

# ORANGE COUNTY SHERIFF'S DEPARTMENT

EXTERNAL MEMO

**To:** Chief Financial Officer Michelle Aguirre, County of Orange  
**From:** Executive Director Brian Wayt, Administrative Services Command  
**Date:** June 9, 2020  
**RE:** Response to Performance Audit of Sheriff-Coroner Overtime County of Orange



Please find the attached responses to the March 24, 2020 Performance Audit of Sheriff-Coroner Overtime conducted by Arroyo Associates.

If you have any questions, please contact me at (714) 647-1803.

- c: Senior Director Robert Beaver, Administrative Services Command
- Director Noma M. Crook, Financial/Administrative Services Division
- Sharon Tabata, Assistant Director, Financial/Administrative Services
- Ryan Van Otterloo, Budget Officer, Financial/Administrative Services
- Mirabelle Esparza, Budget Planning Manager, Financial/Administrative Services
- Lynn Wilkerson, Contracts Manager
- Linh Vuong, Cost/Audit Manager, Financial/Administrative Services
- Monique Vansuch, Audit Manager, Financial/Administrative Services

## **OT Audit Report Reply**

### **Recommendation:**

II.1 Modify the ERMI software to ensure that data is correctly aggregating by months for dates of the end of the pay period.

### **Response:**

The ERMI program is a County-Wide system that is controlled by the County Auditor-Controller, therefore any changes to the system are at the sole discretion of the Auditor-Controller. While the timing of the monthly report data could be modified, the current system captures data accurately based on parameters of the system.

### **Recommendation:**

III.1 Determine if Compensation Payoffs and Holiday Mandatory Compensation Payouts and other Mandatory Compensation Pay without Job Codes or Descriptions should continue to be included in the Overtime Budget.

### **Response:**

Compensation Payoffs, Holiday Mandatory Compensation Payouts, and other Mandatory Compensation Pay without job codes should be included in the Overtime Budget as these are overtime costs associated with actual overtime hours worked and/or hours accrued through vacation or annual leave and paid out. These are true cost to the Sheriff's department 24/7 operation.

### **Recommendation:**

III.2 Require units to report job numbers and job description with each report of overtime so that data more accurately reflects the justification for overtime hours and costs.

### **Response:**

OCSO employees are required to enter overtime hours in VTI according to the established Payroll Sign-In Sheet Coding Information. Typically overtime costs without a job code are associated with mandatory compensation payouts. In addition, management is required to review overtime coding prior to approving an employee's timesheet in VTI.

### **Recommendation:**

III.3 Move Comp Payoff/Holiday Payout to a separate budget category to keep overtime hours within the control of the department.

### **Response:**

This policy is determined by the Auditor-Controller's Office and therefore, any changes would require the approval of the Auditor-Controller.

### **Recommendation:**

III.4 Fill vacant positions as soon as possible so that they do not require the use of overtime for shift replacements.

**Response:**

Due to the volatility in OCSD's Budget we continue to work with the CEO Budget Office on filling vacant positions. While we continue to strive to fill all of our vacant positions, impacts the County-wide hiring freeze as well as our extensive background process make this goal a challenging one to achieve.

**Recommendation:**

III.5 Consider negotiating for additional costs for the Orange County (OC) Fair and other multiday Special Events to cover some of their impact on regular shifts.

**Response:**

OCSD develops the costs for all special events including the OC Fair to ensure that all costs associated with the direct event are covered. We will always strive to minimize any collateral impacts that large special events have on the remainder of department operations.

**Recommendation:**

IV.1 Review the department's contracts, coding, and invoice practices for police service contracts and special events contracts to ensure that the revenue received covers the overtime charges for the cities and special events.

**Response:**

Contract services provided to cities by OCSD are billed based on a full cost recovery model. This cost model is reviewed by the Auditor-Controller to ensure that it is compliant with all county and general accounting policies. Additionally, OCSD's Law Enforcement Contracts Unit, reviews and reconciles billable OT on a monthly basis.

**Recommendation:**

IV.2 Add a line item for "Revenue for Special Events (Overtime)" in the County Budget documents to explain the cost recovery from contracted overtime events to provide special service to other agencies.

**Response:**

While there is not a separate line item for Special Events OT, we can and do track costs and revenues for special events with unique job codes. The decision to add a new budget line item lies with the CEO and the Auditor-Controller.

**Recommendation:**

IV.3 Reevaluate staffing needs by shifts in the custody facilities, maintaining flexibility for the scheduler to allow for minimum and maximum staffing levels. These evaluations should also include day and night shifts as well as inmate headcounts, etc.

**Response:**

There have been continual changes to Custody work schedules due to operational changes such as the implementation and cancellation of Federal Immigration Custody Enforcement program and now the Covid-19 Pandemic. OCSD has changed to the Platoon schedule of 12 hour shifts due to Covid-19. We continuously monitor work schedules and remain flexible in order to comply with the operational needs of the Department.

**Recommendation:**

V.1 Modify the department's Overtime Policy and the MOUs so that everyone in the department receives overtime pay based on hours worked, not hours paid.

**Response:**

OCSD is required to apply with the applicable adopted MOU contracts. As of February 8, 2010 AOCDs and as of July 31, 2009 OCEA employees were converted from hours paid to hours worked.

**Recommendation:**

V.2 Increase the use of civilians for department staff.

**Response:**

OCSD has several civilian classifications that work alongside sworn staff throughout the department. Additionally, OCSD continues to evaluate the use of both sworn and civilian staff to operate the department in the most efficient and cost effective matter.

**Recommendation:**

VI.1 Employees who appear in an Over 48 Hours of Overtime Report for non-emergency events in violation of the department's Overtime Policy, should be given a consequence for violation of the policy.

**Response:**

OCSD Executive staff review the Over 48 OT report each month and assign various levels of discipline when appropriate.

**Recommendation:**

VI.2 Those who have requested any time off in a pay period, should not be scheduled for shift replacements or special events unless others in the patrol unit have already turned down those overtime shifts.

**Response:**

OCSD has Sergeants assigned throughout the department that are responsible for scheduling coverage each day. We always strive to be more efficient in the operations of the department, and will look to implement this in areas that is feasible.

**Recommendation:**

VI.3 Allow more civilian staff to assist in providing overtime staffing for planned overtime special events, so that overtime costs are less costly to the department.

**Response:**

OCSD utilizes civilian staff for planned overtime and special events whenever possible to minimize overtime cost.

**Recommendation:**

VI.4 Scheduling Supervisors should review employee INTIME schedule and VTI for hours worked prior to approving shift replacements and planned overtime.

**Response:**

Scheduling Sergeants have the ability to review work schedules and also time worked in the INTIME scheduling system, however, they are limited to the viewing only their direct reports in the VTI system. For these reasons it is not always possible to make these determinations prior to approving overtime.

**Recommendation:**

VI.5 Allow employees to swap shifts in order to accommodate needed personal time off.

**Response:**

OCSD allows employees to swap shifts and we try to accommodate a swap whenever possible.

**Recommendation:**

VI.6 Replace the current scheduling system (INTIME and the payroll system (VTI) with an integrated scheduling and timekeeping system.

**Response:**

The County's current timekeeping system does not have an integrated scheduling component. They are currently looking at a new system and we are requesting that it contains an integrated scheduling system to help with the efficiency of our scheduling and timekeeping operations.

**Recommendation:**

VI.7 Increase flexibility in management of shift replacements.

**Response:**

OCSD continually looks to be more efficient and effective in the day to day operations of the department and will always strive to make this a priority.

**Recommendation:**

VI.8 Decrease the budgeted overtime hours per unit.

**Response:**

OCSD budgets overtime in dollars and not hours. Our mission is to provide excellent service to ensure safety to the communities and residents of Orange County. We are always reviewing overtime usage to make sure it is used in the most efficient and effective manner.