

# CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

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## ***Investigations of Improper Activities by State Employees, January 2005 Through June 2005***

INVESTIGATIONS I2004-0649; I2004-0681; I2004-0789  
(REPORT I2005-2), SEPTEMBER 2005

California Department of Corrections and Rehabilitation's response  
as of September 2006

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### ***Investigative Highlight . . .***

***Department of Corrections and Rehabilitation failed to account for 10,980 hours of union leave time at a cost to the State of \$395,256.***

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**W**e investigated and substantiated allegations that the California Department of Corrections and Rehabilitation (Corrections) did not track the total number of hours available in a rank-and-file release time bank (time bank) composed of leave hours that union members donated.

### **Finding: Corrections failed to adequately account for time-bank hours.**

Corrections lacked an adequate system of internal accounting and administrative controls over the number of hours in the time bank used by Peace Officer Association members which allowed Peace Officer Association members to take release time without Corrections knowing whether the time-bank balance was sufficient to cover the anticipated leave.

We identified three employee representatives whom Corrections released for a combined total of 10,980 hours between May 2003 and April 2005, which cost the State \$395,256, to perform duties for the Peace Officers Association and who were supposed to have this time charged against the time bank.

Corrections indicated that starting in the latter part of 2004, it began generating management reports that included information on time-bank use and donations and that it analyzes this information to better assess the overall impact of such union-leave activities. Although we acknowledge that Corrections has improved its monitoring of the time bank's activity, it still failed to account for a significant amount of time-bank hours used. Further, in the management reports that it used to assess current time-bank activity, Corrections did not accurately account for the hours that the three representatives used. Such errors

underscore the need for Corrections to improve its accounting to ensure that requests for time-bank use are charged against its balance and are sufficiently funded by employee leave donations.

***Corrections' Action: Partial corrective action taken.***

Corrections stated that it could not independently substantiate the 10,980 hours we reported as hours that Representatives A, B, and C did not charge to the union time bank between May 2003 and April 2005. Corrections believes that the State Controller's Office and Corrections' time accounting system cannot provide an accurate way to distinguish the type of union leave used. However, we substantiated the allegation when we reported the issue and Corrections has not requested to review our work papers. Further, it is not relevant to be able to distinguish the type of union leave used since our review of all available union leave categories at the State Controller's Office showed that none of the 10,980 hours were charged to any union leave categories.

Corrections reported that it has modified and implemented several changes to its tracking system that will allow it to track, report, and seek payment for union leave time. However, records from the State Controller's Office indicate that Corrections is still not charging the union time bank for the hours Representatives A and B are spending working on union activities. As a result, we have little confidence in Corrections' recent changes to its union leave tracking system. In addition to the 10,980 hours we previously reported, Corrections has failed to charge an additional 4,568 hours against the union time bank for hours Representatives A, B, and C spent working on union activities from May 2005 through June 2006. Overall, from May 2003 through June 2006, Corrections has failed to account for 15,548 hours of union leave at a cost to the State of \$589,661.