

# STATE OF NEW YORK



## Office of the Inspector General Metropolitan Transportation Authority

### 2016 ANNUAL REPORT

**Barry L. Kluger**  
**Inspector General**

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<sup>1</sup> Readers of the electronic version of this Annual Report can press Ctrl + Click on <http://mtaig.state.ny.us/> to go directly to the Home page of our website, or on any of the numbers in parentheses to go directly to that page of this Report.



# ABOUT THE INSPECTOR GENERAL

## MESSAGE

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The Metropolitan Transportation Authority—North America’s largest transportation network—is a vast, complex, and costly operation. MTA subways, buses, bridges, and railroads transport billions of riders annually over thousands of miles to countless locations along the way.

To make this system run, the MTA employs tens of thousands of individuals and budgets billions of dollars for operating expenses and projects in its Capital Program.

And to help make this costly and complex system run even better, our independent Office of the MTA Inspector General provides oversight in two very basic ways: First, we conduct audits to help make MTA systems and operations work at optimal effectiveness and efficiency. Second, we conduct investigations to root out fraud, other misconduct, and abuse by those who work for or do business with the MTA.

To be sure, we do not work alone. Over the years, we have forged effective partnerships with numerous investigative and prosecutorial agencies on the federal, state, and local level. We have also forged positive relationships with countless dedicated and conscientious managers and staff of the MTA—individuals who want the MTA and those who do business with it to operate on a level playing field, strive for excellence, and best serve the public. And of course we work with straphangers, commuters, and other members of the public whom this enormous system is designed to serve and who help us keep a watchful eye on it.

In fact, our will to enhance communication with the public provided the impetus recently to redesign our website so that it is even simpler and quicker to navigate and easier to read. Toward that end we worked closely with the MTA Information Technology division throughout 2016, the result being a contemporary and visually-enhanced website that retains its essential core functions—to help you learn about us, and to help us do an even better job of helping the MTA watch its money carefully and serve its customers well. In particular, we have made it easier for you to report fraud and file online complaints about waste and other concerns. I encourage you to visit our redesigned website [<http://mtaig.state.ny.us/>] to see in detail the depth and scope of our oversight of the MTA.

With your continued input, my staff and I look forward to doing even more to help the MTA and its customers in the years to come.

## BRIEF BIO

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On February 14, 2007, **Barry L. Kluger** was appointed by the Governor to serve as Inspector General of the Metropolitan Transportation Authority. This appointment was confirmed by the New York State Senate on May 30, 2007. Mr. Kluger served in the Office of the Bronx County District Attorney from 1975 until his appointment as MTA Inspector General. In 1989, the Bronx County District Attorney appointed Mr. Kluger to be his Chief Assistant District Attorney. Previously, Mr. Kluger served as Executive Assistant District Attorney, Chief of the Investigations Division and Chief of the Arson and Economic Crime Bureau. Mr. Kluger received his B.A. from City College of the City University of New York and his Juris Doctorate from Brooklyn Law School. Mr. Kluger is a lifelong resident of New York City.

In 2009, Mr. Kluger was elected to the Board of the Association of Inspectors General, a national organization comprised of federal, state, and local members from across the country. He presently serves as 2<sup>nd</sup> Vice President.

# THE ROLE OF THE MTA INSPECTOR GENERAL

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## Creation of the Office

In 1983, at the request of the Governor, a virtually unanimous state legislature created the Office of the Inspector General specifically within the MTA, but reporting only to the Governor and Legislature, and independent of MTA management and its Board. The Governor's Special MTA Study Panel concluded that among the changes that would help the MTA and the state to improve services and control costs, "Most important of these is the restructuring and strengthening of the MTA's Inspector General function." Indeed, the Study Panel's report declared:

The Panel views the lack of a strong Inspector General function within the MTA as a serious deficiency. A strong Inspector General is needed to hear and act upon complaints about service deficiencies, to audit performance, to assure that appropriate follow-up action is taken on outside audit findings, and to investigate charges of fraud and abuse. . . The Inspector General . . . should be appointed to a fixed term, to assure a measure of independence. However, to be truly effective the Inspector General must also have a close day-to-day working relationship with MTA's top management and with its Board.

## Statutory Authority

Public Authorities Law (PAL) §1279 authorizes and directs the MTA Inspector General (OIG) to independently review the operations of the MTA and its constituent agencies: MTA New York City Transit (NYC Transit), MTA Long Island Rail Road (LIRR), MTA Metro-North Railroad (Metro-North), MTA Bridges and Tunnels (Bridges and Tunnels), MTA Bus Company (MTA Bus), and MTA Capital Construction Company (Capital Construction).<sup>2</sup>

In terms of the scope of its statutory authority to perform this review, the Inspector General has "full and unrestricted access" to all "records, information, data, reports, plans, projections, contracts, memoranda, correspondence and any others materials" of the MTA (PAL §1279[3]).

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<sup>2</sup> As used in this report, unless the context indicates otherwise, the term "MTA" includes the constituent agencies.

**~ ABOUT THE INSPECTOR GENERAL ~**  
**THE ROLE OF THE MTA INSPECTOR GENERAL**

The Inspector General also has the following statutory functions, powers, and duties (PAL §1279[4]):

- Receive and investigate complaints from any source or upon his own initiative concerning alleged abuses, frauds, and service deficiencies, relating to the MTA.
- Initiate such reviews as he deems appropriate of the operations of the MTA to identify areas in which performance might be improved and available funds used more effectively.
- Recommend remedial action to be taken by the MTA to overcome or correct operating or maintenance deficiencies or inefficiencies that he determines to exist.
- Make available to appropriate law enforcement officials information and evidence relating to criminal acts that he obtains in the course of his duties.
- Subpoena witnesses, administer oaths and affirmations, take testimony and compel production of books, papers, records, and documents as he deems relevant to any inquiry or investigation pursuant to PAL §1279.
- Monitor implementation by the MTA of recommendations made by the Inspector General or other audit agencies.
- Do “all things necessary” to carry out the above functions, powers, and duties.

The Inspector General, who is an ex officio member of the New York State Public Transportation Safety Board (PTSB) with authority to vote on matters involving the operations of the MTA (as per Transportation Law §216[1]), is further authorized and directed to cooperate, consult, and coordinate with PTSB regarding any activity concerning the operation of the MTA.<sup>3</sup> With respect to any accident on the facilities of the MTA, the primary responsibility for investigation belongs to PTSB, which is required to share its findings with the Inspector General (PAL §1279[5]).

The OIG is required to make annual public reports to the governor and members of the legislature (PAL §1279[6]).

The Inspector General may request from any office or agency of the State of New York or any of its political subdivisions, such cooperation, assistance, services, and data as will enable him to carry out his functions, powers, and duties, and they are authorized and directed to comply (PAL §1279[7]).

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<sup>3</sup> PTSB has a reciprocal obligation, imposed by statute to cooperate, consult, and coordinate with the MTA Inspector General. New York State Transportation Law §219[2].

# INTAKE, AUDIT, AND INVESTIGATIONS



## INTAKE AND INTELLIGENCE

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OIG encourages all interested persons, including MTA employees, outside contractors and members of the public, to report their concerns about the MTA and its agencies to Intake and Intelligence, a unit of our Investigations Division. Complaints and inquiries can be communicated as shown in the **How to Contact the Office of the MTA Inspector General** notice (pictured at right), including through a direct email link on our website. Our Complaint Hotline is available around-the-clock, staffed during business hours and capable of taking messages at other times.

**HOW TO CONTACT THE  
OFFICE OF THE MTA INSPECTOR GENERAL**

Telephone: (212) 878-0000

24-Hour Complaint Hotline:  
1-800-MTA-IG4U (1-800-682-4448)

Walk-In or Mail: Office of the MTA Inspector General  
Two Penn Plaza, 5th Floor  
New York, NY 10121

Website: [www.mtaig.state.ny.us](http://www.mtaig.state.ny.us)

### Intake Resolution

#### Hotline and Website:

Consistent with the OIG's generally broad approach to fulfilling its responsibilities and best serving the public, the OIG Hotline and its Website, along with the more traditional means of contact (e.g. postal mail and walk-ins), provides customers with fast, simple, direct, and personal ways both to communicate complaints and request information on an individualized basis. In 2016, our Hotline received nearly 2,000 calls, and our Website generated hundreds of additional contacts. We look forward to even greater interaction with the public now that our Website has been recently renovated and made more user-friendly (see page 40), particularly as to learning about our audits and investigations, making complaints, and reporting fraud.

#### Complaints:

In 2016, our Intake and Intelligence unit (the Unit) received 961 complaints requiring follow-up, made by individuals both inside and out of the MTA. As to each one, Unit staff reviewed the complaint, obtained supplemental information and/or performed preliminary background checks as necessary to assess how best to resolve the matter. Complaints concerning fraud, waste, or other concerns within the OIG's jurisdiction were referred to our Audit or Investigations divisions to resolve alone or in partnership with law enforcement or other agency. Where appropriate, the Unit expedites

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INTAKE AND INTELLIGENCE

resolution of complaints by directly contacting agency personnel (MTA or otherwise). Other matters were retained for resolution by the Unit itself, generally involving a range of issues including E-ZPass, MetroCard, commuter railroad ticketing, and Access-A-Ride eligibility.

The following are brief illustrations of some of the ways Intake staff worked to assist individual MTA customers this year:

- 16-0401-C: The complainant, who lives in Staten Island and works in Manhattan, has a standing appointment with Access-A-Ride (AAR) to pick her up at work and deliver her to her home at a designated time to receive medically necessary treatment. She contacted the OIG to report that despite her time constraints, the drivers that pick her up in lower Manhattan are apparently directed to follow circuitous routes to her home that have routinely included Harlem, Elmont, and Canarsie. For fear of depleting her oxygen tank supply, and not receiving her scheduled medical treatment, the complainant felt constrained to abandon the AAR vehicles and incur the expense of \$80 taxi rides home. Upon receiving this complaint, the Unit contacted Paratransit's Public Information Coordinator. A review of the satellite tracking devices on the service provider vehicles utilized by the complainant confirmed that one of the complainant's recent trips had gone 11 miles out of the way. Paratransit advised the carrier of the complaint and requested that it conduct an investigation to be sure the issue was resolved. The carrier determined that dispatchers had performed manual overrides to the complainant's subscription service, which made the onerous reroutes possible. While this override was promptly corrected to the customer's satisfaction, the Unit referred this matter to OIG Audit as part of Audit's ongoing review of systemic issues at Paratransit.
- 16-0552-C: The OIG received an email complaint regarding a dangerous condition at an MTA bus stop located in front of the complainant's residence. As a result of frequent bus traffic, the foundation of the pavement cracked and consequently formed a sinkhole. Upon receiving the complainant's email, and because the bus stop is under the jurisdiction of the NYC Department of Transportation, Unit staff moved quickly to resolve the hazard by contacting the DOT, which dispatched a crew who made the necessary repairs.
- 16-0707-C: An alert citizen, concerned that someone might gain access to an MTA tunnel through a security breach, notified the OIG that there was damage to a surrounding fence. Unit staff immediately contacted NYC Transit's Department of Subways, which promptly fixed the fence.



~ INTAKE, AUDIT, AND INVESTIGATIONS ~  
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- 16-0894-C: An E-ZPass customer deactivated his account upon learning that his tag had been stolen. Despite this deactivation, his account continued to incur charges (exceeding \$100) and was ultimately referred for collection proceedings when he could not resolve the issue with B&T's Customer Service Center. The Unit contacted B&T, which quickly conducted a further inquiry, determined that the violations and charges were erroneous, terminated the collections proceedings, issued a full refund to the customer, and contacted him to assure him that the matter was fully resolved.

### Intelligence Support

Unit staff performs a valuable intelligence-gathering function by compiling information from MTA agencies, public records and other sources to assess complaint allegations, and make referrals both inside and out of the OIG. The Unit also uses this information to detect associations, find patterns and trends, develop profiles, and provide insights that are incorporated into specific audits, investigations, and other reviews.

Additionally, in the aftermath of Hurricane Sandy's devastating effect on the MTA's transportation system, the MTA established a monitoring oversight committee, chaired by the MTA Auditor General, to monitor recovery efforts. The Unit continues to provide ongoing support to this committee by preparing enhanced integrity screening of vendors and contractors working on Sandy-related projects. The Unit screened more than 50 businesses in 2016.

Similarly, the Unit continues to assist the MTA General Counsel as needed by providing certain information regarding those vendors under consideration for MTA contract awards that require the approval of the MTA Chairman/CEO. When an MTA agency considers awarding a contract to a vendor with "Significant Adverse Information" (e.g. information bearing on the vendor's integrity), the OIG provides an in-depth integrity report that is an essential part of the decision-making process by the General Counsel. The Unit also continues to conduct certain background checks for a variety of law enforcement agencies, including the New York City Police Department and the New York City Department of Investigation. In 2015 the unit conducted 155 background checks.

## AUDIT

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The Audit Division (Audit) of the OIG conducts in-depth audits and reviews of a wide variety of policy initiatives, program operations, and service-related activities of MTA agencies. The auditors assess whether MTA operations are safe, effective, and efficient, and make recommendations for improvement as appropriate. The division is staffed by experienced auditors, most of whom have a graduate degree in a related field. Audit provides significant support to the OIG Investigations Division, regularly assists and consults with the MTA Auditor General and other audit and investigative units throughout federal, state, and local government, and has provided valuable analytical assistance for a wide range of audits, investigations, and reviews of agency employees, and vendors.

In 2016, Audit completed a number of significant reports with recommendations to ensure the integrity of the hiring process, increase the productivity of its workers, safeguard assets, enhance safety, and improve operations and quality of performance. These reports and other work are described below.

### REPORTS

#### **Recruitment of Temporary Professional Staff, Follow-Up on Recommendations (MTA/OIG #2016-24)**

NYC Transit contracts with staffing firms to meet its needs for engineering and construction professionals, such as architects, electrical engineers, and construction inspectors. Audits conducted by the MTA Auditor General in 2004 and again in 2009 found that the integrity of NYC Transit's process for recruiting and selecting temporary professional staff to assist on capital projects was undermined by a lack of controls and poor management. As a result, some temporary staffers were selected by CPM managers to work on capital projects even though these staffers did not meet the education and/or experience requirements for the position.

In 2013, OIG commenced an examination of NYC Transit's process for recruiting and selecting temporary professional staff. Based on our review, we found a lack of accountability on the part of the staffing firms. We also found that NYC Transit's process for selecting, assigning, and compensating temporary professional staff was still undermined by a lack of controls, which in turn compromised CPM's ability to recruit qualified personnel at a reasonable cost.

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**Reports, Continued**

To determine the extent of this negative impact, the OIG reviewed the files pertaining to NYC Transit's retention of 21 of the 102 temporary professional staff selected to work on capital projects from January 1, 2012 to May 31, 2013, the 15-month period that we reviewed. We found that staffing firms did not always verify that candidates had a valid social security number, valid professional licenses, and the educational credentials stated on their résumés. Nor did these firms produce complete background investigations on any of the 21 temporary staffers. For example, in almost half of the cases, the required criminal background check was not performed.

We also found that some staffing firms knowingly forwarded for consideration certain candidates who did not meet the job qualifications and some of these unqualified candidates were hired as temporary professional staff by NYC Transit. As a result, four of the 21 temporary staff did not possess either the requisite engineering degree or years of experience.

After receipt of our draft report, NYC Transit suspended the contracts for temporary professional staffing services pending a thorough review of its recruitment and selection process. The review, which was spearheaded by the Office of the NYC Transit President in consultation with the agency's Ethics Office and the MTA Auditor General, was completed during the 3rd quarter of 2015. During this process, OIG was in regular communication with the officials leading the review, regarding our findings and recommendations.

Accordingly, NYC Transit undertook corrective actions designed to strengthen controls over recruitment and selection of personnel, including requiring an independent review of candidate résumés in order to screen out applicants who fail to meet job requirements.

In November 2016, to ascertain whether the actions taken by NYC Transit had corrected the problems described in our 2014 report<sup>4</sup>, the OIG completed a follow-up review of the agency's process for retaining temporary professional staff. We analyzed the agency's recruitment and selection of the 20 temporary staff retained by NYC Transit from December 2015, after the agency lifted its suspension, through August 25, 2016. We found that in all 20 cases, the temporary professionals retained by NYC Transit either met or exceeded the requirements as outlined in recruitment documents. In addition, NYC Transit is now actively screening all submitted résumés and properly rejecting those that do not meet the requirements for the position. We will continue to monitor as appropriate.

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<sup>4</sup> Recruitment, Selection and Compensation of Temporary Professional Staff for New York City Transit Capital Projects (MTA/OIG Report #2014-18).

## **Oversight of Injured Employees' Return to Work at Long Island Rail Road (MTA/OIG #2016-20)**

The OIG examined the procedures in place at LIRR to reduce the number of lost work-days resulting from job-related injuries and illnesses (collectively referred to as injuries). LIRR employees have historically experienced more lost-time injuries annually than MNR employees, even though the two MTA commuter railroads are similar in size and operation. Further, our analysis revealed that LIRR employees with lost-time injuries typically remain out of work for longer periods than their MNR counterparts with similar injuries.

One key difference between the railroads related to injured employees is that LIRR employees have a negotiated labor benefit referred to as “wage continuation.” This provision generally allows LIRR employees to receive their full salary during injury-related absences while using only a small part of their sick or annual leave accruals. In contrast, to receive their salaries, MNR employees in similar circumstances must use their accumulated leave for the duration of the absence. These differing compensation structures are likely the main reason MNR employees return to work faster than LIRR employees. Consequently, it is important that LIRR management monitor absences to help ensure that each employee returns to work promptly upon being cleared to do so by his or her physician.

LIRR’s Medical Assessment Policy requires employees to report to the Medical Department when they are in condition to return to work after having been absent. The Medical staff performs functional and other assessments based on the physical standards of the employee’s position and informs the relevant department whether the employee is fit to return to work. Notably, we found that employees were permitted to reschedule their appointments at Medical simply by calling the facility, without necessarily justifying the postponement. In the cases we examined, some employees rescheduled multiple appointments and eventually returned to work four to six days later than their Clearance Date—the date a physician had determined the employee could return to work. This delay, it appears, was enabled at least in part by management, which did not appropriately monitor the employees’ return, and by Medical, which did not update its database to reflect the current Clearance Date.

We also found that LIRR did not emphasize to employees the consequences of missing medical appointments. For example, cautionary language did not appear on any document provided to injured LIRR employees. Our analysis further revealed that policy enforcement by the operating departments was not consistent. One department monitored employees’ expected return to work daily, another did so weekly, while a third performed no follow-up on absent employees at all.

We recommended that LIRR formally revise its policy to incorporate certain rules and procedures used by Medical for managing rescheduled appointments, and require Medical to maintain and promptly update the database with the current physician-authorized Clearance Dates. Further, LIRR should provide training to the operating department employees who serve as liaisons with Medical to reinforce that, consistent with policy, they should monitor each employee's Clearance Date and follow up in a timely manner regarding canceled or missed appointments. We also recommended that LIRR include on relevant medical forms a notice that if employees miss any Medical appointments without prior approval, or if they provide untimely, false, and/or incomplete medical information, they may be subject to disciplinary action, up to and including termination and loss of benefits. LIRR officials accepted our recommendations and promptly initiated the improvements.

### **NYC Transit: Knowledge of Anti-Nepotism Policy (MTA/OIG #2016-18)**

In September 2013 the MTA adopted All-Agency Policy Directive 11-051, entitled "Anti-Nepotism Employment Procedures" (the Policy). Its stated purpose is "To establish procedures . . . to safeguard against the influence of nepotism in employment-related decision-making at the MTA to further ensure that decision-making on employment-related matters is based on merit and qualifications." More broadly, the Policy was designed to educate those MTA employees directly involved in MTA agency hiring or promotional processes, as well as MTA employees generally, of their responsibilities regarding an applicant who is a family member of an existing MTA agency employee.

To evaluate employees' knowledge of the Policy, the OIG conducted a telephone survey in early 2016 of 21 NYC Transit staff members who directly participated in the hiring process for at least one new hire in 2015; for example, by serving as an interview panelist. Each respondent was asked 25 questions on such topics as the meaning of "family member," restrictions on the actions Transit employees may take, and the process for reporting nepotism-related concerns.

The survey results showed that while respondents were aware that the agency broadly prohibits nepotism, most were unfamiliar with specific aspects of the Policy directly related to their responsibilities. For example, although the Policy highlights the crucially important MTA All-Agency Code of Ethics definition of "family member," which clearly includes "any person living in the same household as an MTA Employee," 9 out of 21 survey respondents were not aware that the definition applies to unrelated individuals residing in the same residence.

We also found that the immediate supervisors for the positions being filled, known as Hiring Managers, performed poorly relative to the other survey respondents.

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AUDIT  
Reports, Continued

Considering those managers' important role in the hiring process, we are particularly concerned that they were unfamiliar with significant elements of the anti-nepotism policy.

Based on our findings, we recommended that MTA revise the All-Agency Anti-Nepotism Policy generally to improve its clarity and promote understanding, and specifically to facilitate its effective use by staff members with hiring responsibilities. To further ensure that NYC Transit employees are properly informed about the Policy, we recommended that NYC Transit develop additional explanatory materials and provide appropriate in-person training. In its response, MTA agreed to "make changes, as warranted, to the Policy Directive to clarify its requirements." Further, the agency agreed to develop supplementary reference materials and provide additional training.

**Attendance-Related Disciplinary Practices at Metro-North Railroad  
(MTA/OIG #2016-26)**

Excessive unscheduled employee absences can adversely affect productivity and efficiency, unnecessarily increase overtime costs, reduce the overall quality of service, and put additional burdens on employees who do report to work. Twice in the last ten years the OIG reviewed LIRR's implementation of that agency's "Absence Control Policy" and found that significant improvements were made the second time around, in part attributable to the recommendations we made.

In 2016, we initiated a review of MNR's attendance-related disciplinary process. To ensure sufficient coverage for operations, MNR has an Attendance Policy for represented employees, which outlines disciplinary measures that may be taken against those employees who demonstrate unsatisfactory attendance. The agency uses an attendance-tracking system, in accordance with the system's reference Manual, to record absences and flag those to be considered when assessing an employee's attendance record.

In our review, we found that while the Policy creates hard and fast rules that do not afford any discretion to staff or management to excuse absences—that is, to remove them from potential disciplinary action—the departments have used language introduced by the Manual to effectively assume that authority by allowing for absences to be excused on a case-by-case basis. We also found inconsistencies among departments in their implementation of the Policy, with some having much higher rates of excused absences than others. Additionally, the discretion afforded by the Manual often lacked specific requirements or contained requirements that were not followed, which led to problems. For example, although the Manual required that when excusing absences managers must select a "Reason Code" and write a "Comment" justifying the excuse, we found that approximately 20 percent of all absences excused by department officials were missing adequate justification.

**~ INTAKE, AUDIT, AND INVESTIGATIONS ~**  
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**Reports, Continued**

Further, we found that two departments had implemented an additional level of review to determine whether each removal of an absence from disciplinary consideration met departmental standards—a positive approach. Other departments, however, had no similar quality-assurance process, increasing the likelihood of inconsistent treatment of employees, incorrect application of the Policy, and favoritism. We also found 11 instances where a supervisor responsible for reviewing employee attendance records took no action, neither classifying the absence as a violation of the Policy nor removing the absence from consideration for discipline. Management did not detect this inaction within the time frame established by collective bargaining agreements to pursue discipline. Our analysis also revealed a lack of guidance in the Policy concerning the disciplinary action to be taken when employees repeatedly arrive late to work or leave early at the end of the day. Without direction as to how many such arrivals or departures constitute unreasonable attendance, or definitions as to what is considered “late” or “early,” departments used their own definitions, which sometimes differed.

Based on these findings, we recommended that Metro-North clarify whether, to what extent, and by what standards departments may excuse attendance violations related to leave that are not excluded under the current Policy; better define key terms such as “late” arrivals and “early” departures; create a computerized alert to management when violations are not addressed in timely fashion; and develop and implement a quality assurance review process across all departments. MNR agreed with all of our recommendations and initiated improvements.

**Inventory Controls at the Long Island Railroad MoW Repair Shop  
(MTA/OIG #2016-10)**

The LIRR Engineering Department’s Maintenance of Way (MoW) Repair Shop (the Shop), services and repairs power tools and specialized track maintenance equipment and vehicles. To perform this work, the Shop keeps its own inventory of parts and supplies (Shop Inventory) separate from the railroad’s official inventory system. These parts and supplies are kept at various locations at the LIRR’s Holban Yard, including an enclosed building; several outdoor storage sheds and shipping containers; and open areas surrounding the Shop. This Inventory, valued at approximately \$6.7 million, is recorded in a Microsoft Access database, administered by a single MoW assistant manager, and operated on the “honor system”—a practice utilized in lieu of formal policies and procedures. Under this practice, Shop employees obtain and replace Inventory items basically without oversight, and are “supposed to” record such usage in a log book; that information is then to be used by the assistant manager to update the Access database.

In November 2015, OIG conducted a physical count of 174 different kinds of Shop items with a recorded value of almost \$1.28 million, constituting approximately 19 percent of the estimated value of the total Shop Inventory. While we were able to locate at least one unit of each of these items, as to 47 of the sampled items (27%), the total

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number of units of each found did not match the inventory records. Additionally, the outdoor storage yard was not protected from the elements, seemed poorly maintained, and appeared disorganized. Specifically, we noted that new materials appeared to be commingled with used items, scrap metal, failed parts waiting to be refurbished or discarded, and broken-down equipment kept on the property for salvage (Figure 1 below). Items also appeared to have been haphazardly tossed on top of each other, thereby risking damage to the items and creating unsafe conditions for the workers (Figure 2).



Figure1



Figure2

We also found that the basis for estimating the total value of the Shop Inventory was deficient: 1,823—nearly 25%—of all inventory items either had an assigned dollar value of “0” in the Shop Inventory database or the value was left blank. When our auditors priced a sample of 193 of the items with assigned zero-dollar values, using available 2015 requisition records and current market pricing, we found an extraordinary range of values: from \$1.32 to nearly \$11,000. Further, based on their current recorded quantities on-hand, we estimated that far from being worthless, these 193 items have a potential value of almost \$200,000. Additionally, we noted that the inventory valuation method used by the Repair Shop is not consistent with the average cost method used elsewhere by LIRR, as well as by the MTA in its Consolidated Financial Statements.



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Most basically, our report concluded that the Shop suffered from the lack of a proper system of internal controls in place to safeguard the agency's assets. To correct this deficiency, we recommended to the agency that it develops policy and procedures to: improve control over the inventory check-in and check-out process; improve physical protection of materials; identify and document the reasons for significant inventory discrepancies/adjustments; and conform to the LIRR's average cost valuation method.

LIRR agreed with our findings and accepted our recommendations.

**Accuracy of Metro-North and LIRR Laptop Inventory Records  
(MTA/OIG #2016-08)**

In 2015, our Investigations Division found that an MTA computer support analyst had removed five laptops from MNR Information Technology without authorization. Based on its findings, the OIG recommended that the employee be disciplined up to and including termination (MTA/OIG #2015-21). Subsequent to the MTA initiation of disciplinary action, the employee elected to resign from his employment with the MTA. The matter was then referred to the Audit Division because the investigation had identified some potentially systemic recordkeeping issues in MNR's laptop inventory and concluded that a more comprehensive review of inventory controls would be appropriate.

Laptops are both portable and easy to conceal, making them high risk items for loss and theft. Additionally, laptops may contain sensitive, proprietary, and confidential data about the MTA's operations, its customers and/or employees, thereby raising privacy and additional security concerns. Therefore, at the completion of our investigation, we performed an audit of inventory controls over these assets owned by both MNR and LIRR.

In conducting our audit, we obtained the agencies' inventory records, which listed a total of 1,702 laptops. We randomly selected a sample of 199 laptops (just over 11% of that total) to verify their assignment to the employees and/or locations as documented in the inventory records. Overall, we were able to verify the accuracy of these records for only 140 of the sampled laptops (70%); the records for the remaining 59 laptops contained inaccurate information. Aside from the inaccuracy noted in our audit sample, we were troubled to find that agency employees reported they were in possession of 14 laptops that did not appear anywhere on the inventory records.

Based on our review, we found that these discrepancies occurred largely because MNR and LIRR did not have a proper system of internal controls in place to periodically verify and update the whereabouts of laptops after issuance. Also, at the time of the review, MNR and LIRR IT operations had just been merged with other MTA agency IT operations to create one unified MTA IT Department (MTA IT). As part of the

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consolidation, MTA IT planned to incorporate all the agencies inventory records into one inventory database.

To facilitate that consolidation, and to improve internal controls over IT assets, we made a number of recommendations to MTA IT management. In its response, management accepted our recommendations and set forth a plan for implementation, including the following: conducting an initial physical count of all laptop and mobile devices prior to consolidating them into a new database, followed by annual confirmation of the full inventory; establishment of a new asset-management system to allow verification of the physical locations of desktop devices whenever they are connected to the network, as well as to provide IT staff with the ability to update the asset management system records in real time through a phone app; periodic random spot checks of IT assets; and assignment of each mobile device to an individual staff member rather than to a general location.

### **Monitoring Employee Lost-Time Injury Rates at Long Island Rail Road (MTA/OIG #2016-19)**

According to data reported by LIRR to the MTA Board, the number of job-related employee injuries resulting in lost work-time rose in 2014 to a nine-year high, then fell by six percent in 2015. To better understand these developments, the OIG conducted an examination of LIRR's data, learning that the decline in lost time was the result of a new robust mechanism established for reporting injuries quickly and repairing hazardous conditions when necessary. Additionally, LIRR safety officials performed a wide range of *preventive* activities, including site inspections and ongoing training.

We reviewed employee injury data and met with LIRR officials and identified ways in which the agency could continue this positive downward-trend by enhancing its methods of analyzing injury patterns. For example, while our analysis revealed that employees at particular locations and in certain crafts/job titles were experiencing injuries out of proportion to their representation in the workforce, we learned that LIRR's three largest operating departments were not using this type of analysis to identify injury patterns. Similarly, we learned that safety officials in the various departments could better identify any such patterns through improved communication across departmental lines.

We recommended that LIRR analyze lost-time injuries by craft/job titles and location on a regular basis to identify disproportionate injury rates. Further, if injury-causing conditions require interdepartmental collaboration, agency officials should use their regular safety meetings to establish a corrective action plan and track its progress to completion. Lastly, we recommended that officials share analytical tools and methods for identifying injury causes, patterns, and trends through interdepartmental representation at those meetings. The agency accepted our recommendations.

## **NYC Transit: Workers' Compensation Duplicate Payments (MTA/OIG #2016-14)**

NYC Transit has established a self-funded system for issuing payments (Benefits) to employees for injuries or illnesses incurred as a direct result of their job. The Benefits are issued to these employees (Beneficiaries) by NYC Transit's Workers' Compensation Division (Workers' Comp). In June 2015, the director of Workers' Comp expressed concern to the OIG that Workers' Comp may have inadvertently issued duplicate payments to Beneficiaries, and requested our assistance in determining whether, and to what extent, such errors had occurred.

We examined all payments issued in the fourth quarter of 2014 and found duplicates amounting to less than one-half of one percent of both the total number of Benefit payments (8,543), and the total amount of Benefits paid (\$9,693,088) during the three-month period. Further, based on our review and analysis, we made a number of recommendations to help NYC Transit strengthen its payment processes, including: improving its current computerized alert to better reduce the risk of Workers' Comp issuing a duplicate payment; ensuring that the new computer system includes a mechanism to prevent both that kind of duplication as well as impermissibly overlapping Workers' Comp benefits and regular pay; re-instructing Workers' Comp staff and departmental timekeepers on the proper entry of dates and other significant information, as well as regarding the rules for issuing terminal pay (i.e. additional vacation leave that is contractually provided to employees upon their retirement); and pursuing recoupment from active and retired employees identified as having received erroneous payments.

In its response, NYC Transit noted that it was "committed to making all reasonable efforts to assure accurate payments and accounting" and accepted our recommendations. Specifically, in the short-term, agency management undertook a study of the costs associated with addressing issues regarding the computerized alert, while also, for the long-term, exploring procurement of a full-fledged replacement for the existing computer system. The agency also confirmed that management had re-instructed key staff members in Workers' Comp and the operating departments and had established additional procedures to alert Workers' Comp when employees have returned to work. Further, NYC Transit reported that it had begun pursuing recoupment of overpayments.

## **Dual Employment Policy (MTA/OIG #2016-11)**

As set forth in the MTA Code of Ethics, "Full-time employment with an MTA Agency is deemed to be an employee's primary employment. All employees must be fit for duty during their work hours." MTA's policy regarding dual (secondary) employment was enacted to ensure that all MTA employees are fit for duty, comply with all statutory requirements for periods of rest, and are not engaged in activities that give rise to any

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conflicts of interest. Each of the MTA constituent agencies has adopted policies governing secondary employment.

Over time, various investigations and audits have found instances in which employees of MTA agencies have failed to seek and obtain approval regarding outside work. Indeed, over the last eight years the OIG has completed more than 50 investigations in which we have found that employees failed to fulfill their responsibilities under both MTA and constituent agency policies to seek and obtain approval before engaging in any outside occupation, business or profession. Of particular concern is that many of these employees have also conducted their unapproved outside employment on agency time, using agency resources, or failed to get the required amount of rest before returning to their MTA safety-sensitive positions as train operators, bus drivers, or workers who inspect and maintain signals, tracks, buses or subway cars.

We analyzed the dual employment policies promulgated by the MTA and each of its constituent agencies and found significant weaknesses that undermined the goals of MTA's dual employment policy as set forth in its Code of Ethics. To start, we found that the overarching MTA policy lacked sufficient force and clarity in that it did not explicitly require that employees obtain their agency's approval before engaging in any secondary employment. To highlight why this is problematic, approximately two-thirds of MTA Bridges and Tunnels (B&T) employees were not required by B&T to disclose their secondary employment, although many of these employees carry firearms and perform the critical security and safety-sensitive function of patrolling the MTA's bridges and tunnels.

The report also found that although 70 percent of the entire MTA workforce is responsible for providing for the safety of either the riding public and/or their co-workers, different agencies held their employees to different standards regarding dual employment. For example, at NYC Transit and Metro North, approved secondary employment for bus and train operators and conductors is valid for only one year. Operators and conductors who wished to continue their secondary employment must re-apply annually. In contrast, no such annual re-approval requirement existed at LIRR, where approvals for outside employment remained effective for three years.

Going forward, OIG recommended that the MTA establish more rigorous rules regarding secondary employment by requiring that: All MTA employees wishing to engage in secondary employment obtain approval from their agencies to do so; dual employment approvals should remain valid for no more than one year; and all employees should be required to file an annual certification of "No Secondary Employment," unless the employee plans to seek approval for or renewal of secondary employment.

The MTA agreed with the report's findings and conclusions and is seeking to implement our recommendations.

## INVESTIGATIVE AND GENERAL SUPPORT BY AUDIT

### **Metro-North: Switch Testing and Inspections (MTA/OIG #2016-06)**

In 2015, using Metro-North's Advanced Vehicle Location Monitoring (AVLM) system, OIG Audit observed troubling patterns of vehicle-idling by certain personnel assigned to the agency's Signals Division. For example, we observed that one two-person signal inspection crew from the New Haven subdivision was regularly idling their assigned vehicle for excessive periods in the parking area adjacent to the agency's Springdale facility. This pattern troubled us particularly because although these employees were responsible for conducting monthly signal inspections mandated by the Federal Railroad Administration (FRA), we found that they were idling far from any of the signal equipment that they were required to inspect—prompting our concern that the employees did not perform the inspections.

Thereafter, with a combined audit-investigative focus, we analyzed FRA-mandated inspection reports that the crew was required to submit to their manager for the three-month period comprising April to June 2015. We also analyzed the employees' attendance records, AVLM records, and data from Metro North's Rail Control Center (RCC).

When preparing an inspection report, Metro-North signals crews are required by FRA to provide the date(s) that they performed the inspection, and to sign the report attesting that they performed it. We found that the two New Haven crew members described above falsified some of their inspection reports by asserting that they had performed inspections that they did not actually perform. Subsequently, we expanded our investigation, and reviewed the inspection reports and other records for the three Signals subdivisions (New Haven, Harlem/Hudson, and Grand Central Terminal [GCT]) that are responsible for signal inspections at Metro North.<sup>5</sup>

Our investigation found that a second two-person signal crew from the New Haven subdivision had also submitted false signal inspection reports. At this point, we referred our investigative findings and supporting evidence to Metro North, which initiated disciplinary action against the four signal maintainers from both crews. Two of the employees resigned when confronted with the evidence and charges; the other two were terminated after hearings were held on the matter.

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<sup>5</sup> During the course of this investigation we developed separate leads showing that a Harlem/Hudson subdivision Signals Inspector had falsified his time records. This resulted in our referral to Metro-North with a recommendation of discipline up to and including termination. (See MTA/OIG #2016-03, below at page 26).

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Although the false reporting we found was limited to these two signals crews, we also found that other crews assigned to the New Haven subdivision frequently submitted inspection reports that were inaccurate in that the inspection date was incorrect or the wrong employee attested to the inspection. We concluded that serious deficiencies in Signals' recordkeeping practices had made it possible for false and other inaccurate reporting by New Haven signals crews to go undetected by Signals management. For example, New Haven managers allowed signal personnel to complete all of their inspection reports for the month at the end of each month, instead of requiring that the reports be completed on the same day that the inspection took place. By allowing such leeway, management increased the risk of inaccurate and false reporting.

In his written response to our preliminary report, the President of Metro-North accepted our four recommendations and declared that "MNR management is certainly troubled by the findings of your investigation [and] will not tolerate actions by employees which jeopardize safety. Two employees have resigned... and we have taken the other two employees out of service as of December 2015." Signals management also tightened controls over inspections and recordkeeping, requiring signals personnel to prepare inspection reports and fax copies to their manager on the same day that the inspection was completed. Further, Signals managers now randomly select from among the inspection reports that they receive by fax and analyze RCC data to verify that the inspections were actually performed.

**Work Crews in Metro-North's Signals Division  
(MTA/OIG #2016-27)**

As described above (MTA/OIG 2016-06), we observed that many Signals crews appeared to be idle for long periods of time during their tours-of-duty. Thus, we performed a preliminary assessment of Signals staffing and workforce requirements by examining the extensive records relating to 12 such crews during a 1-2 month period in 2015. These crews are required to both conduct FRA-mandated inspections and be available to respond to signal emergencies.

We found that, on average, these 12 Signals crews were busy with work assignments 24 percent of their time on-duty. These crews appeared to spend the remaining 76 percent waiting on-standby to respond to a possible signal emergency. The amount of time each crew spent actively engaged in work varied from a low of seven percent to a high of 48 percent.

While we recognize that Metro-North must ensure that there is sufficient staffing to quickly respond to signal emergencies, our analysis strongly suggested that there is room for management to better align its staffing levels with actual workload requirements. Noting that Metro-North is in the process of replacing its unreliable paper-based records with a new state-of-the art electronic recordkeeping system, our report

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recommended that the railroad conduct a more extensive analysis of its Signals' staffing needs. In particular, we recommended that Metro-North ensure that its new system captures complete and accurate information that can be utilized in conjunction with other tools, such as its AVL system, to help management better assess workload needs.

At the outset of his response to our report, the President of Metro-North acknowledged our concerns and expressed confidence that the new electronic system "will help provide the tools needed to better assess workloads, and the staffing requirements needed to meet those workloads." He then set forth his plan and timeline for implementation of each of our recommendations. We will continue to monitor as appropriate.

**MTA Long Island Rail Road Signal and Switch Inspections  
(MTA/OIG #2016-22)**

While our work on Metro-North's Signals Division was still ongoing, we also completed a risk assessment of MTA Long Island Rail Road's signal system inspection program. We concluded that the risk that LIRR signal maintainers were not performing FRA mandated signal-inspections was low.

To begin, the OIG applied the same analytical tests that we used at Metro-North. We analyzed the inspection reports for all six subdivisions for the three-month period from January 2016 to March 2016 – a total of 730 inspection reports. We confirmed that signal maintainers were in attendance on the dates listed in the inspection reports they submitted to LIRR. We also compared a small number of inspections to records generated by AVL system, which enabled us to verify the crew's presence at the relevant inspection sites on the exact date specified in their reports.

Notably, signal maintainers perform many of their scheduled inspections jointly with Track Department personnel who inspect the tracks in the vicinity of the switches while the signal maintainers are performing their inspections. These are known as "joint switch inspections." After the inspections are completed, the signal maintainers are first required to prepare and submit their own inspection report, and then, in conjunction with the track inspectors, they are further required to submit a joint inspection report. Both reports are required to document the inspections. In our view, the joint scheduling of inspections increases the likelihood that the signal maintainers are present at the inspection sites on the dates listed in their reports, and are among the key features of LIRR's organization and management that helped to minimize the risk that their signal personnel would fail to perform the mandated inspections.

We shared our findings with Metro-North, which is considering the feasibility of joint inspections.

## **EEO Policies & Practices at MTA Agencies – Areas for Improvement**

In 2015, the OIG received a complaint regarding the Equal Employment Opportunity (EEO) program at one of the MTA operating agencies. In 2016, after investigating the specific circumstances of that complaint, we reviewed relevant Federal regulations and guidance and collected information on the EEO policies and procedures in place at each of the MTA agencies. Our goal was to better understand the agencies' activities governed by the federal Civil Rights Act and other laws and regulations, which together require an employer to maintain a workplace environment free of discrimination and harassment.

The Federal Transit Administration (FTA) is mandated to regularly audit each agency's EEO practices to evaluate compliance with Federal civil rights laws. FTA guidelines address a variety of "required elements" regarding how a regulated agency should receive, document, investigate, and report complaints of potential discrimination, among other activities. Importantly, within these Federal guidelines, each MTA agency is authorized to design its own specific EEO policies and procedures—and has done so.

Our preliminary research revealed three areas of concern suggesting that a more thorough review needs to be conducted by MTA. First, it appeared that MTA agencies were not fully satisfying all the required elements in Federal EEO guidelines; for example, one agency failed to memorialize all steps officials took—from the receipt of the complaint to final decision—although the FTA requires careful documentation of each stage of the intake and investigative processes. Second, we found that some agencies had highly developed EEO programs, while others had not yet implemented common practices that should improve their conformity with requirements and their effectiveness. This inconsistency of approach is additionally problematic because the FTA recently announced that MTA will soon be required to report consolidated information on its EEO activities. And third, the agencies' EEO leaders did not have a forum to share their respective expertise with one another even though such collaboration could increase the agency's overall quality and consistency. Several of the officials stated that they would welcome such interaction.

Based on these findings, OIG recommended that MTA assess the degree to which each agency's EEO program is consistent with FTA's required elements and MTA policies. We further recommended that MTA develop a plan to fulfill FTA's new requirement for consolidated reporting, and that the agency EEO Officers establish a forum for regular communication, e.g. a quarterly meeting. The MTA Chairman and Chief Executive Officer stated that he was in agreement with these recommendations and had asked MTA's Chief Diversity Officer to implement them. OIG will continue to monitor MTA's EEO-related activities as appropriate.



## FOLLOW-UP ON PREVIOUS WORK

### **Fraud Controls in the Paratransit Zero-Fare MetroCard Program – Follow-Up (MTA/OIG #2016-07)**

NYC Transit’s Paratransit Division (Paratransit) has provided transportation to riders with disabilities through its Access-A-Ride program (AAR) for more than 20 years. Several years ago, in an effort to reduce costs, the MTA Board authorized Paratransit to establish a Zero-Fare MetroCard program (Zero-Fare), which offered free travel to AAR-eligible customers on subways and buses. The goal of the program was to encourage customers to use mass transit instead of individualized AAR services whenever feasible.

In June 2014, the OIG issued MTA/OIG report #2014-10, finding that Paratransit had not instituted a comprehensive system of controls to prevent or detect fraud in the Zero-Fare program. We sent this report to NYC Transit in preliminary form and asked the agency to provide its written response to our recommendations.

In a July 2014 letter to the OIG, NYC Transit accepted five of our recommendations without qualification, specifically citing a plan to create an anti-fraud unit for Zero-Fare that would develop and implement such controls. The agency also accepted a sixth recommendation “conceptually” but did not agree to implement it, citing a technological limitation. In August 2014, we issued the report in final form, which reflected the agency response.

Thereafter, we conducted a follow-up audit to monitor the extent to which Paratransit had implemented the five agreed-to recommendations in our August 2014 report. During this follow-up, we found that Paratransit at best had implemented only one of our recommendations and did little to nothing to implement the other four. OIG sent a draft follow-up report with our preliminary findings in March 2016. In its August 2016 response, NYC Transit agreed with our follow-up report’s findings and comments, re-committed the agency to implementing the remaining agreed-to recommendations, and provided a timeline of the newly planned efforts to do so. We issued our final report in September 2016, noting that we would continue to monitor implementation as appropriate. As a result of this further monitoring, we found that Paratransit had finally implemented all of our recommendations by analyzing card usage data for fraudulent activity, creating policies and procedures for handling fraud that is identified, giving customers notice that their card usage will be monitored, and deactivating unused Zero-Fare MetroCards already in circulation.

## **Medical Emergency Response at Long Island Rail Road – Follow-Up (MTA/OIG #2016-21)**

In 2016 the OIG reviewed LIRR's response to onboard medical emergencies. This audit was prompted in part by a recent onboard emergency, but also designed to follow up on an OIG investigation into a 2002 incident in which a train bypassed two stations after a passenger suffered a heart attack, thus fatally delaying the provision of medical care. That earlier investigation found that: LIRR had acted on the basis of incomplete and erroneous information on the passenger's critical condition; poor radio transmissions impeded communication; and the agency lacked adequate policies and procedures for managing onboard medical emergencies. At that time, the OIG made recommendations, which LIRR accepted, to systematically address these deficiencies.

As part of our current review, OIG staff met with LIRR officials responsible for train movement, crew training, crew members' compliance with rules and standards, and for the proper functioning of the radio system. Most fundamentally, we reviewed relevant policies, procedures, and training materials, and found that LIRR currently maintains protocols established and formalized as part of the Rules of the Operating Department. These Rules state that in a medical emergency, a train must stop at the next station and LIRR personnel must immediately call both EMS and the MTA Police Department (MTAPD). The protocol also specifies the minimum information crew members must provide about a stricken passenger to ensure effective communication with first responders. LIRR officials told us that all crew members were trained on these procedures.

To test agency compliance, we also reviewed documentation for dozens of medical incidents occurring onboard trains, many of which involved potentially life-threatening conditions. The available records indicated that LIRR employees managed the incidents in compliance with procedures. Consistent with their training for potentially life-threatening incidents, LIRR personnel contacted both EMS and MTAPD. Additionally, LIRR either held the train in its current station or, for emergencies discovered en route, at the next available station. Further, LIRR reported that significant capital improvements had resulted in more reliable radio communications.

## INVESTIGATIONS

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The Investigations Division (Investigations) receives and investigates complaints, from within and outside the MTA or upon its own initiative, concerning alleged fraud and other criminality, waste, and abuse, as well as safety, service, and management deficiencies. The division's priorities are the detection and deterrence of fraud, the protection of MTA assets, and assuring the safety of MTA ridership. In accordance with our statutory powers and duties, we refer matters to appropriate law enforcement and other governmental officials on the federal, state, and local levels for further investigation, in which the division routinely participates, and/or for criminal or civil prosecution. The division is composed of experienced investigators and forensic experts who work with staff attorneys; additional subject matter expertise and analytical support is provided by OIG Audit. Besides the expertise of the staff and the Inspector General's statutorily authorized "full and unrestricted access" to all information and materials of the MTA, Investigations has a host of additional tools available to it. These include the statutory authority to subpoena witnesses, administer oaths, take testimony, and compel the production of records and other documents relevant to any inquiry or investigation.

Within Investigations is a specialized Construction Fraud Unit (CFU), established by the Inspector General in 2008, consisting of attorneys, investigators, analysts, a forensic accountant and two construction auditors. CFU concentrates on detecting and deterring fraud and other wrongdoing by contractors engaged in the construction, rehabilitation, and maintenance of MTA facilities. From its inception in 2008 through 2016, CFU's investigations, often in conjunction with other investigative and law enforcement agencies, have resulted in monetary recoveries and court ordered forfeitures from contractors of over \$81 million. We highlight below CFU's substantial efforts in various ways to reduce construction fraud, including its investigative work, the fraud awareness training it provides to MTA employees and consultants, and its contractor oversight. Also within the division is the Intake and Intelligence Unit (discussed previously), which receives complaints from the public, as well as from MTA employees, contractors and vendors. These units work closely with each other and with staff in the Audit Division.

The division engages in criminal and other investigations in areas including suspect construction practices; procurement-related fraud; prevailing wage and other labor law violations; disadvantaged minority and/or women's business enterprise fraud; employee theft of time and property; overbilling; and pension fraud. The division has a number of active criminal investigations pending with both Federal and State prosecutors.

Below is a sampling of our completed investigations and other work performed by the division in 2016, as well as an update regarding certain matters from our previous annual reports.

## SELECTED INVESTIGATIONS

### **Official Misconduct by Station Agent**

NYC Transit referred to the OIG for investigation an allegation that a station agent was selling property from his home that had been turned over to the agent at his job site by subway customers as lost property. Accordingly, an OIG investigator posing as a customer turned over to the agent as lost property an iPad containing a hidden tracking device. OIG investigators then tracked the movement of the property, noting that rather than delivering the iPad to NYC Transit's lost and found unit, the station agent took it home. Thereafter, following the issuance of a search warrant for the employee's residence, investigators from the OIG and the Bronx County District Attorney's Office working jointly, executed the warrant at the residence where they seized the device and arrested the employee. In 2016 the station agent pleaded guilty to Official Misconduct, in violation of New York State Penal Law § 195.00, a class A Misdemeanor, and was sentenced to three years' probation. The employee, who was suspended without pay during the pendency of the criminal case, is now facing discipline up to and including termination.

### **Misconduct by Metro-North Signal Inspector (MTA/OIG #2016-03)**

Based on a review by our Audit Division (see MTA/OIG # 2016-06 at p. 19), the OIG investigated whether a certain Metro-North Railroad signal inspector had falsified time records. Our investigators found that the employee had prepared and submitted time sheets that falsely represented that he was working when he was actually absent from duty, and misused Metro-North property, specifically a Metro-North truck. The investigators used global positioning records and other techniques to establish that the employee left work sites on numerous occasions to go to his home and other locations for extended periods, and often claimed overtime, which Metro-North paid. Based on our findings, we recommended that Metro-North discipline the employee up to and including termination and seek restitution for all unwarranted payments made to him. The employee resigned when confronted with the charges and evidence to support them.

### **Unauthorized Secondary Employment and Leave Abuse (MTA/OIG #2016-12)**

A Metro-North employee was approved for Family and Medical Leave Act (FMLA) leave for a period including July 2012 to October 2014 because of a purported back condition. The OIG received and investigated an anonymous complaint that the employee was using leave, including FMLA leave, to work at an automotive garage. OIG investigators substantiated the allegation and found, based on time records and

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interviews, that during the above period: (1) the employee skipped 114 consecutive Fridays of Metro-North employment, and instead improperly used regular leave, sick leave, personal days, and FMLA leave to work at the garage, and (2) that the employee did not have authorization for this secondary employment.

Based on our findings, we recommended that the agency discipline the employee up to and including termination and Metro-North dismissed the employee.

**Investigation into the Sale and Use of Unauthorized Portable Radios  
By New York City Transit Personnel  
(MTA/OIG #2016-04)**

OIG investigators substantiated an anonymous complaint that some NYC Transit train service supervisors had used and sold unauthorized radios to train operators, and also found that the practice of using such radios was not limited to the employees investigated. As a result, we recommended discipline up to and including termination for the two supervisors who sold the radios, as well as appropriate discipline commensurate with the misconduct for two train operators who used the unauthorized radios; we also recommended remedial action regarding the practice of using such radios. The agency brought disciplinary action against the four employees, resulting in suspensions ranging from three to 15 days. The agency also issued an Operations Bulletin reminding employees that the use of non-Transit-issued radios is strictly prohibited and that employees who violate the directive are subject to disciplinary action, up to and including dismissal.

**Failure to Disclose Conflict of Interest  
(MTA/OIG #2016-05)**

The OIG conducted an investigation prompted by anonymous complaints that the LIRR Chief Program Officer (CPO) improperly provided preferential treatment to an LIRR contractor that employed the CPO's son. Although we did not substantiate the complaint, we did find that the CPO violated certain provisions of the LIRR Corporate Policy and Procedure and of the MTA All-Agency Code of Ethics. These provisions require disclosure, waiver, and/or recusal as to engagement in the selection, award, and administration of contracts involving a company with which the subject employee's family member has a financial or other interest. We also found that during the pendency of our investigation, LIRR lacked a formal policy about how recusals should be reviewed and documented. We recommended that: LIRR consider disciplining the CPO as it deemed appropriate; that he be retrained about his ethical obligations to disclose potential conflicts of interest and about the steps he must take to recuse himself in such matters if warranted; and that the LIRR comply with the recently-revised provision of the MTA Code of Ethics relating to recusal to avoid such conflicts.

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LIRR agreed with our recommendations and required the employee to undergo written and verbal retraining. Additionally, notwithstanding the unsubstantiated allegations leading to the OIG investigation, the agency agreed that the CPO had violated its Corporate Policy and stated that it will review the circumstances regarding those violations and discipline as warranted.

**Ethics Violation by MTA Manager  
(MTA/OIG #2015-14)<sup>6</sup>**

The OIG conducted an investigation into the circumstances surrounding the hiring of an MTA manager's son by a vendor that provided services to the manager's department. We found that the manager enlisted his subordinate to help find employment for the son and knew that the subordinate approached the vendor. The vendor's staff relied on assurances from the manager's subordinate that hiring the manager's son would not violate any MTA ethics rules and did not seek independent confirmation from MTA compliance personnel. The MTA manager did not recuse himself from matters involving the vendor until nearly a month after the vendor hired his son.

We recommended that the manager be disciplined up to and including termination and that the vendor involved be subjected to a responsibility hearing. The MTA agreed with our recommendations and disciplined the manager by substantially reducing his salary. At the responsibility hearing the vendor agreed to take remedial action including creating an internal Code of Ethics (which was submitted to MTA for review), appointing a compliance officer, and conducting an audit of all expenses submitted by its sales representatives and executives on MTA projects. The vendor's remedial actions were reviewed and approved by NYC Transit's Assistant Chief Operating Officer for Vendor Relations, and by MTA's Chief Compliance Officer. We also referred the matter to the New York State Joint Commission on Public Ethics (JCOPE), which reached a settlement with the manager that included an admission that he had used his official position to seek special privileges for himself or others, and the imposition of a \$3,000 fine.

**Unethical Conduct Related to Hiring  
(MTA/OIG #2016-02)**

In 2015, the NYC Transit Ethics Officer referred to OIG a matter involving the hiring in September 2013 of the daughter of a former longtime NYC Transit design manager. The manager had left the agency in 2010, only to return as a consultant in March 2013. Upon his return, the father shared his daughter's résumé with several of his

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<sup>6</sup> This report was finalized in 2016.

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longtime co-workers at NYC Transit and was actively helping her look for a job at NYC Transit.

We learned that one of those co-workers, the Chief Officer, Sandy Recovery & Resiliency Program, supervised the Senior Director of Consultant Services for that same program, and had asked the Senior Director to review the daughter's résumé. Thereafter, OIG investigators found that an August 2013 job posting for a "job shopper" (an industry term for temporary professional staff<sup>7</sup>) had previously been sent to staffing firms and was reopened to allow the daughter's résumé to be submitted to NYC Transit. The investigators also found that the daughter had been given the work order number for the position, at which time she called the firm specifically to apply for that position and advised the firm that the work order was reopened by NYC Transit. The following day NYC Transit officially notified the staffing firm that the work order was reopened, whereupon the firm submitted the daughter's résumé even though it did not meet the minimum requirements for the position. In September 2013, the Senior Director hired the daughter into his department, which was the same one that administered the father's then-open contract as a consultant.

The OIG found that the Chief Officer, the Senior Director, and the daughter had lied to OIG investigators, and that the daughter had also lied to the NYC Transit Ethics Officer about how she had been hired. The OIG found further that the Senior Director and the Chief Officer had violated the MTA Code of Ethics when they manipulated the process to ensure the hiring of the daughter. Additionally, the OIG found that the Senior Director shared the work order number, which is considered confidential information, with the father/former CPM design manager, in order to further assist the daughter with the hiring process. (Knowledge of the work order number by an applicant signals that the applicant has the support of an agency-insider.)

The OIG recommended that the Senior Director be terminated, and that the daughter and the Chief Officer be disciplined up to and including termination. The Senior Director and the daughter were terminated, while the Chief Officer retired. Because the actions of the Senior Director and the Chief Officer appeared to violate the New York State Public Officers Law, the OIG referred the matters to JCOPE, which determined to take no further action against the Senior Director, and reached a settlement with the Chief Officer requiring his payment of \$1,500.

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<sup>7</sup> For our Audit Division's related analysis regarding the recruitment, selection and compensation of temporary professional staff for NYC Transit capital projects, see reports MTA/OIG #2014-18 and MTA/OIG #2016-24.

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**Program Officer's Improper Intervention in Job Shopper Process  
(MTA/OIG #2016-25)**

NYC Transit's Assistant Chief Operating Officer for Vendor Relations (ACOO) referred to OIG for investigation the proposed hiring of a CPM program officer's nephew as a consultant associate project manager assigned to the program officer's department. OIG investigators found that a former NYC Transit construction administrator, who was under the supervision of the program officer, was the hiring manager for the position. That construction administrator rejected—without interviewing—four candidates whose résumés reflected that they were qualified for the position, after which a Senior Director requested that the job be reposted. Thereupon, the nephew contacted a staffing firm with the NYC Transit work order number for the position and requested that his résumé be submitted, which it was, as was that of another applicant. Notably, while that applicant had many years of experience managing construction projects, the nephew had worked previously as a general manager of a hotel, and had little to no experience overseeing construction projects. The administrator selected the nephew over the more experienced applicant.

The program officer denied to OIG investigators that he knew his nephew had been looking for work with NYC Transit and claimed that he only learned of it when he received a nepotism questionnaire from Vendor Relations regarding both his relationship with his nephew and his knowledge of the nephew's hiring. NYC Transit's Human Resources Department had forwarded the nephew's file to the ACO for review because the nephew disclosed in the file that the program officer was his uncle. However, the OIG investigators subsequently uncovered correspondence between the program officer and the nephew revealing that the program officer had been actively engaged in the nephew's job search. The investigators also learned that the nephew had emailed his resume to the construction administrator prior to the work order being sent to staffing firms.

Based on the foregoing, the OIG found that the program officer failed to cooperate with the OIG investigation, provided untruthful testimony during his interview, and improperly attempted to influence the hiring of his nephew, in part by enlisting his subordinate's assistance, all in violation of provisions of the MTA Code of Ethics, including those relating to public trust, cooperation with investigations, and nepotism. Additionally, NYC Transit declined to hire the nephew. The OIG recommended that Transit discipline the program officer as it deems appropriate; we are awaiting the agency response. Meanwhile, because the program officer's conduct appears to violate the New York State Public Officer's Law, we have referred the matter to JCOPE for such action as it deems appropriate.



~ INTAKE, AUDIT, AND INVESTIGATIONS ~  
INVESTIGATIONS  
Selected Investigations, Continued

**Hiring Manager’s Improper Intervention to Hire Unqualified Job Shopper  
(MTA/OIG #2016-09)**

As part of the OIG’s ongoing efforts against nepotism and favoritism, we investigated a tip that a NYC Transit project engineer had manipulated the hiring process in order to hire the nephew of a friend for a job-shopper position. The nephew cooperated with our investigation.

Initially, the project engineer contacted the staffing firm to request that the applicant’s résumé be sent for a position for which the applicant was unqualified because of inexperience. When that position was ultimately not filled, the project engineer deviated from NYC Transit’s experience requirements for that job title and created a second work request that required no experience. The applicant’s résumé was sent to NYC Transit and the project engineer and his supervisor selected the applicant for the temporary position. The project engineer admitted he had contacted the staffing firm and that he knew such contact was prohibited. OIG recommended that the project engineer be disciplined up to and including termination. NYC Transit accepted the recommendation, demoted the project engineer, and reduced his salary.

**Investigation into Allegations made by former Long Island Rail Road Dispatcher  
(MTA/OIG #2016-23)**

The OIG investigated a complaint made by a former long-term employee of the LIRR that she had been unfairly disciplined and wrongfully pressured to resign from her position. To address these allegations, we conducted interviews and analyzed a wide-range of documents, including relevant policies and procedures, computer records, LIRR internal audit reviews, the employee’s personnel file, LIRR EEO interview transcripts, as well as labor contract provisions relating to job assignments and the LIRR disciplinary processes. Relevant emails, letters and memos were also reviewed, along with documents provided by the employee herself.

Based on our findings, we made five recommendations, including that the agency establish rules and regulations to help avoid conflicts of interest and to enhance its disciplinary process and, in light of certain questionable aspects, that it reassess whether the individual was treated fairly as an employee during its 2010 disciplinary process. In its written response, the LIRR stated “We agree with, and will work to implement (if not already implemented), the first four bulleted recommendations made by the OIG. . . . Finally, with respect to the fifth bulleted recommendation , LIRR has reviewed in detail the treatment afforded to [the employee] during its 2010 disciplinary process and reaffirms its finding that the treatment was in all respects lawful, proper, and appropriate in light of [the employee’s] conduct.” We will monitor as appropriate.

~ INTAKE, AUDIT, AND INVESTIGATIONS ~  
INVESTIGATIONS  
Selected Investigations, Continued

**Unauthorized Secondary Employment of Employee in Safety-Sensitive Position  
(MTA/OIG #2016-01)**

Based on an inquiry by the United States Postal Service, Office of the Inspector General, we initiated an investigation regarding a NYC Transit bus operator, who we learned was also employed as a letter carrier by the USPS. Because the bus operator held a safety-sensitive position, he was required to have eight consecutive non-working hours rest before reporting for his shift at NYC Transit. OIG investigators found that the employee submitted materially false information in his NYC Transit employment application by denying that he had any such employment and by failing to annually report it. Further, his secondary employment work schedule prevented him from meeting the rest requirement. Based on our investigation, we recommended that NYC Transit impose discipline up to and including termination. The agency filed disciplinary charges and suspended the employee pending resolution. Meanwhile, the bus operator resigned from NYC Transit.

**Unauthorized Outside Employment/Misuse of LIRR Resources  
(MTA/OIG #2016-16)**

Following a referral from LIRR, OIG investigators established that a director and a senior project manager in the Long Island Rail Road Department of Program Management violated aspects of the MTA Code of Ethics and LIRR's dual employment policy. OIG reported its findings to LIRR and recommended that the agency impose appropriate discipline commensurate with their respective levels of misconduct. LIRR agreed with our recommendation, demoted both employees, and reduced their pay accordingly. We also referred our findings to JCOPE, which issued guidance letters to the employees.

During the investigation, OIG investigators further established that a consultant firm's employee working as a resident engineer on an LIRR project misused his access to LIRR's email system to conduct his own side business. Based on our reported findings, we recommended that LIRR take remedial action to prevent further misuse of its resources by consultant staff. Accordingly, LIRR took steps to require that all contractor employees with access to the LIRR's resources receive written notice of and acknowledge their obligation to comply with the MTA's policy directive governing the use of such resources. LIRR is also actively pursuing a Vendor Responsibility hearing regarding the consulting firm.

**Misappropriation of MTA Bus Check Proceeds  
(MTA/OIG #2016-17)**

Based on a complaint by the owner of a check-cashing company, the OIG investigated whether an MTA bus cleaner had misappropriated a duplicate check that MTA Bus

**~ INTAKE, AUDIT, AND INVESTIGATIONS ~**  
**INVESTIGATIONS**  
**Selected Investigations, Continued**

erroneously issued to the employee for unused vacation time. The employee deposited one of the checks into his credit union account and cashed the second at the company a few days later. The second check was later dishonored.

The OIG issued a report recommending that MTA Bus discipline the bus cleaner as it deems appropriate, recoup the misappropriated funds from the employee, and return the funds to the company. We also recommended that the agency tighten its procedures to prevent the issuance of duplicate checks in the future. MTA Bus implemented all of OIG's recommendations: It imposed a 27-day suspension on the employee, recouped the misappropriated funds, and returned them to the company.

**Unauthorized Secondary Employment  
(MTA/OIG #2016-15)**

The OIG conducted an investigation after receipt of information from the United States Postal Service, Office of Inspector General, that one of its employees was also employed by NYC Transit. OIG investigators confirmed the information and determined that NYC Transit had indeed employed the individual as a track worker during the period when he was also employed by the Postal Service. The investigators further determined that the employee never received authorization from NYC Transit for secondary employment and had improperly used paid and unpaid sick leave from NYC Transit to engage in such employment. Accordingly, the OIG recommended discipline up to and including termination. Proceedings commenced by NYC Transit seeking termination of the employee are currently pending arbitration.

**Misconduct by Bridges and Tunnels Officer  
(MTA/OIG #2016-13)**

The OIG conducted a joint investigation with the B&T Office of Special Investigations as to whether a Bridges and Tunnels Officer had violated various legal and ethical requirements regarding "non-revenue toll tickets." These tickets are issued only for agency vehicles being used by B&T personnel while on official B&T business to allow them to pass through B&T cash lanes without payment. We found that the officer had improperly obtained \$160 worth of the tickets and distributed them to a relative and a friend without authorization. We found further that in doing so the Officer had violated the MTA Code of Ethics provision regarding public trust as well as certain B&T rules and regulations, and may have also violated provisions of the New York State Penal Law and the New York State Public Officers Law.

Based on our findings, we recommended discipline up to and including dismissal; B&T agreed and served disciplinary charges seeking the Officer's termination. Prior to the commencement of the disciplinary hearing, the Officer irrevocably tendered his resignation.

## **THE OIG CONSTRUCTION FRAUD UNIT**

CFU has continued to employ its partnership approach to detect and deter fraud and other wrongdoing by contractors engaged in the construction, rehabilitation, and maintenance of MTA facilities. Further, as part of a different partnership, CFU has also continued its oversight of the \$4 billion Hurricane Sandy Recovery Grants.

### **New York County District Attorney Construction Fraud Task Force**

In 2016 the OIG continued its work with the New York County District Attorney's Construction Fraud Task Force. Other investigative entities participating include: the Port Authority Inspector General, the NYC Department of Investigations, the Dormitory Authority of the State of New York, and The City University of New York. Work is ongoing in areas of safety and construction fraud.

### **Assistance to NYC Transit Vendor Relations**

The CFU is often called upon to assist NYC Transit Vendor Relations staff in determining whether a low-bidding contractor, who may have a questionable background, is a responsible bidder. Our assistance ranges from sharing intelligence regarding "Significant Adverse Information" and otherwise, to attending and participating in responsibility hearings.

### **Outside Monitors**

The CFU staff attended kick-off meetings on MTA monitorship projects, reviewed monitors' reports, provided monitoring assistance to MTA agencies, and provided assistance to the outside monitors themselves.

## **MONITORING HURRICANE SANDY RECOVERY EFFORTS**

In response to a Federal Transit Administration requirement to provide monitors for the projects funded by the \$4 billion Hurricane Sandy Recovery Grants, the MTA established a monitoring oversight committee chaired by the MTA Auditor General. The committee is composed of staff from MTA OIG, MTA Audit Services, MTA Corporate Compliance and the MTA Office of Construction Oversight. The committee communicates regularly with its members to help coordinate their roles and responsibilities. Additionally, the OIG works with its investigative partners, including the United States Department of Transportation, Office of the Inspector General, and others charged with overseeing the expenditure of Sandy Recovery funds.

**~ INTAKE, AUDIT, AND INVESTIGATIONS ~**  
**INVESTIGATIONS**  
**Monitoring Hurricane Sandy Recovery Efforts, Continued**

Our monitoring approach is to identify requirements set forth by the FTA (e.g. Buy America, DBE rules and goals), monitor contractors' compliance efforts, and provide guidance when these efforts need strengthening. By using this approach, we work to deter and detect improper conduct by contractors. The basic components of this approach include:

- Providing ethics training to contractors' project management and field supervisory personnel.
- Attending kick-off and progress meetings to place agency and contractor personnel on notice of the importance of the accuracy of certified payroll and DBE utilization forms.
- Visiting job sites for the purpose of conducting interviews of trade workers to gauge compliance with prevailing wage rules.
- Reviewing certifications, such as those issued by OSHA and the MTA, to ensure that workers have the credentials and training to enter and work on our job-sites.
- Observing and documenting markings on trucks and equipment to determine DBE firm independence.
- Observing the activities of the DBE labor force to determine if they are performing a "Commercially Useful Function" in accordance with regulations.
- Documenting, photographing, and otherwise monitoring materials purchased and delivered onsite, to determine compliance with contract provisions and federal Buy America regulations. This strategy—targeting project and item-specific risks through proactive initiatives while emphasizing our presence on the site—helps us deepen our knowledge of project actions and activities. More specifically, it helps distinguish integrity issues from operational ones, leading to a more customized approach to managing risk and corrective action.

In 2016, OIG staff performed the following monitoring/training activities:

- Conducted four training sessions on fraud awareness for 85 attendees, including both MTA agency employees and consultants.
- Conducted 88 background checks of vendors and contractors.

**~ INTAKE, AUDIT, AND INVESTIGATIONS ~**  
**INVESTIGATIONS**  
**Monitoring Hurricane Sandy Recovery Efforts, Continued**

- Attended six kick-off meetings with each project management team and explained our role and the heightened oversight of Sandy projects.
- Attended 13 progress meetings to review the status of projects and to further demonstrate our ongoing oversight.
- Conducted 29 site visits. During these visits we interviewed workers to determine if they possessed the appropriate certifications and were being paid the prevailing wage; spot checked for compliance with safety protocols; checked for DBE and Buy America compliance; and performed product substitution reviews.
- Conducted 18 office visits of DBE firms on Sandy-related projects to ensure that the entity is real and commercially viable.
- Reviewed documentation for 25 change orders valued between \$100K and \$1M.
- Continued to analyze bids for the purpose of identifying irregularities and potential bid rigging. In 2016 we entered 251 firms into our system for analysis including prime-contractors, subcontractors, and material and equipment suppliers. In addition, OIG staff attended one pre-bid conference and two bid openings.

**UPDATES FROM PRIOR INVESTIGATIONS**

**Certification-Testing Misconduct at Metro-North Railroad**

As reported in 2015, a joint investigation involving the OIG, the MTA Police Department, Metro-North Railroad (MNR), and the Office of the New York County District Attorney (DANY) culminated in the filing of criminal charges in New York State court against 13 current and former MNR conductors and engineers. The criminal charges alleged that the defendants engaged in a scheme to obtain and distribute current tests and answers used for the certification of conductors and locomotive engineers. All defendants have pleaded guilty: three to Attempting to Impair the Integrity of a Government Licensing Examination, a Class E Felony; nine to Official Misconduct, a Class A Misdemeanor; and one to Disorderly Conduct, a Violation. All were sentenced to a conditional discharge and varying periods of community service. All 13 and an additional 11 MNR employees have been subjected by MNR to administrative discipline. Of these 24 employees, five were terminated or resigned, the remaining 19 received suspensions and 13 of those were also demoted.

**~ INTAKE, AUDIT, AND INVESTIGATIONS ~**  
**INVESTIGATIONS**  
**Updates from Prior Investigations, Continued**

**Unauthorized Secondary Employment and FMLA Abuse  
(MTA/OIG #2015-27)**

As reported in 2015, OIG had determined that a NYC Transit train operator improperly used his FMLA leave and received sick pay from NYC Transit while training at unauthorized secondary employment. Further, after his FMLA leave expired, he used an additional 18 days paid sick leave to engage in this unauthorized employment. NYC Transit was unable to initiate disciplinary action because the employee left NYC Transit before his wrongdoing was discovered. Based on our findings, we recommended that our report be placed in his permanent file and that NYC Transit take any further action it deems appropriate. In accordance with our recommendation, the agency initiated litigation to recover from that employee the \$33,714.65 in wages and benefits that he improperly obtained. That litigation is pending.

**OTHER INVESTIGATIVE ACTIVITIES**

**Security and Integrity Compliance**

The Security and Integrity Compliance Program involves unannounced inspections by OIG teams of up to ten investigators to test the security at facilities, determine whether staff are present and performing their assigned duties, and ensure that staff is following safety protocols. In 2016, OIG investigators conducted 40 such inspections throughout the MTA system. The OIG notifies the respective agencies of any improprieties revealed, and makes recommendations for disciplinary action as appropriate.

The deterrent effect of this long-standing proactive initiative is that employees throughout the MTA are on notice that they are subject to unannounced inspections at any time by an independent office providing oversight of the MTA. Over the years, the OIG has received positive feedback on this program from upper management, which has referred suggested sites for OIG inspection.

# OUTREACH



## TRAINING/EDUCATION

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OIG both conducts fraud awareness and ethics training and participates in training classes presented by law enforcement, regulatory, investigative, prosecutorial, and other oversight entities. Notably, we also provide educational outreach to contractors and labor representatives.

### **Training Activities 2016**

The OIG participated with the Ethics Officer for NYC Transit and the MTA Chief Compliance Officer at a special ethics training session held for CPM staff; 42 CPM managerial employees attended. In addition, as noted previously in our section on Monitoring Hurricane Sandy Recovery Efforts, the OIG staff presented five customized fraud awareness training seminars— addressing such topics as preventing, detecting and reporting fraud—to 84 MTA agency employees specializing in procurement and contract management.

The OIG also participated in two-day orientations for two different groups of newly-hired MTA Police Officers. The OIG Chief Investigator made a presentation focused on the creation of the Office of the Inspector General, an overview of its statutory powers and duties, and the ways in which it exercises oversight of the MTA.



## INTERGOVERNMENTAL COOPERATION

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During 2016, OIG maintained relationships with federal, state, and local agencies and task forces, including:

### **Federal**

United States Attorney for the Eastern District of New York  
United States Attorney for the Southern District of New York  
United States Attorney for the District of New Jersey  
Internal Revenue Service, Criminal Investigation Division  
United States Department of Labor, Office of the Inspector General  
United States Department of Transportation, Office of the Inspector General

### **Interstate Agency**

Port Authority of New York and New Jersey, Office of the Inspector General

### **New York State**

Office of the State Comptroller  
Office of the New York State Inspector General  
Department of Labor  
Department of Transportation  
Joint Commission on Public Ethics

### **Local**

Office of the New York City Comptroller  
Kings County District Attorney  
Nassau County District Attorney  
New York County District Attorney  
New York City Department of Investigation  
New York City School Construction Authority, Office of Inspector General

## WEBSITE REDESIGN


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Nearly ten years ago, with a then-refreshed website and a message based on the theme “It’s a Big System; Help Us Keep an Eye on It,” the OIG launched a campaign to increase public awareness about the Office and its statutory role in providing independent oversight of the MTA and its constituent agencies. Since that time, the site has provided an online complaint mechanism, maintained an inventory of published reports, and ensured access to visually-impaired customers through a separate text-only version.

To further enhance these valuable features, we recognized a need for aesthetic and operational improvements that would make the site simpler and quicker to navigate and easier to read.

Toward that end, a multidisciplinary team at the OIG worked with the MTA Information Technology division throughout 2016 to redesign the site. The result of our combined efforts is a contemporary and visually-enhanced website that retains its essential core functions—to help you learn about us, and to help us do an even better job of helping the MTA watch its money carefully and serve its customers well.



Reporting fraud is now always a click away by means of a prominent red tab, visible from any page of the site. Once selected, the Report Fraud tab extends to display various options to submit a complaint. And those who use the online complaint form will notice the addition of helpful hints  to guide users through to completion of the form.

Naturally, the more details that accompany a complaint, the better able we are to identify and investigate the issue(s) involved. To help, we’ve added the capability to upload documents, photos, and/or video evidence on the complaint form.

Do you have any documents/photos/video related to the allegation?

Yes

No

Choose Files No file chosen

Upload more than 10MB

Agency:

Type:

Year:

Visitors are still able to peruse our published reports, which may be accessed through our Reports tab or our new Reading Room button. But they can now also refine a search to find information more easily.

~ OUTREACH ~  
WEBSITE REDESIGN

Among several new features, users will also notice a second tab on the home page which extends to reveal the Service Status Box. We use this box to pass on to our readers timely information on MTA subway, rail, bus, elevator and escalator service, as well as conditions throughout MTA bridges and tunnels as reported by each MTA agency.



We encourage all of our readers to visit [mtaig.state.ny.us](http://mtaig.state.ny.us) and explore its full range of offerings. And we are confident that our new site will provide you with an interesting and informative web experience as we advance our mission to help the MTA help you.