

MIAMI-DADE COUNTY
OFFICE OF THE INSPECTOR GENERAL



FINAL REPORT

**Dade PBA Union Salary Made Pensionable
Through the Miami-Dade Police Department's
Off-Regular Duty Program**

IG05-101

June 23, 2006

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

INTRODUCTION AND SYNOPSIS

The Miami-Dade County Office of the Inspector General (OIG) investigated allegations referred to it by the Miami-Dade State Attorney's Office (SAO) of program abuse committed by elected officials of the Dade County Police Benevolent Association (Dade PBA) to unfairly bolster their Florida Retirement System (FRS) Special Risk pensions by including their supplemental union salaries in their pension benefits calculation. Specifically, the information provided by the SAO alleged that Miami-Dade Police Department (MDPD) Sergeant John Rivera, who is the current Dade PBA President, and retired Sergeant Richard Kolodgy, who was a Dade PBA vice-president, funneled their union salaries through the MDPD off-regular-duty program. This allowed them to have their Dade PBA salaries included into their regular departmental paycheck and, thus, included in their FRS Special Risk pension benefits.

The OIG has determined these allegations to be true and that this practice started in August 1997 after the Miami-Dade County Employee Relations Department (ERD) had explicitly denied a union proposal for a similar arrangement intended to have the same end effect—increasing pension benefits.

Three pieces of correspondence, generated in June 1997 (between the Dade PBA and both the MDPD and ERD directors), document the Dade PBA's proposal. It proposed to reimburse Miami-Dade County one hundred percent (100%) of the salary and fringe benefit costs for the Dade PBA President [Sergeant Rivera] and First Vice-President [retired Sergeant Kolodgy] on an overtime basis. The crux of the proposal was for the Dade PBA's compensation to be reflected as overtime, thereby having it processed through the Miami-Dade County's payroll system. The request was denied by ERD, and it was recommended that the Dade PBA compensate its union officials directly. However, that was not the end of the matter, as believed by the former MDPD Director Carlos Alvarez. Instead, only two months later, an alternative route was covertly taken by using the MDPD's off-regular-duty program to accomplish the same effect.

The Dade PBA, as a permitted off-regular-duty program vendor, reimbursed the County for salary, fringe benefits, and other administrative costs for the compensation received by Sergeants Rivera and Kolodgy as off-regular-duty pay. The Sergeants, on a biweekly basis, each submitted one *Service Delivery Ticket* stating a pre-determined number of hours for the purported Dade PBA off-regular-duty assignment. The MDPD Resource Management Bureau (RMB) processed the hours shown on the submitted tickets. The Sergeants received this additional compensation in their next paycheck, and then the Dade PBA was invoiced these costs, which it paid. Instead of labeling the hours as overtime, this alternative route masked the supplemental salary as the provision of off-regular-duty police services. Nevertheless, the end effect was the same—the Sergeants' Special Risk pensions received an added boost by including their union salaries in its calculation of their average final

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

compensation, which is utilized to determine FRS benefits. In other words, the inclusion of their union salaries increased their pensions.

For the period under review, Sergeant Rivera's *Service Delivery Tickets* generally indicated that he worked sixty hours off-regular-duty each pay period; Sergeant Kolodgy generally indicated that he worked forty-five off-regular-duty hours each pay period. Sergeant Rivera began submitting off-regular-duty police *Service Delivery Tickets* each pay period beginning August 25, 1997; and continues to do so. From August 25, 1997 through April 17, 2005 (when the OIG requested documents from the MDPD), Sergeant Rivera caused \$208,268.50 to be added to his regular county paychecks, and the Dade PBA paid an additional \$69,992.90 in surcharge fees, which include administrative fees and employee benefits, to the County. Sergeant Kolodgy submitted *Service Delivery Tickets* each pay period from August 25, 1997 through July 9, 2000. He caused \$55,710.00 of his PBA salary to be added to his departmental paycheck, and the Dade PBA paid an additional \$16,942.50 in surcharge fees to the County.

Our investigation also revealed that retired MDPD Sergeant Anthony Loizzo, formerly a vice-president of the Dade PBA, had likewise channeled his union salary through the off-regular-duty program. He stated that in reality no off-regular-duty police services were provided, and the sole purpose of this arrangement was to increase his FRS Special Risk pension. Mr. Loizzo did this for a nine-month period from April 1995 through January 1996 and caused \$6,277.50 of his Dade PBA salary to be processed as off-regular-duty pay. The Dade PBA paid an additional \$2,019.46 in surcharge fees to the County.

Not unlike other public employee unions, the Dade PBA compensates its elected officers in the form of a salary or stipend. As a supplemental source of income from an outside employer, it is a County requirement that the amount(s) received be reported annually. As defined specifically for MDPD police officers, outside employment is work of a non-police nature. In contrast, off-regular-duty is the performance of police work. Sergeants Rivera and Kolodgy in the year 2000 considered their positions at the Dade PBA to be "outside employment" as evidenced by their filing of *Outside Employment Statement* disclosures. However, their year 2000 forms, and Sergeant Rivera's forms filed in subsequent years, were incomplete, as they did not disclose the amount of compensation received as required by the County Code.

During the course of this investigation, both current and former MDPD senior management personnel were interviewed. All indicated that they had not given approval for any Dade PBA official to have his union salary included in the departmental payroll under the pretext that the money was from working off-regular-duty police service for the Dade PBA. Absent any approval, Sergeant Rivera continues to submit *Service Delivery Tickets* as a ruse. He secured a special benefit for himself apparently unavailable to any other county employee who receives outside income; let alone any other county employee, who as a union official, also receives a union salary or stipend.

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

OIG'S JURISDICTIONAL AUTHORITY

In accordance with Section 2-1076 of the Code of Miami-Dade County, the Inspector General has the authority to make investigations of county affairs and the power to review past, present and proposed County and Public Health Trust Programs, accounts, records, contracts and transactions. The Inspector General is authorized to conduct any reviews, audits, inspections, investigations or analyses relating to departments, offices, boards, activities, programs and agencies of the County and the Public Health Trust.

The Inspector General shall have the power to audit, investigate, monitor, oversee, inspect and review County operations, activities and performance and procurement processes including, but not limited to, project design, establishment of bid specifications, bid submittals, activities of the contractor and its officers, agents and employees, lobbyists, and of County staff and elected officials, in order to ensure compliance with contract specifications and detect corruption and fraud.

The Inspector General shall have the power to review and investigate any citizen's complaints regarding County or Public Health Trust projects, programs, contracts or transactions. The Inspector General may exercise any of the powers contained in Section 2-1076, upon his or her own initiative.

The Inspector General shall have the power to require reports from the Mayor, County Commissioners, County Manager, County agencies and instrumentalities, County officers and employees and the Public Health Trust and its officers and employees regarding any matter within the jurisdiction of the Inspector General.

BACKGROUND

Off-regular-duty Police Service

Off-regular-duty police service is any police service rendered by a law enforcement officer during a period not within his/her regularly assigned hours of duty. These services are regulated by the following authorities:

- Section 2-56 of the Code of Miami-Dade County
- Collective Bargaining Agreement between Miami-Dade County and the Dade County Police Benevolent Association
- MDPD Departmental Manual, "Additional Employment" Chapter 16, Part 1

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

Any person or business seeking to hire a law enforcement officer for off-regular-duty police service (exceeding two weeks or which will be performed on a repetitive basis) must apply for and receive a permanent permit from the MDPD. **(EXHIBIT 1)** The permit application is processed by the MDPD Resource Management Bureau (RMB). After the application is approved and a permanent permit is issued, it is assigned a number prefixed by the letter "P." The original application and a copy of the approved permit are maintained by the RMB in a separate file. According to the MDPD Departmental Manual, vendor files are to be reviewed on an annual basis.

Each police officer performing an off-regular-duty police assignment is required to complete a *Service Delivery Ticket*, which then must be signed by both the officer and the permittee (or permittee's representative). The *Service Delivery Ticket* requires the following information to be filled in **(EXHIBIT 2)**:

- Name of officer performing the service
- Permit number
- Permittee name, address, and phone number
- Period of employment: beginning date and ending date
- Duty hours
- Service performed
- Exact location
- Destination, vehicle number, total mileage
- Officer's rate of pay

The signed and completed ticket must then be forwarded to the RMB within 72 hours of the completion of that particular assignment. Thereafter, based upon these tickets, police officers receive their pay for these assignments in their regular county biweekly paycheck. According to ERD, off-regular-duty police service pay is pensionable at the Special Risk pension rate for law enforcement officers.

The County's Finance Department invoices the permittees on a monthly basis for the services received. The service charges are based upon the employee's contractually agreed upon off-regular-duty police service rate of pay, employee fringe benefits, including Special Risk pension contribution to FRS, and certain other administrative surcharges.

Outside Employment

Outside employment for all Miami-Dade County employees is governed by Section 2-11 of the Code of Miami-Dade County and Administrative Order 7-1. These authorities provide the baseline requirements for all county employees. Furthermore, MDPD employees (both sworn police officers and non-sworn civilian personnel) must adhere to the Department's

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

procedures as stated in the MDPD Departmental Manual, Ch. 16, Part 1 - Additional Employment.

Specifically, according to the MDPD Manual, outside employment is employment of a non-police nature, in which vested police powers are not a condition for employment. The work provides no real or implied law enforcement service to the employer and is not performed during assigned hours of duty. All employees must request approval prior to commencing outside employment by completing an *Outside Employment Request Form*. One form is required for each separate outside employment activity and/or business venture that the employee wishes to engage in. The request to engage in outside employment is granted entirely at the discretion of the Department. The request is forwarded for approval through the departmental chain-of-command to the appropriate Division Chief, appropriate Assistant Director, or the Director for personnel reporting directly to him.

According to Section 2-11 of the County Code, all county employees must annually file, under oath, an *Outside Employment Statement* by July 1st of each year with the Miami-Dade County Supervisor of Elections.

According to ERD, compensation received from outside employment compensation is paid directly to the individual by the employer or business venture. This is completely separate and apart from compensation received directly or indirectly from the County. Outside employment compensation is not paid through the county payroll and it is not counted towards the employee's final average compensation for determining pension benefits.

Dade County Police Benevolent Association

The Dade County Police Benevolent Association (Dade PBA) was incorporated in the State of Florida in 1963 and is the certified bargaining agent for the Miami-Dade County Police Department (MDPD). The Dade PBA is comprised of more than 6,500 members. It is a permanent off-regular-duty police service vendor for the MDPD with the assigned permit number of P-1202.

Sergeant John Rivera

Sergeant Rivera was hired by the MDPD in 1978 and currently holds the rank of Sergeant of Police. In 1993, he was elected President of the Dade PBA and still serves in that capacity. Contractually, Sergeant Rivera is detached from his regularly assigned departmental duties and is permitted to work full time at the Dade PBA. He is compensated by the County as a Sergeant of Police and receives an additional stipend from the Dade PBA as its President.

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

Retired Sergeant Richard Kolodgy

Mr. Kolodgy retired in June 2005 as a Sergeant of Police after 31 years of service with the MDPD. He was an elected Vice-President of the Dade PBA from 1996 until his retirement. He was detached from his regularly assigned departmental duties and was permitted to work full time at the Dade PBA from 1996 to May 2003, during which time he was compensated by the County as a Sergeant of Police and received an additional stipend from the Dade PBA as an elected official of the union.

Retired Sergeant Anthony Loizzo

Mr. Loizzo retired in July 1999 as a Sergeant of Police after 27 years of service with the MDPD. He was an elected Vice-President of the Dade PBA from January 1990 through January 1996 and was detached to the union on a full time basis. During that time he was compensated by the County as a Sergeant of Police and received an additional stipend from the Dade PBA as an elected union official.

INVESTIGATION

In April 2005, the Miami-Dade SAO provided the OIG with information that it received concerning allegations of county program abuse. The information related to the MDPD off-regular-duty program. It was alleged that MDPD Sergeant John Rivera and retired Sergeant Richard Kolodgy, who, as elected union officials, were believed to have had their union salaries funneled through the county payroll system as off-regular-duty police service to increase their pension benefits.

The Dade PBA, not unlike many other public employee unions, compensates many of its elected officers. This compensation amounts to a supplemental salary or stipend from the union. Under regular circumstances, this supplemental salary would be paid directly from the employer—the Dade PBA—to the individual, and would constitute income from outside employment. In other words, these salaries would not be counted towards one's pension benefits. These allegations—the funneling of Sergeants Rivera and Kolodgy's union salaries through the off-regular-duty program—were cause for concern as it represented an arrangement unlike any other in the County. No other county employee union official has his/her union salary processed through the payroll system and thus counted towards his/her FRS pension benefits. Additionally, as MDPD law enforcement officers, Sergeants Rivera and Kolodgy receive FRS Special Risk pension benefits; and the channeling of their union salaries into the pension calculation has an even greater financial impact on their pension outcomes. Not only was there concern that these individuals secured a benefit for themselves unavailable to all other county employees, there was also concern that the off-regular-duty program was exploited to funnel these proceeds. These concerns of abuse affecting program integrity warranted additional investigation.

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

Records Collection and Review

In April 2005, OIG Special Agents met with Mr. Geoffrey Martin, Director of ERD's Labor Management and Employees Appeals Division. Mr. Martin stated he recalled receiving a phone call several years ago from the Dade PBA concerning its request to have the County pay Dade PBA President Sergeant Rivera "overtime" for hours he worked beyond his normal work hours. He advised the OIG that he informed the caller that he did not believe the request would be approved as Sergeant Rivera was assigned full time to the PBA and received his base salary from the County.

The OIG obtained copies of three separate letters from Mr. Martin. These three letters document what transpired on this issue in June 1997. The first letter, dated June 9, 1997, was prepared by the PBA's General Counsel, Mr. Tyrone Williams, and was addressed to former MDPD Director Carlos Alvarez. The Dade PBA requested that the County pay Sergeants Rivera and Kolodgy (Dade PBA President and First Vice-President, respectively), overtime for the hours worked over the normal work week. It was suggested that this compensation be paid and reflected as overtime on the departmental payroll. The Dade PBA would then reimburse the County one hundred percent (100%) of all monies paid, thereby incurring no cost to the County. **(EXHIBIT 3)**

Seven days later, on June 16, 1997, Director Alvarez sent a letter to the Acting Director of ERD, Ms. Maria Casellas, requesting that ERD review the Dade PBA's request and provide an opinion. **(EXHIBIT 4)**

On June 26, 1997, Ms. Casellas, in the third of the aforementioned letters, which was addressed to Director Alvarez, denied the Dade PBA's request. She recommended that the Dade PBA directly compensate Sergeants Rivera and Kolodgy for the additional hours they worked on behalf of the union. The letter explicitly stated that these hours could not be considered as overtime and were distinguished from hours worked performing a law enforcement function. **(EXHIBIT 5)**

Despite ERD's denial of the Dade PBA's request to include Sergeants Rivera and Kolodgy's Dade PBA stipend as pensionable overtime, less than two months later these two Sergeants somehow began having their union salaries processed through the MDPD payroll as off-regular-duty police service for the Dade PBA.

Records obtained from the County's Enterprise Technology Services Department (ETSD) show that Sergeants Rivera and Kolodgy began receiving off-regular-duty police service pay from the Dade PBA on or about August 25, 1997.¹ Sergeant Kolodgy received these

¹ ETSD receives computer data from the MDPD listing those employees by social security number that have provided off-regular-duty police service and the amount they are paid. This data is coded under the Money Adjustment Code # 01 of the ERD Personnel/Payroll Coding System. The OIG was advised that the computer records for this code go back to December 1995.

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

monies through his paycheck every pay period through July 9, 2000. For every pay period, continuous since August 1997 to the present, these records show Sergeant Rivera receiving compensation from the Dade PBA, classified as off-regular-duty pay.

In April 2005, OIG Special Agents met with Ms. Angela Brown, Commander of the MDPD's Budget, Planning and Resource Management Bureau (RMB). Ms. Brown provided a general overview of how the program operates, including the application process and the Department's record keeping requirements. Relative to this inquiry, the OIG requested that Ms. Brown provide copies of the following documents/records:

- All documents contained in the Dade PBA vendor file, including the permit application
- All *Service Delivery Tickets* completed by Sergeants Rivera and Kolodgy for services provided to the PBA
- Any documents/records requesting approval to provide off-regular-duty police service to the PBA from Sergeants Rivera and Kolodgy and any documents/records approving or denying the request

Pursuant to our request, the MDPD provided the *Service Delivery Tickets* submitted by Sergeants Rivera and Kolodgy, a copy of the MDPD Departmental Manual that regulates "Additional Employment," and a printout of all *Service Delivery Tickets* submitted for service performed for the Dade PBA, from May 7, 1995 through April 24, 2005. Furthermore, the OIG was advised that the Dade PBA's permit application could not be found, but that it had been issued vendor number P-1202. The MDPD was also unable to locate any document(s) that would demonstrate a request from either Sergeant Rivera or Sergeant Kolodgy to provide off-regular-duty police service to the Dade PBA on a permanent basis.

From the records that were provided, the OIG discovered that retired Sergeant Anthony Loizzo, while detached full time to the Dade PBA as an elected Vice-President, had also submitted *Service Delivery Tickets* showing that he provided off-regular-duty services to the Dade PBA. These tickets were submitted during a nine-month period from April 9, 1995 through January 14, 1996.

In May 2005, OIG Special Agents met with County Finance Department personnel from the Credit and Collection Division. The OIG requested and was provided with copies of off-regular-duty program services invoices that had been sent to the Dade PBA from June 1995 through April 2005. These invoices were for police services purportedly rendered by Sergeants Rivera, Kolodgy and Loizzo. Each invoice listed the dates of service, the *Service Delivery Ticket* number and the amount owed. The charges included the officer's off-regular-duty police service rate of pay plus an administrative surcharge, which includes costs for the officer's MICA, FICA and Special Risk FRS pension. The invoices were mailed to the Dade PBA to the attention of John Rivera.

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

The OIG's analysis of the records provided by ETSD, MDPD and the Finance Department shows that the three aforementioned sergeants received off-regular-duty police service pay from the Dade PBA during the same time that they were detached full time to the Dade PBA. The analysis revealed the following:

- Sergeant John Rivera submitted a *Service Delivery Ticket* each pay period from August 25, 1997 through April 17, 2005² listing the number of hours worked, for the most part, as either sixty (60) or fifty-three and one half (53.5) hours per pay period. Sergeant Rivera was paid \$208,268.50 in off-regular-duty police service pay during this period. The Dade PBA was invoiced and paid \$278,261.40. Of that amount, the Dade PBA paid \$69,992.90 to cover the associated costs, fees and benefits, which include payments made toward his FRS Special Risk pension.
- Retired Sergeant Richard Kolodgy submitted a *Service Delivery Ticket* each pay period from August 25, 1997 through July 9, 2000 listing the number of hours worked for the most part as either forty (40) or forty-five (45) hours per pay period. Mr. Kolodgy was paid \$55,710.00 in off-regular-duty police service pay during this period. The Dade PBA was invoiced and paid \$72,652.50. Of that amount, the Dade PBA paid \$16,942.50 to cover the associated costs, fees and benefits, which include payments made toward his FRS Special Risk pension.
- Retired Sergeant Anthony Loizzo submitted a *Service Delivery Ticket* each pay period from April 9, 1995 through January 14, 1996 listing the number of hours worked as either eighteen and one quarter (18.25) or twenty and three quarters (20.75) hours per pay period. Mr. Loizzo was paid \$6,277.50 in off-regular-duty police service pay during this period. The Dade PBA was invoiced and paid \$8,296.96. Of that amount, the Dade PBA paid \$2,019.46 to cover the associated costs, fees and benefits, which include payments made toward his FRS Special Risk pension.

Investigative Interviews

On June 30, 2005 and September 12, 2005, a Special Agent of the OIG met with Ms. Jane Feuer, Acting Assistant Director of the Miami-Dade County Fire Rescue Department, at her office. Ms. Feuer had been the Division Chief for the MDPD Finance and Administration Division from April 1999 through June 2001. Ms. Feuer recalled the aforementioned June 1997 memorandums. She recalled that ERD denied the Dade PBA's request. Ms. Feuer also stated that she was aware that the Dade PBA was an off-regular-duty police service

² This was the date of the OIG's requested records, and, therefore, much of the financial records were reviewed only up to that date. Sergeant Rivera, however, continues to submit tickets for purported off-regular-duty hours.

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

vendor, but that she was not aware that Sergeants Rivera and Kolodgy were submitting *Service Delivery Tickets* for off-regular-duty assignments from the Dade PBA. Ms. Feuer stated that she recalled seeing the Dade PBA's permit application but does not recall when that was. She recalled that the purpose for the permit, as stated in the written application, was to actually hire police officers to perform off-regular-duty police services. It was not her belief that the vendor permit was obtained as a way to process union salaries through the MDPD departmental payroll.

On August 9, 2005, OIG Special Agents met with Miami-Dade County Mayor Carlos Alvarez at his office. Mayor Alvarez stated he had been the MDPD Director starting in 1997. Mayor Alvarez recalled the 1997 memorandum from the Dade PBA concerning Sergeants Rivera and Kolodgy. He recalled being verbally advised by the Dade PBA that it had an arrangement with the previous MDPD Director, Fred Taylor. Mayor Alvarez indicated that after ERD denied the Dade PBA's request he believed the issue was over. He also stated that he thought the Dade PBA had been an off-regular-duty police service vendor since before 1995. He believed the Dade PBA would, on occasion, hire officers for off-regular-duty police service to handle picnics and similar functions. He was unaware that Sergeants Rivera and Kolodgy were having their union salaries processed through the county payroll as off-regular-duty police service for the Dade PBA as a way to increase their Special Risk pension benefits. Mayor Alvarez stated that he did not approve this practice, nor would he have, had he been made aware of it. He advised the OIG Special Agents that he did not believe that Sergeant Rivera, working at the Dade PBA as an elected official, constitutes off-regular-duty police service. Additionally, Mayor Alvarez did not believe that any of his assistant directors or division chiefs would have approved any Dade PBA official to have their union salary included in their departmental paycheck to enhance their pension.

On August 10, 2005, Special Agents of the OIG met with Mr. Donald Allen, Director of the ERD, at his office. He recalled the 1997 request from the Dade PBA to have Sergeants Rivera and Kolodgy's union salary processed through the county payroll system as overtime pay. He also recalled that ERD denied the request. Mr. Allen indicated that he could not recall if he had previously known—or whether he recently learned through the OIG's initiation of this inquiry—that Sergeants Rivera and Kolodgy were having their union salaries channeled through the off-regular-duty program. He stated that after the 1997 denial, ERD certainly did not receive any other requests from the MDPD, or the Dade PBA, seeking approval of this “alternative” arrangement to include union salaries in the employees' regular county paychecks. Mr. Allen did acknowledge that he is aware that these monies are not for the actual performance of off-regular-duty “police services” for the Dade PBA, and are, instead, the inclusion of the union salaries.

On September 12, 2005, an OIG Special Agent again met with Ms. Angela Brown at her home. Ms. Brown had just retired from the MDPD. She had been the Commander of the RMB from March 2000 until her retirement. Ms. Brown stated that she was aware that the Dade PBA was an off-regular-duty police service vendor, but that she was not aware that

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

Sergeants Rivera and Kolodgy were submitting *Service Delivery Tickets* each pay period for off-regular-duty police service provided to the Dade PBA. She indicated that after the OIG made the request for documents on April 29, 2005, she met with one of her supervisors, Mr. John Sanchez, Accountant 3. He informed her that the Dade PBA was the only off-regular-duty police service job where the officers did not turn in their *Service Delivery Tickets* on a daily basis but instead turned in one ticket to cover each two-week pay period. According to Ms. Brown, Mr. Sanchez stated that he questioned the practice some time ago and called Sergeant Rivera, who told him that he [Rivera] had permission to do so.

On September 13, 2005, OIG Special Agents met with Ms. Ines Beecher at the OIG office. Ms. Beecher was employed by the MDPD from 1988 until January 2000. During her last four years she was the Commander of the RMB. She stated that she became aware that certain individuals were working off-regular-duty police service for the Dade PBA, and that she questioned the practice by asking her division chief. She recalled being told that it was "fine" and not to worry about it, but Ms. Beecher could not recall who her chief was at that time. Ms. Beecher advised the OIG that it was either Tom Lamont, Leonard Brady or Ignacio Vazquez. Pursuant to this information, Mr. Lamont, Mr. Brady and Mr. Vazquez were interviewed. All three were division chiefs at MDPD that supervised Ms. Beecher at different times. All three stated that they were never aware that the Dade PBA was an off-regular-duty police service vendor nor were they aware that any union official was having his union salary processed through the county payroll as off-regular-duty police service.

On September 22, 2005, OIG Special Agents met with Mr. Anthony Loizzo at the North Miami Beach Police Department. Mr. Loizzo was employed by the MDPD from July 1972 until his retirement in July 1999. During his career with the MDPD, he was an elected Dade PBA Vice-President. Mr. Loizzo recalled that towards the end of his tenure at the Dade PBA, he began submitting off-regular-duty police *Service Delivery Tickets* to the MDPD indicating that he was working off-regular-duty police service for the Dade PBA. He emphatically stated that he was not working any off-regular-duty assignments for the Dade PBA, but instead was using the program as a way to have his union salary channeled through the county payroll system to increase his pension. He explained that for each *Service Delivery Ticket*, which covered one pay period, he would mathematically determine the number of hours to write on the ticket by dividing his annual union salary by the current off-regular-duty police service rate of pay and then dividing that number by twenty-six (the number of pay periods per year). Mr. Loizzo stated that he believed he was permitted to do this after having a discussion with the presiding union president at that time, who Mr. Loizzo recalled was either Mike Clifton or John Rivera. It should be noted that Mr. Loizzo submitted *Service Delivery Tickets* from April 9, 1995 through January 14, 1996 when he left his full time detachment status with the Dade PBA and returned to his departmental duties. During this time period, Sergeant John Rivera was the President of the Dade PBA.

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

On October 12, 2005, OIG Special Agents met with Mr. Frank Boni at the Bonaventure Country Club, located in Weston, Florida. Mr. Boni was an Assistant Director at the MDPD from 1996 until his retirement in 2003. Mr. Boni stated that he was aware that certain Dade PBA officials received salaries from the union. He recalled the 1997 request by the Dade PBA to have the President [Sergeant Rivera] and Vice-President [Sergeant Kolodgy] paid overtime for the additional work they performed beyond their normal work hours. He stated that he did not believe that Director Alvarez was inclined to approve the Dade PBA's request and had, instead, referred it to ERD. Mr. Boni stated that after ERD denied the request, he believed the issue was over. He indicated that he was not aware that any MDPD police officers were working off-regular-duty police assignments for the Dade PBA. He also was not aware of union officials having their union salary processed through the county payroll to enhance their pensions.

On October 19, 2005, OIG Special Agents met with Mr. Fred Taylor at the Chuck Wagon restaurant in West Kendall. Mr. Taylor retired in March 1997 after serving eleven years as the MDPD Director. He recalled that prior to his retirement there had been some discussions with the Dade PBA concerning its complaint that full time detached union officials were not able to make overtime pay. He was not aware of the June 1997 written request from the Dade PBA nor was he aware that the Dade PBA was an off-regular-duty police service vendor. Moreover, he certainly was not aware that retired Sergeant Anthony Loizzo, during his detachment to the Dade PBA as an elected union official, was having his PBA salary funneled through the county payroll as off-regular-duty police service hours. Mr. Taylor told the OIG Special Agents that regarding either request—whether a Dade PBA union official could work off-regular-duty hours for the Dade PBA or whether it was permissible to have union salaries processed through the county payroll—he would have denied the request and would have sent it to ERD for further review.

On January 11, 2006, an OIG Special Agent spoke with Mr. Richard Kolodgy via telephone at his home in north Florida. Mr. Kolodgy retired from the MDPD in June 2005. He was a Vice-President of the Dade PBA from 1996 until June 2005. He was assigned full time to the Dade PBA from 1996 until May 2003, at which time he requested to be returned to his departmental duties. Mr. Kolodgy stated that he was not aware of the June 1997 proposal by the Dade PBA to have himself and Sergeant Rivera paid overtime for the hours they worked for the union beyond their normal work hours, which would then be reimbursed to the County by the union. He stated that he did begin submitting off-regular-duty police *Service Delivery Tickets* in 1997 indicating he was working off-regular-duty police service for the Dade PBA. He explained that he was doing this, along with Sergeant Rivera, as a way to accurately record his work hours. He acknowledged that it was also a way to have his union salary included in his departmental pay check to increase his FRS pension. He indicated that he and Sergeant Rivera would each submit one *Service Delivery Ticket* for each pay period with a predetermined number of hours. The number of hours submitted would be based on their annual union salary. Mr. Kolodgy advised that he began submitting the tickets after being informed by Sergeant Rivera that it had been approved by the MDPD

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

Director, which at that time would have been Director Carlos Alvarez. He explained that he continued submitting the *Service Delivery Tickets* and indicating the number of hours to be paid for until he entered the County's Deferred Retirement Option Program (DROP) on or about July 9, 2000. Having entered the DROP, Mr. Kolodgy's pension benefits calculation, as determined by his annual salary figures, were defined, and his county compensation—as reflected in his paycheck—would no longer have an impact on his pension benefits. In other words, it no longer benefited him to process his union stipend through the off-regular-duty program.

Interviews of Current MDPD Personnel

On February 16, 2006, OIG Special Agents met with MDPD Director Robert Parker at his office. Director Parker became the MDPD Director in April 2004 after serving as an Assistant Director under Director Carlos Alvarez. Director Parker stated that only after the OIG initiated its inquiry did he become aware that the Dade PBA is an off-regular-duty police service vendor. He was also not aware that certain union officials had submitted (and one continues to submit) *Service Delivery Tickets* to the RMB for off-regular-duty assignments for the Dade PBA. He told the OIG that he would not have approved such an arrangement. On the other hand, he did advise that he did not have a problem with the Dade PBA receiving off-regular-duty program police services, if police officers were requested to provide services at a picnic or some other type of function or activity that called for police presence.

On March 1, 2006, OIG Special Agents met with Mr. John Sanchez at his office in the MDPD. Mr. Sanchez is a Finance Supervisor, Accountant 3, in the RMB. He has been in this position since 2001 when he was hired by the MDPD. One of his responsibilities is overseeing the off-regular-duty police service program's finances. He stated that the program is administered at the district level by off-regular-duty police service coordinators. The RMB receives vendor applications after they have been approved and the RMB processes the *Service Delivery Tickets* submitted by the officers working these assignments. He stated that the RMB receives approximately 1,500 *Service Delivery Tickets* weekly. The tickets are processed through two databases—one for officer payments and the other for the Finance Department's use for invoicing program vendors. Mr. Sanchez explained that the MDPD personnel who process the tickets are not responsible for approving the tickets but only for entering the data.

Mr. Sanchez stated that he became aware that the Dade PBA was a permanent off-regular-duty police service vendor after he was hired in 2001. It was at that time he learned that Sergeant Rivera was submitting *Service Delivery Tickets*—one for each pay period setting forth a total number of hours on each ticket for the period—under vendor permit number P-1202, which is the Dade PBA's number. He stated that he asked his supervisors, Ms. Dawn Paris and Ms. Angela Brown, if this was permissible, as Sergeant Rivera was the

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

only officer who submitted his tickets in this fashion. He told the OIG Special Agents that he was instructed to find a way to input the data into the system, as the PBA was an approved program vendor.

Mr. Sanchez also indicated that after the OIG initially contacted the RMB and requested certain documents, it was discovered that the Dade PBA's original vendor application was missing from the vendor file. Mr. Sanchez was instructed to send a letter to the Dade PBA requesting that they complete a new vendor application for RMB's file. The letter was sent on August 31, 2005; and as of the present date, the RMB has not received a response from the Dade PBA.

Mr. Sanchez also advised the OIG that on June 27, 2005, he was requested by his supervisors to notify Sergeant Rivera to submit daily *Service Delivery Tickets* instead of one ticket covering a two-week pay period. After making contact with Sergeant Rivera, he [Rivera] demanded to know who was ordering the change. The next day, on June 28, 2005, Sergeant Rivera called Mr. Sanchez and informed him that he wanted the request in writing. Mr. Sanchez informed his supervisors of Sergeant Rivera's request and did not hear anything else until he was contacted by Chief Ricky Smith. He was informed by Chief Smith to continue processing Sergeant Rivera's tickets as before until further notice from the legal unit. Mr. Sanchez has not heard anything since that time.

At the OIG's request, Mr. Sanchez reviewed the vendor files for vendor permittee numbers directly preceding the Dade PBA number (P-1202) and directly after. Given the explanation that vendor permit numbers are assigned consecutively, it appears that if the Dade PBA had submitted an application, it would have been in March or April 1995. These dates just happen to coincide with Mr. Anthony Loizzo's submissions of *Service Delivery Tickets*, which began on April 9, 1995.

Additional Records Reviewed: Outside Employment Statement Forms

On January 31, 2006, OIG Special Agents obtained *Outside Employment Statement* forms from the Miami-Dade County Elections Department that were filed by Sergeants Rivera and Kolodgy. A review of these records revealed that Sergeant Rivera filed his required Statement forms for the years 2000, 2002 and 2004. There were no documents on file for the years 2001 and 2003. For the three statements that were filed, he failed to state the amount of money or compensation he received, as required by Section 2-11 of the County Code and Chapter 16, Part 1, Section V, entitled *Financial Disclosure* of the MDPD Departmental Manual. The form requires that the individual list, under oath, the name and address of the source of outside income, the nature of the work performed and the amount of money or compensation received. Only the statement filed for the year 2000 listed the Dade PBA as a source of outside income. The nature of the work performed is stated as

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
 Through The Miami-Dade Police Department's Off-Regular-Duty Program*

“union activities” and, as noted above, the amount of compensation was not disclosed, as required by the two aforementioned authorities.

Table 1: Outside Employment Statement Forms Filed By Sgt. John Rivera

Year	Name and Address of the Source of Outside Income	Nature of the Work Performed	Amount of Money or Compensation
2000	Florida PBA Dade PBA	Union Activities ”	[left blank]
2001	NO STATEMENT ON FILE		
2002	Fl. PBA Dairy Delights	Union Activities Retail	[left blank]
2003	NO STATEMENT ON FILE		
2004	Florida PBA	Union Activities	[left bank]

Retired Sergeant Kolodgy filed an *Outside Employment Statement* form for the year 2000. He also listed the Dade PBA as a source of outside income and stated the nature of the work performed as “Vice President.” He, too, failed to state the amount of money or compensation received, as required by the County Code and MDPD Departmental Procedures.

Table 2: Outside Employment Statement Forms Filed By Sgt. Richard Kolodgy

Year	Name and Address of the Source of Outside Income	Nature of the Work Performed	Amount of Money or Compensation
2000	Dade County PBA Florida PBA	Vice President Legislative Chairman	[Left Blank]
2001	NO STATEMENT ON FILE		
2002	NO STATEMENT ON FILE		
2003	NO STATEMENT ON FILE		
2004	NO STATEMENT ON FILE		

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

Having listed the Dade PBA as a “Source of Outside Income” on the *Outside Employment Statement* form, it is discerned that the nature of the scope of work performed must, in effect, not be police work, as the MDPD Departmental Procedures Manual states the outside employment must be of a non-police nature. By contrast, off-regular-duty assignments are police services provided to private vendors.

For the one year, 2000, where both Sergeants Rivera and Kolodgy disclosed that they received outside compensation from the Dade PBA, the Dade PBA, in its annual filing to the Public Employees Relations Commission (PERC), disclosed that it provided salaries, allowances, and other direct or indirect disbursements to the two sergeants as follows:

Table 3: PERC – Dade PBA Annual Financial Statement Form for Year 2000

Name	Salary	Allowances	Reimbursed Expenses	Other
Sgt. Rivera	\$289.44	none	None	\$31,347.00
Sgt. Kolodgy	\$9,503.59	none	None	\$18,468.00

The Dade PBA’s listing of Sergeants Rivera and Kolodgy’s compensation in the “other” column is telling. First, as this disclosure is a PERC requirement and the requirement specifically relates to “direct or indirect disbursements to [the] organization’s officers and employees,” it is indicative that the compensation is related to the individual’s position in the organization. Moreover, if the Dade PBA truly paid for off-regular-duty police services, e.g., for a picnic or other function, those operating expenses would not be of the type to be reported to PERC. As demonstrated below, these annual disclosures, especially the reporting of retired Sergeant Kolodgy’s compensation, make it abundantly clear that it is their union salary regardless of whether or not it is paid directly to them or indirectly as funneled through the off-regular-duty program.

Additional Records Review: PERC’s Employee Organization Annual Financial Statements

As mentioned above, the *Annual Financial Statement* filed by all employee organizations must list the “Salary, allowances, and other direct or indirect disbursements, including reimbursed expenses, to each officer and also to each employee...” Fla. Statutes Section 447.305(2) (c) (2005).

In addition to the 2000 Employee Organization Annual Financial Statement noted above, the OIG reviewed these statements filed by the Dade PBA for reporting years 2001, 2002, 2003 and 2004. Notably in each year, monies paid to Sergeant Rivera, as required to be disclosed on the PERC filing, consistently shows the bulk of his compensation in the “other” column.

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
 Through The Miami-Dade Police Department's Off-Regular-Duty Program*

Table 4: PERC - Dade PBA's Annual Financial Disclosures for Sgt. John Rivera

Year	Salary	Allowances	Reimbursed Expenses	Other
2000	\$289.44	none	None	\$31,347.00
2001	\$171.52	[left blank]	[left blank]	\$36,401.40
2002	\$614.54	none	None	\$32,501.25
2003	\$303.62	none	None	\$35,101.35
2004	0.00	none	None	\$45,991.28

Even more noteworthy are the Dade PBA's disclosures for monies that were paid to Sergeant Kolodgy for the years 2000, 2001, 2002 and 2003. As previously mentioned, Sergeant Kolodgy left his detachment to the union in May 2003 and returned to his regularly assigned departmental duties. Additionally, as also previously mentioned, Sergeant Kolodgy entered the County's DROP in July 2000, and, in doing so, stopped submitting *Service Delivery Tickets* to the MDPD. While Sergeant Kolodgy stopped funneling his union salary through the program—as there was no longer any financial reason to do so—the PERC disclosures show that he continued receiving his union salary during the remainder of his tenure as a union official. The only difference was that now, without the financial incentive to bolster his pension benefits, his union salary was paid out and disclosed directly as a salary and not obscured as “other” compensation.

Table 5: PERC- Dade PBA's Annual Financial Disclosures for Sgt. Richard Kolodgy

Year	Salary	Allowances	Reimbursed Expenses	Other
2000	\$9,503.59	none	None	\$18,468.00
2001	\$18,824.94	[left blank]	[left blank]	[left blank]
2002	\$18,824.94	none	None	none
2003	\$8,218.41	none	None	none

CONCLUSION

The OIG's program integrity investigation into allegations of abuse by MDPD Sergeant John Rivera and retired Sergeant Richard Kolodgy to funnel their Dade PBA union salaries through the MDPD off-regular-duty program in order to increase their personal FRS Special Risk pension benefit revealed the following:

- In August 1997, approximately two months after the County's Employee Relations Department denied a request from the Dade PBA to process Sergeants Rivera and Kolodgy's union salaries through the county's payroll system as overtime, Sergeants Rivera and Kolodgy began submitting *Service Delivery Tickets* through the MDPD's off-regular-duty program as a way for them to funnel their union salaries through the county's regular payroll, thereby having their supplemental salaries count towards their Florida Retirement System's Special Risk pensions. This arrangement was done without any apparent approval from MDPD senior management.
- ERD's denial was explicit in that it stated that hours worked for the union could not be considered as overtime and were distinguished from hours worked performing a law enforcement function.
- By the very nature of the off-regular-duty program, hours worked by officers in an off-regular-duty capacity for private vendors are for the provision of police services, such as traffic duties and security guard services.
- Private parties seeking to receive police services under the guidelines of the MDPD off-regular-duty program are required to submit a formal application and are then assigned a permit number prior to receiving program services. The Dade PBA, as a program vendor, was also required to complete an application for a permanent vendor's permit. If this was done, it is believed to have occurred in March or April 1995, as the exact date is unknown because the Dade PBA's application is missing from the MDPD files. The RMB requested the Dade PBA complete a new vendor application, and as of the date of this Report, the Dade PBA has not responded to this request.
- According to the MDPD Department Procedures and other County authorities, "outside employment" performed by police officers is work of a non-police nature. It is not pensionable and not paid through the officer's County paycheck. It is required to be reported annually in an *Outside Employment Statement* form filed with the County's Elections Department.
- Through their filing of the *Outside Employment Statement* forms for the year 2000, Sergeants Rivera and Kolodgy acknowledged their positions with the Dade PBA to be outside employment. While Sergeant Kolodgy filed only one disclosure statement

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

for the year 2000, Sergeant Rivera filed statements for the years of 2000, 2002 and 2004. Further, it should be noted that Sergeants Rivera and Kolodgy's forms were incomplete, as they did not disclose the amount of annual compensation received as required by the County Code.

- The OIG discovered that in April 1995 retired Sergeant Anthony Loizzo, while an elected Dade PBA official for a nine-month period, also caused his union salary to be processed through county payroll as if he were working off-regular-duty assignments for the Dade PBA. He stated that the sole reason for doing so was to have his union salary processed through the county's payroll in order to increase his Special Risk pension benefit. He clearly stated that no actual off-regular-duty services were being performed. He also explained that he only did this after being informed by the union President at the time, either Mike Clifton or John Rivera, that it had been approved. Sergeant Rivera was, in fact, the Dade PBA President at this time.
- Retired Sergeant Kolodgy also acknowledged that his submission of *Service Delivery Tickets* was done to have his union salary count towards his FRS Special Risk pension. He stated that he was informed by President Rivera that MDPD Director Carlos Alvarez had approved it.
- Former MDPD Director Alvarez stated that he was aware of the union's 1997 request and the subsequent denial of that request by the ERD. He believed that the matter was concluded and was not aware of any Dade PBA official having their union salary processed through the County's payroll for their own personal financial gain. He stated that he would not have approved such a request had he been approached on the matter. He indicated that it was his belief that a Dade PBA elected official, who was assigned full time to the union, did not constitute an "off-regular-duty police service" job. He additionally stated that during the June 1997 discussions he was informed by the Dade PBA that they had a previous agreement with Director Fred Taylor, but he, nevertheless, forwarded the PBA's request to ERD for its determination.
- The current MDPD Director Robert Parker and former MDPD Director Fred Taylor stated that they did not and would not have approved an elected Dade PBA official to have their union salary processed through the County payroll for that employee's own personal financial pension benefit.
- Of the 30,000 plus Miami-Dade County employees, Sergeant John Rivera is the only current employee who is receiving this type of personal financial benefit without apparent approval. This was done in spite of ERD denying the Dade PBA's request to provide such a benefit.

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
*Final Report Re: Dade PBA Union Salary Made Pensionable
Through The Miami-Dade Police Department's Off-Regular-Duty Program*

- The three Sergeants collectively caused **\$270,256.00** of their Dade PBA salaries to be processed through the Miami-Dade County payroll for the sole purpose of increasing their personal FRS Special Risk pension benefits. To receive this benefit, the Dade PBA paid the County **\$88,954.86** in additional costs, fees and benefits to include the employees' Special Risk FRS contribution.
- The Dade PBA is not part of the Florida Retirement System. In fact, it is a not-for-profit organization, and, as such, should not be used to increase one's pension benefits—in particular, Special Risk pension benefits.

RECOMMENDATIONS

No comments were received by the parties receiving draft copies of this report. It is recommended that the County Manager thoroughly review the matter reported herein. Specifically, pursuant to Section 2-1076(d)(2) of the Code of Miami-Dade County, we request to be provided with a response to the findings in this report and what corrective action were taken to correct the abuses reported herein and/or to apply these program benefits to all county union officials. We look forward to receiving your response on or before September 22, 2006.



MIAMI-DADE POLICE DEPARTMENT
 RESOURCE MANAGEMENT BUREAU
 9105 N.W. 25TH STREET
 MIAMI, FLORIDA 33172



OFF-REGULAR-DUTY POLICE SERVICE PERMIT APPLICATION

Temporary

Permanent

The MIAMI-DADE POLICE DEPARTMENT, is NOT obligated to provide Off-Regular-Duty Police Service. A permit will not be issued to any person, firm, or organization whose officers, members, business, or operations are questionable or for any event that will discredit the employee or Department.

It is understood that, notwithstanding the fact that the permit holder will reimburse Miami-Dade County for the services rendered, the police personnel remain employees of the Miami-Dade Police Department. The applicant is restricted to the general assignment of duties to be performed and has no authority over the police personnel.

It is further understood by all parties that a police officer performing off-regular-duty service who takes police action falling within the purview, or on the permit holder's premises, shall remain in an off-regular-duty service status for the duration of time it takes to complete the processing of such action. Any time beyond that originally contracted for which is used to complete the processing of the police action shall be paid for by the permit holder. However, an officer taking police action outside the purview of the permit, or off the permit holder's premises, will revert to an on-duty status.

All compensation due for permanent permits will be paid in check or money order form, payable to the Board of County Commissioners, and forwarded to the Miami-Dade Finance Department, Credit & Collection Section—Off-Duty Police, 111 N.W. 1 Street, Suite 2630, Miami, FL 33128-1980. Payment is due upon receipt of Off-Regular-Duty Police Services invoice. Accounts (30) days in arrears will be subject to finance charges at the maximum legal rate.

Compensation for temporary permits must be paid upon request of service. Payments must be by certified check, money order, travelers check, cashiers check, or cash. Certified check, money order, travelers check, and cashiers check payments must be payable to Miami-Dade Police Department.

Any compensation over and above the rate established by ordinance is prohibited.

DATE: _____ FEDERAL TAX ID NO.: _____

APPLICANT/BUSINESS NAME: _____
(Business or Organization)

TELEPHONE: (_____) _____ FAX: (_____) _____

BUSINESS ADDRESS: _____

MAILING ADDRESS: _____

NAME OF AUTHORIZED AGENT REQUESTING PERMIT:

(First) (Middle) (Last)

SSN: _____ DOB: _____ Race: _____ Sex: _____
(MO.-DAY-YR.)

HOME ADDRESS: _____ HOME PHONE (_____) _____

CITY: _____ STATE: _____ ZIP _____

Is requesting to engage the services of Off-Regular-Duty Police Personnel of the Miami-Dade County, Miami-Dade Police Department, for public safety services that are in addition to those provided generally to the public.

PERIOD OF EMPLOYMENT: BEGINNING DATE _____ ENDING DATE _____

HOURS TO BE WORKED: _____ Hrs. From _____ To _____ From _____ To _____

Number J 74401
Permit Number

MIAMI-DADE POLICE DEPARTMENT
RESOURCE MANAGEMENT BUREAU
9105 N.W. 25TH STREET - RM 3049
MIAMI, FLORIDA 33172

Service Delivery Ticket
OFF-REGULAR DUTY POLICE SERVICE

FILL IN ALL SPACES

Social Security Number _____
 Print Name _____
 Duty Assignment _____
 Station Number _____
 Permittee _____
 Address _____ Phone No. _____
 Period of Employment: Beginning Date _____ Ending Date _____
 Duty Hours: From _____ to _____ Service Performed _____
 (MILITARY TIME)
 Exact Location _____ Destination _____
 Vehicle # _____ Total Mileage _____
 Officer's Rate of Pay _____
 Signature of Officer _____ Badge # _____
 Signature of Permittee _____

Payment due upon receipt of statement.
Send remittance to Business Management Section.
Minimum Charge - 3 hours.

Total Hours Worked X Rate of Pay \$ _____
 (OFFICER COMPLETES)
 Vehicle Charge \$ _____
 Total Amount \$ _____
 Officer \$ _____
 County \$ _____
 Payroll Date \$ _____

PRESS DOWN HARD, YOU ARE MAKING 4 COPIES



OFFICER'S COPY



THE VOICE OF LAW ENFORCEMENT

DADE COUNTY POLICE BENEVOLENT ASSOCIATION, INC.

97 JUN 11 AM 8:07
RECEIVED

June 9, 1997



Mr. Carlos Alvarez, Director
Metro-Dade Police Department
9105 N. W. 25 Street
Miami, FL 33172

Dear Director Alvarez:

Sergeant John Rivera and Sergeant Rick Kolodgy of the Metro-Dade Police Department, are currently assigned to the Association as President and First Vice President respectfully. Accordingly, each is paid their base salary by the Metro-Dade Police Department.

The complex nature of their job positions requires a substantial number of hours for the conducting of County and Association business. In order to facilitate proper bookkeeping and an accurate record of hours worked by the assigned staff, which are County personnel, the Association is desirous of the County paying for the hours worked over the normal work week via the County Departmental payroll. The Association in return would reimburse the County for one hundred percent (100%) of all monies paid over the normal base salary.

The cost will be paid by the Association, therefore there will be no cost to the County. Such an arrangement would be analogous to those implemented by the Department for officers assigned to Federal Task Forces. This payment method will ensure that the actual hours worked by Sergeant Rivera and Sergeant Kolodgy is properly recorded. It should be further noted that their classification as sergeants would provide for them to obtain overtime, if not for their assignment at the Association.

The benefit to the Metro-Dade Police Department and the Association is two-fold. First, it will provide for accurate bookkeeping and secondly, it will track excess hours worked by County personnel.

I look forward to your response.

6/10/97 vcb

Sincerely,

Tyrone W. Williams
General Counsel
TWW:ls

ASSIGNED TO:
B & P - (JANE)
FOR APPROPRIATE ACTION
By 6-17
C/A/g

MEMORANDUM

EXHIBIT

4

TO: Maria M. Casellas
Acting Director
Employee Relations Department

DATE: June 16, 1997

SUBJECT: PBA Overtime
Reimbursement

FROM: 
Carlos Alvarez, Director
Metro-Dade Police Department

The Metro-Dade Police Department (MDPD) has recently received the attached correspondence from the Dade County Police Benevolent Association (PBA). As set forth in the letter, the PBA is proposing to provide reimbursement for two MDPD employees who serve as President and First Vice-President, on an overtime basis, for hours worked in excess of 40 hours per week. The reimbursement would cover worked performed for County and Association business. The PBA would provide a 100% reimbursement to Dade County for all salary and applicable fringe benefits associated with these overtime charges which would be processed through the Dade County payroll system. As indicated in their letter, this type of financial reimbursement system has been in place for sworn personnel assigned to work with a number of federal law enforcement agencies.

MDPD does not object to the proposal as no costs would be incurred to the County. It is, however, requested that the Employee Relations Department review the proposal and indicate concurrence prior to a final determination regarding this issue. Your assistance in this matter is appreciated. Should additional information be required, please contact Commander Jane Feuer at 471-2168.

CONCURRENCE

DATE

NON-CONCURRENCE

Maria M. Casellas
Acting Director

Maria M. Casellas
Acting Director

CA/jf
Attachment

Director's Office

JUN 17 1997 ✓

EMPLOYEE RELATIONS DEPARTMENT



Memorandum



TO: Carlos Alvarez
Director
Metro-Dade Police Department

DATE: June 26, 1997

FROM: Maria M. Casellas
Acting Director
Employee Relations Department

SUBJECT: PBA Overtime
Compensation
Reimbursement

In response to your memorandum of June 16, 1997 concerning reimbursed overtime compensation for the President and First Vice President of the Police Benevolent Association, please be advised that the Employee Relations Department recommends that the Association directly compensate these elected officers for any additional hours worked. This additional compensation would be for hours worked on behalf of the Dade County Police Benevolent Association and could not be considered as overtime hours worked for the Metro-Dade Police Department.

The example cited by the Police Benevolent Association does not appear to be relevant due to the fact that the MDPD Police Officers who are assigned to a federal agency are strictly engaged in the performance of law enforcement activity.

Based upon the above referenced criteria, I must respectfully deny concurrence and recommend that direct compensation be provided by the Police Benevolent Association to these elected officers for those additional Association hours worked.

If you require any future clarification or information concerning this matter, please contact me.

cc: Patricia J. Braynon
Assistant County Manager
Aristides Rivera, P.E., P.L.S.
Assistant County Manager
Donald S. Allen, Acting Deputy Director
Employee Relations Department
R. Geoffrey Martin, Director
Labor Management Division
Employee Relations Department