

OFFICE OF INSPECTOR GENERAL

School District of Philadelphia

Investigative Report Synopsis

Introduction

The Office of Inspector General (OIG) received a complaint alleging that a School District of Philadelphia (District) employee did not report to work but continued to receive their full pay because their supervisor had not been coding their time properly. The OIG determined that the employee was absent for 100 days over an approximately five-month period. Of those 100 days, the employee was coded on leave for 20 days, of which only four days were approved, and they were not coded out on leave for 80 days when they actually failed to appear. As a result of these errors, the employee continued to receive full pay for 80 days when they did not report to work. Furthermore, other employees were paid overtime to cover their missed shifts. As a result, the District made overpayments to the employee totaling \$16,141 and spent an additional \$26,320 in undue overtime. Consequently, the District lost a total of \$42,461.

Applicable Policies

District Policy and Departmental Procedures: Absence Policy

In the event of an absence, it is the responsibility of the employee to notify the appropriate individuals including their supervisor as to the absence. For extended periods of leave, requests should be submitted to the pertinent Director. For illness in the family leave, the departmental procedure states that “[a]n employee is eligible for an absence due to the illness of an immediate family member not to exceed ten (10) days per year during the first two years of employment and not exceeding thirty (30) days per year after that. There will be a deduction of 1/20th [sic] of the bi-weekly salary (or 1/2 pay) for each day of this leave. As it is with personal illness leave, any illness in family leave exceeding 3 days in a row requires a doctor’s certification. If an employee does not submit an SEH-3 form within ten (10) working days after the first report of the illness and each pay period thereafter during the illness, the absence will not be approved and the administrator will be required to make a salary deduction for all such absences. Failure to comply may be grounds for disciplinary action.”

Also in accordance with District policy, “[l]eave of absence in excess of the number of days specified shall be subject to full loss of salary and such leave shall not be extended beyond an aggregate of one year.”

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THIS PUBLIC SYNOPSIS HAS BEEN REDACTED AND EDITED FOR CONFIDENTIALITY. A MORE COMPREHENSIVE REPORT OF INVESTIGATION WAS SUBMITTED TO THE BOARD OF EDUCATION, SUPERINTENDENT, AND OTHER APPROPRIATE DISTRICT SUPERVISORS.

Employee Handbook

According to the *Absences* section, “punctual and regular attendance is expected of School District of Philadelphia employees. All employees are required to request approval for absences and leave on the appropriate forms. Form SEH-3 is appropriate for illness in the family leave for more than three consecutive work days. Medical benefits eligibility is guaranteed for a minimum of 90 days during the leave and will continue without disruption upon return to service. Employees who do not return at the end of the 89-day leave, are entitled to coverage only for those 90 days.”

Illness in the Family

According to the *Salary Allowance* section of the policy, “for an absence of an employee due to the illness of a member of the immediate family not exceeding thirty school days within a period of one year beyond the second year of employment, there shall be a deduction of 1/20th of the bi-weekly salary for each working day’s absence. If the absence exceeds three consecutive school days, the application must be accompanied by a physician’s certificate stating the name and relationship of the person who is ill and the nature of the illness.

Collective Bargaining Agreement (CBA)

“All employees in the bargaining unit shall be eligible for overtime compensation at the rate of time and one half (1½) for time worked in excess of forty (40) hours in any one (1) week or eight (8) hours in any one (1) day, and for straight time for time worked between the normal work week and forty (40) hours, except for employees assigned a ten (10) hour/four (4) day per week schedule, who shall be eligible for time and one half (1½) for time worked in excess of forty (40) hours in any one (1) week.”

Investigation and Findings

The OIG received a complaint that an employee had not been reporting to work but continued to receive full pay. The employee was allegedly continuing to receive full paychecks because their immediate supervisor failed to properly code them out on “Illness in the Family” leave. Illness in the Family leave is offered to employees who need to take leave due to illness of an immediate family member. As this employee had worked for the District for five years, District policy regarding Illness in the Family leave dictated that they were eligible to receive 50% of their salary for 30 days. After 30 days of leave, the employee would no longer be paid any of their salary if they continued to take Illness in the Family leave. However, they would continue to receive health and medical benefits for 89 calendar days per District policy. Further, the District would hold the employee’s position for up to one year from when they went out on leave.

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The District requires an absence card (SEH-3) to be submitted for each payroll period when an employee is using Illness in the Family leave. Further, the employee is required to contact their supervisor and other relevant employees in the department to record the absence. Absence information is then consolidated and submitted to Payroll. This employee did not follow these procedures for 96 days where they were absent from the District, as the employee only submitted one SEH-3 absence card covering four days. The OIG found that the employee failed to properly communicate with their supervisor to alert them of the absences. Further, the problem was compounded by the supervisor's failure to take action and report the employee's obvious absence from work.

OIG's investigators reviewed the employee's absence and attendance data, as well as payroll records. The OIG found that the employee's supervisor only coded them out on Illness in Family Usage for 20 days during the five months they failed to report to work. For those 20 days, they received half of their normal salary. However, for the 80 days they failed to report to work and were not coded out properly, they received their full salary. The supervisor admitted that they failed to properly code the employee out when they did not report for work despite leave-coding being one of the supervisor's duties. The supervisor stated that when they took over the role, they assumed that the leave for this employee was already taken care of based on conversations with the previous supervisor. However, according to an internal memo from the department, they were made by the employee's supervisor approximately one month before the employee went out on leave.

The employee's absences forced the supervisor to schedule other employees for overtime to cover their shifts. Overtime is granted based on a "seniority wheel," and certain employees are required to be paid overtime at a rate of one and a half times their normal hourly pay. After reviewing relevant overtime entries, the OIG found that a total of \$26,320 in overtime was approved to cover the employee's missed shifts. It is inconceivable that the supervisor was not aware of the employee's absences while failing to code them out on leave and continuing to submit overtime payments for other employees to cover their shifts.

The OIG found that due to this miscoding, Health Services was not aware that the employee had not been reporting to work because they did not appear on the bi-weekly leave reports generated from the Payroll system. The supervisor eventually coded the employee out on Illness in the Family leave for ten consecutive days which triggered their appearance on the bi-weekly leave report. Health Services then mailed a letter to the employee notifying them that they "began an extended Illness in the Family Leave." OIG investigators alerted Health Services of an issue when they requested the employee's leave status approximately one month later.

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In response to the OIG's inquiry, Health Services was able to hard-code the employee as "no pay" after verifying that they had continued to fail to report to work. The "no pay" status was backdated and granted them the benefit of 30 Illness in the Family days they could have used if they had properly submitted leave requests. A hearing was later scheduled before Labor Relations, but the employee failed to appear. The District determined their failure to appear constituted a voluntary resignation. The total amount of overpayment was \$16,141. Payroll performed a reconciliation of unused vacation time for termination pay and mailed a letter to the employee requesting a repayment of \$10,052 capturing the amount overpaid to them due to poor timekeeping. As of the writing of this report, the employee has not repaid anything to the District.

Conclusions and Recommendations

Since the employee had already resigned from the District, they could not be subject to any disciplinary action. However, the OIG recommended corrective action consistent with the District's timekeeping process as well as any disciplinary actions deemed appropriate with departmental standards. The OIG could not substantiate that there were any deliberate actions that caused the employee to be overpaid. As a result of the lack of diligence displayed here, the employee was overpaid \$16,141 and potentially unnecessary overtime was paid totaling \$26,320. In total, the District lost \$42,461 due to poor timekeeping. Further, the OIG recommended instituting or revamping training related to timekeeping to prevent miscoding issues in the future.

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