

DALLAS COUNTY AUDITOR

TO:

Honorable Beth Villareal, Constable Precinct 5

FROM:

Virginia Porter, County Auditor

SUBJECT:

GPS Tracking Network Reports

ISSUE DATE:

June 30, 2011

RELEASE DATE:

July 28, 2011

SCOPE

A review of the GPS Tracking Network Reports and the Kronos Time Detail Reports for the month of March 2011 was performed to determine if County vehicles exceeded a speed threshold at 75 MPH, to identify the assigned driver, and to determine if County employees were accurately recording time and attendance on Kronos.

Due to the serious nature of the incident, the report is being submitted for your immediate attention.

REVIEW PROCEDURES

The review included:

- GPS Tracking Network Speed Report (March 1 − 31, 2011)
- GPS Tracking Network Complete Report (March 1 − 31, 2011)
- GPS Tracking Network Stop Report (March 1 − 31, 2011)
- GPS Tracking Network Trip Report (March 1 − 31, 2011)
- Kronos Time Detail Report (March 1 31, 2011)
- Precinct Home and/or Remote Storage of Vehicles and Assignment Report
- Dallas County Policies and Procedures Section 90-94, Section 90-171 90-175

FINDINGS

Speeding

The GPS Tracking Network Speed Report identified nine (9) Precinct 5 employees that exceeded the 75 MPH threshold during the review month. Speeds were recorded as high as 86 MPH with 49 instances occurring while on duty and 4 instances occurring while off duty according to Kronos time and attendance records. The 4 instances occurred while the vehicles/employees

were commuting to work prior to their scheduled shift and commuting home after their scheduled shift.

Time and Attendance

The GPS Tracking Network Reports and the Kronos Time Detail Report identified fourteen (14) Precinct 5 employees as not accurately recording their times on Kronos for arriving to work late and/or departing work early during the review month.

RECOMMENDATIONS

Speeding

Develop management plan to address exceeding posted speed limits, safety, as well as cost avoidance. Include disciplinary action for unjustified actions. Employees should only drive their assigned County vehicles during business hours and for commuting purposes. Employees should reimburse the County at the current mileage reimbursement rate for all miles driven while not on County related business.

Time and Attendance

Supervisors should re-educate their employees about how to properly record their time on Kronos and the County's attendance policies. Supervisors need to ensure that employee time records are accurate and that no abuses have occurred. Identified errors or omissions in the time record should be reviewed, approved by the supervisor for correction and sent to the "Payroll Hotline" for historical edits to properly record actual time worked.

CONSTABLE PRECINCT 5 RESPONSES

Constable Precinct 5 responses to the GPS Tracking Network Reports and the Kronos Time Detail Reports findings/observations are incorporated in the findings templates.

SUMMARY

This review is intended to support management in evaluating compliance with Dallas County policies and procedures, laws, and regulations applicable to the department. Development of written internal procedures should be initiated to ensure compliance with recommended procedures, county policies, and state statutes.



Dallas County, Texas

Finding Number:

11-ARC-08-01

Date:

May 20, 2011 Precinct 5 Vehicle Speed Report

Audit:		ict 5 Vehicle S _l	peed Report			•
Auditor (s) Assigned:	JR	·		·		
Finding:	PRECINC	T 5				
	County veh (9) Precinct the month of at 5 minute The follow	icle is driven at t 5 employees the f March 2011. intervals while ing Precinct 5 v	or above the except at drove at or above the An instance is detected the vehicle is at or ehicles/employee of March 2011:	essive speed thres ove the excessive fined as a GPS up or above the 75 M	shold of 75 MPH speed threshold odate (ping) that of threshold.	, identified nine of 75 MPH for occurs regularly
	Vehicle	Employee ID	# of instances		# of instances	Maximum
	Number #	Number#	"ON" Duty	"OFF" Duty	Total	Speed
	CE828	1425-3	11	0	1	78
	CE857	13165-2	4	0	44	<u>79</u>
	CE937	6669	3.	1	4	77
	CE938	26631	6	0	6.	80
-	CE988	34877	4	0	44	<u>78</u>
	CE989	2511-2	14	0	14	83
	CE990	18133-2	11	0	11	81
	CE994	15782-2	3	0	. 3	<u>79</u> .
	E1019	15134-2	3	3	. 6	86
		OTAL	49	4	53	
Workpaper Reference: (or other method by	threshold vehicles/en The 4 insta prior to th instances a GPS Track Each emp	of 75 MPH aployees driving the scheduled simple of the	during "ON" of during "ON" of g at an excessive OFF" duty while hift and commuti- courred on interst beeding Report (No dracking Network	luty. There were speed threshold the vehicles/empting home after that elestate highway farch 1 - 31, 201 to speed reports a	re a total of of 75 MPH durible of 75 MPH durible of one in scheduled shapes.	4 instances of ing "OFF" duty. nmuting to work hift. All 53 total for review and
which finding was identified)	verification. Report exception level was defined as excessive if driving at or above 75 MPH. Kronos Time Detail Report (March 1 31, 2011) Each employee's Kronos time detail reports certifying the hours worked and leave time taken					
	are documented for review and verification. Precinct Home and/or Remote Storage of Vehicles and Assignment Report.					
	Dallas Cor	inty Policies and	d Procedures – Se	ection 90-94 and	Section 90-171.	
Condition: (Describe the current condition)	require use and remot	e of vehicle. Tra	nd equipped with affic program was thorized. Deputie s levels.	disbanded in Sej	ptember 2010. Be	oth home storage

Page:



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	Each employee certified actual time worked for the month of March 2011.
Criteria: (Describe the optimal condition)	 GPS functionality: Standard update (ping) every 5 minutes when ignition is on, one hour when the ignition is off. Six (6) month archived records online capabilities. Standard reports developed for speeding, after hours, and out of county. Automated email alert when vehicle crosses county line.
	Traveling at the posted speed limits and using County issued vehicles only during work hours and only for County related business.
	Section 90-94. – Special requirement for all operators of remote of home storage vehicles.
	 (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 and other department's funding will be addressed on a case by case basis. (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 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.
	Section 90-171. – Instruction of operators; safe driving record required.
	(a) Every official or employee of the county that operates county or personal equipment/vehicles on behalf of the county shall be instructed in the safe and proper operation of it before the equipment is operated. The responsibility for the instruction of operators rests with the elected officials or department head.
	(b) All personnel, as a condition of employment if the employee will operate county or personal equipment/vehicles on behalf of the county, must possess at all times a record of safe operation of such equipment/vehicle.
Cause: (Describe the cause of the condition if possible)	Nine (9) identified Precinct 5 employees driving at 75 MPH or greater significantly above posted speed limits while on/off duty as recorded on Kronos time and attendance system.
Effect: (Describe or quantify any adverse effects)	Speeding increases the risk of serious accident, risk of serious injuries and fatalities, fuel consumption, vehicle emissions. Excessive speeds and/or inappropriate speeds are often important factors in single vehicle crashes such as hitting a fixed object and rolling over, particularly on highway roads.



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	Excessive speeds and/or inappropriate speeds increase the risk of accidents through the loss of control and injuries by increasing reaction distance, braking distance, impact speed and crash energy.					
Recommendation: (Describe corrective action)	Develop management plan to address exceeding posted speed limits, safety, as well as cost avoidance. Include disciplinary action for unjustified actions. Verify the accuracy of information provided to Auto Service Center on vehicle assignment.					
Responsible Department or Organization:	Precinct 5					
Management's Response:	X Agree	X Disagree	Respondent:	L.R. Byers	Date:	July 22, 2011
Comments:	Please see attached letter dated July 22, 2011, from L. Byers to M. Ramirez, subject Response to GPS Tracking Network Report.					
Disposition:	X Audit Report			eted From C	Consideration	

Page: 3 of 3



Dallas County,

Finding Number:

Date:

11-ARC-08-02 May 20, 2011

Audit:

Precinct 5 Time and Attendance

Auditor (s) Assigned:

JR

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PRECINCT 5

Review of the Kronos Time and Attendance Detail Reports which displays the actual hours recorded by the employees and the GPS Tracking Network Reports which displays vehicle/employee time update received during the designated time period, identified fourteen (14) Precinct 5 employees that did not accurately record times on Kronos for arriving to work late and/or departing work early during the month of March 2011.

The following Precinct 5 employees were identified as not accurately recording their times on Kronos for arriving to work late and/or departing work early during the month of March 2011:

				Total # of minutes
Vehicle	Employee ID	# of instances	# of instances	Late Arrival/
Number #	Number#	Late Arrival	Early Departure	Early Departure
CE828	1425-3	5	11	454
CE833	27241-2	4	2	92
CE834	26608	9	13	1,879
CE857	13165-2	10	14	756
CE937	6699	12	21	624
CE938	26631	11	8	459
CE988	34877	18	6	938
CE989	2511-2	13	. 19	974
CE990	18133	20	6	2,149
CE992	9831-2	22	7 .	890
CE993	1230-2	22	3	2,203
CE994	15782-2	23	21	1,297
E1019	15134-2	5	1	. 89
E1020	18303	21	10	1,021
	TOTAL	ı 195	142	13,825

Each employees commute time was used in assessing arrival and departure times. Average commute based on Yahoo Maps travel time and distance.

Workpaper Reference: (or other method by which finding was identified)

Kronos Time Detail Reports (March 1-31, 2011)

Each employee's Kronos time detail reports certifying the hours worked and leave time taken are documented for review and verification.

GPS Tracking Network Reports (March 1 – 31, 2011)

Each employee's GPS Tracking Network reports are documented for review and verification.

Precinct home and/or remote storage of vehicles and assignment report.

Dallas County Policies and Procedures - Article V - Section 82-171 through Section 82-175.



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Condition: (Describe the current condition)

A Kronos account is established for each employee as the official time and attendance entry system. Employees are expected to record the start and end of their workday on the time and attendance system in accordance with County policy.

Chief clerk inputs time from schedule and adjustments are made based on exceptions from employee.

Precinct policy considers an employee on duty as soon as they take control of the vehicle.

Each employee certified actual hours worked for the month of March 2011.

The GPS Tracking Network Reports display vehicle/employee time updates received during the designated time period denoting ignition off/on.

Criteria: (Describe the optimal condition)

County policy designates Kronos as the official time and attendance entry system for all employees. Dallas County Policies and Procedures Article V Section 82-171 through Section 82-175 state the following:

"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, on-line 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 personnel department.

(c) Each elected official or department head will designate a 30-minute, 45-minute or onehour 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 desi gnates 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.



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	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 employee time records to account for vacation time, sick
	time, errors and accidental omissions. 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 documenting actions warranting discipline and for promptly
	reporting possible fraud to the county auditor.
	(f) Supervisors are responsible for approving all time records for their department every
	Monday by 10:00 a.m.
	(g) Supervisors are responsible for reporting lost, stolen or damaged key cards and arranging
	for replacement key cards." Fourteen (14) identified Precinct 5 employees failed to accurately record their times on
Cause:	Kronos for arriving to work late and/or departing work early for the month of March 2011.
(Describe the cause of the	Kronos for arriving to work rate and/or departing work early for the month of March 2011.
condition if possible) Effect:	Per Dallas County policy, falsifying information on an employee's own or another employee's
(Describe or quantify any	time record shall result in disciplinary action that may include termination, as well as possible
adverse effects)	criminal charges.
auverse effects)	Cilinia ora 200.
Recommendation:	Supervisors should re-educate their employees about how to properly record their time on
(Describe corrective	Kronos and the County's attendance policies.
action)	TELORICO MIN NICOTALINA O MILLORINATIVO POLITICO.
activity	



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	Supervisors occurred.	Supervisors need to 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.							
Responsible Department or Organization:	Precinct 5							
Management's Response:	X Agree	X Disagree	Respondent:	L.B. Byers	Date:	July 22, 2011		
Comments:	Please see attached letter dated July 22, 2011, from L. Byers to M. Ramirez, subject Response to GPS Tracking Network Report.							
Disposition:	X Audit Report				onsideration			



MEMORANDUM

DALLAS COUNTY CONSTABLE PRECINCT 5

Date

: July 22, 2011

To

: M. Ramirez, Chief Deputy

From

: L. Byers, Sergeant

Subject

: Response to GPS Tracking Network Report

Through

: Channels

Sir.

Dallas County Constable's Office, Precinct 5, is in receipt of a copy of the draft of the undistributed GPS Tracking Network Report for the month of March 2011. A review of the report was made and research conducted pertaining to the GPS Tracking Network Speed Report and the Kronos Time and Attendance Report of varied incidents and the employee's involvement respectively.

The GPS Tracking Network Speed Report indicates that nine (9) Precinct 5 employees exceeded the seventy-five (75) MPH threshold during the month of March 2011. Speeds were recorded as high as eighty-six (86) MPH with four (4) incidents occurring while the employees were allegedly not on duty, according to Kronos Time and Attendance records, which refers to the standard office hours of 8:00 A.M. to 4:30 P.M.. The report alleges that the four (4) incidents occurred while the vehicles/employees were commuting to work prior to their scheduled shift and commuting home after their scheduled shift. While there is no dispute that all four incidents occurred outside the standard hours three (3) of the four (4) incidents occurred while the employee was working in an official capacity. It should be noted that it is not uncommon for an employee to request additional time, to exceed the normal business hours, which is required to complete their assignments. The forth incident occurred while the employee was commuting from work to the vehicle home/storage location at 4:40 P.M., just ten (10) minutes following the final hour of the standard work schedule, a period of time that most likely occurred as the results of traffic complications. Research of vehicle records maintained by Precinct 5 for the month of March 2011 revealed, in each incident, the odometer readings contained in the GPS Tracking Network Speed Report to be in conflict with the recorded adometer readings of all Precinct 5 vehicles in question. Therefore, one may surmise, that if the odometer readings are inaccurate, how much validity can be placed on the accuracy of the recorded speeds. In addition, the inaccuracy of the odometer readings also suggests that the vehicles in question may or may not even be assigned to Precinct 5 and therefore not driven by its employees.

It should be taken into consideration that the employees of Precinct 5 are Certified Texas Peace Officers driving vehicles with Dallas County Law Enforcement markings. These employees are

obligated by law to respond to violations of all types including but not limited to those found in the Texas Motor Vehicle Code not to mention a certain level of expectation placed upon them by the public they serve to take action on the infractions they observe. An employee may deem it necessary to exceed the seventy-five (75) MPH threshold in order to carry-out their duties. For instances, an employee may exceed the seventy-five (75) MPH threshold when accelerating to address a violator for the purpose of merely presenting themselves as a command presence to encourage the compliance of the violator. An employee may also be required to exceed the seventy-five (75) MPH threshold while responding to a location where wanted subjects are being detained.

Upon review of a Kronos Time and Attendance Reports, which displays the actual hours recorded on an employee by the GPS Tracking Network Report, which displays vehicle/employee time update, received during the designated time period, fourteen (14) Precinct 5 employees reportedly failed to arrive at work on time and/or departed work early during the month of March 2011. Research was conducted, through random selection, on two of the fourteen (14) Precinct 5 employees listed in the report. Utilizing records maintained by Precinct 5 the results of the research disputes the allegations and finds that the employees were neither late in arrival to work nor departed work early on the days in question. The information contained in the Kronos Time and Attendance Reports, does not reflect the fact that the two employees were in their vehicles prior to or at the required time of 8:00 A. M. While the two may or may not have departed their home/storage location immediately upon entering their vehicles, there is a plethora of reasons for the employees to have remained on site. For example, an employee remaining at the home/storage location may have seized the opportunity to sort through their documents in an effort to route their daily course of action or to make phone calls to individuals sought for service, to name a couple. On certain days in which the report reflects an employee arriving late or leaving work early, the employee had filed for and was granted time off or involved in training. Consideration should be given to the fact that an employee is considered on duty as soon as they take control of their assigned vehicle.

In conclusion, the employees of Precinct 5, subject to this inquiry, are assigned vehicles that are equipped with two-way radios and are required by policy to mark *In Service* by 8:00 A. M. each work day. The employees are not required to report to the Precinct, they are however, directed to begin their days work from their vehicle home/storage location. Because Dallas County places so much merit on the validity of the GPS Tracking Network System, utilized in recent months as a party to the termination of numerous employees throughout the Dallas County Constables Office, and with so many inaccuracies brought to light through the course of the investigations that followed, it may be advantageous to visit the possibility for a systems upgrade to insure that the information generated by the GPS Tracking Network System possesses the ability to be accurate.

Respectfully submitted,

L.R. Byers Sergeant

Dallas County Constables Office

Precinct 5

OK. Reviewed 7-28-11

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