



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Inspector General

October 25, 2024

Mr. Lincoln Saunders
Chief Administrative Officer
City of Richmond

The Office of the Inspector General (OIG) has completed an investigation within the Department of Public Utilities (DPU). This report presents the results of the investigation.

Authority:

1. In accordance with the Code of Virginia, §15.2-2511.2, the Inspector General is required to investigate all allegations of fraud, waste, and abuse.
2. City of Richmond Code 2-214 requires the Office of the Inspector General to conduct investigations of alleged wrongdoing involving fraud, waste, and abuse.

Background:

The subject of the investigation is a Utilities Field Specialist with the Department of Public Utilities. The Utilities Field Specialist uses multiple assigned City vehicles during their assigned duties. The Utilities Field Specialist is a non-exempt City of Richmond employee who uses a biometric reader for time reporting.

Allegations:

1. The Utilities Field Specialist with the Department of Public Utilities abused City time by going to their residence in Henrico County during work hours in violation of City of Richmond Administrative Regulation 5.13, Time and Attendance.

Facts: The investigators conducted surveillance periodically from August 5, 2024, to September 9, 2024, at the residence of the Utilities Field Specialist in Henrico County. The chart below reflects the times the Utilities Field Specialist and their City vehicle were observed at their residence.

| Date | Time Investigator Observed subject | Time Subject Left | Location | Duration |
|------------|------------------------------------|-------------------|------------------------|----------------|
| 08/05/2024 | 9:29 a.m. | 2:22 p.m. | Sandston, VA Residence | 4 hrs. 52 min. |
| 08/12/2024 | 8:50 a.m. | 3:10 p.m. | Sandston, VA Residence | 6 hrs. 20 min. |
| 08/14/2024 | 12:15 p.m. | 2:59 p.m. | Sandston, VA Residence | 3 hrs. 14 min. |
| 09/03/2024 | 11:35 a.m. | 3:07 p.m. | Sandston, VA Residence | 3 hrs. 28 min. |
| 09/09/2024 | 2:10 p.m. | 3:05 p.m. | Sandston, VA Residence | 55 min. |
| | | | Total | 18hrs. 35 min. |

The Utilities Field Specialist's time reports were checked against the hours in the chart, and the City of Richmond paid the Utilities Field Specialist for each occurrence.

The investigator interviewed the Utilities Field Specialist regarding this allegation. The Utilities Field Specialist said starting in June of 2024, they would go home one to three days per week for three to four hours during work hours to care for a family member. The Utilities Field Technician said they would only go home when they did not have assigned work and would leave their residence if called to respond to a call for service by their supervisor.

City of Richmond Administrative Regulation 5.13, Time and Attendance, Section II, Procedure 1. states, "The biometric reader is a device that will be utilized by non-exempt employees as a means to capture the most accurate time and attendance and thus pay each employee accordingly. The biometric reader will record the employees actual sign-in/out based on the employee scanning their appropriated hand/finger" The Utilities Field Specialist did not accurately report actual time worked for the City of Richmond on the above dates.

Allegation No. 1: Substantiated.

2. The Utilities Field Specialist with the Department of Public Utilities abused the use of a City vehicle by taking the car to their residence in Henrico County in violation of City of Richmond Administrative Regulation 6.2, Motor Pool and City Vehicle Usage.

Facts: Investigators conducted surveillance listed in Allegation 1. A City vehicle was located at the Utilities Field Specialist's residence each time the investigators arrived, and they were seen driving the City vehicle when they left their residence in Henrico County.

The Utilities Field Specialist was interviewed and admitted to driving their assigned City vehicle to their residence in Henrico County for non-work purposes.

City of Richmond Administrative Regulation 6.2, Motor Pool and City Vehicle Usage, Section IV., Authorized Use, 1., states, "City vehicles shall only be used for normal City business within the corporate limits of the City of Richmond." The Utilities Field

Specialist drove a City vehicle to their home outside the corporate limits for non-city business on multiple occasions, as listed in the chart in Allegation 1.

Allegation No. 2: Substantiated.

3. The Utilities Field Specialist with the Department of Public Utilities committed fraud by operating a lawn care business without submitting the required approval for secondary employment with the City of Richmond in violation of City of Richmond Administrative Regulation 5.5, Outside Employment.

Facts: Investigators conducted surveillance listed in Allegation 1. A private truck and trailer containing yard care equipment were seen in the driveway of the Utilities Field Specialist's home in Henrico County. The investigator conducted a computer search and was able to determine the Utilities Field Specialist owned a lawn care business. The investigator conducted a computer search and determined the Utilities Field Specialist owned a lawn care business. Investigators did not observe The Utilities Field Specialist conducting lawncare business activities during City work hours. The investigator reviewed the Utilities Field Specialist's personnel file for approval for secondary employment. The Utilities Field Specialist's file did not contain this approval form. The Utilities Field Specialist signed and forwarded an acknowledgment to their Operations Manager that employees must file for authorization for outside employment if participating in such an activity on February 1, 2024. The Code of Virginia, § 15.2-2511.2 defines Fraud a false representation of a matter of fact, whether by words or by conduct, by false or misleading statements, or by concealment of that which should have been disclosed, which deceives and is intended to deceive. The Utilities Field Specialist was aware of the requirement to disclose outside employment and concealed this information from the city.

The Utilities Field Specialist was interviewed and said they have three different companies. The lawncare business started in March of 2024, with a welding service and a trash removal service. The Utilities Field Specialist said they had not obtained written approval for any of these businesses because they do not affect the City.

City of Richmond Administrative Regulation 5.5, Outside Employment, Section III. Procedure, 8., states, "Employees are required to seek written approval of the CAO or his designee prior to engaging in any outside employment, activity, or enterprise. A copy of such approval will be actively maintained in the employees City personnel files. The absence of said approval from the employee's City personnel files shall create a presumption that the employee's failed to obtain the written approval required in this section." The Utilities Field Specialist admitted they had not sought approval before engaging in outside employment while employed by the City of Richmond.

While this is a violation of City policy there is no analysis on how this constitutes fraud, waste or abuse.

Allegation No. 3: Substantiated.

Conclusion:

Based on the findings, the OIG concludes that the three allegations against the Utilities Field Specialist are substantiated.

Recommendations:

This report has been forwarded to the Director of Public Utilities for appropriate action.

If you have any questions, please contact me at extension 1840.

Submitted,



James Osuna
Inspector General

CC: Honorable Members of City Council
Robert Steidel, Deputy Chief Administrative Officer
April Bingham, Director of Public Utilities