



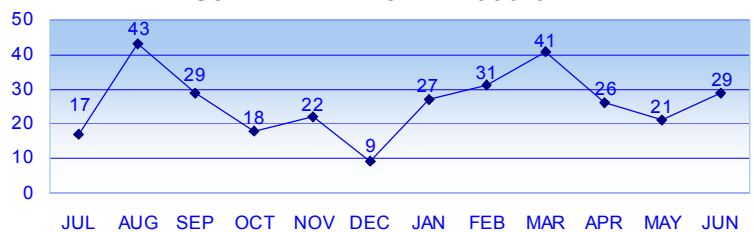
Whistleblower Program Annual Newsletter

FY 2006-07

The Whistleblower Program received a total of 313 contacts during FY 2006-07. About a third were true whistleblower complaints—those alleging waste, fraud, abuse of City resources or employee misconduct.

Other complaints concerned general City services, non-government City issues, or were otherwise outside City jurisdiction.

SUMMARY BY MONTH 2006-07



Anyone who has a whistleblower complaint may file it by calling the Whistleblower Hotline, completing an online web form, or by email or postal mail. **Other complaints regarding City services should now go to the City's new 311 Customer Service Center** (see p. 4).

In FY 2006-07, 50% of the complaints to the program were received via the Hotline, 35% via the online complaint form, and 12% by email or letter.

Below are examples of complaint allegations and investigation results from some of the 153 complaints closed during the period January 1, 2006 through June 30, 2007. (See the 2006-07 Mid-Year Report on our website for examples from the first half of FY 2006-07.)

Complaint Allegation

Allegation that a Recreation and Parks Department employee was using an illegal substance during work hours, and was frequently absent without authorization.

Human Services agency employee alleged to be under the influence of alcohol during work hours.

Resolution

Complaint found to have merit. Employee has been terminated.

Upon investigation, complaint was found to have merit. Employee was counseled and received a written warning including notice that further incidents could lead to suspension and/or termination.



47% of all complaints were resolved within three days.

Report that the owner of rental housing in the City containing four units had not obtained a business license nor paid the required fees.



Investigation by the Treasurer-Tax Collector's Office determined the complaint had merit. Owners of rental housing with four or more units must obtain a registration certificate from the Tax Collector in accordance with the City and County of San Francisco's Business and Tax Regulations Code Article 12. Owner was contacted and has now complied with the regulation.

Caller complained of being assaulted by San Francisco police officers.

Complainant was put in contact with the Office of Citizen Complaints (OCC) which has jurisdiction over allegations of police misconduct. Complaints can be made at the OCC office at 480 2nd Street #100 San Francisco, 94107; by phone (597-7711); by mail; by utilizing their online complaint form at www.sfgov.org/OCC; or at any district police station.

Caller complained of the condition of the Beideman/O'Farrell Mini-Park, including scattered trash and dumping, as well as weedy conditions.



The Neighborhood Services Manager for this park directed an immediate clean-up of debris, including that which is the responsibility of Sunset Scavenger. In addition, staff has been directed to design landscaping with "low maintenance" in mind. The gardener responsible for this park also is assigned to two other large parks and responds to emergencies in other area parks, playgrounds and fields.

Report that Air Canada operates in San Francisco and has failed to register or obtain a business license.

Investigation by the Treasurer-Tax Collector's Office determined that the business has its offices in Quebec, Canada, operates only flights in and out of the San Francisco Airport, and has no business offices in San Francisco; therefore the business does not have to register or obtain a business license from the City.

Complaint that an applicant for San Francisco Police Officer had failed the agility test, but was able to advance to the Oral Board portion of the exam.

Investigation determined that in previous testing cycles an applicant who failed the physical ability test would not be allowed to participate in the oral interview. However, the announcement for this exam had been amended to allow candidates who pass the written examination to be placed on an eligible list which is valid for two years so they can improve their physical fitness and return at a later date to take the physical test without having to retake the written portion. No violation found.

Allegation that a Department of Public Works employee was using City email to send invitations to political events.



Complaint was found to have merit. Employee received a written warning citing San Francisco law prohibiting employees from engaging in political activity during working hours or on City premises.

Report that several Juvenile Probation employees were assigning detainees to wash the employees' personal laundry.

Complaint found to have merit. Employees involved were verbally warned (generally the first level of City discipline) and given a copy of the City's policy on use of City resources for personal business, which they were required to sign to acknowledge receipt and understanding.

Report of possible improprieties by a vendor in fulfilling a contract with the City for battery purchasing, including items not available being listed as available, some questionable charges, and vendor's facilities and vehicles were not properly indicating presence of hazardous materials.

Investigation by the Office of the City Administrator's Purchasing and Central Shops staff determined some merit to the complaint. The vendor was formally notified of actions to be taken in order to retain City business. Periodic follow-up will be conducted to assure compliance.

Complaint of smoking on the job by Maintenance Division employees at the Airport.

Investigation did not confirm the complaint, however, new signage has been posted, and the issue was addressed at the weekly managers' meeting.



Complaint that a City Administrative Services custodial employee was removing returnable bottles and cans from City recycling containers at employees desks for the purposes of collecting the CRV refund.

Complaint found to have merit. Employee received a written warning and all custodial staff in the section were reminded of the City policy prohibiting use of City resources for personal gain.

Report of San Francisco police officers guarding a private construction site. Caller questioned whether officers were on the City clock and being paid from City funds.



The officers were off-duty and working in accordance with Section 10B.2 of the City's Administrative Code which allows private companies to pay the Police Department equivalent salary and administrative costs for officers' services. No violation found.

Complaint that a Department of Public Health supervisor was inappropriately allowing an employee to accumulate and use compensatory time off. (Compensatory time off in lieu of pay may be available to employees as a means of compensation for overtime.)

Complaint found to have merit. Investigation found that the supervisor was not documenting the employee's time per department procedures. Supervisor was counseled regarding time-keeping responsibilities, reporting procedures, and appropriate use of compensatory time off.

Allegations of misuse of City vehicles:

- City vehicle belonging to Juvenile Probation being taken home overnight and being used for personal business.
- Report that a City vehicle was being used for a private paratransit business.
- Report that a Department of Building Inspection vehicle was parked in front of their offices with a case of beer on the front seat.
- Several School District vehicles have been parking in the Noe Valley business district while employees take extended breaks. During investigation one vehicle was observed parked in a disabled parking slot.
- Employee in Central Shops truck observed smoking in vehicle.
- Allegation that a MUNI employee was taking his City van home and working on personal projects for several hours a day.
- Vehicle user has permission to home garage the vehicle as her work location is remote. Employee was given a verbal warning that there is to be no personal use of the City vehicles, whether or not they are authorized to be taken home overnight.
- Investigation determined vehicle had been sold at auction several years ago, but the City seals and department identification numbers had not been removed by the auction agency. Owner was notified and cooperated with removal of the seals and numbers.
- Complaint found to have merit. The employee admitted having purchased non-alcoholic beer during his lunch hour (he provided a receipt as proof). He was given a verbal warning reminding him of the City vehicle use policy. In addition, other vehicle users were also given a copy of the policy.
- Complaint found to have merit. Five employees and three vehicles were identified by pictures taken during investigation. All employees were counseled and issued written warnings.
- Complaint found to have merit. Employee counseled and received letter of instruction regarding City vehicle no-smoking policy. In addition all shop staff reviewed the policy.
- Complaint found to have merit. Employee and employee's supervisor given verbal warnings.

Whistleblower Hotline
554-CITY

Hotline Hours
M, W, Th, F 9:00 – 5:00
T 10:30 – 5:00

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



Dialing 311 connects City residents with representatives who will take complaints and requests for information regarding general City services, and will assist with non-emergency City and County of San Francisco government matters. If calling from outside a San Francisco area code, you may call by dialing 415-701-2311. 311 offers assistance in over 145 languages as well as TTY access. Read more about this new service online at www.sfgov.org/311.