

DEPARTMENT OF HUMAN RESOURCE MANAGEMENT  
REVIEW OF TRAINING AND SAFETY

Distribution: Lovely Warren, Mayor  
James Smith, Deputy Mayor  
Tassie Demps, Director/DHRM  
Tim Curtin, Corporation Counsel

Office of Public Integrity  
Date: April 7, 2021

## I. EXECUTIVE SUMMARY

The Office of Public Integrity examined records and procedures of the Department of Human Resource Management (DHRM). Specifically, we examined the administration of alcohol and drug testing, procedures for motor vehicle accidents involving City equipment, New Employee Orientation training, and required certifications for City Code enforcement personnel.

The results of this review indicate, in general, adequate internal control procedures over the DHRM areas examined and compliance with City and federal policies. However, we noted the following findings that require management attention to improve administrative controls and ensure compliance with City policy.

- ◆ OPI noted the following findings related to New Employee Orientation (NEO);
  1. DHRM personnel could not provide a sign-in sheet for one of the (6) months in our test period. As a result we could not verify that employees that purportedly attended NEO for that month actually attended it.
  2. Two of the forty-four new hires in our sample selection did not attend the New Employee Orientation as required per City policy. This is an error rate of 4.5%.
- ◆ OPI noted employees did not attend the Defensive Driver Program for 22 of the 24 preventable motor vehicle accidents in our test period. This is an error rate of 91.7%. The City's Standards of Conduct require employees involved in a preventable accident to attend this training. It appears that class cancellations due to COVID19 significantly contributed to employees not attending this required training.

## II. BACKGROUND, OBJECTIVES, AND SCOPE

### A. Assignment

OPI routinely examines City administrative functions in its annual work program. OPI reviewed training and safety procedures in the Bureau of Human Resource Management to determine compliance with policies and regulations. We performed the last review of this area in July 2012.

B. Background

The Bureau of Human Resource Management, Training and Safety unit provides workforce development through the design, delivery and measured evaluation of training, promotes safe work habits and oversees the administration of worker's compensation for non-uniformed employees.

Motor vehicle accidents involving City equipment are reported to the Training and Safety Unit. Employees are entitled to a hearing with the Accident Review Panel who determines whether the accidents were preventable or non-preventable. Accidents deemed preventable require disciplinary actions in accordance with the City's Standards of Conduct.

The Labor Relations unit of BHRM is responsible for administering the drug and alcohol testing policy. One aspect of Labor Relations administrative responsibility is to ensure that all required employees are included in the random sampling population from which City employees are selected for drug and alcohol testing. The City contracts with Energetix Corporation to maintain the database from which they select employees for testing. Labor Relations provides the information for this database. Additionally, beginning January 1, 2009, City policy requires all new hires to have a pre-employment drug test.

Per New York State (NYS) Code and the City's job title requirements, NYS Code Enforcement and Administration must certify Code enforcement personnel. In addition to this training, the City requires Property Conservation Inspectors to receive lead dust wipe sampling training.

C. Objective And Scope

The objectives of the review were to verify compliance with the United States Department of Transportation and City policies regarding drug and alcohol testing, the NYS Code and City job requirements regarding certification of code enforcement personnel, City policy related to new employees, and City policies regarding employee motor vehicle incidents, in order to determine the adequacy of safety and training procedures in these processes. The scope period of this review was July 1, 2019 through December 31, 2019.

Management is responsible for establishing and maintaining a system of internal accounting and administrative control. Fulfilling this responsibility requires estimates and judgments by management to assess the expected benefits and related costs of control procedures. The objectives of a system are to provide management with reasonable, but not absolute, assurance that assets are safeguarded against loss from unauthorized

use or disposition, and that transactions are executed in accordance with management's authorization and recorded properly to permit the preparation of accurate, informative reports that are fairly stated.

Because of inherent limitations in any system of internal accounting and administrative control, errors or irregularities may nevertheless occur and not be detected. Also, projection of any system evaluation to future periods is subject to the risk that procedures may become inadequate because of changes in conditions or that the degree of compliance with procedures may deteriorate.

We conducted this audit in accordance with Generally Accepted Government Auditing Standards (GAGAS) and the International Standards for the Professional Practice of Internal Auditing. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The recommendations presented in this report include the more significant areas of potential improvement that came to our attention during the course of the examination, but do not include all possible improvements that a more extensive review might develop.

### III. RESULTS OF REVIEW

The results of this review indicate that, in general, internal control procedures over the DHRM areas examined are adequate and comply with City and federal policies and procedures. However, we noted the following findings that require management attention to ensure compliance with policies and procedures and to improve training and safety for City employees.

#### A. New Employees Not Attending New Employment Orientation

The City requires all new employees except uniformed Fire or Police or less than full-time new hires to attend New Employment Orientation (NEO). This orientation includes City policies and procedures, an organizational overview, workplace violence prevention and safety, integrity in government, sexual harassment prevention, diversity and inclusion training, standards of conduct & employment rules and retirement savings. New employee orientation helps new employees feel comfortable on the job and understand what's expected of them and contributes to a more effective, productive workforce.

OPI noted the following findings related to our test work on NEO:

1. There were forty-four new hires in our test period that were required to attend new employee orientation. We noted that two of the forty-four new hires did not attend the new employee orientation. This is an error rate of 4.5%.

2. Employees attending the new employee orientation verify their attendance by signing a training attendance sheet. This signature verifies that the employee attended the orientation. DHRM could not locate a sign-in sheet for one of the (6) months in our test period. As a result we could not verify that employees that purportedly attended NEO for that month actually attended it.

◆ Recommendation

DHRM should ensure that all new hires required to attend NEO actually attend the training session. Additionally, they should retain the sign-in sheets as verification of the employees that attended the orientation.

B. Employees in Preventable Accidents not Attending Driving Course

The City's Standards of Conduct for non-uniformed bargaining unit employees requires employees involved in preventable motor vehicle accidents with City equipment to participate in and, satisfactorily complete, the National Safety Council Defensive Driver course offered by the Training and Safety unit. The Defensive Driver course may provide employees with the skills to avoid additional accidents. Additionally, formal disciplinary action may give employees incentive to be more conscientious when operating City equipment.

During the period tested, July 1, 2019 to December 31, 2019, there were 51 motor vehicle accidents involving City equipment. The Accident Review Panel determined that 24 of these incidents were preventable. In all 24 cases, employees were given "Preventable MVA Discipline Forms". However, OPI noted that employees did not attend the Defensive Driver course offered by the Training and Safety unit for 22 of the 24 incidents. This is an error rate of 91.7%.

It appears that class cancellations due to COVID19 significantly contributed to employees not attending this required training. Additionally, although it is the responsibility of the employee's department to ensure that employees involved in preventable accidents attend the Defensive

Driver course, there are currently no procedures in DHRM to verify they actually attended the training.

◆ Recommendation

DHRM management should ensure that these employees participate in a Driver Improvement Training Program as soon as classes resume. Additionally, management should adhere to this policy in the future and implement procedures to ensure all employees involved in preventable accidents attend a Driver Improvement Training Program.

IV. DEPARTMENTAL RESPONSE

The response of the Department of Human Resource Management to this report begins on the next page.



To: Timothy R. Weir, Director of the Office of Public Integrity  
From: Tassie R. Demps, Director of Human Resource Management  
Date: March 31, 2021  
Subject: Response to the DHRM Health and Safety Review

A handwritten signature in black ink, appearing to read "Tassie Demps", written over the date line.

The Department of Human Resources reviewed its current policy for the Defensive Driver Improvement program and has modified the policy to assure driver participation by implementing the following process:

- Training Office will receive a list of employees who must complete the training from the MVA review monthly.
- Training will send out notification to employee and Supervisor that this training must be completed with dates for participation
- Training will track employee attendance and completion of training.
- If employee fails to complete the training, with in one week of training date Training Dept. will notify employee & Supervisor that training was not completed and reassign to new dates. Safety Office will be cc'ed on the notification.
- Employee fails to complete second dates for training Safety will be notified.
- Safety will notify Director of DHRM who will contact Department Commissioner or Senior Manager for next steps to facilitate compliance with training requirement.

A List of employees who are required to attend New Employee Orientation will be provided monthly by the Staffing Unit to the Training office. New Employee Orientation attendance and successful completion of all required modules (online courses) is collected and tracked by the Training Office. If a new employee has not successfully completed one or more required modules, they are notified immediately after the designated deadline of completion. If the modules remain incomplete, or unsuccessfully completed, the employee and their direct supervisor are then notified of this status within one week of the deadline. All training records related to New Employee Orientation and employee supplemental trainings are recorded and compiled by the Training Office to ensure accuracy and efficiency.