

DPW Deputy Director Response

Case # 19-0047-I

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG
Mayor



DEPARTMENT OF PUBLIC WORKS

Rudolph S. Chow, P.E., Director
Abel Wolman Municipal Building, 6th Floor
200 Holliday Street
Baltimore, Maryland 21202

November 25, 2019

Ms. Isabel Mercedes Cumming, Inspector General
Office of the Inspector General
100 North Holliday Street, Suite 640
Baltimore, Maryland 21202

Dear Inspector General Cumming:

This letter is in reference to the Report of Investigation referred by the Office of the Inspector General (OIG) to the Department of Public Works (DPW) on September 27, 2019, regarding the "OIG Final Report of Investigation" related to OIG Case #19-0085-1 (OIG Report). The OIG initiated an investigation into alleged financial waste and mismanagement within the curbside collections operation within DPW's Bureau of Solid Waste (Bureau). As a result of this investigation, the OIG has determined that the Bureau has limited internal controls, a lack of consistency and accountability, a shortage of staff and inadequate working equipment. DPW appreciates the time OIG spent thoroughly inspecting and auditing operations to find instances of waste and fraud that need to be addressed. The following comments are provided below in response to the OIG Report. Bolded text are direct quotations from the OIG Report, while the non-bolded text are responses from DPW.

Executive Summary

Page 1 of 13: "Per the union contract, permanent employees cannot be forced to complete additional routes once their assigned route is complete, leading to management depending on temporary staff and volunteers to complete delayed routes regardless if a permanent employee completed their route seven (7) hours into their ten (10) hour shift".

Per the American Federation of State, County and Municipal Employees Local 44 MOU (AFSCME MOU), employees assigned to the curbside collection operation are excused from further work and duty assignments for that day upon the completion of all tasks and/or routes for the day (Appendix A). DPW agrees that reliance on overtime to complete daily operations is a problem and are working to find innovative ways to limit its usage whenever possible.

Page 1 of 13: "SW [Bureau] failed to adequately staff the curbside collection operation leading to frequent route delays, forcing the use of overtime".

Although the Bureau of Solid Waste employs laborers and drivers, DPW's Division of Human Resources (HR) and Baltimore City's Department of Human Resources (DHR) are responsible for the hiring and vetting of potential candidates. Regular meetings occur between these groups to discuss staffing and positions.

Page 1 of 13: "The OIG understands and appreciates the hard work completed by the crews of SW and [REDACTED] attribute the financial waste and mismanagement to [REDACTED] select members of his management team".

The Bureau of Solid Waste is organized in a manner that allows the Quadrant Chiefs, Division Chiefs, and Superintendents to handle issues as they arise and to report any issues directly to the Bureau Head. However, it is at the discretion of the Chiefs and Superintendents to decide when to bring issues to the attention of the Bureau Head.

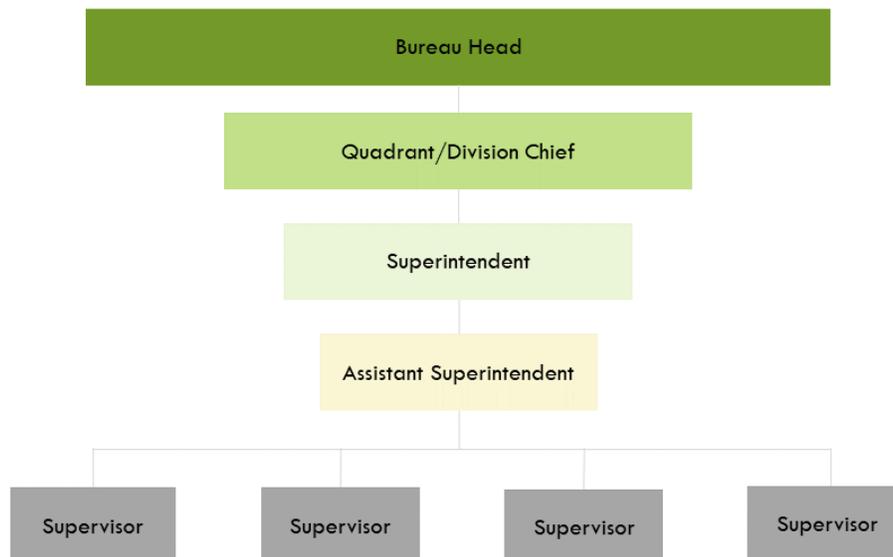


Image 1: Simplified organization chart for the Bureau of Solid Waste

Background

Page 2 of 13: "In addition to residential curbside collection SW administer services in the following areas:

- **Bulk trash collection services**
- **Dumpster services (residential and commercial, front end loaders and roll off collections)**
- **Right of way cleaning (street sweeping)**
- **Alley and lot clean-up**
- **Vacant property maintenance services**
- **Rat control services**
- **High grass and weed services**
- **Corner can collections**
- **Waste disposal and other services"**

The Bureau of Solid Waste does provide the above listed services, but the below chart describes what each division within the Bureau is responsible for. For clarification, the Bureau only provides “high grass and weed services” on vacant, private properties, and City-owned vacant lots. The Bureau will not, for example, remove high grass and weed from the alley or street since that responsibility lies with the Department of Transportation.

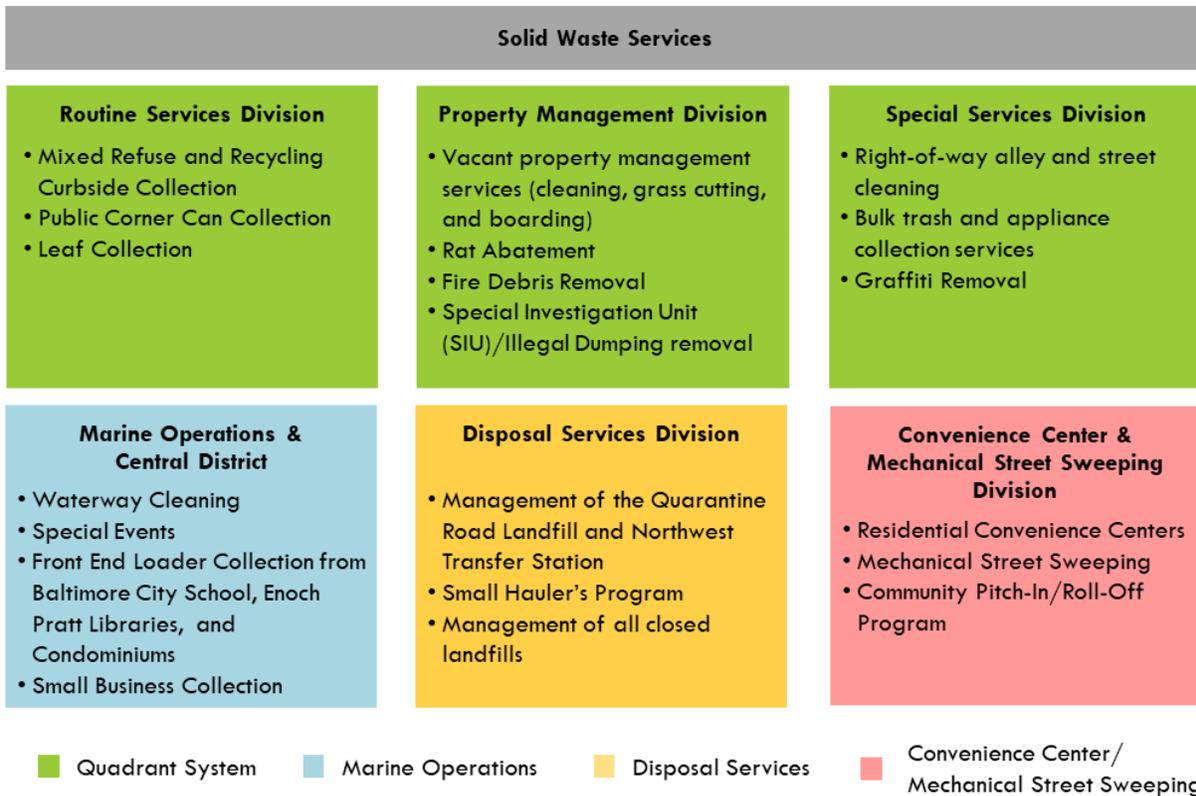


Image 2: Bureau of Solid Waste services offered by solid waste division.

Page 2 of 13: “A few years ago, SW Bureau Head [REDACTED], implemented a quadrant system for SW, which divided Baltimore City into four (4) areas. [REDACTED] assigned a Division Chief to each area and was able to then hold them accountable for their individual sections of the City.”

Previously, the Routine Services Division was the only operation that operated within a quadrant system (Appendix A). In Spring of 2017, the Bureau of Solid Waste reorganized all its divisions to be focused geographically as part of a comprehensive effort to improve the cleanliness of the City. Instead of a Division Chief providing a solid waste service to the entire City, a Quadrant Chief is now responsible for delivering solid waste services within an assigned quadrant. Under this organization, crews have been able to familiarize themselves with the neighborhoods and understand the specific challenges experienced within each community. In addition, operations are more efficient as there is now less travel time across the city for crews and supervisors. Quadrant Chiefs now have access to a range of resources to respond to sanitation problems involving multiple issues, decreasing the need to wait for a specialized crew to travel from a different geographic area of the city to clean dumping sites.

Staff Shortage

Page 3 of 13: “██████████ told the OIG he is experiencing a staff shortage, specifically employees with commercial driver’s licenses (CDL). ██████████ stated at the time of his interview he had approximately 56 vacancies that are fully funded permanent positions and approximately 30 individuals on light duty status or accident leave¹. According to the Bureau of Budget Management and Research (BBMR), there are 57 vacancies in Solid Waste; however, the collections operation only has 16 vacancies, 5 of which require a CDL²”.

The OIG is correct in stating that the Bureau of Solid Waste had 57 total vacancies, yet the “collections operations only has 16 vacancies, 5 of which require a CDL.” However, the OIG report fails to mention the importance of the CDL driver in curbside operations. Each curbside collection crew is made up of a CDL driver, or Solid Waste Driver (SWD), and two laborers, or Solid Waste Workers (SWWs). Without a CDL driver, the crew is unable to navigate curbside collection routes for trash and recycling removal. For perspective, if five CDL drivers are absent then there are automatically five delayed collection routes for that day. In addition to the five vacant SWD positions, there were nine (9) SWWs on light duty or restricted duty during the month of May 2019. These nine SWWs were temporarily removed from curbside collection due to their injuries which delayed at least an additional four routes that month.

Page 3-4 of 13: “According to ██████████, SW has approximately 60 employees³ that are used to supplement the operation. ██████████ stated, ‘they are constantly moving individuals from temp[orary] to perm[anent] positions’”.

DPW utilizes the temporary civil service classification of “Seasonal Maintenance Aide” (SMA) to provide adequate coverage for various operations. Per the “Seasonal Maintenance Aide Program Tract,” SMAs can be promoted to permanent positions, but this can only occur if a permanent position is vacant, approval is received from the DPW Fiscal Office, and the applicant successfully passes a drug and alcohol test and physical (Appendix B).

Page 4 of 13: “SW saved approximately \$736,000 by not filling permanent budgeted positions, but spent more than \$1.1 million dollars over the \$406,844 budget for overtime cost. According [to] SW budget information, SW has funding for permanent employees however those funds are not being used to staff the operation to capacity, rather the operational needs are being funded through overtime”.

To fill permanent budgeted positions, a member of the Bureau’s management, i.e. Division Chief, Superintendent, or Supervisor, is required to provide a ‘request to fill’ document to DPW Human Resources. HR processes the request to fill and schedules interviews with potential candidates. As of November 1, 2019, a request to fill has been submitted to HR for all vacant positions.

¹ Light duty means the individuals are given an alternative work assigned as a result of an on the job injury or they are on accident leave and are at home until they are released to work by a medical entity. The other 11 vacancies consist of four (4) SWW, two (2) SW supervisor, two (2) assistant superintendent, one (1) laborer, one (1) recycling coordinator, and one (1) division chief.

² The 16 vacancies include 3 heavy equipment operator IIs for the condominium dumpster operation and 13 from the curbside. Information is as of June 1, 2019.

³ Temporary employees are classified as seasonal maintenance aid[e]s (SMAs) or seasonal maintenance aid[e] drivers (SMADs)

Page 4 of 13: “During the investigation, SW managers stated that often the curbside collection operation must take employees from other SW operations, such as property management or bulk trash, in order to have all the routes serviced at an acceptable hour. The issue with pulling employees⁴ who are assigned to other operations is that it leaves the other operations short.”

Per Baltimore City Code Article 23, Subtitle 1-4, “The Director of Public Works has charge of the following services, as authorized or required to be done by the City: (1) the cleaning of the public streets, lanes, and alleys; and (2) the collection and removal of mixed refuse and recyclable materials” (Appendix C). The Bureau is mandated to clean public rights-of-way and to collect trash and recycling from residential households, but it is not mandated to clean private properties or collect bulk trash from residential households. In addition, it is necessary to collect trash on the designated trash collection day to prevent the over-accumulation and spillage of waste which will become a larger issue for the health and cleanliness of the City, and to reduce resident complaints. As a result, the Bureau will continue to pull employees from other operations to ensure the city’s streets and alleys remain free of trash.

Page 4 of 13: “Also, those ‘borrowed’ employees do not work under the task work system, per the AFSCME MOU. However, according to a DPW HR professional when a ‘borrowed’ employee is required or volunteers to work the curbside collection operation for the day, they are paid under the task work clause. When the route is complete, they are dismissed from any further duties for the day. In theory this incentive would be beneficial; however, the opposite holds true if the route is not completed prior to the end of the ‘borrowed’ employee’s scheduled shift. During an analysis of SW ‘rundown’ sheets, the OIG found on occasion ‘borrowed’ employees scheduled to get off at 3:00pm. Reported back to the yard at 3:00p.m. and went home, even when the route was not complete. When that occurs, the route will be interrupted so the ‘borrowed’ employee can be returned to the yard. The remaining crew will then have to wait at the yard for another available employee to complete the already delayed route.⁵”

The OIG Report accurately states that “‘borrowed’ employees do not work under the task work system.” Per page 19 of the AFSCME 44 MOU, “Overtime work shall be voluntary except in the event of an emergency.” (Appendix D). As a result, employees with 7am to 3pm work hours are allowed to leave for the day when their shift ends at 3pm. The Bureau can only ask employees to finish the task, but the Bureau cannot force employees to stay after their designated work hours.

Page 4 of 13: “Furthermore, while going through document’s [sic] seized at the Bowley’s Lane location, the OIG came across a Motor Vehicle Driver II (MVD II), [REDACTED] who regularly assists with the curbside collection operation. In reviewing his e-time records, this [REDACTED] regular schedule is Monday-Friday 7:00 a.m. to 3:00 p.m., an eight (8) hour shift; however, when he works for curbside collections, he gets paid for ten (10) hours adding two (2) additional hours of overtime pay regardless of what he worked.”

⁴ Employees that work in Solid Waste but not for routine services curbside collections work five (5) days a week at eight (8) hours a day.

⁵ The OIG requested the number of delayed routes from January 1, 2019 to June 30, 2019, DPW was unable to supply all the information requested as a result of the ransomware and therefore an accurate number of delayed routes cannot be reported.

DPW agrees this is an issue and requires further investigation. A Standard of Operating Procedure (SOP) will be created to regulate how overtime is approved.

Overtime Waste

Page 5 of 13: “The OIG found that the overtime distribution in the curbside collection operation appears to be skewed, where some employees have over a thousand hours in overtime and others have less than half that. The OIG requested information regarding the processes to guarantee overtime is equal based on the needs of the curbside collection operation.”

Per page 19 of the AFSCME 44 MOU, Article 15, the following applies to overtime:

“B.2. Insofar as practical on each occasion, the opportunity to work overtime shall be offered to the employee within the job classification who has the least amount of overtime hours to his credit at that time. If this employee does not accept the assignment, the employee with the next fewest number of overtime hours to his credit shall be offered the assignment. This procedure shall be followed until the required employees have been selected for the overtime work”.

Residents generally expect their trash or recycling to be removed and collected by the Routine Services Division by 4:30 p.m. of their designated collection day. In addition, it is preferable to finish collection routes during daylight hours for safety reason. Since there is a time constraint on curbside collection, it is not practical to provide overtime to the employee with the least amount of overtime hours. Instead, overtime is offered to the first crew that completes their route. If the first crew refuses overtime, then the second crew to complete their route is offered to work overtime. This procedure continues until there are enough employees required for the overtime work. Allowing crews to work overtime on a first-come, first-serve basis ensures curbside collection crews can complete the second route at a safe and reasonable hour.

Page 5 of 13: “A member of SW management informed the OIG they are not aware of a uniformed tracking procedure that all yards follow, but some yards track it independently.”

Division Chiefs, superintendents, and supervisors are responsible for tracking the number of overtime hours offered to employees. It is at their discretion to manage and equalize overtime hours. The Bureau will issue a memo stating supervisors are to manage and equalize all overtime hours.

Page 5 of 13: “The individual stated SW used to complete biweekly reports that showed the percentage of overtime for each employee, but that ‘has not been given out in a while’.”

Reports that show the percentage of overtime for each employee are provided by the DPW Fiscal Office. However, division chiefs, superintendents, and supervisors are responsible for issuing, reviewing, and approving overtime for their employees per AM-205-10 (Appendix E). Since supervisors are responsible for approving overtime, it is ultimately the supervisor’s responsibility to track the percentage of overtime for each of their employees.

Page 6 of 13: “BBMR was able to assist the OIG in retrieving SW overtime data (Exhibit 5). Below is a chart that displays the disparities in 362 employees who were paid overtime for hours ranging from 1 hour to over 1,200 hours in FY 19”.

We thank the OIG for examining this information and agree that relying heavily on overtime is a problem. We are actively examining ways we can reduce overtime whenever possible.

Page 6 of 13: “During several interviews with SW staff and management it was stated that the Yardman is responsible for opening and closing the facility”.

The definition for “opening and closing the facility” refers to the Yardman physically opening and closing the facility gate for employees that arrive before the yard officially opens at 6 a.m. and after the yard officially closes at 5 p.m. The Yardman is not responsible for unlocking and locking the facility at the beginning and end of the day.

Page 6 of 13: “It was also stated that SW superintendents are mandated to stay on location until ‘the last crew’ has completed their route in addition to the SW supervisor who directly supervises the crew. The requirement for superintendents, supervisors and the Yardman to stay at the yard until the last crew completes the route, results in the unnecessary accrual of compensatory time in addition to overtime”.

It is necessary for the Solid Waste Superintendent (Superintendent), Solid Waste Supervisor (Supervisor) who directly supervises the crew and the Yardman to stay on location until the last crew completes their route. The Superintendent is responsible for managing the facility as crews arrive at the end of their shift while the Supervisor is responsible for managing the crews in the field. In addition, the Supervisor is responsible for responding to resident complaints and investigating missed trash or recycling pickups. The Yardman is responsible for relaying trucks and remaining with the inoperable truck to allow the crew to complete their curbside collection route without further delay.

Page 6-7 of 13: “It was also clear during this investigation that no one could supply an accurate count of how many employees have access to keys to open and close the facilities, questioning the safety and security of the locations”.

Currently, building keys are provided to division chiefs, superintendents, assistant superintendents, supervisors, and yardmen. The Bureau will create a SOP to formalize the issuance of building keys.

Page 7 of 13: “Additionally, at one facility the OIG observed a memo explaining that dumping the truck is a part of a SWD’s task (Exhibit 6). However, according to documents seized, on many Saturdays and Mondays eight (8) hours of overtime is paid to a SWD to come in on their regularly scheduled day off to empty the trucks”.

DPW agrees that the overtime approval to “empty trucks” is unacceptable. The Bureau of Solid Waste will investigate this incident and ensure that Division Chiefs, Superintendents, and Supervisors understand that crews must empty the trucks by the end of the day.

Page 7 of 13: “The OIG also found several occasions where a route was delayed because the truck had to be dumped prior to the start of a route, often resulting in overtime”.

DPW agrees that route delays due to full trucks is unacceptable. It was announced during an operational meeting in August 2019 that all trucks must have their loads emptied by the end of the day before returning to the yard. However, the Bureau did not issue a memo for this announcement. In response to this OIG Report, the Bureau will prepare a memo for distribution to Quadrant Chiefs, Superintendents, and Supervisors.

Page 7 of 13: “Additionally, according to several ‘rundowns’ seized from the collection’s yards, SWWs come in to clean trucks on Saturdays and Mondays for overtime (Exhibit 7)”.

DPW policy requires solid waste crews dump their loads before leaving for the day. Using overtime to dump loads violates this policy. Management will review rundowns and will monitor to ensure compliance. That being said, there are instances when cleaning of the trucks and preventive maintenance occur on the weekends. This is different than dumping loads.

Page 7 of 13: “The investigation revealed even if the employees are temporary, a permanent SW employee must be on location to supervise the daily operation. The individual is usually a SWD working in the capacity as a supervisor and receiving overtime compensation (Exhibit 7)”.

DPW agrees with the OIG Report and will restructure the operation accordingly.

Page 7 of 13: “In interviews with SW employees, they disclosed supervisors regularly add an additional hour or two (2) to a crew’s overtime slips as an incentive to get them to service another route after the completion of their first assigned route. The OIG found a couple of examples of this behavior (Exhibit 9, 10, & 11).”

We thank you for bringing this matter to DPW’s attention. It is a violation of City policy to falsify timesheets to indicate overtime that was not worked. DPW management will issue guidance to time keepers, approvers, and supervisors that this practice is prohibited and that disciplinary action up to and including termination may result if it occurs.

Page 7 of 13: “On one occasion, the OIG found that four (4) hours of overtime was paid to the crew for a route that took 14 hours, however the GPS showed the truck was out for less than 10 hours (Exhibit 11, 12 & 13).”

DPW would like to investigate this incident more closely. According to Exhibit 11, the crew in question made three trips to the Waste Management Materials Recycling Facility (MRF) at 12:58pm, 3pm, and 8pm. It is difficult to confirm the timing of these trips without the attached tonnage tickets from the MRF. In addition, Exhibit 13 shows that the ignition is turned off at 4:17pm, but “external power removed” is experienced at 4:18pm. We thank the OIG for this information and will investigate further.

Page 7 of 13: “Additionally, during the investigation, the OIG found that on occasion some crew members are picked up ‘on the route’, instead of meeting at the yard, which means they do not sign in.”

The Bureau of Solid Waste does not allow employees to get “picked up ‘on the route.’” It is policy that all employees must sign in. The Bureau of Solid Waste will issue a memo stating that employees getting “picked up” and supervisors that allow this will receive disciplinary action.

Page 7 of 13: “The OIG also selected a few ‘rundown’ sheets to check the reported data against the trucks Global Positioning System (GPS). The OIG found instances where administrative paperwork said a route began at 6 a.m. and concluded at 4 p.m.; however, the GPS device on the truck read the truck was stationary at Bowley’s Lane well after 6 a.m. and came back to the yard prior to 4 p.m. (Exhibit 14&15).”

DPW thanks the OIG for discovering the following examples of misreported data. The Superintendent and Supervisor are responsible for reviewing rundown reports at the end of the day prior to signing it for accuracy. In addition, the Division Chief is responsible for occasionally auditing rundown reports for integrity. The Bureau will create a SOP to explain how the rundown sheets should be completed. Multiple instances of misreported data will result in disciplinary action.

Page 8 of 13: “It must be noted on occasion crews will submit overtime slips when there are no comments or justifications given for the route to be delayed. These practices call into question the accuracy of attendance data, the lack of internal controls to monitor work attendance and the accountability of the supervisors for their subordinates”.

DPW agrees this practice is unacceptable. Overtime slips and timesheets are not to be accepted without comments or signatures by the employee and supervisor. This policy was made clear to Solid Waste Management during a staff meeting in July 2019. Since July 2019, the Bureau’s Office has been auditing random timesheets to ensure all required slips are attached with the appropriate signatures and justifications.

Quasi-Job Positions

Page 8 of 13: “The ‘positions’ of Yardman and Night Watchman are staffed by [Solid Waste Drivers] SWD and [Solid Waste Workers] SWW⁶. The employees used to staff the Yardman and the position are removed from the daily trash routes and are primarily tasked with doing work in the yard. The OIG’s concern is taking SSW and SWD from their primary function of trash collection to do other duties, potentially causing a daily in routes being dispatched.”

⁶ Currently, the Bureau of Solid Waste has multiple CDL driver classifications with a Motor Vehicle I (MVI driver getting paid less than a SWD, if the MVI was tasked as the Yardman they would save the City Money and free the SWD to drive the routes).

The Yardman is an essential position for curbside collection services. Without the Yardman, crews could stay stranded for hours on the side of the road while waiting for DGS to service the broken-down vehicle. That being said, the Bureau of Solid Waste will be working to appropriately reclassify the employees serving in this capacity. Additionally, the Night Watchmen working title position will be terminated in the near future. The Bureau is in the process of acquiring security guard services for Reedbird and Bowley's Lane and will no longer require the Night Watchmen.

Yardman

Page 8 of 13: “The Yardman for the curbside collections’ locations at Bowley’s Lane and Reedbird are classified as SWD and were hired to drive mixed refuse or recycling routes. However, at the yard level management assigns individual duties of a Yardman. Solid Waste supervision informed the OIG that the Yardman is responsible for the following:

- **Opening and closing the yard**
- **Troubleshoot issues with inoperable vehicles**
- **Take vehicles to the [Department of General Services] Central Garage [facility] for maintenance services needed and file vehicle maintenance paperwork**
- **Take trucks to drivers if a truck becomes inoperable during the day (relay truck)**
- **Maintain an inventory of vehicles, vehicle registration, and vehicle key accountability”**

In addition to these services, the Yardman is responsible for the following:

- Relaying trucks and remaining on site with the inoperable truck until a technician from the Department of General Services (DGS) is available to service the vehicle
- Driving a curbside collection route if there are not enough drivers for the day

Therefore, the use of “Yardman” for this position is a misnomer – this position can be more accurately described as a “Yard Manager”⁷. The Bureau of Solid Waste will be working to appropriately reclassify the employees serving in this capacity.

Page 8 of 13: “The curbside collection operation is Tuesday-Friday 6:00a.m.-4:00p.m. while, the Yardman’s schedule is Monday-Friday 6a.m to 2p.m., guaranteeing the Yardman at least 2 to 3 hours of overtime daily, because according to SW management the Yardman must stay at the yard until all routes are completed and all crews are in the yard (Exhibit 17).”

DPW understands this is an issue and will work with HR and the Department of Human Resources (DHR) to create a classified position for ‘Yardman’.

Night Watchman

⁷ According to ZipRecruiter, “Yard Managers” are typically responsible for the overall management of the yard. Responsibilities include but are not limited to scheduling, ordering, repairing, maintaining, and disbursing equipment and materials.

Page 9 of 13: “The manager stated that [REDACTED] did not want to invest in purchasing a new surveillance system or repairing the existing surveillance equipment because it was too costly. [REDACTED] alternative was to create the Night Watchman ‘as something we need’ in order to protect the yard. The manager went on to say that they are not sure why security guards are not used at the SW yard since the City has a contract with a security agency”.

DPW agrees that professional security at all solid waste facilities is important. In addition to acquiring security guards for Bowley’s Lane and Reedbird, a proposal to utilize the security services of Communications Electronics System, the City’s contracted security firm, will be submitted in the near future.

Page 10 of 13: “During the OIG investigation, it was found that [REDACTED] did not have Baltimore City government issued driving permits and are therefore not authorized to operate City owned vehicles in accordance with AM 501-1, a function a SW Manager stated Night Watchmen do”.

DPW agrees with the OIG and will issue a memo restating all City employees must have a City-issued driving permit in order to obtain keys to a City vehicle or to operate a vehicle in accordance with AM 501-1 (Appendix H).

Internal Controls and Data Quality

Page 10 of 13: “Some SW supervisors stated they must trust the crews because they are out ‘on the streets’ a lot, when the crews complete the routes. One SW manager told the OIG there is ‘a lot of room for error’ since collections does not have use of the biometric timeclock that other yards have access to. They went on to say they do the best they can, but it is very difficult to hold people accountable when there are so many people walking in and out. A SW employee told the OIG [that SW] management is trying to work on getting a time clock up and running for curbside collections.”

DPW is working in collaboration with Central Payroll and ADP to establish protocols that will allow curbside collection crews to utilize biometric clocks on-site, rather than relying on employees to sign in and out. Crews on the task system do not use the biometric clocks because the clocks would record their payroll time as the actual hours worked, rather than the task system payment method. Until biometric clocks can be used, the Bureau will issue a memo to address the discrepancies in how curbside collection crews are signing out.

Page 10 of 13: “A superintendent told the OIG, they trust that the supervisors have checked the crew’s overtime for accuracy, so they just sign the slips when they get them.

It is the Superintendent’s responsibility to place best management practices in place to confirm the crew’s overtime hours. This responsibility will be reiterated to Superintendents.

Page 10 of 13: “On other occasions overtime slips are submitted with no detailed justification for the overtime or no supervisor or superintendent signatures (Exhibit 22).”

DPW agrees this practice is unacceptable. Overtime slips and timesheets are not to be accepted without comments or signatures by the employee and supervisor. This policy was made clear to Solid Waste Management during a staff meeting in July 2019. Since July 2019, the Bureau's Office has been auditing random timesheets to ensure all required slips are attached with the appropriate signatures and justifications.

Page 10 of 13: "Furthermore, some SW supervisors and managers told the OIG that they do not have time to supervise the crews because they are out driving routes and addressing citizen complaints. One supervisor contended that they have no choice but to trust the crews in reference to the hours they work because they do not have time to check behind them".

DPW is working to fill vacant positions.

Mismanagement and Oversight

Page 11 of 13: "Several SW employees stated they understand the importance of the curbside collections function; [REDACTED]

[REDACTED] as the curbside collection operation rather than making sure all the operations under SW have the proper resources and supervision needed to function."

As stated previously, the Bureau is mandated by City Code Article 23, Subtitle 1-4 to clean public rights-of-way and to remove trash and recycling (Appendix C). As a result, the Bureau places an emphasis on these services to ensure trash is removed in a timely fashion, but other operations are never completely shut down as a result of curbside collections. The Bureau works with the resources provided to ensure all services continue within each quadrant, albeit slower with limited staff. Proper resources for operations to function is a top priority of the Bureau Head. Unfortunately, the proper resources required for operations typically require capital or operational funding (Table 1 and 2). The Bureau is funded by the General Fund and is subject to the funding allocated by the City. Nonetheless, the Bureau will continue to submit capital and operational funding requests on an annual basis. In addition, all requests to fill for positions with supervisory roles have been submitted to HR. Interviews for managers are on-going and a few management positions have been offered since June 2019.

Table 1: FY 2021 Capital Improvement Project (CIP) Requests

Funding Request	Amount
Quarantine Road Landfill Expansion	\$102,328,400
Construction of a Northeast Transfer Station	\$21,411,300
Facility Improvements at Bowley's Lane, Kane Street, Reedbird, and Sisson Street	\$21,407,200
Solar Can Installation – Phase 3	\$16,737,698
Citywide Recycling Carts	\$8,500,000
Implementation of Less Waste, Better Baltimore Master Plan Recommendations	Unknown
Total	\$163,020,758

Table 2: Operational Built-ins for FY 2021

Funding Request	FY 20 Budgeted	FY 21 Adjusted
Wheelabrator Tipping Fees	\$8,585,842	\$2,000,000
Increased Salaries for CDL Drivers	\$22,784,125	\$1,134,000
Landfill Gas Monitoring, Stormwater Management, Groundwater Monitoring, and Leachate Conveyance at Quarantine Road Landfill	\$450,000	\$500,000
OSHA Safety Uniforms for 700 employees	\$54,569	\$311,600
Anti-Contamination Recycling Campaign	\$185,000	\$260,000
RouteSmart Software and Hardware Installation and Maintenance	\$53,746	\$243,750
Maintenance and Repair Costs for Recycling Carts	\$0	\$154,000
Police Overtime Costs for Quarantine Road Landfill	\$10,000	\$140,000
Maintenance and Repair Costs for Public Corner Cans	\$365,640	\$62,500
Total	\$32,488,922	\$4,805,850

Page 11 of 13: [REDACTED] **is reactive instead of proactive and thinks that asking for more money will fix the issues in the operation”.**

The Bureau of Solid Waste has an operating budget of \$88.7 million, but is still lacking in funding. In the past, funding requests from the Bureau have included:

- Security systems for the solid waste facilities
- Facility renovations and upgrades
- East Baltimore Transfer Station
- Route analysis technology

Solid Waste is under-budgeted to meet the needs of keeping the city clean and ensuring that staff are not overworked. For example, the Bureau is not budgeted to include a 20% bench for employees who would like to take days off or who are out on A-time or light duty. The industry best practice is to have a staffing bench. Bureau Head [REDACTED] has been pursuing several proactive improvements for the Bureau, including:

- Improved facility upkeep and maintenance, such as the recently-completed renovations of the Northwest Transfer Station;
- Commercial Driver’s License (CDL) reclassification to be more competitive;
- Implementing proactive mowing (Promow) to keep up with the high grass and weeds season;
- Implementing the Small Hauler Program at the Northwest Transfer Station with the goal of decreasing illegal dumping, which is a tremendous strain on employees and resources to clean;
- Requesting funding for uniforms that meet OSHA safety guidelines;
- Implementing the use of electronic tablets for supervisors to access and close work orders in real time for property maintenance, with the goal of expanding to other operations;

- Pursuing the use of routing technology to improve routes and to enable real-time changes in routing;
- Pursuing funding for recycling carts, to reduce strain on workers from lifting recycling cans;
- Pursuing procurement of messaging screens in facilities to share safety reminders, updates, recognitions, and other important information;
- Implementing the use of smart cans for corner can collection, and pursuing the expanded use of smart cans;
- Prioritizing OSHA training for employees, establishing safety coordinators in each location, and encouraging ongoing safety efforts; and
- Establishing SOPs and Quality Assurance/Quality Controls (QA/QC) for improved operations and accountability.

Page 11 of 13: [REDACTED] disregarding the toll the physical labor takes on the health and well-being of the staff. At times that means some of the employees are servicing multiple routes per day and working until 11:00p.m. just to turn around and come back to work by 6:00 a.m. the next day”.

DPW understands the physical labor involved in curbside collection and commends the work ethic of the men and women in this operation. The Bureau agrees it is not in the Bureau’s best interests to depend on employees to volunteer to complete multiple routes per day, nor is it sustainable. As a result, the Bureau has been and will continue to work with HR and DHR to hire additional employees.

Page 11 of 13: “Managers at the yard level stated [REDACTED] the routes are uneven, and some crews are required to go to the disposal facilities more frequently than other crews, adding to the route time and extending the shift. Dwelling units in the City of Baltimore have been constantly changing over the past 10 years which would warrant a new route study. In some instances, entire blocks have been demolished, decreasing a crew’s route time, where in other instances a new homes and developments have been built increasing the route time. These ever-changing factors must be taken into consideration when mapping routes, route distance and tonnage collected, modifications to routes should be made accordingly.”

DPW would like to have routing software in order to have the ability to update routes in-house, instead of relying on contractors to do routing studies. The Bureau has submitted a request for Route Smart, software which can take into account Baltimore’s unique collection routes and can update based on real-time conditions (Appendix I). In addition, the Bureau is looking into other technology to assist with routing and data-gathering, such as Rubicon Global.

Page 12 of 13: “Several SW Managers interviewed, stated [REDACTED] was aware the Bowley’s Lane office building is in terrible condition but refused to repair the building.”

The safety and sanitation concerns raised in the OIG’s Investigation Case #19-0047-1 from July 30, 2019, have since been addressed.

Page 12 of 13: “One manager stated that it took months to get the outside lights fixed in the area where the trucks were, which was a safety concern for the employees”.

The effort to repair the street lights was complex and required coordination between the Department of General Services (DGS), Department of Transportation (DOT), and the Baltimore Gas and Electric Company (BGE). The street lights in question were owned and operated by BGE, but BGE was unable to repair the street lights for various reasons until 2018.

Conclusion

Waste generated within the City is collected, stored, transported, transferred, and properly disposed by the Bureau of Solid Waste on a daily basis regardless of the operational or financial challenges encountered. The Bureau also ensures that 210,000 households are serviced twice a week; receives and responds to 400,000 Service Requests (SRs) in a year; completes proactive cleaning, mowing, and rat abatement operations; and provides solid waste management for special events like festivals and parades. Despite these accomplishments, the management of solid waste is an essential service that is often underappreciated. In recent years, the Bureau of Solid Waste has been under intense scrutiny and is under pressure to do more, with less.

The Bureau of Solid Waste relies on employees with labor-intense jobs to work in all-types of temperatures and climates while handling trash. Given the difficulty of waste management, the Bureau has a difficult time recruiting and retaining not just laborers and SWWs, but also CDL drivers, Supervisors, Superintendents, and Chiefs. To improve morale and operations, the Bureau has requested funding for facility improvements, CDL salary increases, OSHA safety uniforms, and routing technology. However, as an agency funded by the General Fund, the Bureau is subject to the yearly budget cycle and often faces budget restrictions. Regardless of these challenges, the Bureau will continue to submit operational and capital funding requests to create safe work spaces for employees.

The OIG Report presented raises serious inquiries and the Department of Public Works appreciates the time and resources dedicated to this investigation. We recognize there have been management issues and that employees have not risen to the standards expected of them. We are swiftly addressing these issues and creating sustainable solutions to prevent future negligence. In addition, the Department of Public Works is creating an Office of Quality Assurance to create a check-and-balance within the department. Should you have any additional questions, please do not hesitate to contact me.

Sincerely,



Matthew W. Garbark
Deputy Director
Department of Public Works