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Investigation Uncovers Time Abuse By Department of Education Workers

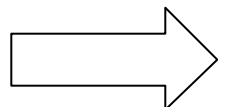
RICHARD J. CONDON, Special Commissioner of Investigation for the New York City School District (SCI), today announced the findings of a 6-month investigation conducted by his office, which uncovered time abuse committed by skilled trades workers employed by the New York City Department of Education.

In August of last year, a Moreland Act Commission on New York City Schools released a report on how the City builds and maintains its public schools. The report pointed out that in addition to the 1,000 custodians and their 7,000 helpers, there are 1,000 skilled trades workers in the Office of Building Services including painters, electricians, carpenters and others who are charged with making repairs. Despite this army of 9,000 to maintain 1,200 buildings, the Commission found that there was a backlog of maintenance work consisting of 15,000 to 20,000 work orders. Skilled trades workers perform the jobs that are beyond the contractual obligations of custodians, including electrical, plumbing and carpentry work. When the work is beyond their capacity, it is contracted out. Between 2000 and 2002, the backlog remained constant.

The investigation was self-initiated to determine why the skilled trades workers could not make a dent in the backlog. It began with surveillance. Of the 13 individuals placed under surveillance, 8 were found to be somewhere other than at their Department of Education jobs during the workday. Surveillance operations were suspended after an anonymous source notified SCI that the existence of the investigation had been uncovered. The source forwarded a document, addressed "TO ALL – DSF – FIELD MEMBERS IN ALL BORO'S!" from "Your UNION AT WORK!," which alerted employees that members were being "followed from their home to work, and during the course of a workday." It warned workers: "To avoid any problems, be where you are supposed to be."

Surveillance revealed:

- An electrician who, on Department of Education time, conducted his own electrical business. On at least five different dates he visited customers of his electrical business, twice on days when final inspections were being done by the Department of Buildings. He also spent time at his home and running various errands.



- A furniture maintainer who simply did not go to work at all on the day he was watched. He manipulated a time clock to falsely record that he worked from 7:13 a.m. to 1:00 p.m.
- A construction laborer, who spent part of the afternoon in a gym, then sat in a van until he went back to work for six hours of overtime. Records at the gym indicate he visited there on 72 other occasions during working hours.
- A painting supervisor who, on the three occasions he was surveilled, never worked through the afternoon. It is no wonder that one of the painters he supervised also took off on the afternoon we observed him.
- A laborer who spent 25 minutes delivering work material and the rest of the day at home. His time card reflected that he worked from 6:30 a.m. to 3:30 p.m.
- Two carpenters who, on the two days they were surveilled, spent more time sitting in a truck in front of the school than in the school itself. On one of those days they spent only one hour and thirty minutes in the school.

Special Commissioner Condon said: “Time abuse is a financial drain on the City’s public school system. No doubt it plays a role in the significant overtime that is paid to skilled trades workers. For example, in calendar year 2002, the Department of Education’s Division of School Facilities expended nearly \$1 million in overtime. This type of expenditure is difficult to justify when these employees do not perform a full workday with the Department during regular business hours.”

Evidence was referred to the District Attorneys in the Bronx, Brooklyn, and Queens and is under review to determine whether the employees should face criminal prosecution. Special Commissioner Condon has asked the Chancellor to terminate the employment of all 8 employees. Other recommendations include more on-site supervision of skilled trades employees, a revamping of the time clock system, and the outsourcing of repair operations.

New York City Department of Investigation (DOI) Commissioner Rose Gill Hearn said: “It is important that SCI and DOI are working with the Department of Education to try and find long-term solutions to this entrenched and byzantine problem.”

The Office of the Special Commissioner of Investigation for the New York City School District is part of the New York City Department of Investigation.

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