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REPORT NO. 2015-14

TO: Robert Powell, Director
Utilities

FROM: Hector Collazo Jr.
Inspector General/Chief Audit Executive 

DIST: Ken Burke, CPA, Clerk of the Circuit Court and Comptroller
Peggy Rowe, Director, Human Resources
Mark Woodard, County Administrator

SUBJECT: Investigative Review – Utilities Certification Incentive Policy

DATE: June 22, 2015

The Division of Inspector General's Public Integrity Unit (PIU) received allegations regarding the application of the County's Utilities Certification Incentive Policy. We investigated the following allegations relating to the inconsistency of the application of the Utilities Certification Incentive Policy.

The anonymous complainant alleges that the respondent (Utilities):

1. Was not consistently following the Utilities Certification Incentive Policy.
2. Was not consistently awarding employees the certification pay once the employee obtained a predetermined certification as defined in the policy.
3. Was not consistently requiring employees receiving certification pay to repay overpayments of that incentive upon leaving the job classification or operational unit defined within the policy. Example: An employee that transferred out of Utilities was requested to repay \$1,300, which was approved by the County Attorneys' Office.

The complainant did not provide documentation to assist with the investigation.



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To determine whether the allegations were substantiated, we reviewed policies, procedures, and any other records deemed appropriate. We also conducted interviews of staff and other parties, as needed. Our investigation was performed according to the *Principles and Standards for Offices of Inspector General* and *The Florida Inspectors General Standards Manual* from The Commission for Florida Law Enforcement Accreditation.

During the early stages of our investigation, it became apparent that management had become aware of the issues related to the Utilities Certification Incentive Policy (Policy) back in November 2014. Utilities' Administration, Human Resources, and the County Attorneys' Office met to discuss the issues with the Policy, the process, and its implementation. Utilities' Administration conducted a review and analysis, completed in early June 2015. The scope of their analysis was to determine which employees are affected, the financial impact to the County, and to provide recommendations for changes, if required. Utilities' Senior Management is currently reviewing the results of that analysis. It is important to note that any recommended changes to the Policy must be submitted to the Unified Personnel System's Personnel Board for their approval.

Based on the fact that management is currently aware of the allegations and has a plan of action, we determined that additional investigative work at this time was not required. However, we will monitor management's progress and determine if any additional future investigative work is needed.

The Division of Inspector General's investigation of the allegations has preliminarily determined that the allegations noted above were:

1. **Unsubstantiated.** The Certification Incentive Pay Policy approved by the Unified Personnel System's Board on June 2, 2005 is limited to predetermined certifications that are job classification and operational unit specific. The Policy also requires, "Employees must also apply the principles of the certification level on a regular basis in the course of work." The Policy requirements may have led to employee misunderstanding. The Policy is currently under review by Utilities' Senior Management and we will monitor management's progress and determine if any additional future investigative work is needed.
2. **Unsubstantiated.** The policy specifies that the awarding of the incentive pay is based on more than the employee being awarded the certification. There is additional criteria within the policy that must be met in addition to achieving the certification. The employee must meet all the requirements of the policy prior to being awarded the certification pay. The Policy is currently under review by Utilities' Senior Management and we will monitor management's progress and determine if any additional future investigative work is needed.
3. **Unsubstantiated.** Since the policy is job classification and operational unit specific, a transfer out of the approved classifications or operational units would

render the employee no longer eligible to continue receiving the certification pay. There is currently an issue in this area for adjusting the pay of employees transferring from an approved job classification to a non-approved job classification as defined within the Policy. It has been determined that some employees did not have their pay adjusted. To date, there has been no action taken by the County to recover the overpayments. Historically, the County required the pay be adjusted to the correct amount and requested reimbursement. The Policy is currently under review by Utilities' Senior Management and we will monitor management's progress and determine if any additional future investigative work is needed.

We want to thank management for their assistance and cooperation during this investigation.