



**Carolyn Pokorny**  
**MTA Inspector General**

**Office of the Inspector General**  
**Metropolitan Transportation Authority**  
One Penn Plaza, 11th Floor, Suite 1110  
New York, NY 10119  
212-878-0000

May 4, 2021

Via Electronic Mail

Craig Cipriano  
President, MTA Bus Company and  
Senior Vice President, NYC Transit  
Department of Buses  
2 Broadway, 30<sup>th</sup> Floor  
New York, NY 10004

**Re: Director Theft of Time and Chief  
Officer's Failure to Supervise  
MTA/OIG #2021-10**

Dear Mr. Cipriano,

The Office of the MTA Inspector General (OIG) substantiated an anonymous allegation that a Director, On-Board Technology (Director), MTA Bus Company (MTA Bus), was stealing time. The OIG found that the Director falsified his timesheets for 39 dates between January 2018 to February 2020. On those 39 dates, the Director claimed to have worked but other records showed that he did not enter his workplace at MTA Headquarters and did not travel there by his usual mode of transportation to work.

In addition, the OIG found that the Director's supervisor, Chief Officer of Bus Operations and Technology Systems (Chief Officer), failed to supervise the Director when he approved the Director's false timesheets without comparing them to the Director's leave requests that were sent to the Chief Officer. The Chief Officer also regularly failed to approve the Director's timesheets in a timely manner, at times, only approving nearly an entire year's worth of timesheets in 1 day. The Chief Officer also allowed the Director to work through his lunch hour as an "accommodation" for a medical issue without the Director making the required application to the NYC Transit Human Resources Department. The OIG also found that both the Director and the Chief Officer were not truthful during their interviews. Finally, the OIG found that the Director is not enrolled to use a Biometric Kronos clock.

We recommend that MTA Bus discipline the Director and the Chief Officer as it deems appropriate, up to and including termination. We also recommend that MTA Bus review the Director's timesheets, make the appropriate adjustments thereto, and recoup any monies paid to the Director to which he is not entitled. We further recommend that MTA Bus review the Director's eligibility for a reasonable accommodation and require the Director to complete any required application. Finally, in the meantime, we recommend that MTA Bus ensure that the Director is licensed to swipe in the Kronos system and enrolled to use the biometric feature when it comes back online. The conduct of the Director and Chief Officer also appears to violate the New York State Public Officers Law. Accordingly, we are forwarding this matter to the New York State Joint Commission on Public Ethics (JCOPE) for action as it may deem appropriate.

## **I. BACKGROUND**

On October 28, 2002, the Director was hired by the then-MTA's Long Island Bus Company. In January 2012, the Director joined the Manhattan & Bronx Surface Transit Operating Authority (MaBSTOA) as Superintendent of Technical Support. He transferred to the Office of the President of MTA Bus as Director, On-Board Technology, reporting to the Chief Officer, in July 2018. The Director's work location is MTA Headquarters (MTA HQ) at 2 Broadway in Manhattan. His regular days off are Saturday and Sunday, and he is a salaried employee whose scheduled workday consists of 7 working hours and 1 hour for lunch, for an 8-hour day. The Director lives on Long Island and has been telecommuting since March 2020. When not telecommuting, the Director normally takes the Long Island Rail Road (LIRR) and the subway, from Atlantic Terminal, to travel to work.

The Chief Officer was hired by MaBSTOA in 2006 as a Computer Systems Manager and has been promoted several times. In 2019, he transferred to MTA HQ as Senior Director, Bus Technology Information Systems and was promoted in 2014 to Chief Officer for Bus Operations and Technology Systems, reporting to the President of MTA Bus. The Chief Officer has 6 direct reports, including the Director, and oversees a group of 22 employees.

The Director took the JCOPE Ethics Training in 2013, 2016 and 2019, and he completed the MTA Code of Ethics Certification annually from 2015 to 2019. The Chief Officer took the JCOPE Ethics Training in 2017 and 2021 and completed the MTA Code of Ethics Certification annually from 2015 to 2019.

## **II. INVESTIGATION**

### **A. Records Review**

The OIG reviewed the Director's NYC Transit MetroCard® and MTA HQ building entry swipe information; his payroll records; the emails by which the Director requested leave from the Chief Officer; and a leave calendar and spreadsheet of the Director's leave days provided by the Confidential Secretary for the Chief Officer. The Director's MetroCard swipes show that he generally travels from Atlantic Terminal in Brooklyn to Bowling Green in Manhattan in the morning and the reverse in the afternoon.

The review of the documents showed that between January 2019 and February 2020, the Director did not actually work on 39 dates where he claimed to have worked on his timesheets. For 38 of the 39 dates, the Director had submitted a leave request to the Chief Officer via email.<sup>1</sup> On 31 of the 38 dates, the Director only emailed the Chief Officer in the morning the day of, to let the Chief Officer know he was not coming to work. *See Appendix A.*

Below are some examples of emails the Director sent to the Chief Officer seeking leave for days he did not travel to or enter MTA HQ, but days he claimed to have worked on his timesheets:

1. On September 10, 2018, at 1:08 a.m., the Director emailed the Chief Officer to say, “I wrenched my back yesterday while turning/lifting. In quite a bit of pain at the moment. May need to rest it today.” Then at 5:38 a.m. on the same day, the Director emailed the Chief Officer again to confirm he would be out that day.
2. On September 11, 2018, at 6:08 a.m., the Director emailed the Chief Officer to say, in part, “I’m going to rest it again today and be back in the office tomorrow.”
3. On September 3, 2019, the Director emailed the Chief Officer to say, in part, “[w]ith your approval, I would like to take vacation . . . Thursday, 9/26/19 . . . Friday, 9/27/19. The Director also sent an email reminder to the Chief Officer on September 24<sup>th</sup>.
4. On January 28, 2020, at 5:49 a.m., the Director sent an email to the Chief Officer which stated, “I will need to take a personal day to take care of something that came up at home. Thank you for understanding.”

The records confirmed that the Director did not enter the subway or MTA HQ on these dates.<sup>2</sup> Therefore, while the Director took the requested leave, as he had told the Chief Officer he would, the records show that he lied and reported on his timesheets that he was working.

In addition, in 2018, the Director appears to have left work over 1 hour early on 4 dates and arrived around noon on 2 other dates<sup>3</sup>, time that was also not accounted for on his timesheet.

The review of the Director’s payroll records also revealed that the Chief Officer failed to approve the Director’s timesheets in a timely manner, only approving the Director’s timesheets in large batches rather than upon the end of the payroll period. Over a 39-month period between

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<sup>1</sup> This is based on a comparison of these dates to emails the Director sent to the Chief Officer in which he requested leave, and a calendar on which staff leave dates were indicated for the department.

<sup>2</sup> This is based on a comparison of the Director’s MetroCard and MTA HQ building swipes to the Director’s payroll records. The OIG’s review also confirmed that for every day the Director swiped into MTA HQ, he also swiped his MetroCard, in a pattern consistent with commuting.

<sup>3</sup> The 6 dates in question are March 13 and 21, April 3, October 4 and 30, and November 14.

November 2017 and January 2021, the Chief Officer approved the Director’s timesheets on only 6 dates. In 1 instance, the Chief Officer approved 49 weeks-worth of timesheets on a single day. During that time period alone, the Director falsely claimed to have worked on 17 dates.

Date Timesheets Approved by the Chief Officer	Approval Period Covered the Following Number of Weeks
7/9/2018	34 weeks
4/1/2019	35 weeks
7/31/2019	19 weeks
7/14/2020	49 weeks
10/30/2020	16 weeks
1/12/2021	8 weeks

## B. Interviews

### 1. Chief Officer

The OIG interviewed the Chief Officer twice, in July 2020 and January 2021. The Chief Officer stated that the Director, one of his direct reports, has been with the Bus Technologies group for about 7 years. According to the Chief Officer, the Director works a 7-hour shift, primarily reports to 2 Broadway and reports to a couple of depots when needed. The Director manages 5 employees and is responsible for, among other things, reviewing technology systems and projects to assure that they are completed within the time frame of the project and in compliance with contractual provisions.

The Chief Officer stated that the Director does not take a lunch break due to a “medical accommodation,” although he acknowledged that the accommodation was not processed through Human Resources. When asked if the Director would be allowed to leave earlier due to him not taking lunch, the Chief Officer stated that employees are required to complete their full shift.

When asked about whether the Director uses Kronos to swipe in/out, the Chief Officer stated that the Director appears to be the only employee in the group who does not have Kronos set up. The Chief Officer stated that he has made multiple inquiries with Time Keeping, including just prior to the COVID-19 pandemic shut down in March 2020, to no avail.<sup>4</sup> The Chief Officer expressed concern for the Director not having Kronos setup and added that it can send a “bad example” to the group.

During his second OIG interview, the Chief Officer described the process for how employees in his group request time off. He said that they email their respective manager and copy the group’s Confidential Secretary. No forms or documents are completed by his group when requesting time-off other than the email-requests, which are saved. The Director also uses

<sup>4</sup> A review of emails and interviews with relevant agency staff confirmed this.

what the Chief Officer referred to as the “MTA HQ calendar” to put in the days he requests off. The Chief Officer approves the Director’s timesheets.

As for how he verifies his staff’s leave requests, the Chief Officer stated that, although he does not receive notifications of leave requests, he is aware when his staff is off. He went on to claim that since the Director is not enrolled in Kronos, the Chief Officer compares the MTA HQ calendar against the time the Director entered in his timesheets.

The Chief Officer stated that his staff occasionally sought to modify their timesheets but that such action would require a “SharePoint request”<sup>5</sup> to their respective manager. When asked if the Director has corrected any of his timesheets, the Chief Officer stated that the Director has not made requests for such actions nor has he modified his timesheets.

The Chief Officer admitted that he spoke with the Director after his July 2020 OIG interview. He, incorrectly, advised the Director that there were issues with the Director’s time management of his (the Director’s) staff. The Chief Officer stated that the Director seemed “surprised” and “a little confused”. The Chief Officer told the OIG that he spoke to the Director because he wanted to make sure that his staff is correctly following the processes in place. The Chief Officer was reminded that interviews are confidential and was advised not to speak with the Director regarding the second interview. The Chief Officer agreed. As detailed below, the Chief Officer was not honest with the OIG about his conversations with the Director regarding the OIG’s investigation.

The OIG informed the Chief Officer that the OIG initially reviewed approximately 6 months of the Director’s MetroCard swipes and building swipes and found numerous dates for which no MetroCard nor building swipes were found, despite the Director receiving pay for a regular shift, to which the Chief Officer responded, “I don’t know, that’s very disturbing” and was unable to elaborate further. The Chief Officer stated that the Director works a 7-hour shift, and that lunch is automatically deducted. He also stated that MTA HQ allows 7 straight hour shifts, although, during his first interview, the Chief Officer told the OIG that the Director worked through lunch as a “medical accommodation”.

The OIG asked the Chief Officer to clarify the Director’s accommodation to work through lunch. At first the Chief Officer appeared to be unaware of this but was reminded that in his first interview he informed the OIG that the Director had a “medical accommodation.” He then stated that there was no documentation of such accommodation and that it had been going on for approximately 2½ - 3 years.

## *2. Director’s November 2020 Interview*

The OIG interviewed the Director on 2 occasions, in November 2020 and February 2021. During the first interview, the Director stated that he is currently the Director of Systems

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<sup>5</sup> SharePoint is a cloud-based Microsoft product used by the MTA which provides employees a secure location to communicate, store, organize, share, and access information.

Engineering working out of MTA HQ at 2 Broadway, reporting to the Chief Officer for Bus Operations and Technology. He works Monday through Friday from 8:30 a.m. to 4:30 p.m. and has an hour lunch. The Director stated that he occasionally does field work but is typically on-site.

The Director told the OIG that he has 4 direct reports and is responsible for various technologies that are installed in buses such as digital information screens, traffic signal priority project, and automatic passenger counting. The Director enters his time in PeopleSoft and then notifies his supervisor for approval. He told the OIG that he does not clock-in/out nor does he use the Kronos system. He only uses the Kronos system to approve his direct reports' timesheets. The Director told the OIG that multiple inquiries have been made by him and his supervisor to get enrolled onto Kronos, to no avail.

The Director stated that he is a LIRR commuter and that he has been late to work on instances as a result of delays on the LIRR. If he is running late, he will either text or call his supervisor to make him aware. When asked if he has ever left early from his regular shift, he stated that he has but makes the appropriate entry on his timesheet.

During the interview, the OIG provided the Director with a list of 8 dates in 2019 to determine his whereabouts and/or provide documentation supporting his attendance, specifically for the following dates he claimed to have worked: September 23, 26, 27; October 8, 15, 22; November 4; and December 17, 2019.

The day after the interview, the Director sent an e-mail to the OIG that stated, in pertinent part:

“Per our conversation yesterday, I checked my records and determined that I made some inadvertent errors on the entries/edits for the dates in question. Please see below for the appropriate charging for these days ... I trust that this addresses the issue and closes the matter.”

For 5 of the dates provided to the Director during his interview September 23; October 8, 15, and 22; and December 17, 2019, he claimed to have incorrectly used vacation leave instead of personal leave. For 3 of the dates September 22 and 27; and November 4 he indicated he should have used vacation leave. In the email the Director did not dispute the fact that he did not work those days, however, his payroll records showed that, despite the assertions in his e-mail to the OIG, he did not use any kind of accrued leave on his timesheets for those dates.

### *3. Director's February 2021 Interview*

In the second interview, the OIG asked the Director to describe the process for requesting time off. He stated that he either calls or emails his supervisor, the Chief Officer, and “CCs” the Confidential Secretary and that no other documentation is completed. The Director also indicated that if he is running late or needs to leave early, he notifies his supervisor via text, email, or a call.

The Director stated that he enters his time into PeopleSoft on a regular basis (once a week) and keeps track of his time and days off on a notepad that he refers to when entering his time. He stated that his timesheets are approved by the Chief Officer, who is tardy in approving the timesheets. The Director stated that the Chief Officer has received constant reminders to approve timesheets.

When asked about his lunch hour, the Director stated that he works through his lunch and that the Chief Officer is aware of it. The Director explained that he had a medical event in November 2017, which he suggested as the reasoning for an “accommodation” to work through lunch. The Director admitted that he never sought an accommodation with the Human Resources department.

In reference to the dates the OIG identified to the Director during the first interview, he stated that timesheets can be edited if they have not been approved by a supervisor. He was unable to explain the process for adjusting timesheets that have been approved, informing OIG that it may require making a request through a “SharePoint.” The Director stated that he had not changed or made edits to his timesheets for the dates identified by the OIG.

The OIG inquired whether the Director discussed the investigation with anyone, to which the Director initially replied “no.” After being informed that the Chief Officer told the OIG that he had spoken to the Director about the investigation, he reluctantly admitted it. The Director stated that the Chief Officer told him “we never had this conversation” and explained that the OIG reached out to the Chief Officer and questioned him about the Director’s workday. The Chief Officer and Director spoke a couple more times after that conversation and, specifically, on February 2, 2021, the day immediately prior to the Director’s second interview. The Director stated that he and the Chief Officer talked about working through lunch, not swiping on Kronos, and if there were any errors in days that the Director provided to the OIG.

When the Director was asked if he knew how much accrued time he had, he stated “no” and said that he would need to check. The OIG proceeded to show the Director the emails by which the Director requested time off and on which there is no evidence the Director entered MTA HQ or the subway. The Director verified and confirmed that each email was sent by him to the Chief Officer. The Director claimed it was an error on his part that he did not enter the proper accrued time on his timesheets. The Director stated further that he had no discussions with anyone about entering his time incorrectly and that he believes that if he adjusted his timesheets to reflect the correct leave, he would still have enough accrued time to account for each day that was entered incorrectly.

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In summary, the Director stole time, and the Chief Officer allowed the theft to occur. Between January 2018 and February 2020, the Director submitted, and the Chief Officer improperly approved, timesheets on which the Director falsely claimed to have worked 39 days. In addition, the Chief Officer regularly failed to approve the Director’s timesheets in a timely

manner, only doing so 6 times in a 2-year period. In 1 instance, the Chief Officer approved 49 weeks of the Director's timesheets on 1 day.

In addition, the Director and the Chief Officer did not cooperate fully and honestly with the OIG. The Director falsely stated that he inadvertently failed to use his accumulated leave. The Chief Officer falsely claimed to have checked the MTA HQ Calendar when approving the Director's timesheets. If he had checked the HQ Calendar, it would have showed that the Director repeatedly falsified his timesheets. Thus, at best the Chief Officer lied to the OIG, or, at worst, he knowingly approved the Director's false timesheets. The Chief Officer also, in direct contravention of the OIG's request, discussed the OIG investigation and interviews prior to the Director's second interview.

### III. POLICIES AND ANALYSIS

#### A. MTA All-Agency Code of Ethics

##### 1. *§ 1.07: Cooperation with Audits and Investigations*

The MTA All-Agency Code of Ethics Section 1.07 states, in pertinent part, that employees must cooperate fully and honestly with audits and investigations conducted by the MTA Inspector General and failure to so cooperate will subject an Employee to appropriate disciplinary penalty, up to and including dismissal.

Here, after his first OIG interview, the Director falsely stated to the OIG that he had inadvertently failed to use accumulated leave, or the correct leave, on the 8 questioned dates. In addition, the Director initially was not forthcoming when asked if he had discussed the investigation with the Chief Officer, only admitting that he had when confronted with the statements of the Chief Officer. The Chief Officer falsely stated that he checked the leave calendar when approving the Director's leave; therefore, he either lied to the OIG about checking the leave calendar or he knowingly approved false timesheets.

##### 2. *§ 4.02: Public Trust*

The MTA All-Agency Code of Ethics, Section 4.02, states, in pertinent part, that employees shall not engage in a course of conduct that will raise suspicion among the public that they are likely to be engaged in acts that are in violation of the public trust.

Here, the Director and the Chief Officer used their official positions to secure unwarranted privileges and exemptions for the Director when the Director submitted, and the Chief Officer approved, falsified timesheets, which permitted the Director to accumulate leave to which he was not entitled. Further, the Chief Officer, in contravention of the OIG's request, spoke with the Director about the investigation and interviews prior to the Director's second OIG interview, knowing the Director was the subject of the OIG's investigation. All of these acts violated the public trust.

## **B. MTA All-Agency Policy Directive, Reasonable Accommodation**

Section V, subsection (B)(b) provides, in pertinent part, that supervisors who receive a request for accommodation must let the agency Designee for Reasonable Accommodation (DRA) know of the request and that the employee must fill out the Application to Request Reasonable Accommodation of Disability.

Here, the Chief Officer permitted the Director to work through lunch as an “accommodation”, the Chief Officer did not notify the DRA of NYC Transit, and the Director did not complete the required application.

## **C. NYC Transit Rules and Regulations**

### *1. Rule 2(b): Knowledge of and Compliance with Rules*

Rule 2(b) states, in pertinent part, that employees who violate any of these rules may be disciplined in accordance with the Civil Service Law or their collective bargaining agreement or Authority policy, as applicable.

### *2. Rule 4(e): Required to Cooperate with Investigators*

Rule 4(e) states, in pertinent part, that all employees must cooperate with investigative personnel.

### *3. Rule 5(a): Reporting for Duty*

Rule 5(a), states, in pertinent part, that employees must report for their assignments as directed. Absence from duty without proper authority is regarded by the Authority as willful neglect of duty and as a serious breach of discipline.

### *4. Rule 6(a): Records, Time Cards and Paychecks of Employees*

Rule 6(a), states, in pertinent part, that supervisors must ensure the employees under their supervision submit timely and accurate timesheets.

### *5. Rule 8(a): Reports by Employees*

Rule 8(a), states, in pertinent part, that written or oral reports must be complete and accurate. Employees who knowingly submit or make reports containing false statements shall be charged with misconduct and incompetence.

### *6. Rule 8(b): Reports by Employees*

Rule 8(b), states, in pertinent part, that supervisors must not knowingly accept incomplete or inaccurate written reports from employees.

7. *Rule 12(a)(10): Code of Ethics, Course of Conduct*

Rule 12(a)(10), states, in pertinent part, that employees shall not pursue a course of conduct which will raise suspicion among the public that he/she is likely to be engaged in acts that are in violation of his/her trust.

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Here, the Director failed to report for duty on 39 days between January 2018 and March 2020. Further, the Director submitted, and the Chief Officer approved, the timesheets on which the Director falsely claimed to have worked those days, including 38 for which he submitted a leave request to the Chief Officer. Further, the Chief Officer, in contravention of the OIG's request, spoke with the Director about the investigation and interviews prior to the Director's second OIG interview.

As stated above, these actions by the Director and Chief Officer allowed the Director to obtain unwarranted privileges and exemptions in violation of the public trust, which allowed the Director to keep accrued leave for days on which he did not work; further, the Chief Officer, in contravention of the OIG's request, spoke with the Director about the investigation and interviews prior to the Director's second OIG interview; and the Director failed to cooperate fully and honestly with the OIG.

**D. New York State Public Officers Law**

1. *§ 74(3)(h)*

New York State Public Officers Law § 74(3)(h) states, in pertinent part, that an officer or employee of a state agency, member of the legislature or legislative employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he or she is likely to be engaged in acts that are in violation of his or her trust.

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Here, the Director's false timesheets, and the Chief Officer's approval of them, allowed the Director to keep accrued leave, and monies paid to him for days on which he did not work, misappropriating those leave hours and dollars from the MTA to the Director, acts which violated the public trust.

**IV. FINDINGS**

1. The Director and Chief Officer were untruthful during their OIG interviews in violation of § 1.07 of the MTA All-Agency Code of Ethics and NYC Transit Rules and Regulations Rule 4(e).

2. The Director violated § 4.02 of the MTA All-agency Code of Ethics, NYC Transit Rules and Regulations Rules 2(b), 5(a), 8(a), 12(a)(10), and the New York State Public Officers Law §§ 74(3)(h) in that the Director falsified his timesheets.
3. The Chief Officer violated § 4.02 of the MTA All-agency Code of Ethics, NYC Transit Rules and Regulations Rules 2(b), 6(a), 8(b), 12(a)(10), and the New York State Public Officers Law §§ 74(3)(h) in that the Chief Officer approved the Director's false timesheets without comparing them to the leave requests the Director sent to the Chief Officer and the Chief Officer regularly failed to approve the Director's timesheets in a timely manner, at times approving an entire years' worth of timesheets in 1 day.
4. The Director and Chief Officer violated the MTA All-Agency Policy Directive, Reasonable Accommodation, in that the Chief Officer allowed the Director to work through his lunch hour as an "accommodation" for a medical issue without notifying the DRA and without the Director making the required application to NYC Transit Human Resources Department.

## **V. RECOMMENDATIONS**

Based on the above investigation and findings, the OIG recommends MTA Bus:

1. Impose discipline on the Director as it deems appropriate, up to and including termination. In the meantime, ensure that the Director is licensed to swipe in the Kronos system and enrolled to use the biometric feature when it comes back online.
2. Impose discipline on the Chief Officer as it deems appropriate, up to and including termination.
3. Review the Director's timesheets, make the appropriate adjustments thereto and recoup any monies paid to the Director to which he is not entitled.
4. Review the Director's eligibility for a reasonable accommodation and direct the Director to complete any required application.

As always, we appreciate your continued courtesy and cooperation. Please advise our office within thirty (30) days of any actions you take pursuant to this letter. In addition, please indicate your acceptance or rejection of each recommendation and the proposed quarter in the calendar year that the recommendation will be implemented. Please be further advised that the

Office of the MTA Inspector General may publicly disclose this report consistent with its statute and other state law, which may include name(s) of individuals and entities. Should you have any questions, or need additional information, please contact Executive Deputy Inspector General for Legal Pei Pei Cheng-de Castro at (212) 878-0072.

Very truly yours,

/S/

Carolyn Pokorny

cc: Sarah Feinberg, Interim President, NYC Transit  
David Farber, General Counsel, NYC Transit  
Monica Murray, Chief Administrative Officer, NYC Transit  
Kim Moore-Ward, Deputy Chief People Officer, NYC Transit  
Monica Stamm, General Counsel, NYS Joint Commission on Public Ethics

## Appendix A

Leave Date	Email Time	Leave Requests (in pertinent part)
4/19/2018	6:36 AM	"I'm not feeling well this morning and will not be in the office today."
8/31/2018	9:26 AM (8/29/18)	"I would like to take off this Friday, August 31st."
9/10/2018	1:08 AM & 5:38 AM	"I wrenched my back yesterday while turning/lifting. In quite a bit of pain at the moment. May need to rest it today."
9/11/2018	6:08 AM	"My back is feeling better, but it's still giving me discomfort when moving around. I'm going to rest it again today"
10/1/2018	5:51 AM	"I got home late yesterday from my cousin's upstate and will be taking today off. I'll be back in the office tomorrow."
10/23/2018	4:42 AM	"I'm not feeling well and will be out of the office today."
11/2/2018	10:39 AM (11/1/18)	"with your approval, I would like to request tomorrow off."
12/12/2018	5:52 AM	"I'm not feeling well this morning and will be out of the office today."
1/2/2019	5:54 AM	"I'll be taking today off and will be returning to the office tomorrow."
1/29/2019	6:09 AM	"I am not feeling well this morning and will be out of the office today."
2/8/2019	2:25 PM (2/6/19)	"I will be taking off this Friday to attend the wake of my Aunt."
2/19/2019	5:53 AM	"I ... will be taking a personal day"
2/21/2019	6:16 AM	"Will need to take off today. Have been nauseous last night and this morning and need to take rest."
2/22/2019	5:26 AM	"I'm still recuperating from this stomach virus and will take today to rest."
3/6/2019	5:54 AM	"I will need to take today off to address some personal business"
3/18/2019	6:05 AM	"I will need to take a personal day to address some business matters"
3/21/2019	12:27 PM (3/20/19)	Doctor appointment.
4/15/2019	5:22 AM	"I will need to take a personal day today"

Leave Date	Email Time	Leave Requests (in pertinent part)
6/12/2019	6:00 AM	"I'm not feeling well this morning and will be out of the office today."
6/25/2019	5:58 AM	"I will need to take a personal day to take care of some business items"
7/29/2019	6:04 AM	"I will need to take care of some personal matters today and will not be in the office."
8/5/2019	6:14 AM	"I will be taking a personal day today."
8/6/2019	6:22 AM	"I will need to take a personal day today to complete some business matters. Thank you for understanding."
8/14/2019	5:44 AM	"I was not feeling well during the night and this morning and will not be in the office today."
8/15/2019	5:55 AM	"I will need to take rest today as well. Feeling better, but still exhibiting flu like symptoms."
9/23/2019	5:41 AM	"I will need to take a personal day today. I have a contractor coming ..."
9/26/2019	9/3/19, reminder 9/24	"With your approval, I would like to take vacation ... Thursday, 9/26/19 (Cardiologist app't) Friday, 9/27/19 ..."
9/27/2019	See 9/26/19, above	See 9/26/19, above.
10/8/2019	6:39 AM	"I will need to take a personal day ..."
10/15/2019	5:34 AM	"I will be taking a personal day today."
10/22/2019	7:02 AM	"I'm not keeping well this morning and will [sic] out of the office today."
11/4/2019	9:22 AM (9/24/19)	"Would like to make a slight modification to my vacation request ... I would like to take: Monday, 11/4/19 thru Friday 11/8/19"
12/17/2019	5:49 AM	"I need to take a personal day to address some issues at home."
1/6/2020	6:02 AM	"I will need to take a personal day today to complete some items at home."
1/15/2020	4:38 AM	"I am not feeling well this morning ... I wanted to let you know as far in advance as possible ahead of this morning's meeting."

Leave Date	Email Time	Leave Requests (in pertinent part)
1/21/2020	6:13 AM	"I will be taking a personal day today and returning to the office tomorrow."
1/28/2020	5:49 AM	"I will need to take a personal day to take care of something that came up at home. Thank you for understanding."
2/12/2020	N/A	No email, calendar indicates "sick"
2/25/2020	5:57 AM	"I will need to take a personal day today to address some business matters."



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One Penn Plaza, 11th Floor, Suite 1110  
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**Agency Response**  
**to**  
**MTA/OIG #2021-10**

**Director Theft of Time and Chief Officer's Failure to Supervise**

In response to the OIG's investigation and report, MTA Bus Company suspended Martin Olsen, the Director, and served him with disciplinary charges on May 24, 2021. The Office of Labor Relations sought the penalty of dismissal. Olsen appealed his case and a Step 1 meeting was held on June 8, 2021. On June 9, 2021, Olsen informed the Hearing Officer that he filed for retirement, effective June 10, 2021. Upon his retirement, Olsen did not receive his vacation payout. The agency deducted 309 hours from his vacation leave accruals for the 39 dates he did not work and the 6 dates that he reported late or left early, worth approximately \$21,336.45.

In addition, the Chief Officer accepted a 30-Day Suspension, worth approximately \$21,584.40, and a Final Warning that the same or similar conduct will result in termination.