

Office of Inspector General City of Jacksonville, Florida



Investigation Allegations of Overtime Fraud by Solid Waste Employees

July 16, 2024

Matthew J. Lascell
Inspector General

Executive Summary

In October 2023, the Office of Inspector General (OIG) initiated an administrative investigation regarding the alleged falsification of overtime hours by City of Jacksonville (COJ) Solid Waste Division (Solid Waste) employees. According to allegations received by the OIG, two Solid Waste employees, Ronnie Shubert, a former Fleet Preventative Maintenance Technician,¹ and Joshua Mutch, Fleet Preventative Maintenance Technician, worked on other individuals' personal vehicles while on duty and were then allowed by Michael Pinckney, Solid Waste Superintendent, Solid Waste, to falsely claim overtime hours they had not worked.

Shubert and Mutch admitted they worked on other Solid Waste employees' personal vehicles (including Pinckney's personal vehicle) while at work. However, they claimed all this work was done during their breaks and denied that they claimed more overtime hours than they worked. Pinckney denied he allowed anyone to falsely claim more overtime hours than they worked.

While there was an occasion that Shubert may have claimed an additional hour of overtime than he worked, there was not sufficient witness testimony or records to substantiate the allegations that Shubert and Mutch falsely reported more overtime hours than they worked or that Pinckney allowed them to do so. The information about Schubert and Mutch working on Solid Waste employees' personal vehicles at work will be referred to the Office of Ethics, Compliance, and Oversight (Ethics).

During the investigation, the OIG received additional information that Courtne Brown, former Solid Waste Senior Truck Driver,² and Anthony Wright, former Solid Waste Truck Driver,³ may have also falsely claimed more overtime hours than they worked.

It was discovered that several Solid Waste employees, including Brown and Wright, received more than \$50,000 in overtime pay between October 1, 2022, and October 31, 2023. Wright denied falsely claiming more overtime than he worked, while Brown declined an OIG interview. While the OIG did not find sufficient evidence to substantiate the allegations for Brown or Wright, it also could not validate their overtime hours due to the lack of required documentation.

Background

COJ Solid Waste collects and disposes of garbage, yard waste, and recyclable items throughout Jacksonville. It operates Monday through Saturday, with services only interrupted on Sundays, Thanksgiving Day, and Christmas Day.

According to the COJ collective bargaining agreement with the Northeast Florida Public Employees' Local 630 Laborers' International Union of North America (in effect October 1, 2021, through September 30, 2024), Solid Waste Truck Drivers' and Senior Truck Drivers' routine

¹ Schubert was interviewed while he was still employed with COJ and later resigned before the completion of this investigation

² Brown resigned from COJ prior to being interviewed by the OIG.

³ Wright was interviewed while he was still employed with COJ and later resigned before the completion of this investigation.

workday ends after they have completed their day's assignment (e.g., their normally assigned route) and they are paid overtime for any additional assignments for all extra hours worked. (For example, if a Solid Waste Truck Driver began work at 6:00 a.m. and finished their day's assignment at 10:00 a.m., they would be credited for an eight-hour workday. Any time worked on additional assignments after 10:00 a.m. would constitute overtime hours).

However, other Solid Waste employees not covered by this collective bargaining agreement, such as Fleet Preventative Maintenance Technicians, did not earn overtime until they worked more than 40 hours in a work week, per their collective bargaining agreements.

Due to their workload, many Solid Waste employees receive significant overtime hours. An OIG review revealed that 15 Solid Waste employees earned over \$50,000 in overtime pay. Of these 15 Solid Waste employees, 10 were either Solid Waste Truck Drivers or Senior Truck Drivers. Solid Waste Truck Drivers must complete Solid Waste Truck Drive Reports, which document information such as the driver and work crew, the date and timeframe of travel, and the COJ vehicle number, and submit them to their supervisors.

Allegations, Governing Directives, and Findings

ALLEGATION: FALSIFICATION OF OVERTIME HOURS

Ronnie Schubert, former Preventative Maintenance Technician at Solid Waste, and Joshua Mutch, Preventative Maintenance Technician at Solid Waste, falsely reported more overtime hours than they worked. If substantiated, the allegation would potentially violate §812.014 and 839.13, Florida Statutes, and 8.02(3) and 9.05(1), COJ Civil Service and Personnel Rules and Regulations.

FINDING: NOT SUBSTANTIATED

COJ Time and Attendance Records

The Solid Waste employees in question documented the following overtime hours in the COJ Time and Attendance (TAS) System between October 1, 2022, and October 31, 2023, in order of the most overtime hours reported:

Employee	Overtime Hours Reported	Overtime Pay
Schubert	948	\$27,539.87
Mutch	569.5	\$16,386.32

COJ Video Surveillance Records

According to the information received by the OIG, Shubert and Mutch allegedly worked on other individuals' personal vehicles on Saturdays.⁴ A review of the available video surveillance revealed that on one occasion, Schubert appeared to work on another individual's personal vehicle (subsequently identified as Pinckney's personal vehicle) for approximately 20 minutes. Schubert then appeared to leave work an hour earlier than he had documented in the COJ TAS System.

Mutch was not observed to have worked on any personal vehicles during the timeframe reviewed.

Testimony

Richard Jefferson, former Solid Waste Truck Driver,⁵ Solid Waste

He served as an acting supervisor for Shubert and Mutch. Jefferson said he reported to several supervisors, but Pinckney was "over everybody."

Jefferson was unaware of any Solid Waste employees working on personal vehicles during their work hours, aside from Shubert and Mutch doing minor work taking minimal time, such as tightening a battery terminal or putting air in tires. He did not know if they were paid for this work but thought they did this type of minor work for free.

He said Shubert worked on Pinckney's personal vehicle outside of work hours but did not know what work Shubert completed, nor could he recall when it occurred other than it was not recent. He assumed Pinckney paid Shubert because "ain't nobody doing nothing for free."

In addition, in 2022, Mutch worked on Jefferson's personal vehicle at Jefferson's request. The work was done outside Mutch's work hours, and Jefferson paid him cash.

He heard of Solid Waste employees claiming more overtime hours than they had worked but had no specific information to provide. He was unaware, nor had he heard, that Pinckney allowed Solid Waste employees to claim overtime hours falsely.

Wilfred "Will" Williams, Chief, Solid Waste

Williams confirmed that Shubert and Mutch worked on his personal vehicle on separate occasions in 2023. In each instance, Williams asked them to work on his personal vehicle and paid them in cash. Williams claimed this work was done when Shubert and Mutch were on their breaks.

⁴ Schubert and Mutch worked on-site at a garage that had video surveillance.

⁵ Jefferson was interviewed while he was still employed with COJ and later resigned before the completion of this investigation.

Williams was unaware of anyone working on another employee's personal vehicle during work hours and did not permit anyone to do so. He had not heard that Solid Waste employees claimed more overtime than they worked in the past year.

Joshua Mutch, Preventative Maintenance Technician, Solid Waste

Mutch confirmed that he had worked on other Solid Waste employees' personal vehicles while at work, including Williams and Jefferson. However, Mutch said all this work was completed outside his work hours (before or during his lunch break). He was paid cash for this work. Mutch had not completed a COJ Secondary Employment form⁶ and was not familiar with it.

Mutch denied ever documenting working more overtime hours than he had worked or having any arrangements with Pinckney to claim more overtime than he worked.

Ronnie Shubert, Preventative Maintenance Technician, Solid Waste

Shubert said that he had worked on Pinckney's and Williams' personal vehicles while at work and was paid for it. However, Shubert did not recall completing any of this work during his work hours. Shubert had not completed a COJ Secondary Employment form, nor was he familiar with it.

Shubert reviewed the video mentioned above surveillance and said he checked Pinckney's personal vehicle's fluids. Shubert thought he may have worked on Pinckney's personal vehicle during his work hours as he was not busy then. He was unsure if Pinckney was present and did not recall if he was paid on this occasion.

Shubert denied he ever documented working more overtime than he had worked or that he had any arrangement with Pinckney to be allowed to claim more overtime than he worked.

Shubert reviewed the video mentioned above surveillance, which appeared to show him working an hour less than he claimed.

Shubert denied falsifying his overtime hours on this occasion. He said his vehicle was not present at one point as he had let his significant other take it. He initially could not explain why he was not seen in the other video surveillance later that day but claimed he may have been working in an area by the Solid Waste Office with no video cameras.⁷

Michael Pinckney, Solid Waste Superintendent, Solid Waste

He said Shubert had checked his personal vehicle's fluids but that Shubert did this without being asked by Pinckney. He was unaware of Shubert working on his personal vehicles while on duty (i.e., not on a lunch or a 15-minute break). Pinckney denied paying Shubert any money.

⁶ Per COJ Employee Services Directive 0519, COJ employees are required to have any secondary employment (including self-employment) approved in advance to ensure it would not conflict or appear to conflict with their COJ duties. These matters fall under the jurisdiction of Ethics.

⁷ The OIG subsequently reviewed all available video surveillance again for this date after his interview. Shubert was observed leaving his workplace in his vehicle and then driving away. The OIG could not confirm that he pulled into another location and allowed someone else to take his vehicle.

Pinckney denied allowing anyone to claim more overtime hours they had worked.

ADDITIONAL ALLEGATION: FALSIFICATION OF OVERTIME HOURS

Courtne Brown, former Solid Waste Senior Truck Driver at Solid Waste, and Anthony Wright, former Solid Waste Truck Driver at Solid Waste falsely reported more overtime hours than they worked. If substantiated, the allegation would potentially violate §812.014 and 839.13, Florida Statutes and 8.02(3) and 9.05(1), COJ Civil Service and Personnel Rules and Regulations.

FINDING: NOT SUBSTANTIATED

COJ Time and Attendance Records

The Solid Waste employees in question documented the following overtime hours in the TAS System between October 1, 2022, and October 31, 2023, in order of the most overtime hours reported:

Employee	Overtime Hours Reported	Overtime Pay
Brown	2,844.5	\$120,501.20
Wright	1,239	\$50,171.08

COJ Solid Waste Vehicle Records

The OIG reviewed all Solid Waste Truck Driver Reports for October 2022, February 2023, June 2023, and July 2023 but only found one report for one of these employees.

It should also be noted that the OIG investigation revealed that the majority of the Solid Waste Truck Driver Reports reviewed during these timeframes were typically incomplete or illegible, and rarely signed by a supervisor. Therefore, it would be impossible to verify the regular and overtime hours worked by many Solid Waste employees, not only the subjects of this investigation.

In addition, Brown was known to work on an additional assignment hauling leachate (i.e., runoff water) from a closed COJ landfill. The OIG reviewed all leachate manifests for October 2022, February 2023, June 2023, and July 2023, but Brown completed leachate manifests for only four days during this timeframe.

Michael Pinckney, Solid Waste Superintendent, Solid Waste

To Pinckney's knowledge, he supervised Brown when he began working the night shift, 2:30 a.m. to 11:00 a.m., but Pinckney could not recall when Brown started working this schedule.

Brown's job duties consisted of collecting refuse from the Downtown Jacksonville area. Brown has never had an assigned vehicle since he started working collections in the Downtown

Jacksonville area. When Brown completed this task, he was credited with working 8 hours even though he typically would be finished around 5:00 or 6:00 a.m. Anytime he worked after the completion of this task would be overtime.

Brown did not have to complete Solid Waste Truck Driver Reports as he was not required to go to the Trail Ridge Landfill. After Brown completed collecting refuse from Downtown Jacksonville, he was assigned to handle various other tasks. However, Pinckney said none of these tasks were documented.

Pinckney had never questioned the amount of overtime Brown documented.

Anthony Wright, former Solid Waste Truck Driver, Solid Waste

According to Wright, he worked overtime on Wednesdays and Saturdays from 6:00 a.m. to 4:30 p.m., typically picking up tires using a pick-up truck or a boom truck.

Wright did not have a specific vehicle assigned to him. He had previously been assigned a COJ garbage truck but had not driven it in two years.

Wright said driver reports were submitted to the driver's supervisor, but initially claimed he did not have to complete them for the last two years as he worked by himself, except when he conducted litter patrol activities as he had other people working with him then. However, later during the interview, Wright said he should have completed driver reports.

Wright was informed that only one driver report was found for him during October 2022, February 2023, June 2023, and July 2023, even though he documented 1,239 overtime hours totaling \$50,171.08. Wright explained that he had not been completing driver reports. When asked why his overtime hours should be believed, as there was nothing to back them up, he said, "Yeah, you're right." However, Wright denied falsely reporting more overtime hours than he had worked.

Courtne Brown, former Solid Waste Senior Truck Driver, Solid Waste

Brown was scheduled for an interview, but the OIG was notified that Brown had resigned from COJ less than an hour before the scheduled time. When later contacted by the OIG, Brown declined a voluntary interview but said he had not falsified "anything."

Recommended Corrective Actions

The OIG recommends that Solid Waste:

1. Identify positions likely to earn significant amounts of overtime and develop sufficient internal controls to confirm these employees are working the hours they claim.
 2. Require supervisors to verify hours worked by their employees and maintain accurate records.
-

Management's Response

The OIG provided the COJ Public Works Department an opportunity to submit a written response to the findings in this investigative report within ten (10) business days. Upon their request, the response date was extended, and they provided the following response which is included below in its entirety:

“We agree with and will implement recommendations identified in the investigation. Solid Waste will prepare a list of personnel likely to earn overtime and distribute direction to staff and supervisors reinforcing the documentation and approvals required to confirm accuracy of timekeeping. Procedures will be established to regularly review timesheets and driver records to ensure compliance.”

Inspector General Standards

This report/review has been conducted in accordance with the ASSOCIATION OF INSPECTORS GENERAL Principles and Quality Standards for Investigations.

“Enhancing Public Trust in Government Through Independent and Responsible Oversight”
