




**DALLAS COUNTY  
COUNTY AUDITOR**

**Memorandum**

To: Honorable John Garrett  
Constable Precinct No. 1

From: Darryl D. Thomas   
County Auditor

Subject: GPS Tracking and Time and Attendance Compliance Report for FY14-16 (ended 02/18/2016)

Date: Issued: March 4, 2016  
Released: August 26, 2016

**Scope**

A review of the GPS Tracking Network Reports, "Home Storage Vehicle Mileage Report", "Monthly Mileage/Fuel Log" and the Kronos Time Detail Reports was performed for Constable Precinct No. 1 from October 1, 2013 through February 18, 2016.

This matter was previously discussed with you for corrective action in preliminary draft form.

**Review Procedures**

Standard review procedures were followed to test the internal controls against Dallas County Codes. A random sampling of the total activity was selected for certain review steps based on risk, and noted internal control weaknesses.

Review procedures included, but were not limited to the following:

- Time and attendance records for proper posting and compliance with County policies and procedures
- "Home Storage Vehicle Mileage Report" (October 1, 2013 – January 31, 2016)
- "Monthly Mileage/Fuel Log" (October 1, 2013 – January 31, 2016)
- TransCore GPS Reports (July 28, 2015 – February 18, 2016)
- Precinct Home and/or Remote Storage of Vehicles and Assignment Report
- Dallas County Code (Policies and Procedures) - Section 74-191, Sec 82-33, Sec 82-83 through 82-85, Sec 82-131 through 82-134, Sec 82-171 through 82-178, Sec 86-754, Sec 86-902, Sec 90-92, Sec 90-92 through 90-198

**Findings**

**County Vehicle Usage and GPS Device Testing**

A review of the "Home Storage Vehicle Mileage Report" (detailing the daily beginning and ending odometer readings) and "Monthly Mileage/Fuel Log" (detailing fuel consumed and miles driven) revealed:

- Instances of Home Storage Vehicle Mileage Reports and/or Monthly Mileage/Fuel Logs not submitted for four vehicles as required by Dallas County Code Sections 90-94 and 90-192.

A review of the TransCore GPS Vehicle Stop and Fuel Usage Reports (displaying trip start/stop times, start/ stop locations, and distances traveled for County vehicle operators), between July 28, 2015 through February 18, 2016 revealed:

- Multiple instances in which the Chief Deputy used County vehicle A1023 to perform non-county related activities before, during or after scheduled Dallas County work time in conflict with personal use limitations established by Dallas County Code Section 90-129.
- County vehicle taken by the Chief Deputy (accompanied by the Constable with approval of the Constable) across the Dallas County line to attend a funeral in Palestine on September 5, 2015. Per Dallas County Code Section 90-147, County-owned autos may not be taken across the county lines except by express approval by order of the Commissioners Court.
- Two County assigned patrol vehicles were driven on two Saturdays. Kronos does not reflect the off days as worked. Recording of time worked is required by Dallas County Code Sections 82-172 (non-exempt), 82-132 (exempt) and 82-173 (exempt) in addition to the Fair Labor Standards Act for non-exempt employees.

A review of the TransCore Notification Center setup configuration that sends an alert (when a vehicle: enters/exits a County zone; speeds; accelerates; hard breaks; is used during restricted hours; and, device is unplugged) revealed three vehicles with GPS event notifications turned off on January 28, 2016.

### Time and Attendance

A review of the TransCore GPS Vehicle Stop and Fuel Usage Reports (displaying trip start/stop times, start/ stop locations, and distances traveled for county vehicle operators) in relation to Kronos Time Management System (Kronos) Reports revealed potential hours paid to the Chief Deputy for time not worked during July 28, 2015 – February 12, 2016:

- Numerous dates with a full eight (8) hour workday recorded in the Kronos Time Management System: GPS data reflects the Chief Deputy arrived late to work, left early or both resulting in potential misappropriated hours. 'Leave & Compensatory Time Request Form' was not processed for these dates.
- Numerous dates with a full eight (8) hour workday recorded in the Kronos Time Management System: GPS data reflects the Chief Deputy used the County vehicle to perform non-County business while on County time resulting in potential misappropriated hours.
- Numerous dates with a full eight (8) hour workday recorded in the Kronos Time Management System: GPS data reflects County patrol vehicle A1023 assigned to the Chief Deputy did not move from the Chief Deputy's home vehicle storage location during the working day resulting in potential misappropriated hours (exceptions adjusted for five partial dates when the Chief Deputy appeared in the office during fieldwork for times between 15 minutes to one hour and 47 minutes when the County vehicle was not used). 'Leave & Compensatory Time Request Form' was not submitted or processed for these dates. Leave forms were requested from Precinct staff during audit fieldwork for all dates; however, these dates were not part of the documentation provided.
  - The Chief Deputy is not eligible for telecommuting under Dallas County Code section 82-33 (b) (5) "No supervisory responsibilities". The Precinct did not submit a request for an exception to the policy to Commissioners Court for approval.

*Chief Deputy's response indicates "According to HR, telecommuting from home during scheduled work hours is permitted for my position of Chief Deputy when it has been approved by an elected official / department head according to Sec. 82-33."*

County policy states in part under Sec. 82-33 (a) (3) 'Routinely works offsite at least one day a week and the agreement is continuous and ongoing. However, the specific time period must be spelled out in the formal agreement, which must be approved by commissioner's court.' The Acting Human Resources (HR) Director was contacted by Audit staff during the review and asked if the appropriate paperwork had been received by HR and if Commissioners Court approved telecommuting for the Chief Deputy. The Acting HR Director indicated the form had not been received to date (February 17, 2016).

*Additional Chief Deputy's response indicates "You also stated that twenty-seven dates with A1023 (my vehicle) not showing movement for the entire workday. Approval was always given by the Constable / Elected Official if I chose to drive my personal car to work for any reason just as the previous Chief Deputy did on numerous occasions for years."*

A review of manual attendance records, Precinct leave request forms, Kronos time and attendance system postings, and field auditor observations revealed:

- Four (4) dates that the field auditor observed that the Chief Deputy was absent from the office for the full eight (8) hour workday and five (5) dates the field auditor observed that the Chief Deputy in the office for approximately 15 minutes, 21 minutes, one hour and 47 minutes; one hour and 45 minutes; and 46 minutes respectively, out of the eight (8) hour workday; however, eight (8) regular hours was posted in Kronos for each day except February 10, 2016. 'Leave & Compensatory Time Request Form' was not presented to the field auditor to review for these dates.
  - One date (February 10, 2016) the field auditor observed the Chief Deputy arrive wearing a campaign shirt. A vacation request for three (3) hours was subsequently submitted and posted to Kronos. Constable Precinct 1 vacation policy is to turn in leave requests seven (7) days in advance. According to Dallas County Code Section 82-502 (a), all vacation leave must be requested and scheduled in advance according to departmental procedures. Per Dallas County Code Section 86-902, county employees will not be allowed to perform or be involved in political campaigning or related activities during their working hours.
- Each Deputy's time is recorded as regular time in advance for the work week unless the Deputy submits a time off request form or calls in absent. Per Dallas County Code Section 82-132, 82-171, 82-172, and 82-174, all of the time an employee works must be recorded on the county's time and attendance system; employees are expected to be working for the benefit of the county from the time the employee's shift begins until the employee's shift ends, and employees leaving the premise during working hours for reasons other than county business shall clock out when leaving and clock in when returning to work.
  - Forty-nine historical edits were processed in calendar year 2014 and 2015.
- Employees are permitted to combine their 30 minute lunch and two 10 minute breaks into an hour lunch which is contrary to Dallas County policy.
  - Employees are compensated for an additional 10 minutes of unworked time as part of the extended lunch.
- Field auditor observed that the Chief Clerk was absent from the office; however, eight (8) regular hours were posted in Kronos. 'Leave & Compensatory Time Request Form' was not submitted or processed for this date.  
**Status:** *Historical edit was submitted to correct Kronos reflecting an eight (8) hour vacation day.*

## Recommendations

### GPS Data

- The Constable should educate employees to adhere to Dallas County Policies and Procedures including Section 90-129, 'Personal use of county vehicles'.
- County vehicles should not be taken across the Dallas County line without Commissioners Court approval in accordance with Dallas County Code Section 90-147.
- The Constable should re-educate employees about properly recording their time on Kronos and the County's attendance policies.
- The Constable should ensure employees submit the Home Storage Vehicle Mileage Report and Monthly Mileage/Fuel Log in accordance with Dallas County Code Sections 90-192 and 90-198.
- Vehicles with missing or incomplete GPS data should be reported to the County Fleet Manager. Vehicles should be taken to ASC as necessary to service GPS devices.

### Time and Attendance

- Actual hours worked (start times, meal periods, and end times), vacation time, sick time, holiday time, jury duty, compensatory time, overtime, ATO, etc. should be properly and timely posted to the KRONOS time and attendance system in accordance with the Dallas County Code.
- Consistent supervisory review of time and attendance Kronos postings should be emphasized to promote accurate time keeping and reduce need for historical edits for untimely received requests.
- The Constable should ensure that employee time records are accurate and that no abuses have occurred. Identified errors or omissions in the time record should be reviewed and approved by the supervisor for

correction. (All adjustments must be forwarded to the Payroll Hotline for historical edits in order to properly charge and/or record credit for each deputy.)

- Employees should record their time in Kronos and a separate supervisor should review and approve the employee's time. An employee should not record and approve their bi-weekly timecard in Kronos. Management should review bi-weekly timecards for errors and omissions (i.e. incorrectly posted time entries, insufficient hours worked in the week, excessive absences, appropriate application of approved time off requests and codes, adherence to work schedule and Dallas County Codes) prior to approval.
- Management should be proactive to discuss excessive absences with employees per Dallas County Code Section 86-392, especially if an employee is approaching 48 hours in unexcused absences.
- The Constable should re-educate employees about properly recording their time on Kronos and the County's attendance policies.
- Telecommuting should not be authorized for supervisors per Dallas County Code section 82-33 (b) (5). Telecommuting requests that exceed two (2) business days must be approved by Commissioners Court in accordance with Dallas County Code 82-33.

#### **Current Findings/Observations/Recommendations/Reponses**

Detailed finding templates numbered 16.C1.01.01 through 16.C1.01.02 are attached. Responses are incorporated on the templates. Additional responses are on file.

#### **Summary**

This report is intended for the information and use of the department. While we have reviewed internal controls and financial reports, this review will not necessarily disclose all matters of a material weakness. It is the responsibility of the department to establish and maintain effective internal control over compliance with the requirements of laws, regulations, and contracts applicable to the department.

Highest areas of risk which need to be addressed include: time paid without work or charge to leave balances and improper use of County assets.

Emphasis on outlined procedures should provide for improved departmental processes. Development of written internal procedures should be initiated to ensure compliance with recommended procedures, county policies, and state statutes. Consideration of all issues and weaknesses should be incorporated by the precinct as a self-assessment tool.

cc. Darryl Martin, Commissioners Court Administrator





**Finding Number:** 16.C1.01.01 GPS Activity  
**Date:** 02/19/2016  
**Audit:** Constable Precinct 1 FY14 – FY16 (02/18/2016)  
**Auditor(s) Assigned:** MVP

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| <b>Finding:</b>              | <p>A review of the Home Storage Vehicle Mileage Report”(detailing the daily beginning and ending odometer readings) and “Monthly Mileage/Fuel Log” (detailing fuel consumed and miles driven) and identified the following during October 1, 2013 – January 31, 2016:</p> <ul style="list-style-type: none"> <li>• Seven (7) out of seven (7) Home Storage Vehicle Mileage Reports not submitted by the Chief Deputy for vehicle A1023.             <ul style="list-style-type: none"> <li>◦ Chief Deputy did not submit a Monthly Mileage Report for the entire audit period.</li> </ul> </li> <li>• Five (5) out of seven (7) Monthly Mileage/ Fuel Logs not submitted by the Chief Deputy for vehicle A1023.</li> <li>• Two (2) out of seven (7) Home Storage Vehicle Mileage Reports not submitted by the assigned Deputy for vehicle CA1008.</li> <li>• Two (2) out of seven (7) Monthly Mileage/ Fuel Logs not submitted by the assigned Deputy for vehicle CA1008.</li> <li>• Two (2) out of seven (7) Home Storage Vehicle Mileage Reports not submitted by the assigned Deputy for vehicle CA873.</li> <li>• One (1) out of seven (7) Monthly Mileage/ Fuel Logs not submitted by the assigned Deputy for vehicle CA873.</li> <li>• One (1) out of seven (7) Home Storage Vehicle Mileage Reports not submitted by the assigned Deputy for vehicle CA1009.</li> <li>• One (1) out of seven (7) Monthly Mileage/ Fuel Logs not submitted by the assigned Deputy for vehicle CA1009.</li> </ul> <p>A review of the TransCore GPS Vehicle Stop and Fuel Usage Reports (displaying trip start/stop times, start/ stop locations, and distances traveled for County vehicle operators), between July 28, 2015 through February 18, 2016 revealed:</p> <ul style="list-style-type: none"> <li>• Multiple instances in which the Chief Deputy used County vehicle A1023 to perform non-county related activities before, during or after scheduled Dallas County work time in conflict with personal use limitations established by Dallas County Code Section 90-129.</li> <li>• Two (2) dates (August 22, 2015 and September 5, 2015) when the Chief Deputy operated County issued patrol vehicle A1023 on a Saturday, a restricted day.             <ul style="list-style-type: none"> <li>◦ The Chief Deputy (accompanied by the Constable with approval of the Constable) drove vehicle A1023 out of Dallas County to Palestine, Texas on September 5, 2015 to attend a funeral. Per Dallas County Code Section 90-147, County-owned autos may not be taken across the county lines except by express approval by order of the Commissioners Court.</li> </ul> </li> <li>• Two (2) dates when a Deputy operated County issued patrol vehicle A1024 on a Saturday (August 22, 2015 and December 19, 2015), a restricted day. Kronos does not reflect off days as worked. Recording of time worked is required by Dallas County Code Section 82-172 and the Fair Labor Standards Act for non-exempt employees.</li> </ul> <p>A review of the TransCore Notification Center setup configuration that sends an alert (when a vehicle: enters/exits a County zone; speeds; accelerates; hard breaks; is used during restricted hours; and, device is unplugged) revealed the following as of January 28, 2016:</p> <ul style="list-style-type: none"> <li>• Vehicle A1023 GPS event notifications were turned off</li> <li>• Vehicle A1024 GPS event notifications were turned off</li> <li>• Vehicle A1032 GPS event notifications were turned off</li> </ul> |
| <b>Work paper Reference:</b> | “Home Storage Vehicle Mileage Report”(October 1, 2013 – January 31, 2016)  |



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| <b>(or other method by which finding was identified)</b> | <p>"Monthly Mileage/Fuel Log" (October 1, 2013 – January 31, 2016)</p> <p>TransCore GPS Vehicle Stop and Fuel Usage Reports (July 28, 2015 – February 18, 2016)</p> <p>TransCore GPS Activity Events (July 28, 2015 – February 18, 2016)</p> <p>TransCore GPS Event Notification Report (July 28, 2015 – February 18, 2016)</p> <p>TransCore Notification Center setup configuration</p> <p>Precinct Home and/or Remote Storage of Vehicles and Assignment Report</p> <p>Dallas County Policies and Procedures - Section 90-94 and Section 90-171</p> <p>Dallas County Policies and Procedures - Article V - Section 82-171 through Section 82-175.</p>  |
| <b>Condition:<br/>(Describe the current condition)</b>   | <p>Vehicles are assigned and equipped with GPS units. Deputies serve citations, notices, writs, warrants, etc. which require use of a vehicle. Both home storage and remote storage is authorized. Deputies are expected to adhere to Dallas County Codes with respect to operating and maintaining county vehicles.</p> <p>Each employee signed a statement on use of a County vehicle certifying compliance with Dallas County Code, Chapter 90, Article II.</p> <p>Each employee certified actual hours worked, accrued sick balances, and accrued vacation balances as of February 6, 2016.</p>  |
| <b>Criteria:<br/>(Describe the optimal condition)</b>    | <p>Dallas County Code Sec. 74-191. - County buildings; generally.</p> <p>(a) There shall be no public solicitation within the hallways, offices or other areas of the county government facilities unless approved by the commissioners court.</p> <p>(b) There shall be no intercounty, interoffice or employee solicitation unless approved by the commissioners court.</p> <p>(c) If approved by the commissioners court, solicitation of employees during normal working hours shall be scheduled with the elected official or the department head involved.</p> <p>(d) No signs, posters, handbills or notices shall be posted in, on or about the county government facilities without the prior written approval of the commissioners court. Individuals responsible for posting signs, posters, handbills or notices are responsible for the removal of same. The facilities management department shall remove any unauthorized sign, poster, handbill or notice. This division does not prohibit the posting of general and routine information material on bulletin boards in employee work areas or official posting areas for legal documents. No union or employee association signs, posters, handbills or notices shall be posted in, on, or about the county government facilities without the prior written approval of the county director of personnel/civil service. Upon review and approval the materials to be posted will be forwarded to the various departments for posting on nonwork related bulletin boards only.</p> <p>(e) All requests for use of buildings and grounds, except those involving the sixth floor exhibit, as provided in section 74-271—74-273(a) must be initially filed with the commissioners court administrator.</p> <p>(f) County buildings, equipment, and supplies shall not be used in support of political campaigns. (See also section 86-754(b).) There shall be no campaign fundraising, advertising, rallies, press conferences, or campaign meetings in county buildings. Nothing in this policy prohibits a Dallas County elected official from holding a press conference to express his or her personal opinions on non-partisan issues.</p> <p>(g) County property other than buildings such as the downtown plazas and public sidewalks surrounding county buildings (outdoor public areas) are available for use by the general public as long as such use does not disrupt or interfere with the conduct of county business.</p> <p>Sec. 86-754. - Use and conduct of county-owned property.</p> <p>(a) The utmost care shall always be exercised in using the county property to minimize damage to equipment and waste of supplies. An employee of the county shall not participate in bidding on the county equipment sales.</p> <p>(b) Intentional or negligent damage or any personal use of county equipment or property will be grounds</p> |



for disciplinary action or dismissal depending on severity of the incident.

Sec. 86-902. - Campaigning in uniform or while using county equipment.

The county employees will not be allowed to perform or be involved in political campaigning or related activities during their working hours, while in county uniform, or while using county vehicular equipment.

Sec. 90-92. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Home storage privileges means allowing the employee to use a county-owned vehicle to commute from home to work duty. At no time shall a county-owned vehicle be used for any personal use.

Remote storage means off-duty parking of vehicles at locations other than the base work site, usually at another county facility or governmental agency location.

Worksite storage means off-duty parking of vehicles at the base worksite locations or if the base work site parking is not available, parking of a vehicle at the nearest safe and secure county facility.

Sec. 90-94 Special requirement for all operators of remote or home storage vehicles states:

(a) All vehicles approved for remote or home storage shall be equipped with a centralized county GPS tracking system. The information provided by this system will be adequate for use in civil litigation and criminal proceedings. The Purchasing Department, OBE, and county auditor office will have unrestricted access to the GPS and any of its data. As any other authorized equipment for county vehicles the GPS system shall be installed and maintained by the ASC. The initial and future cost of law enforcement GPS will be paid from the department's drug forfeiture funds other department's funding will be addressed on a case by case bases.

(b) Employees that are authorized remote or home storage **shall maintain a daily mileage log** where the employee/driver will log in at the start and end of each day the starting and ending mileage and location.

(c) At the end of each month the mileage log will be turned in to the employee's supervisor who shall review the log for any inconsistencies and if none are found sign and date the log. If a discrepancy is noted the supervisor shall document the finding on the mileage log, address it with the employee and provide a copy of the discrepancy to the OBE and auditor's office. **Mileage logs shall be retained for a minimum of two years.**

Sec. 90-192 – Preventive maintenance program; driver responsibilities.

a) The basis for prolonging the life of a vehicle is a good preventive maintenance program. The driver is responsible for:

(1) Daily inspections;

(2) Keeping track of mileage daily; and

(3) Determining when the vehicle is due for the next scheduled preventive maintenance procedure.

(b) **Each vehicle has a notebook with a monthly mileage and fuel report (exhibit CH). This must be filled out, signed each day, and sent to the fleet manager within five days of the close of the month.**

(c) Each vehicle notebook contains a preventive maintenance schedule for the driver and maintenance mechanic to use as a reference to fulfill the preventive maintenance requirements on the vehicle.

(d) There will be 12 monthly calendars for use by the driver and maintenance mechanic. When the driver sees he is down to the last calendar, it is his responsibility to get a new set from the fleet manager for his notebook.

Sec. 90-121. - Necessary for operation of county business.

The county will own and operate vehicles necessary for the execution of county business, most of which are special purpose vehicles such as buses, trucks, road equipment and law enforcement-related automobiles.



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|  | <p>Sec. 90-126. - Forfeiture of county's liability protection.<br/>Individuals who operate county-owned vehicles outside the policy limitations prescribed in this Code and specifically article II of this chapter will automatically forfeit the county's liability protection and will be held personally liable for any damage or injury resulting from such vehicle use.</p> <p>Sec. 90-129. - Personal use.<br/>Except for reasonable travel to and from lunch, county-owned vehicles shall <b>not</b> be used for any personal use including, but not limited to, use for personal errands going to the store or dry cleaners, taking and/or picking up children at school or day care or any other non-county use), for travel to and from an after hours non-county job, etc. or for transporting other employees or individuals for non-county activities such as, but not limited to, travel to and from work.</p> <p>Sec 90-198 – Fueling vehicles<br/>(f) The monthly mileage and fuel report (exhibit CH) must be sent to the fleet manager by the fifth working day of the next month.</p> <p>Sec. 90-147. - Out of county usage.<br/><b><u>County-owned autos may not be taken across the county lines except by express approval by order of the commissioners court.</u></b></p> <p>The TransCore GPS Vehicle Stop and Fuel Usage Reports display vehicle/employee time updates received during the designated time period denoting ignition off/on.</p> <p>GPS functionality:<br/>1) Standard update (ping) every 5 minutes when ignition is on, one hour when the ignition is off.<br/>2) Standard update (trip) for ignition on/off.<br/>3) Six (6) month archived records online capabilities.<br/>4) Standard reports developed for speeding, after hours, and out of county.<br/>5) Automated email alert when vehicle crosses county line.</p> |
| <p><b>Cause:</b><br/>(Describe the cause of the condition if possible)</p> | <p>Non-compliance with Dallas County policies and procedures.</p> <p>Four (4) identified Precinct 1 employees failed to submit their Home Storage Vehicle Mileage Reports and Monthly Mileage/ Fuel Logs.</p> <p>Three (3) identified Precinct 1 employees operated county patrol vehicles A1023, A1024, and A1004 during restricted dates/times. Vehicle A1023 was taken across County lines without Commissioners Court approval.</p> <p>The Chief Deputy did not to take vehicle A1023 to ASC for maintenance and repair to the vehicle's GPS device after it reported "Unplugged or Low Battery".</p> <p>The Chief Deputy operated County vehicle A1023 to conduct non-county related activities before, during, and after official county hours.</p>   |
| <p><b>Effect:</b><br/>(Describe or quantify any adverse effects)</p>       | <p>An inability to systemically track vehicle mileage, fuel consumption, and GPS tracking mandated by Dallas County code 90-94.</p> <p>Potential liability to the County if county issued vehicle is damaged as a result of operation during non-county hours.</p> <p>Loss of county funds expended for non-county related activities through operation of a county issued vehicle prior to, during, or after work hours.</p>   |



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|   | Inability for the county to recover costs for fuel consumed and depreciation of county issued vehicle for use on non-county related activities.   |  |                    |                            |              |                                   |
| <b>Recommendation:<br/>(Describe corrective action)</b> | <p>The Constable should educate employees to adhere to Dallas County Policies and Procedures including Section 90-129, 'Personal use of county vehicles'.</p> <p>County vehicles should not be taken across the Dallas County line without Commissioners Court approval in accordance with Dallas County Code Section 90-147.</p> <p>The Constable should re-educate their employees about properly recording their time on Kronos and the County's attendance policies.</p> <p>The Constable should ensure employees submit the Home Storage Vehicle Mileage Report and Monthly Mileage/Fuel Log in accordance with Dallas County Code Sections 90-192 and 90-198.</p> <p>The Constable should ensure that employee time records are accurate and that no abuses have occurred. Identified errors or omissions in the time record should be reviewed and approved by the supervisor for correction. All adjustments must be forwarded to the Payroll Hotline for historical edits in order to properly charge <i>and/or</i> record credit for each deputy.</p> <p>Vehicles with missing or incomplete GPS data should be reported to the County Fleet Manager. Vehicles should be taken to ASC as necessary to service GPS devices.</p>  |  |                    |                            |              |                                   |
| <b>Responsible Department or Organization:</b>          | Constable Precinct 1  |  |                    |                            |              |                                   |
| <b>Management's Response:</b>                           | <input type="checkbox"/> Agree  | <input checked="" type="checkbox"/> Disagree | <b>Respondent:</b> | Chief Deputy Tracey Gulley | <b>Date:</b> | Unsigned response dated 3/25/2016 |
| <b>Comments:</b>  | <p>The GPS system shows that the Chief Deputy's vehicle appeared to be in locations outside the scope of the Chief Deputy's duty; low battery of unplugged or utilized on an off-work period. 85% of the travel was work related for the period mentioned. Fifteen percent (15%) which mentioned the vehicle was at a standstill or parked is due to the personal vehicle being driven to the Precinct by the Chief Deputy, who is not required to drive the vehicle entirely each day. There were periods of time if personal matters were to be handled immediately after work, or if it necessitated leaving to handle personal matters during the day, the personal vehicle would be driven, and then the Chief would go back and retrieve the vehicle or vice versa. There were some instances where the battery needed a boost.</p> <p>Some of the travel to schools was justified and approved by the Constable. All previous Constables to the current Constable of Precinct has been strict of protecting young children in the school district and the department has numerous requests by parents and teachers to assist in protecting their children in the school zones. Various elementary schools are approved for this service when needed. The Chief Deputy engages those schools as well as speaking among other topics to elementary schools.</p> <p><i><b>Audit note:</b> In reviewing IT Services report of traffic citation filings from October 1, 2014 through March 31, 2016, we were unable to find any instances of school zone or other traffic violations filed under the Chief Deputy's name. Most instances of A1023 noted in proximity to a school, was one specific school. It is a parental responsibility rather than a law enforcement function to drop off or pick-up a child at their school or afterschool care; attend a child's school activities; take items to a child during the day; or pick-up a sick child. County policy does not allow for these types of vehicle uses to limit potential county liability in the event of an accident (though we agree this type of restriction can be burdensome on a parent assigned a county vehicle).</i></p> |  |                    |                            |              |                                   |





Additional Chief Deputy response on May 31, 2016 indicates in part "You stated that IT Services were unable to find any instances of school zone or traffic violations filed under my name. Never did I mention that we were there to write citations and I did not have to, but were there basically to assist the schools with parents who block the morning and after school traffic flow and would block the school bus entrance. Most of these schools have called on our assistance for years because of our regular Career Day participation. We are often called upon from these schools as well for early dismissal on the last day of school where we have for many years, coordinate with DISD Police, DPD, and the Sheriff Department to help with crowd control and fights.

Other deputies have those same responsibilities of protecting children in school zones when requested. Not only is the Chief Deputy a presenter at schools, but various others associations, organizations, high schools, colleges, churches and participates in numerous community events. The audit reports shows travel to a shopping mall. The Southwest Center Mall is one of our key areas, along with other malls, which the Constable Precinct 1 office frequents to speak on community matters and to address the community.

**Audit note:** A request for documentation (contacts, agendas, requests from civic organizations, churches, or schools, etc.) to support non-political public speaking engagements at the Southwest Center Mall and other event locations/times reflected as exceptions was made. As of May 25, 2016, supporting documentation has not been received from the Chief Deputy. A specific office structure in proximity of Southwest Center Mall was driven to in the County vehicle on multiple occasions. The Town East Mall (which is not within Precinct No. 1 boundaries) and surrounding businesses in Mesquite were driven to in the County vehicle.

Upon approval by Constable, Chief Deputy has driven the vehicle to funerals all which occurred on a Saturday. The Chief Deputy has also taken supply pickup runs to grocery stores and other stores for the department. The Chief Deputy has a 24/7 work week when it necessitate business, serving citations when persons being served are not available until after work or weekends. The Chief Deputy has to be available to service notices to the public. Deputies workweek is 7:30am to 4:30pm which the Chief is responsible for ensuring all tasks are completed after those hours. The Chief Deputy is also responsible for supervision of Deputies on part-time jobs to ensure the jobs are being completed on time, etc.

The Constable's Precinct 1 office has had two Constables to leave, and most recently an interim Constable was appointed. Leaving the Chief Deputy to take the command and play an active role in the responsibilities of Constable for the past four years. Engage more within the community, managing other deputies, while also fulfilling the Chief Deputy's role of serving citations, collecting evidence, serving writs, questioning witnesses, transporting and booking individuals. Addressing Landlord issues against the Deputies and handling of the news media at times. The Chief Deputy's job allows for patrol in various neighborhoods, school zones, and other areas of the County, interaction with other law enforcement agencies, other Constables, and agencies on a Federal, State, and local level which involves numerous locations.

**Audit note:** In a sample review, we were unable to identify approximate addresses on the IT Services Report R02967 List of Disposed Papers monthly disposed paper report for Constable Precinct No. 1 to approximate addresses considered as exceptions or through a sample review papers on the mainframe Constable system (searched for Squad 101). We did not receive a response to a request for a copy of the Chief Deputy's 'Daily Activity Report-Service of Process Documentation of Attempts' for the months of July 2015 through February 2016 to assist our office in identifying and clearing exceptions for locations the Chief Deputy either attempted or served papers.

When the deputy became Chief Deputy, the Constable alleviated the requirement of completing mileage logs, although, the fuel logs were neglected to be prepared and submitted. This is one procedure that has



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|                     | been corrected and currently implemented.               |                                       |   |
|                     | Other responses from the Chief Deputy are on file.      |                                       |   |
| <b>Disposition:</b> | <input checked="checked" type="checkbox"/> Audit Report | <input type="checkbox"/> Oral Comment | <input type="checkbox"/> Deleted From Consideration |



**Finding Number:** 16.C1.01.02 – Time and Attendance  
**Date:** 2/18/16  
**Audit:** Constable Precinct 1 Audit FY14 – FY16 (ended 02/18/2016)  
**Auditor(s) Assigned:** MU & MVP

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| <b>Finding:</b> | <p>A review of the TransCore GPS Vehicle Stop and Fuel Usage Reports (displaying trip start/stop times, start/ stop locations, and distances traveled for county vehicle operators) and Kronos Time Management System (Kronos) Reports, revealed potential hours paid to the Chief Deputy for time not worked during July 28, 2015 – February 12, 2016:</p> <ul style="list-style-type: none"> <li>Numerous dates with a full eight (8) hour workday recorded in the Kronos Time Management System: GPS data reflects the Chief Deputy arrived late to work, left early or both resulting in potential misappropriated hours. 'Leave &amp; Compensatory Time Request Form' was not submitted or processed for these dates.</li> <li>Numerous dates with a full eight (8) hour workday recorded in the Kronos Time Management System: GPS data reflects the Chief Deputy used the County vehicle to perform non-County business while on County time resulting in potential misappropriated hours.             <ul style="list-style-type: none"> <li>Daily Activity Logs listing locations traveled by the Chief Deputy during business hours while performing County duties were requested to account for use of the vehicle.</li> </ul> <p><i>Chief Deputy's response indicates she was not required to generate a daily activity report in her capacity as Chief Deputy per the Constable.</i></p> </li> <li>Numerous dates with a full eight (8) hour workday recorded in the Kronos Time Management System: GPS data reflects County patrol vehicle A1023 assigned to the Chief Deputy did not move from the Chief Deputy's home vehicle storage location during the working day resulting in potential misappropriated hours (exceptions adjusted for five partial dates when the Chief Deputy appeared in the office during fieldwork for times between 15 minutes to one hour and 47 minutes when the County vehicle was not used). 'Leave &amp; Compensatory Time Request Form' was not submitted or processed for these dates. Leave forms <u>were requested</u> from Precinct staff <u>during audit fieldwork</u> for all dates; however, these dates were not part of the documentation provided.             <ul style="list-style-type: none"> <li>The Chief Deputy is <u>not</u> eligible for telecommuting under Dallas County Code section 82-33 (b) (5) "No supervisory responsibilities". The Precinct did not submit a request for an exception to the policy to Commissioners Court for approval.</li> </ul> <p><i>Chief Deputy's response indicates "According to HR, telecommuting from home during scheduled work hours is permitted for my position of Chief Deputy when it has been approved by an elected official / department head according to Sec. 82-33."</i></p> <p>County policy states in part under Sec. 82-33 (a) (3) 'Routinely works offsite at least one day a week and the agreement is continuous and ongoing. However, the specific time period must be spelled out in the formal agreement, which <u>must be approved by commissioner's court.</u>' The Acting Human Resources (HR) Director was contacted by Audit staff during the review and asked if the appropriate paperwork had been received by HR and if Commissioners Court had approved telecommuting for the Chief Deputy. The Acting HR Director indicated the form had not been received to date (February 17, 2016).</p> <p><i>Additional Chief Deputy's response indicates "You also stated that twenty-seven dates with A1023 (my vehicle) not showing movement for the entire workday. Approval was always given by the Constable / Elected Official if I chose to drive my</i></p> </li> </ul> |
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*personal car to work for any reason just as the previous Chief Deputy did on numerous occasions for years."*

A review of manual attendance records, Precinct leave request forms, Kronos time and attendance system postings, and field auditor observations revealed:

- Four (4) dates that the field auditor observed the Chief Deputy was absent from the office for the full eight (8) hour workday, however eight (8) regular hours were posted in Kronos for each day. 'Leave & Compensatory Time Request Form' was not presented to the field auditor to review for these dates.
- Two (2) dates the field auditor observed the Chief Deputy in the office for approximately 15 minutes and 21 minutes respectively out of the eight (8) hour workday; however eight (8) regular hours were posted in Kronos for each day. 'Leave & Compensatory Time Request Form' was not presented to the field auditor to review for these dates.
- Three (3) dates the field auditor observed the Chief Deputy in the office for approximately: one hour and 47 minutes; one hour and 45 minutes; and 46 minutes out of the eight (8) hour workday; however eight (8) regular hours were posted in Kronos for each day except February 10, 2016. 'Leave & Compensatory Time Request Form' was not presented to the field auditor to review for these dates.
  - One date (February 10, 2016) the field auditor observed the Chief Deputy arrive wearing a campaign shirt. A vacation request for three (3) hours was subsequently submitted and posted to Kronos. Constable Precinct 1 vacation policy is to turn in leave requests seven (7) days in advance. According to Dallas County Code Section 82-502 (a), all vacation leave must be requested and scheduled in advance according to departmental procedures. Per Dallas County Code Section 86-902, county employees will not be allowed to perform or be involved in political campaigning or related activities during their working hours.
- Forty regular hours were posted to Kronos for February 15, 2016 through February 19, 2016 for the Chief Deputy.
 

***Status:** On February 26, 2016, a 'Leave & Compensatory Time Request Form' for vacation leave reflecting a request and approval date of February 15, 2016 was provided to audit staff. A historical edit request was submitted by the Chief Clerk to Payroll on March 1, 2016 to correct the prior Kronos postings from regular hours worked to vacation taken.*
- Six (6) employees on Jury Duty without indication as to whether the employee contacted a Precinct supervisor if released early as required by Dallas County Code Sec. 82-516.
- One (1) instance where an employee requested sick time off, but regular time was incorrectly posted to Kronos.
- One (1) instance where an employee's time off request form ('Leave & Compensatory Time Request Form') was not located for vacation time taken.
- Each Deputy's time is recorded as regular time in advance for the work week unless the Deputy submits a time off request form or calls in absent.
  - Forty-nine historical edits were processed in calendar year 2014 and 2015.
- Employees are permitted to combine their 30 minute lunch and two 10 minute breaks into an hour lunch which is contrary to Dallas County policy.
  - Employees are compensated for an additional 10 minutes of unworked time as part of the extended lunch.
- Chief Clerk approves her own Kronos timecard without oversight or subsequent review by management.
- One (1) date (February 15, 2016) that the field auditor observed the Chief Clerk was absent from the office, however eight (8) regular hours were posted in Kronos. 'Leave & Compensatory Time Request Form' was not submitted or processed for this date.



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|  | <i>Status: Historical edit was submitted to correct Kronos reflecting an eight (8) hour vacation day.</i>  |
| <b>Work paper Reference:<br/>(or other method by<br/>which finding was<br/>identified)</b> | <p>Work Paper No.7A, 7B, 7C, 7D, 7E, 7F, 7G</p> <p>Kronos time and attendance reports for fiscal years 2014 and 2016 (up to 02/18/2016).</p> <p>TransCore GPS Vehicle Stop and Fuel Usage Reports (July 28, 2015 – February 18, 2016)</p> <p>TransCore GPS Activity Events (July 28, 2015 – February 18, 2016)</p> <p>Precinct Home and/or Remote Storage of Vehicles and Assignment Report</p> <p>Observations and inquiries. Verification with Human Resources that a telecommuting form had not been submitted to their office and Commissioners Court for approval.</p> <p>Dallas County Policies and Procedures - Section 90-94 and Section 90-171</p> <p>Dallas County Policies and Procedures - Article V - Section 82-171 through Section 82-175</p>   |
| <b>Condition:<br/>(Describe the current<br/>condition)</b>                                 | <p>A Kronos account is established for each employee as the official time and attendance entry system. All employees are expected to record the start and end of their workday on the time and attendance system in accordance with County policy. Non-exempt employees authenticate to the Kronos software and log their start and ending time. The Chief Clerk inputs Deputy's time based on the Deputy's schedule and makes adjustments based on Time Off Requests submitted by the Deputy to the Chief Deputy and Constable for approval. Time Off Requests are submitted for annual leave, sick leave, vacation, bereavement, jury duty, and Family Medical Leave Act. After the Time Off Request is approved by the Chief Deputy and Constable, the Constable forwards the approved request to the Chief Clerk for posting in Kronos. It is the responsibility of each employee to report unexcused absences. Additionally vacation requests must be submitted 7 days in advance of the requested date per the Precinct's office policy. The policy also allows flex commute time on training days.</p> <p>Each employee certified actual hours worked, accrued sick balances, and accrued vacation balances as of February 6, 2016.</p> <p>Each employee signed a statement on use of county vehicle certifying compliance Dallas County Code, Chapter 90, Article II.</p> <p>The GPS Tracking Network Reports display vehicle/employee time updates received during the designated time period denoting ignition off/on.</p> |
| <b>Criteria:<br/>(Describe the optimal<br/>condition)</b>                                  | <p>County policy designates Kronos as the official time and attendance entry system for all employees.</p> <p>Dallas County Code Sec. 74-191. - County buildings; generally.</p> <p>(a) There shall be no public solicitation within the hallways, offices or other areas of the county government facilities unless approved by the commissioners court.</p> <p>(b) There shall be no intercounty, interoffice or employee solicitation unless approved by the commissioners court.</p> <p>(c) If approved by the commissioners court, solicitation of employees during normal working hours shall be scheduled with the elected official or the department head involved.</p> <p>(d) No signs, posters, handbills or notices shall be posted in, on or about the county government facilities without the prior written approval of the commissioners court. Individuals responsible for posting signs, posters, handbills or notices are responsible for the removal of same. The facilities management department shall remove any unauthorized sign, poster, handbill or notice. This division does not prohibit the posting of general and routine information material on bulletin boards in employee work areas or official posting areas for legal documents. No union or</p>   |





employee association signs, posters, handbills or notices shall be posted in, on, or about the county government facilities without the prior written approval of the county director of personnel/civil service. Upon review and approval the materials to be posted will be forwarded to the various departments for posting on nonwork related bulletin boards only.

(e) All requests for use of buildings and grounds, except those involving the sixth floor exhibit, as provided in section 74-271—74-273(a) must be initially filed with the commissioners court administrator.

(f) County buildings, equipment, and supplies shall **not** be used in support of political campaigns. (See also section 86-754(b).) There shall be no campaign fundraising, advertising, rallies, press conferences, or campaign meetings in county buildings. Nothing in this policy prohibits a Dallas County elected official from holding a press conference to express his or her personal opinions on non-partisan issues.

(g) County property other than buildings such as the downtown plazas and public sidewalks surrounding county buildings (outdoor public areas) are available for use by the general public as long as such use does not disrupt or interfere with the conduct of county business.

**Sec. 82-32. - Work hours scheduling.**

(a) Work schedule. Each supervisor must approve and establish an authorized work schedule for each employee within the time-keeping system. All employees' work hours, exempt and non-exempt, will reflect their established work schedule.

(b) Office hours. An elected official/department head, with the approval of the commissioners court, has the right to establish and schedule reasonable work hours, rules and working conditions in a manner most advantageous to the county in accomplishing its service and work requirements. Compensatory time and overtime are also scheduled by the elected official/department head according to appropriate county policies. County offices, excluding 24-hour operations, are expected to remain open between the hours of 8:00 a.m.—4:30 p.m. and remain open during the noon hour. Employees should verify office hours and work hours with their supervisor.

(c) **Breaks and lunch periods.** An elected official/department head may also establish breaks and lunch periods for their employees. Employees may be granted one break of ten minutes for each four hours worked. Employees are paid while on break. A lunch period may be 30 minutes to an hour depending on the work schedule approved by the elected/appointed official/department head. **Lunch periods are in addition to the regular eight-hour work period and shall not be combined with breaks.** Employees are not paid during their lunch period; therefore, they should be completely relieved of all duties and be free to leave their post of duty.

(d) Flex time. The commissioners court encourages elected officials/department heads to implement flexible schedules, if feasible, and when it can be done without impacting service delivery or incurring additional expenses. However, elected officials/department heads are not mandated to grant flexible schedules, and each request will be evaluated on a case-by-case basis. Such a request requires:

(1) Written authorization/approval from the elected official/department head.

(2) The employee to submit P/CS Form no. 25 to the employee's supervisor for approval. P/CS Form no. 25 will be maintained in the employee's departmental personnel file.

(e) Workweek. The county's official workweek begins Saturday at 12:01 a.m. and ends the following Friday at midnight.

(f) Hours worked less 40. Any nonexempt employee who does not work a full 40-hour workweek will have his compensation reduced by the value of the hours not worked or will charge such time not worked to accrued leave or compensatory time, holiday pay, vacation or sick leave, or any combination of such leave. Employees not eligible for approved leave and unable to consistently work 40 hours per week are subject to loss of full-time status and benefits.

(g) Other. **Each elected official/department head is responsible for ensuring that all reporting of time worked, accrual and use of leave, complies with county policies.** Employees are not



permitted to remain on the county's payroll if they are not on an approved leave of absence (with or without pay). Supervisors are responsible for accurate time reporting. The law requires that what is reported must be paid. **Not reporting time accurately is considered falsifying an official document. Disciplinary action, up to and including termination, may be taken against employees and supervisors who falsify county documents related to work hours.**

Sec. 82-33. - Telecommuting program.

(a) Generally. This program permits an employee to work at an alternate site such as home, a satellite office, library, etc., for a specified period. An elected official/department head that determines it is advantageous to allow an employee to work at an alternate site has the following three work arrangement options:

(1) One- to two-day agreement where an employee has a specific project/assignment to complete in a very short time period, not to exceed two days. The frequency of such work arrangement is also limited—not to exceed two to three times annually, and the elected official/department head gives final approval. **The elected official/department head must notify HR of the assignment by completing the Short-term Telecommuting Agreement Form (HR/CS #106).** In order to protect the employee, elected official/department head and the county, within five business days of the agreement, the department shall submit HR/CS #106 to HR. HR will provide a quarterly report to commissioner's court.

Example: A project requiring extensive research/writing is due and the elected official/department head allows the employee to work on the project offsite for two days.

(2) Exceeds two days, yet is for a specific time-period, is not long-term and must be approved by commissioner's court.

Example: Employee works at home for three days a week for six weeks to complete data collection for a project report related to fiscal, financial and/or contractual compliance audits.

(3) Routinely works offsite at least one day a week and the agreement is continuous and ongoing. However, the specific time period must be spelled out in the formal agreement, which must be approved by commissioner's court.

Example: Employee works three days a week at home analyzing, designing, and developing custom applications and two days in the office.

is overview assists employees and elected officials/department heads in understanding the requirements and conditions for participating in the county's telecommuting program.

a. As a work site alternative, telecommuting may be appropriate for high performing employees whose job responsibilities are suited for such arrangements;

b. It is not an entitlement or a right and as such, no employee may demand it;

c. Telecommuting requests are considered on an individual basis;

d. Elected official/department heads may approve Option 1 by completing HR/CS #106; however, **formal commissioners court approval is required on Option 2 and 3;**

e. The county or employee may terminate a telecommuting agreement at any time;

f. This policy does not apply in situations related to telecommuting offered as a result of providing reasonable accommodation for qualified individuals with a disability. Specific details regarding such can be obtained from the employee relations section of the human resources/civil service department; and

g. Employees and managers must comply with all aspects of the telecommuting policy to protect the employee, elected officials/department heads and the county.

(b) Position selection guidelines. Not all positions are suitable for telecommuting consideration. Managers should use the following guidelines to determine if a position is suitable for telecommuting consideration:

(1) Job tasks assigned can be performed independently;

(2) Information required is readily accessible at an alternate site;



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|  | <p>(3) Job tasks and duties are clear and quantifiable;</p> <p>(4) Job tasks do not require daily face-to-face contact with the supervisor, co-workers, client or customer, and the general public;</p> <p>(5) <b><u>No supervisory responsibilities;</u></b></p> <p>(6) Job tasks do not involve handling highly confidential or sensitive documents;</p> <p>(7) Job tasks do not require hands-on contact with machinery, equipment, vehicles, etc.;</p> <p>(8) <b><u>Absence from the official duty station does not unduly interrupt office operations;</u></b> and</p> <p>(9) Established job tasks/criteria are specific, written, and work related.</p> <p>These are recommended guidelines and elected officials/department heads may determine other position characteristics that may be appropriate. Just because a position is deemed suitable does not obligate in any manner the elected official/department head to offer telecommuting.</p> <p>Sec. 82-83. - Supervisor's responsibility.<br/>It is imperative that supervisors be aware of the workload of each of his employees, and in cases where extraordinary amounts of time worked over 40 hours is being spent on the job, determine whether or not job expectations, productivity, staffing or other resource problems exist. If so, the manager should take corrective actions.</p> <p>Sec. 82-84. - Maintenance of time and attendance records.<br/>Each department shall keep a record of each employee's hours worked in a manner approved by the commissioners court and administered by the county auditor's office.</p> <p>Sec. 82-85. - Compensatory time—General.<br/>Each department is responsible for recording time worked beyond the normal work hours.</p> <p>(1) Some staff positions are required to be on call 24/7 to provide after-hour assistance as needed. A list should be prepared alerting staff about who is to be available to take calls.</p> <p>(2) All hours worked by staff must be consistently captured in Kronos or other time tracking devices, especially when they are on call; this will assist everyone in accurately tracking the work hours. Please note that the status of being "on call" does not, in of itself, automatically count toward hours worked. The individual must actually perform bona-fide work activities.</p> <p>(3) While employees may be allowed to work from home on a temporary basis, staff must contact their manager and get clearance to do so, unless they are on call. Requests to work from home on a frequent basis must follow the requirements of the county's telecommuting policy, <u>section 82-33</u>.</p> <p>(4) Employees are expected to be at work when the county is open for business. If inclement weather impedes an employee from making it to work, even though the county is open, there are three options available to the manager:</p> <ol style="list-style-type: none"> <li>The employee's time may be recorded as vacation time;</li> <li>The employee can work from home, with the manager's approval and the completion of bona-fide work deliverables, and the employee time is recorded as a normal work day;</li> <li>The manager can (at his discretion) consent to use approved time off (ATO), providing that the employee has worked hours in addition to the minimum number of required hours;</li> </ol> <p>(5) Managers are to be sensitive to the hours employees work when they are required to work additional hours on a consistent basis. This includes both the hours that are worked from home (with agreement) or in the office. Managers have the option to allow flexible work schedules to offset the need to work extra hours on a regular basis.</p> <p>Sec. 82-131. - Policy of division.<br/>Exempt employees are not subject to overtime/compensatory time off provisions of the Fair Labor Standards Act. When setting salaries for exempt positions, considerations are given to the scope and time commitment of the positions as opposed to the number of tasks completed and hours worked. Therefore, there are no provisions in the Dallas County Code that guarantee exempt</p> |
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employees will be granted any time off for hours worked in excess of 40. Exempt employees are expected to work the required number of hours in order to perform their job assignments, even if that requirement exceeds 40 hours per week.

Sec. 82-132. - Work schedules.

**Exempt employees shall report all hours worked** and adhere to an established work schedule approved by the elected official/department head. Exempt employees' work schedules shall average a minimum of 40 hours per week, including use of accrued leave time. **All time worked shall be recorded in the official time and attendance system.**

Sec. 82-133. - Accrual of compensatory time.

Effective February 15, 2000, employees whose positions are classified as exempt are not eligible to accrue compensatory time. They are expected to meet the time needs of the position, which includes working over 40 hours in a workweek when required. Exempt employees may utilize county time that was recorded prior to February 15, 2000, at the discretion and with the approval of the elected official/department head. However, no elected official/department head is obligated to grant such time.

Sec 82-134, Scheduled time off:

Periodically, elected officials/department heads may grant administrative time off for exempt employees. Such time off must be approved by the elected official/department head. In order to approve such leave, the elected official/department head must ensure the exempt employee's most current 12-month average weekly work schedule exceeds 40 hours. For exempt employees whose tenure is less than 12 months, their average weekly hours worked shall be determined by the average hours worked over the number of weeks worked for the county. If this criterion is met, the elected official/department head may, at his/her discretion, approve the time off. Under no circumstances will this time be granted on an hour-for-hour basis and the total amount of time granted shall not exceed 15 work days in a 12-month period except by formal approval by the commissioners court.

Sec. 82-171. - Purpose of article.

The purpose of this article is to provide time and attendance reporting procedures for all county employees. **All county employees are required to record their daily attendance. The county time and attendance tracking system includes three time entry methods: time clocks, online entry and time sheets. Employees shall use the time entry method designated by their elected official or department head.**

Sec. 82-172. - Nonexempt employee responsibilities.

(a) The county requires that every employee work 40 hours every week. Vacation leave, sick leave, authorized holidays, authorized time off, and accrued compensatory time count toward this 40-hour per week requirement: Except for the lunch period explained in subsection (c) of this section, employees are expected to be working for the benefit of the county from the time the employee's shift begins until the employee's shift ends.

(b) Nonexempt employees are strictly prohibited from working more than 40 hours per week, without prior approval from their supervisor. All of the time an employee works must be recorded on the county's time and attendance system. An employee is never to work without recording time. If an employee is ever asked to work without recording work time, the elected official or department head must be notified immediately. If the matter is not resolved by the department, the employee must immediately notify the county human resources department.

(c) Each elected official or department head will designate a 30-minute, 45-minute or one-hour lunch period for his nonexempt employees. The elected official or department head may not set the





lunch period within the two hours after the employee's regular shift begins or in the two hours before the employee's regular shift ends. Whatever lunch period the elected official or department head designates for his employees will not be work time. The time and attendance system will automatically deduct the designated lunch period from the hours actually worked by the employee, and the employee will not be paid for this time.

(d) The employee is not allowed to work during his lunch period. The lunch period is time for the employee to use for his benefit, not for the benefit of the county. It is time for the employee to use as the employee chooses, except that the employee may not choose to work during the lunch period. If any employee does work during a lunch period, that employee's supervisor is required to record that lunch period on the time and attendance system as having been worked. Working the required lunch period without prior approval on more than three occasions or failing to report the work done during the lunch period may subject the employee and the employee's supervisor to disciplinary action, up to and including termination.

Sec. 82-173. - Exempt employee responsibilities.

**Exempt employees are expected to record the start and end of their workday on the time and attendance system** in accordance with departmental policy.

Sec. 82-174. - General provisions.

(a) Employees leaving the premises during working hours for reasons other than county business shall clock out when leaving and clock in when returning to work.

(b) Employees who do not record hours worked by the payroll deadline due to lack of preplanning for vacation, sick time, errors or accidental omissions must notify their supervisor as soon as possible.

(c) Employees who forget to record their time shall notify their supervisor. Employees who consistently forget to record their time shall be subject to disciplinary action up to and including termination. For example, more than three missed entries in one month may be considered excessive and may result in disciplinary action up to and including termination. If time worked, overtime, compensatory time, sick leave payment time, or any other payment is not turned in before the payroll deadline, it will roll over to the next pay period.

(d) Employees shall not correct another employee's time records to account for vacation time, sick time, errors and accidental omissions unless instructed to do so by their supervisor. Errors in the time record shall be reported to the supervisor for correction.

**(e) Tampering, altering and/or falsifying information on an employee's own or another employee's time record shall result in disciplinary action that may include termination, as well as possible criminal charges.**

Sec. 82-175. - Supervisory responsibilities.

(a) Supervisory responsibilities fall to the elected official, department head or their designee.

(b) Supervisors are responsible for informing their employees about which time entry method (time clocks, on-line entry or time sheets) they shall use to record their time and attendance. Supervisors shall educate their employees about how to use the time entry method they are assigned and about the time and attendance policies for their department.

**(c) Supervisors are responsible for ensuring employee time records are accurate and that no abuses occur.** Only supervisors have the authority to correct employee time record errors or omissions.

(d) Supervisors are responsible for recording employee vacation and sick time and for entering time for employees who are working outside their department work area.

(e) Supervisors are responsible for checking daily start times, meal periods, end times, vacation time, sick time, compensatory time and overtime to ensure employees are in compliance with their shift work schedule and the county's overtime policies. Supervisors are responsible for promptly





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|  | <p>documenting actions warranting discipline and for promptly reporting possible fraud to the county auditor.</p> <p>(f) Supervisors are responsible for approving all-time records for their department every Monday by 10:00 a.m.</p> <p>(g) Supervisors are responsible for reporting lost, stolen or damaged key cards and arranging for replacement key cards.</p> <p>Sec. 82-176. - Time clock utilization.</p> <p>(a) Employees, who are designated by their department to use time clocks to record their time and attendance, are assigned an identification card. Employees shall be given a key card by their department supervisor which serves as time clock activation. Employees shall use their key cards at the time clocks designated by their supervisor.</p> <p>(b) Employees shall use their key card upon entering their work area and when they are ready to immediately begin work. (For example, employees are not permitted to leave their cars parked outside the door to clock in and then return to park their cars.) Employees shall clock in no sooner than six minutes before their scheduled shift start time. Employees shall clock out no later than six minutes after their scheduled shift end time. Exceptions can be made to this section if the supervisor has given prior approval to work overtime. The supervisor will make a manual override to the system to approve overtime/compensatory time.</p> <p>(c) Employees shall only clock in and out with their own key cards. Using another employee's key card is prohibited. Employees who violate this subsection shall be subject to disciplinary action up to and including termination.</p> <p>(d) Employees shall report lost, stolen or damaged cards to their supervisor. Employees shall pay \$10.00 for a replacement key card to the county auditor's office.</p> <p>Sec. 82-177. - On-line entry utilization.</p> <p>Employees who are designated by their department to use on-line entry shall record their time and attendance on-line from their personal computer on a daily basis.</p> <p>Sec. 82-178. - Time sheet utilization.</p> <p>(a) Employees, who are designated by their department to use time sheets, shall record their time and attendance on the appropriate form.</p> <p>(b) Employees will provide their completed time sheet forms to their department time and attendance representative.</p> <p>Section 82-516, Jury Duty:</p> <p>(a) Serving on a jury is a civic duty and as such is fully recognized and supported by the county.</p> <p>(b) <b><u>If the employee is released from jury service during normal working hours, the employee should either report to work immediately or contact his/her supervisor for further instructions.</u></b> When requesting an employee to return to work, the supervisor should consider the number of work hours remaining in the day and the amount of travel time required. Failure to return to work or to contact the supervisor may result in the employee being required to utilize accrued leave time and disciplinary action, up to and including termination.</p> <p>Section 86-392, Excessive Absences:</p> <p>When an employee is absent, it causes hardship and disruption to the office. Absences are considered excessive when an employee is absent from work for more than six days or a total of 48 hours during a 12-month period and one or more of the following:</p> <ol style="list-style-type: none"> <li>(1) The absences are frequently unplanned and/or indicate a pattern.</li> <li>(2) Other employees must frequently perform the tasks of the absent employee.</li> <li>(3) Office productivity and the quality of services offered are negatively impacted.</li> </ol> |
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|  | <p>(4) The employee's absentee rate is so high the employee's services are of little or no value to the department.</p> <p>These six days do not include time taken off for planned, accrued vacation leave, death in the family, work-related injuries, jury or military duty or disability resulting in hospital confinement, emergency care, or recuperation for an out-patient procedure.</p> <p>Sec. 86-902. - Campaigning in uniform or while using county equipment.</p> <p>The county employees will not be allowed to perform or be involved in political campaigning or related activities during their working hours, while in county uniform, or while using county vehicular equipment.</p> <p>Sec. 82-502. – Scheduling and usage of vacation leave.</p> <p>(a) All vacation leave must be requested and scheduled in advance according to departmental procedures. Departments are encouraged to make every effort to accommodate the employee's leave request. However, vacation leave is subject to the approval of the employee's supervisor based upon the operational needs of the workgroup or department. The supervisor's approval of unplanned vacation leave or vacation leave taken in lieu of sick leave accruals does not excuse the absence and may be considered in the employee's attendance record.</p> <p>(b) Employees of more than six months of employment will be eligible to expend only the amount of vacation leave they have accumulated as of the last day of the preceding pay period. Additionally, vacation leave may be used for the following purposes:</p> <p>(d) Employees of more than six months will be eligible to expend only the amount of vacation leave they have accumulated as of the last day of the preceding pay period that they are requesting leave; however, vacation time may be advanced to the employee not to exceed three days upon approval of the elected official/department head.</p> <p>Sec. 82-504. – Payroll and recordkeeping.</p> <p>Accruals and expenditures of vacation leave are calculated and maintained by the county auditor's office. Usage of vacation leave shall be reported by the county time and attendance tracking system as designated by the elected official/department head. Supervisors are responsible for approving all vacation leave reporting for their department and must ensure accruals are available.</p> <p>Sec. 82-493. – Utilization of sick leave.</p> <p>Sick leave must be accrued before it can be taken and may be authorized when:</p> |
| <p><b>Cause:</b><br/>(Describe the cause of the condition if possible)</p> | <p>One (1) identified Precinct employee times in Kronos not accurately recorded to account for arriving to work late, departing work early, conducting personal business with a county vehicle during working hours, and not submitting vacation requests for unexcused absences that do not qualify as sick time during July 28, 2015 – February 18, 2016.</p> <p>Improper authorization of telecommuting for the Chief Deputy.</p> <p>Ineffectual enforcement of Dallas County codes and Constable Precinct 1 policies.</p> <p>Absence of senior leadership to supervise deputies and office staff.</p> <p>Additional ten minutes taken daily for lunch periods not recorded to Kronos.</p>   |
| <p><b>Effect:</b><br/>(Describe or quantify any adverse effects)</p>       | <p>Employees have been over-compensated for unexcused leave time already taken.</p> <p>Official time and attendance records do not accurately reflect time worked and taken.</p> <p>Employees' accrual balances are overstated due to inaccuracies, errors, or misrepresentation of time.</p>   |



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| <b>Recommendation:</b><br>(Describe corrective action) | <ul style="list-style-type: none"> <li>Actual hours worked (start times, meal periods, and end times), vacation time, sick time, holiday time, jury duty, compensatory time, overtime, ATO, etc. should be properly and timely posted to the KRONOS time and attendance system in accordance with the Dallas County Code.</li> <li>Consistent supervisory review of time and attendance Kronos postings should be emphasized to promote accurate time keeping and reduce need for historical edits for untimely received requests.</li> <li>Identified errors or omissions in the time record should be reviewed and approved by the supervisor for correction. <b><u>All adjustments must be forwarded to the Payroll Hotline for historical edits in order to properly charge and/or record credit for each employee.</u></b></li> <li>Employees should record their own time in Kronos and a separate supervisor should review and approve the employee's time. An employee should not record and approve their own bi-weekly timecard in Kronos. Management should review bi-weekly timecards for errors and omissions (i.e. incorrectly posted time entries, insufficient hours worked in the week, excessive absences, appropriate application of approved time off requests and codes, adherence to work schedule and Dallas County Codes) prior to approval.</li> <li>Employees released from jury service during normal working hours should either report to work immediately or contact management for further instructions. When requesting an employee to return to work, management should consider the number of work hours remaining in the day and the amount of travel time required. Failure to return to work or to contact the supervisor may result in the employee being required to utilize accrued leave time and disciplinary action. Management should inform employees of Dallas County Code, Section 82-516, guidelines for serving Jury Duty when such employee time-off requests are approved.</li> <li>Management should be proactive to discuss excessive absences with employees per Dallas County Code Section 86-392, especially if an employee is approaching 48 hours in unexcused absences. If it appears attendance is an issue management should: (1) Conduct a counseling session with the employee after 6 unexcused absences; (2) Issue a written warning when the employee has incurred the 7th absence; (3) Suspend the employee when the employee has incurred the 8th absence (suspension of an exempt employee should be reviewed with the human resources/civil service department and/or the civil section of the district attorney's office); and (4) Review for termination after the 9th absence.</li> <li>The Constable should re-educate employees about properly recording their time on Kronos and the County's attendance policies.</li> <li>The Constable should ensure that employee time records are accurate and that no abuses have occurred.</li> <li>Telecommuting should <b><u>not</u></b> be authorized for supervisors. Telecommuting requests that exceed two (2) business days must be approved by Commissioners Court in accordance with Dallas County Code 82-33.</li> </ul> |  |                    |  |                        |
| <b>Responsible Department or Organization:</b>         | Constable Precinct 1  |  |                    |  |                        |
| <b>Management's Response:</b>                          | <input type="checkbox"/> Agree  | <input checked="" type="checkbox"/> Disagree | <b>Respondent:</b> | Chief Deputy Tracey Gulley<br>and Chief Clerk Chantaria<br>Adams | <b>Date:</b> 3/25/2016 |
| <b>Comments:</b>                                       | <b>Chief Clerk responses:</b> 1) Employees have been re-educated on the Dallas County procedures over Jury Duty. 2) A new time and attendance policy has been implemented in order to decrease time entry errors. 3) Hard copy of time sheets are signed and submitted to the Chief Clerk by all employees that do not submit their time electronic via Kronos. All time will only be entered based on time sheets and leave request. 4) Chief Clerk and Chief Deputy are both required to submit hard copy of time sheets are sent to the Department Head in which he reviews and also signs off. All  |  |                    |  |                        |



time will only be entered based on time sheets and leave request once Department Head has approved and signed. **5)** Original Leave Request for Chief Clerk with date February 15, 2016 was provided to auditor's office and Kronos was reviewed and corrected to match time sheet.

***Audit note:** Since the Chief Clerk entered her own time to Kronos, vacation should have been recorded to Kronos for February 15, 2016 rather than regular time worked. A historical edit to correct the posting was not requested of Payroll until this item was raised by audit staff.*

**Chief Deputy Partial Response:** Fifteen percent (15%) which mentioned the vehicle was at a standstill or parked is due to the personal vehicle being driven to the Precinct by the Chief Deputy, who is not required to drive the vehicle entirely each day. There were periods of time if personal matters were to be handled immediately after work, or if it necessitated leaving to handle personal matters during the day, the personal vehicle would be driven, and then the Chief would go back and retrieve the vehicle or vice versa. There were some instances where the battery needed a boost.

***Audit note:** A request for documentation for the dates on which A1023 did not show movement for the entire workday was made of the Chief Deputy for an explanation for each date as to what official county duties were performed outside the office and the location/times of the duties. Several of these dates are prior to or after county holidays.*

**Chief Deputy Partial Response:** Other deputies have those same responsibilities of protecting children in school zones when requested. Not only is the Chief Deputy a presenter at schools, but various others associations, organizations, high schools, colleges, churches and participates in numerous community events. The audit reports shows travel to a shopping mall. The Southwest Center Mall is one of our key areas, along with other malls, which the Constable Precinct 1 office frequents to speak on community matters and to address the community.

***Audit note:** A request for documentation (contacts, agendas, requests from civic organizations, churches, or schools, etc.) to support non-political public speaking engagements at the Southwest Center Mall and other event locations/times reflected as exceptions was made. As of May 25, 2016, supporting documentation has not been received from the Chief Deputy. A specific office structure in proximity of Southwest Center Mall was driven to in the County vehicle on multiple occasions. The Town East Mall (which is not within Precinct No. 1 boundaries) and surrounding businesses in Mesquite were driven to in the County vehicle.*

**Chief Deputy Response:** The Constable's Precinct 1 office has had two Constables to leave, and most recently an interim Constable was appointed. Leaving the Chief Deputy to take the command and play an active role in the responsibilities of Constable for the past four years. Engage more within the community, managing other deputies, while also fulfilling the Chief Deputy's role of serving citations, collecting evidence, serving writs, questioning witnesses, transporting and booking individuals. Addressing Landlord issues against the Deputies and handling of the news media at times. The Chief Deputy's job allows for patrol in various neighborhoods, school zones, and other areas of the County, interaction with other law enforcement agencies, other Constables, and agencies on a Federal, State, and local level which involves numerous locations.

***Audit note:** In a sample review, we were unable to identify approximate addresses on the IT Services Report R02967 List of Disposed Papers monthly disposed paper report for Constable Precinct No. 1 to approximate addresses considered as exceptions or through a sample review papers on the mainframe Constable system (searched for Squad 101). We did not receive a response to a request for a copy of the Chief Deputy's 'Daily Activity Report-Service of Process Documentation of Attempts' for the months of July 2015 through February 2016 to assist our*



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|                     | <p><i>office in identifying and clearing exceptions for locations the Chief Deputy either attempted or served papers.</i></p> <p><b>Chief Deputy Response:</b> As it was brought forth that there were issues with the entering of time for all staff and department supervisors by the Chief Clerk and the numerous historical edits as well as the Chief Clerk entering her own time, this was immediately corrected. After counsel, the Chief Clerk is now required to enter time as it is given, not to hold time sheets, and not to enter time prior to the hours being worked. The Constable, Precinct 1, has now re-established the person that once was the backup payroll clerk to assist in entering time and attendance, and placed her back in this roll. These policies that are taken seriously by the department and taken the necessary steps to eliminate the further errors and issues.</p> <p>Other responses from the Chief Deputy are on file.</p> |                                       |   |
| <b>Disposition:</b> | <input checked="checked" type="checkbox"/> Audit Report   | <input type="checkbox"/> Oral Comment | <input type="checkbox"/> Deleted From Consideration |