efficient use of all staff and that every officer has an equal opportunity to work overtime.
- Minimize overtime costs by establishing regular shifts or using contracted officers in cases where the shifts are anticipated for an extended period.

Other Related Audits/Reports of Interest

[City University of New York: Selected Employee Travel Expenses \(2012-S-98\)](#)

[Metropolitan Transportation Authority - Metro-North Railroad: Overtime and Other Time and Attendance Matters Found in the Use of Certain Federal Funds \(2012-S-104\)](#)

**State of New York
Office of the State Comptroller**

Division of State Government Accountability

April 6, 2015

Chancellor James B. Milliken
Office of the Chancellor
City University of New York
205 East 42nd Street
New York, NY 10017

Dear Chancellor Milliken:

The Office of the State Comptroller is committed to helping State agencies, public authorities, and local government agencies manage government resources efficiently and effectively. By so doing, it provides accountability for tax dollars spent to support government operations. The Comptroller oversees the fiscal affairs of State agencies, public authorities, and local government agencies, as well as their compliance with relevant statutes and their observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations. Audits can also identify strategies for reducing costs and strengthening controls that are intended to safeguard assets.

Following is a report of our audit entitled *York College: Time and Attendance Practices for Public Safety Staff*. The audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law.

This audit's results and recommendations are resources for you to use in effectively managing your operations and in meeting the expectations of taxpayers. If you have any questions about this report, please feel free to contact us.

Respectfully submitted,

*Office of the State Comptroller
Division of State Government Accountability*

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This report is also available on our website at: www.osc.state.ny.us

Background

The City University of New York (CUNY) is the largest municipal college system in the United States. CUNY consists of 11 senior colleges, 6 community colleges, and several other specialized and professional schools, and has a total enrollment of about 460,000 students. CUNY's Central Administration (CUNY Central) provides general oversight of CUNY operations and is responsible for monitoring academic development and other activities at the individual colleges. Each college is responsible for complying with governing laws, regulations, policies, and guidelines.

Each CUNY campus has its own Public Safety staff. With more than 700 officers, CUNY's system-wide Public Safety Department is the fifth largest law enforcement agency in New York City. Its duties are to protect CUNY campuses and to enforce State and City laws on and off campus grounds, 24 hours a day, 7 days a week. CUNY's Director of Security has supervisory oversight over each CUNY campus Public Safety Director. New York State Criminal Procedure Law designates campus Public Safety officers as peace officers and, as such, they are authorized to make arrests and use force as needed.

York College (York) is a senior CUNY college located in Jamaica, Queens. Established in 1966, York enrolls over 8,200 students in liberal arts, career, and professional programs on its 50-acre campus, which comprises eight buildings. One of the eight buildings houses a high school.

York's Department of Public Safety (Department) consists of a director, a force of campus Public Safety officers, and campus security assistants. It is augmented by a staff of contract security officers. During a sampled week, there was an average of 17 contract officers working at York. In 2013, the Department had 42 Public Safety employees. That year's total cost for Public Safety staff, including outside contractors, was about \$2,071,000. Overtime pay accounted for \$330,500 (16 percent) of the total payroll cost.

At York, most Department officers are assigned to fixed tours on a rotating basis, with the exception of two officers who are permanently assigned to the high school building. In addition to manned posts, surveillance cameras set up throughout the campus are monitored by a Department officer in real time.

Department officials indicated that the policy is to require that overtime work be assigned on a voluntary basis. If there are too few volunteers for a particular assignment, then additional officers will be mandated to work. Department officials use a daily roster to assign officers to the various posts. Public Safety officials informed us that officers are required to log their activities at least once per hour while assigned to a post.

Audit Findings and Recommendations

CUNY Central has not provided sufficient guidance and oversight to the colleges with respect to time and attendance controls, including those for overtime. Further, neither CUNY Central nor York had adequate internal controls over time and attendance for Public Safety officers. Consequently, neither CUNY Central nor York officials verified the hours worked by Department staff, officers altered their time cards by manually adjusting (writing over) machine-generated time stamps, and officers were sometimes paid for time not worked.

The lack of procedural controls as well as the Department's general approach to overtime likely led to the payment of unauthorized and/or excessive overtime costs. Moreover, Department scheduling practices (specifically the staffing of an overnight fire watch shift on an overtime basis rather than as a regular shift) resulted in significant amounts of overtime for certain employees on a regular basis. During the audit period, York could have saved about \$40,500 by assigning the "fire watch" as a regular shift (to either junior or contracted security officers) at regular pay rates rather than overtime.

Controls Over Employee Time and Attendance

Time records should be signed by the employee who prepares them, attesting that they are accurate. The employee's supervisor should sign and date the time records to document their review and verification of the work hours. There should be a system in place to ensure that officers cannot clock in or out for one another. Supervisors should maintain rosters of staff who work each shift.

At York, the tour roster, which displays each officer's location and scheduled post, is used during roll call and acts as a default schedule and proof that an individual has actually worked. All hourly Public Safety officers are required to punch a time clock at the beginning of their tour and punch out at the end. Salaried officers, including the Chief and Lieutenant, do not punch a time card; instead, they fill out a monthly time sheet.

At the end of each pay period, a Department timekeeper reviews all time cards and totals the hours worked per the punch clock's daily time stamps. He records the total hours on the time card and notes any days that are missing time stamps and the corresponding hours of leave accruals to be charged. If overtime is incurred, the timekeeper prepares Overtime Authorization forms and submits them to the Department Chief for his signature and approval. Therefore, overtime is formally approved after it has been worked (and not prior to it being worked). The time cards and overtime forms are then forwarded to the York Payroll Unit where the hours to be charged are entered into the CUNY payroll system. The overtime hours worked are sent electronically to CUNY Central office to be processed. No reconciliation is performed between the Overtime Authorization forms and the hours employees are paid based on their time cards. Thus, overtime is paid whether or not it is formally pre-approved.

We examined Department officers' time cards for two years and noted hand-written alterations

on several officers' cards. In particular, the time cards of two sergeants had multiple alterations, including instances when the cards' punched times and/or dates were crossed out and other times or dates were hand-written over them; or the card was not punched and the time was written in. For one of the sergeants, the time cards for the first four pay periods of 2012 displayed double, overlapping, illegible dates and times that were not corrected or initialed. We were not able to determine whether the number of hand-written hours matched the time stamps. Moreover, Department officials could not definitively explain why the alterations were made and who made them.

In total, there were 175 alterations - 104 for one sergeant and 71 for the other. Based on our review, we question whether a total of 870 hours were actually worked (570 hours for one sergeant and 300 hours for the other). The two employees received a total of \$21,100 in pay for those hours. An example of one sergeant's time card (for the week of April 26 through May 2, 2013) is shown below. On May 2, an alteration was made to the sign-out time, changing it to 9:00 p.m. and entitling the employee to 6 hours of overtime. In total, the time card was altered five times during that week. Further, the changes were not signed off by either the employee or his supervisor.

13 MAY	TH	2	9:00 PM	8	6	-
13 MAY	TH	2	6:54 AM	8	3	-
13 MAY	WE	1	6:00 PM	8	5	-
13 MAY	WE	1	6:54 AM	8	5	-
13 APR	MO 29		8:00 PM			
13 APR	MO 29		6:59 AM			
13 APR	SU 28		3:35 PM			
13 APR	SU 28		6:57 AM	8	-	-
13 APR	FR 26		5:30 PM			
13 APR	FR 26		6:00 AM	-	11½	-
13 APR	TH 26		9:00 PM			

A time clock can serve as an effective control over employee time and attendance. However, allowing employees to cross out times or otherwise alter the cards circumvents that control. Also, there was limited control to ensure that officers do not clock in or out for each other, as the time clock and cards were located in an area that could not be adequately monitored by

Department supervisory or other York staff.

The poor control environment was due, in part, to a lack of comprehensive policies and procedures for Public Safety officer timekeeping issued by either CUNY Central or the Department. CUNY Central has not performed its oversight function by communicating its expectations regarding internal controls as they pertain to York College Public Safety operations. As a result, Department officers may receive inappropriate additional pay (i.e., overtime) or not charge accruals for leave time taken.

We shared this finding with CUNY Central officials, who agreed that access to time cards should be controlled and monitored to prevent officers from clocking in for others. They informed us that York is taking steps to place the punch clock and time cards in a more secure area and to strengthen overall controls over time and attendance. This includes requiring officers to sign their cards at the end of each pay period and requiring the director to review and initial any changes on the cards. In addition, the Director of CUNY Public Safety plans to catalog the various policies and procedures used by the campuses in an effort to bring about standardization.

Management of Overtime

In addition to standard security duties, the Department also provides security for special events, which often results in overtime duty for officers. Also, occasional unplanned overtime work is necessary, such as when an officer calls in sick. Because the Department's overtime expenses were significant (16 percent of total payroll costs in 2013), we assessed the policies and procedures for overtime.

We determined that neither CUNY Central nor the Department has specific policies and procedures to limit overtime costs to the least amount necessary. Overtime expense should be included in the Department's annual budget and periodically compared to actual overtime incurred. However, the budget provided to us by CUNY Central officials did not specifically address overtime. We also inquired as to whether the Department conducted a staffing analysis to ensure that personnel is deployed in the most efficient and cost-effective manner; however, no such analysis was performed.

Lacking budgetary and other controls, we concluded that Department officials did not adequately plan and limit overtime costs. The Department uses a daily tour roster to assign officers to various standard posts (including an overnight fire watch shift), some of which result in overtime. The Department scheduled significant amounts of overtime for certain employees on a recurring basis. In addition, prior approvals were not obtained for overtime. Further, surveillance videos of officers' fire watch activities indicated that officers were not performing required patrols. Thus, we questioned whether CUNY Central or the Department did enough to minimize unnecessary overtime costs.

Overtime Authorization

To effectively control overtime, the Department should require overtime-eligible employees to obtain advance, written supervisory approval to work additional hours beyond their regular work schedule. In addition, an employee's overtime work should be approved by the officer's supervisor, who has direct knowledge of the need for overtime and of the work actually performed. An independent person should then reconcile the overtime approval forms with the employees' time cards.

To determine whether overtime was properly pre-approved, we reviewed a randomly selected sample of 50 overtime authorization forms for 32 employees from fiscal years 2012 and 2013. In total, these overtime records supported about \$160,000 in payments. However, there were no written pre-approvals for any of the 50 employee overtime records that we reviewed. Instead, for each of these 32 employees, the director formally approved the overtime after it had already been worked. As noted previously, the Department timekeeper (rather than officers' supervisors) prepared the Overtime Authorization Forms. Further, the Overtime Authorizations were prepared after the overtime was worked (and not prior to being worked). Moreover, because the timekeeper prepares the Authorizations and processes employee's time cards, there is an inadequate separation of otherwise incompatible duties.

CUNY Central officials told us that York is working to improve the timeliness of employee and supervisory signoffs of time cards and to ensure that overtime is formally pre-approved, except in emergency situations.

Fire Watch

When the fire-alarm system in York's Performing Arts Center (Theater) needed to be replaced over four years ago, the Department added a special 24-hour fire watch post to this building. Section 901.7 of the New York City Fire Code requires that when a required fire protection system is out of service, the building shall either be evacuated or a "temporary" fire watch shall be maintained by one or more persons holding a certificate of fitness for fire guard. It further provides that the fire guard shall perform constant patrols of the protected premises and keep watch for fires until such systems are restored to good working order.

To help minimize overtime costs, management should limit the amount of recurring overtime incurred as part of regularly scheduled post assignments. The overnight shift for the fire watch post, however, was not assigned to Department staff as a regular shift. Instead, it was generally staffed by York Public Safety officers or contract officers on an overtime basis. Since Department policy requires that overtime be assigned on a voluntary basis, each officer who volunteers to work an overtime tour should have an equal chance of receiving the assignment.

We selected a random sample of 50 overnight Theater fire watch shifts that occurred in 2012 and 2013 and found that 49 (98 percent) of these shifts resulted in overtime. Further, this shift and the associated overtime pay was assigned to a relatively small number of officers, often according

to a set pattern. Public Safety overtime records show the following:

- One officer earned \$12,866 in theater fire watch overtime in 2013, or 54 percent of his total overtime for the year;
- Another officer earned \$15,496 in theater fire watch overtime in 2013, or 53 percent of his total overtime for the year; and
- A third officer earned \$11,091 in theater fire watch overtime in 2013, or 48 percent of his total overtime for the year.

We found that the same 10 (out of 44 available) officers worked this shift on 342 (93 percent) and 339 (93 percent) of the days in 2012 and 2013, respectively. Four of the 10 officers were supervisors (corporals and sergeants) rather than junior officers. For example, during 2013, a corporal worked 40 Monday fire watch shifts; another corporal worked 41 Wednesday shifts; and a sergeant worked 39 Tuesday shifts. Department officials explained that there were insufficient volunteers to work the fire watch post. However, officials had no documentation of a lack of volunteers.

We also noted that there was no particular need to assign supervisory personnel (sergeants and corporals) to the fire watch shifts. In fact, junior officers could have handled them adequately. Therefore, we concluded that York should have maximized the extent to which junior officers were assigned to the fire watch shift. Moreover, because this shift had to be manned daily for a foreseeable period, it could have been part of York's regular officer tour rotation (paid at regular time), and significant amounts of overtime could have been avoided. We estimate that York College could have saved as much as \$40,500 by assigning this as a regular shift, to junior staff or contract officers, at straight regular pay rather than overtime.

Verifications of Staff and Related Post Assignments

We performed several unannounced site visits to determine whether the officers were at their assigned work locations and performing their duties. Generally, we found that they were at their assigned posts and working as required. However, we made some reportable observations regarding staff assigned to the overnight fire watch.

York is equipped with a video surveillance system, which is used to ensure the safety of the campus and to monitor various security posts. Further, the electronic images are retained for a period of time (up to seven months), depending on the video equipment in question. We reviewed the video surveillance footage for six selected overnight Theater fire watch shifts and observed the following:

- For two shifts, a sergeant was paid overtime for hours that he did not actually work. These extra hours were punched in on his time card, and he was listed on both the staff roster and Overtime Authorization form as having been assigned to the Theater overnight fire watch. However, the Theatre video footage for both of these shifts showed that another officer (not the sergeant) actually worked the shifts in question. The Public Safety Office log at the Theater confirmed that another individual worked the fire watch on both these

nights; and

- Three other officers (including two corporals) assigned to this post on three different nights spent extensive periods of time in one particular area instead of patrolling the entire building. The video showed two of these individuals entering the main auditorium and emerging more than four hours later. The third individual turned off the light, sat in a reclined position, and remained motionless for nearly five hours (and might have been sleeping). Despite the officers' extended inactivity, there were hourly entries in the Theater fire watch log book that conditions were clear.

On February 20, 2014, one day before we conducted a surprise floor check, the fire alarm system repairs were completed, and the Theater fire watch was discontinued. At that point, York officers (one corporal and two junior officers) replaced the contracted officers who worked an overnight fire watch post in another building. The same officers (previously assigned to the Theatre) routinely earned overtime for shifts at the other site. One day after we reviewed the video surveillance footage, these fire watch posts were re-assigned to the contracted officers.

We shared these findings with CUNY Central officials, who responded that most junior officers did not routinely volunteer for fire watch duties, and the sergeant in charge of fire watch assignments often took that tour when other officers could not be assigned. Officials also told us that the Department took disciplinary action against the officers who did not properly discharge their duties while on fire watch. They were issued letters of reprimand, forfeited one annual leave day from their accrued balances, and were precluded from performing any future fire watch duties. In addition, the sergeant who was paid overtime for hours he did not actually work is under investigation.

Recommendations

CUNY Central should:

1. Develop and implement formal comprehensive policies and procedures for Public Safety officer timekeeping and overtime at the colleges and provide oversight to ensure compliance with those policies and procedures.

York College should:

2. Develop and implement formal comprehensive policies and procedures for Public Safety officer timekeeping, including requirements for time card signatures and controls to ensure that time card stamps and any hand-written alterations are valid. Actively monitor compliance with such policies and procedures.
3. Prepare an overtime budget for the Department, and compare budgeted and actual overtime. Ensure that the Department plans its overtime needs based on efficient use of all staff.
4. With the exception of emergencies, ensure that overtime is formally pre-approved by the

responsible supervisor.

5. Assign someone not involved in the preparation of overtime forms to regularly reconcile overtime worked to the employee time cards. Promptly resolve any discrepancies that are identified by the reconciliation.
6. Minimize overtime costs by establishing regular shifts or using contracted officers, in cases such as the fire watch, for the shifts and posts that are scheduled on a recurring basis.
7. Ensure that fire watch guards perform required patrols of the protected premises and keep watch for fires, as required by the Fire Code.

Audit Scope and Methodology

We conducted this audit to determine whether York College had adequate controls over the time and attendance of Public Safety employees to provide reasonable assurance that they worked the hours for which they were compensated. The audit covers the period from January 1, 2012 to May 31, 2014.

To accomplish our audit objective, we reviewed relevant statutes, rules and regulations, and policies and procedures. To obtain an understanding of internal controls relevant to employee time and attendance, we interviewed personnel in public safety, human resources, payroll, timekeeping, and facilities management at CUNY Central and York College. We also spoke with officials at Summit Security Services, Inc., which has a contract to provide security staff at York. We reviewed personnel files; log books, rosters, and schedules; and time and attendance and payroll records of both staff and contracted employees. We observed video surveillance footage for selected personnel and dates and conducted surprise floor checks to see if employees were on the job and performing their duties during the hours for which they were paid. We compared the costs of using contract employees versus paying overtime to York public safety employees.

We conducted our performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

In addition to being the State Auditor, the Comptroller performs certain other constitutionally and statutorily mandated duties as the chief fiscal officer of New York State. These include operating the State's accounting system; preparing the State's financial statements; and approving State contracts, refunds, and other payments. In addition, the Comptroller appoints members to certain boards, commissions, and public authorities, some of whom have minority voting rights. These duties may be considered management functions for purposes of evaluating organizational independence under generally accepted government auditing standards. In our opinion, these

functions do not affect our ability to conduct independent audits of program performance.

Authority

The audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law.

Reporting Requirements

We provided a draft copy of our report to CUNY and York College officials for their review and comment. Their comments were considered in preparing this final report and are included in their entirety at the end of the report. In response to our draft report, CUNY officials agreed with our recommendations and described planned actions to strengthen the time and attendance controls for public safety employees.

Within 90 days of the final release of this report, as required by Section 170 of the Executive Law, the Chancellor of the City University of New York shall report to the Governor, the State Comptroller, and the leaders of the Legislature and fiscal committees, advising what steps were taken to implement the recommendations contained herein, and where recommendations were not implemented, the reasons why.

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Vision

A team of accountability experts respected for providing information that decision makers value.

Mission

To improve government operations by conducting independent audits, reviews and evaluations of New York State and New York City taxpayer financed programs.

Agency Comments



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of
New York

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February 27, 2015

Mr. Frank Patone, CPA
Audit Director
Office of the State Comptroller
123 William Street, 21st Floor
New York, NY 10038-3804

Re: Draft Report# 2013-S-65—Time and
Attendance Practices for Public Safety—
York College

Dear Mr. Patone:

We reviewed the above-referenced draft audit report, and we appreciate the opportunity to respond to the findings and recommendations contained therein.

As a general comment, the University and the College are committed to the proper administration of sound timekeeping practices. Such practices are designed to ensure that all time used is authorized, accurate, and properly recorded so that employees do not receive compensation, service credit, or any performance-based emoluments for time not actually worked. The College takes very seriously the cited instances of non-compliance and has taken measures to improve processes and redress policy violations.

The following section contains the University and College's responses to the audit recommendations:

Recommendation

1. *CUNY Central should develop and implement formal comprehensive policies and procedures for Public Safety officer timekeeping and overtime at the colleges and provide oversight to ensure compliance with those policies and procedures.*

Response

As we noted in the university's response to the preliminary draft report, CUNY Public Safety officers are employed by the respective colleges and are therefore expected to abide by their college's timekeeping and overtime procedures, such procedures are designed to effectuate University Human Resource policy. As was also noted in the University's response to the preliminary draft report, and as the current draft report



reflects, the University Director of Public Safety has undertaken to catalog the various time and leave and overtime procedures in force at the campuses, in an effort to normalize divergent practices.

In addition, the University is developing a University-wide time and leave system that will introduce state-of-the-art technology into the time and leave process and will improve the timeliness and accuracy of timekeeping information and reporting and will standardize reporting workflows and approvals. The system is expected to be fully implemented by the end of 2016.

Recommendation

2. *York College should develop and implement formal comprehensive policies and procedures for Public Safety officer timekeeping, including requirements for time card signatures and controls to ensure that time card stamps and any hand-written alterations are valid. Actively monitor compliance with such policies and procedures.*

Response

York College agrees with this recommendation.

Recommendation

3. *Prepare an overtime budget for the Department, and compare budgeted and actual overtime. Ensure that the Department plans its overtime needs based on efficient use of all staff.*

Response

York College agrees with the recommendation. Overtime has been and remains to be voluntary, unless there is a gap between the number volunteers and the coverage needed. However, to establish a clear record and foster an atmosphere of fairness, voluntary overtime is now offered utilizing a sign-up process, accessible to all officers.

Recommendation

4. *With the exception of emergencies, ensure that overtime is formally pre-approved by the responsible supervisor.*

Response

York College agrees with this recommendation. In addition to the sign-up sheet referred to above, notations are now made in the log book and memo book to document that overtime is authorized in advance by a Sergeant, the Lieutenant, or Chief.

Recommendation

5. *Assign someone not involved in the preparation of overtime forms to regularly reconcile overtime worked to the employee time cards. Promptly resolve any discrepancies that are identified by the reconciliation.*

Response

York College agrees with this recommendation.

Recommendation

6. *Minimize overtime costs by establishing regular shifts of using contracted officers, in cases such as the fire watch, for the shifts and posts that are scheduled on a recurring basis.*

Response

York College agrees with this recommendation; however, with respect to suggestions in the draft report that fire watch may be devolved to junior department staff or contract officers on a straight-time basis, the College would offer the following clarification:

New York City Fire code mandates that for any occupancy where a required fire protection system is out of service, a fire watch be maintained by one or more persons holding an F-01 or F-32 (Fire Guard for Shopping Center) or F-36 (Fire Guard Generic) or F-91 (Hotels/Motels/Office Buildings) certificate of fitness. Training and certification for this assignment is provided by the NYC Fire Department, not by the CUNY Public Safety the Training Academy. While the College can provide officers time to take the training and certification test, it cannot decree that an officer does so. Since only some officers on staff have an active Fire Guard Certification, fire watch duty cannot be assigned arbitrarily to any and all officers.

Recommendation

7. *Ensure that fire watch guards perform required patrols of the protected premises and keep watch for fires, as required by the Fire Code.*

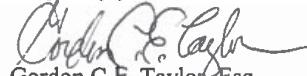
Response

York College agrees with this recommendation. With respect to the fire watch coverage lapses identified by the auditors, the College took the following actions utilizing the Summary Penalty protocols set forth in the Public Safety Operations Guide: One Sergeant received a Summary Penalty of two days suspension. Two Corporals and one Campus Security Assistant were issued Letters of Reprimand, and each had to forfeit one annual leave day from their accrued leave balances.

Public Safety Directors are permitted to issue summary penalties for Rules of Conduct violations without having to file formal disciplinary charges, an appreciably more lengthy process. This capability allows Public Safety to swiftly address violations, especially those that impact safety and security. In addition, the Officers in question are no longer allowed to perform any fire watch duties in the future.

Thank you for again for the opportunity to respond to the draft report. If you have questions or need additional information, please contact me at your earliest convenience.

Very truly yours,



Gordon C.E. Taylor, Esq.
University Executive Director

cc: Chancellor James B. Milliken
Executive Vice Chancellor and COO Allan H. Dobrin
Vice Chancellor Gloriana B. Waters
Vice Chancellor Matthew J. Sapienza
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