



Whistleblower Program 2006-07 Mid-Year Report

January 18, 2007

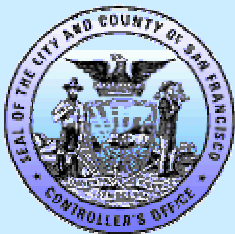
Whistleblower Hotline
554-CITY (554-2489)

Hotline Hours
M, W, Th, F 9:00 – 5:00
T 10:30 – 5:00
(message available 24/7)

Online
www.sfgov.org/whistleblower

E-mail
whistleblower@sfgov.org

Postal mail
Whistleblower Program
c/o Controller
City Hall – Room 316
1 Dr. Carlton B. Goodlett Pl.
San Francisco, CA 94102



Who Investigates Whistleblower Complaints?

The Whistleblower Program is mandated by the Charter to receive complaints and, when appropriate, investigate and otherwise attempt to resolve them. (Sec. F1.107). Appropriate matters to report to us are those which concern:

- wrongdoing (i.e. improper activities by City government officers and employees)
- misuse of City government funds and resources
- waste (wasteful and inefficient City government practices)
- the quality and delivery of government services



Complaints that may be reported to us but are referred elsewhere for investigation and resolution include those which law requires another agency to investigate, for example complaints of welfare fraud (investigated by the Human Services Agency), sexual harassment (DHR-EEO), campaign misconduct (Ethics Commission), or criminal violations (SFPD or District Attorney). We are also prohibited from investigating complaints which may be resolved through the grievance procedure.

For Your Info

Below are examples of the 119 allegations closed by the Whistleblower Program from 7/1/06 through 12/31/06, a summary of our investigations and their results.

Complaint Allegation

Complainant reported that a large piece of obsolete equipment belonging to the Department of Public Health was recently dismantled and the copper and other parts were sold for scrap, which is a standard procedure. Caller alleged that, rather than depositing the proceeds in the appropriate DPH account, the money was stored in a safe at the work location and was being used for inappropriate work-related activities.

Investigation and Result

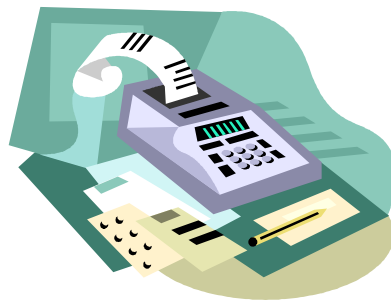
Investigation by the Office of the District Attorney determined the complaint had merit. A total of \$12,492 was recovered in remaining cash and restitution, delivered to the Office of the Controller, and deposited in the General Hospital scrap revenue account. The manager involved received a one week suspension.

Allegation that a City employee at San Francisco General Hospital had been stealing hospital supplies for several months.

Complaint was investigated with the assistance of the Institutional Police who conducted surveillance on the subject who was apprehended with three bags of hospital supplies as alleged. A subsequent search of the subject's residence by Sheriffs found additional supplies. Complaint found to have merit. Employee was immediately placed on leave pending discipline/termination and subsequently resigned with an unsatisfactory service notation in the personnel record.

Allegation that a City vendor was double billing departments and had received double payment. Specific invoice numbers were provided.

Auditors reviewed the invoices cited by the complainant as well as a sampling of additional invoices received by several City departments for this vendor. It was determined that there had, in fact, been double billing and double payment, however the discrepancies had been previously discovered and credit memos had been issued. Auditors were unable to identify any fraud; however a management letter is being prepared reviewing appropriate controls with the departments. In addition, a meeting will be held with their accounting and front line supervisors to review procedures.



Complainant reported a Department of Public Health Clinic employee was actually sited at a union office doing union business.

Investigation determined the employee had been given permission to relocate to the union office during some work location restructuring. This was supposed to be temporary, but a change in management caused the return to be overlooked. Complaint sustained and the employee was immediately ordered to return to his worksite.

Allegation that a City property owner did not have garbage pickup and had been placing all his trash in a City-owned receptacle on his corner for years.

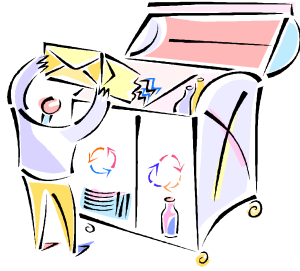
Investigation by the Department of Public Health Environmental Health Division sustained the complaint. The inspector issued a notice to obtain service from Golden Gate Disposal, and verified that the owner has complied.

Complaint that the reported cost of renovations to a City residential property had been severely undervalued on their Department of Building Inspection permit request causing the City loss of fee payment.

Investigation by the Department of Building Inspection and Planning Department determined that the construction value of the property should be revised from \$90,000 to \$350,000. Complaint sustained. An additional \$5,809 in fees was collected from the owners.

Complaint that two dog-related businesses were being operated from a San Francisco residence not zoned for that purpose.

Complaint that ordinary trash and recycling were being commingled at the Library's Main Branch in violation of the City's Resource Conservation Ordinance (Chapter 5 of the SF Environment Code).



A Muni employee reported unfair over-assignment frequently affecting the ability to leave the busy public area and duties for lunch or other breaks, and requiring employee to work uncompensated overtime.

Allegation that a School District employee was fraudulently using a disabled placard in her personal vehicle.

Did You Know?

A 2004 survey by the Association of Certified Fraud Examiners revealed that various forms of fraud are detected 40% of the time by tips, which made this the leading method for detecting fraud.



Planning Department inspectors made site visits and found no zoning violations. In addition, review by the Treasurer/Tax – Collector's Office determined that both businesses were in compliance with City laws and Codes. Complaint not sustained.

Investigation determined that the Main Library has a "co-collection" system where trash and recyclables are both dumped into the same compactor. This compactor is taken to Recycle Central, where machine and hand sorters separate the trash from the paper, bottles and cans. In most cases, City departments place trash and recyclables in separate containers; however City Hall and the Main Library are two locations that use the co-collection system. The City has a goal of 75% waste diversion for City departments by 2010. The Library has already achieved 70%. Complaint not sustained.

Department has made staffing and procedural changes to alleviate the situation.

Employees who believe they are unfairly subject to over-assignment may file a grievance with their department supervisor, their personnel officer, the Employee Relations Division of Human Resources, or their bargaining unit. Each MOU contains a detailed procedure.

Investigation determined the placard was legally registered. Complaint was not sustained.

Suspicious of disabled placard abuse may be referred to the Department of Parking and Traffic at 554-9818. Placard abuse can result in the cancellation and revocation of the placard and loss of the privileges it provides, and is punishable by a minimum fine of \$250 up to \$3,500 or imprisonment up to 6 months or both.

Examples of complaints received regarding misuse of City vehicles:

1. Allegation that a City car was being used for personal business because car was parked at a business outside City limits and had two child safety seats installed.
1. City employees routinely drive City vehicles outside the City limits on approved business. This vehicle was being used by a Human Services Social Worker to transport children. Complaint not sustained.
2. Complainant reported questionable use of a City vehicle.
2. Investigation determined the vehicle is assigned to the Department of Elections. When the manager went to the location where the vehicle was assigned, he found the truck missing and reported it stolen. It was later located vandalized at Monster.com Park. It was repaired by Central Shops and returned to the department.
3. Allegation that a City car was seen being used for possible personal purposes on several Saturdays.
3. Investigation determined that the vehicle was assigned to the Parking Authority for use in an ongoing traffic study for three consecutive Saturdays regarding a proposed Saturday closure of the east end of Golden Gate Park. Complaint not sustained.
4. Allegation that a City car had been periodically parked in a residential area for approximately two hours per occurrence.
4. Investigation determined the driver was visiting a relative during his lunch period. Complaint sustained. Employee received counseling on appropriate use of City vehicle and was ordered to restrict his lunch to the allotted time.
5. Complaint that a City van ran a stop sign. When complainant reached the van at the next stop light, he complained to the driver who allegedly swore at the complainant in response.
5. The Muni employee was identified and counseled. Complaint sustained. Employee was given a verbal warning, the first level of City discipline.
6. Complainant reported seeing an employee urinating in the street behind the open rear door of a City van.
6. The van is assigned to the Department of Telecommunications & Information Systems. Complaint sustained. Employee was given a verbal warning.
7. Complainant observed a City vehicle truck park at a pot club and the driver enter the club.
7. Truck is assigned to the Department of Public Works. Complaint had merit. Disciplinary action taken against the employee.
8. Complainant reported—and submitted pictures of—a City truck which had parked on a corner in front of a fire hydrant on a Sunday. The employee entered a residence where he remained for at least an hour and a half.
8. Truck is assigned to the Department of Public Works. Complaint had merit. Disciplinary action taken against the employee.

