# MEMORANDUM

Date: September 11, 2015

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

Re: **Information Related to Addendum Item 4 on the September 15, 2015 Board of Supervisors Agenda**

During the Call to the Audience at the September 1, 2015 Board of Supervisors meeting, the Pima County Deputy Sheriff's Association presented a number of issues related to compensation and time accounting with the ADP system. After the meeting, I directed Deputy County Administrator Tom Burke, Finance Director Keith Dommer and Human Resources Director Allyn Bulzomi to review the issues to identify causes of the concerns for potential resolution. Mr. Burke provided the attached September 11, 2015 memorandum regarding the issues raised relative to holiday benefits and holiday pay.

Holiday Benefit and Holiday Pay. In summary, it would appear the Deputy Sheriff's Association wants holiday pay for both the observed holiday and for an additional day if the actual holiday does not fall on the observed day. Such is contrary to present practice. The present practice is to pay holiday pay for any employee who works on the actual legally observed holiday as specified in Arizona Statutes.

The County surveyed 12 other jurisdictions to determine their pay practices, and 11 responses were received. Eight jurisdictions pay on the observed holiday, and three pay on the actual holiday. No jurisdiction surveyed pays for both days.

Time Accounting Issues. These seem to relate to the conversion to an automated payroll system, and problems were identified in two areas. The first is the ADP mobile phone app used for deputies to time account for the beginning and end of their shift when they do not report to a central location. It is clear the mobile app does not function properly. A number of actions are being taken with ADP, and we are examining other approaches to resolve this issue. The second issue is time accounting modifications that occur to time accounting records not related to ADP mobile phone app. Additional time is being spent either correcting or altering actual punches. These issues tend to occur in areas where staff report to a central location, such as Corrections Officers. It is likely most of these problems could be resolved if the employee simply used a central time clock or a computer.

A number of other modifications appear to be employees interchanging between sick and vacation time and vice-versa and unnecessary de minimis time corrections.

Mr. Burke's memorandum includes an analysis of the payroll punch and edits for the pay period ending August 22, 2015 for the Sheriff's Department. It would appear that half of all the edits are not related to mobile app issues, and most are unnecessary.

CHH/anc

Attachment

c: The Honorable Chris Nanos, Pima County Sheriff
Pima County Deputy Sheriffs Association

# MEMORANDUM

## Deputy County Administrator for Administration

Date: September 11, 2015

To: C.H. Huckelberry
County Administrator

From: Tom Burke
Deputy County Administrator

Re: **Deputy Sheriff's Association – Board of Supervisors Meeting of September 1, 2015**

At the Call to the Audience at the September 1, 2015 Board of Supervisors meeting, a representative from the Pima County Deputy Sheriff's Association and Fraternal Order of Police, Sergeant Kevin Kubitskey, read from the attached document entitled "ADP Problems and Concerns." ADP is the vendor that hosts the County's Human Resources, Benefits, Recruitment, Payroll and Time Capture systems. According to ADP's website, ADP provides services to more than 625,000 companies worldwide and process the payroll for more than 24 million employees in the United States. ADP indicates that it serves more than 700 law enforcement and fire agencies in the United States.

For Pima County, the ADP systems were implemented in 2014 to replace the County's paper-based Human Resources, Recruitment and timekeeping systems and to replace the County's former mainframe payroll system that was no longer supported by the vendor. Prior to ADP, the County's Human Resources records were manually kept in paper format; all applications for jobs were on paper and could not be submitted electronically; and timekeeping was done manually on paper time sheets. Any changes to an employee's status or pay had to be manually entered into the Human Resources files and then copied and sent in paper format to Central Payroll where it was keyed in again into the County's payroll system. This often resulted in inconsistencies between records in the HR Department and in Central Payroll.

Although Sergeant Kubitskey referred to the Association's concerns as all relating to ADP, there were actually two unrelated concerns raised. The first concern relates to the County's policy on "Holiday Benefit" and "Holiday Pay", which is unrelated to ADP, and the second concern related to a series of issues about the ADP time capture system as used in the Pima County Sheriff's Department (PCSD).

Issue 1 – Holiday Benefit and Holiday Pay

The computation of Holiday Pay and Holiday Benefit has been part of Pima County's payroll system for decades and is unrelated to the County's use of ADP software. Holiday Benefit and Holiday Pay are set forth in Personnel Policy 8-102. In 2009, the County clarified how Holiday Pay and Holiday Benefit are computed because it was being calculated differently in different departments.

***Holiday Benefit*** is the additional pay the County pays to employees for the County's ten official holidays. The Holiday Benefit is basically 8 hours of pay for the day on which the holiday is "observed." A holiday is generally observed on the actual holiday itself when the holiday falls on a Monday through Friday workday. Employees are paid the Holiday Benefit on the "observed" holiday whether they work that day or not. If the employee does work on the observed holiday, the employee not only receives the Holiday Benefit, but is also paid at one and a half times for

the hours actually worked. ***Holiday Pay*** is the premium pay (at time and a half) paid in addition to the Holiday Benefit when an employee actually works on the day of the observed holiday. Most County employees do not work on a holiday and are paid the 8 hour Holiday Benefit. In a typical setting where a County employee does have to work on the official "observed" holiday, the employee is paid 8 hours of "Holiday Benefit" at regular pay and is paid an additional 8 hours of "Holiday Pay" at time and a half. So, an employee who works on an observed holiday is paid the equivalent of 20 hours of pay for working 8 hours.

In 2009 the Sheriff's Department maintained its own timekeeping system. It came to the attention of the County Administrator and the Human Resources Director that PCSD had been administering holiday pay incorrectly. The department was approving Holiday Pay (at time and a half) for non-exempt employees who worked an "actual" holiday that fell on a weekend when the "observed" holiday fell on either a Friday or Monday. In addition, the department was authorizing Holiday Pay to non-exempt employees who worked an actual holiday that fell on a weekend *in addition to* authorizing Holiday Pay for the same employee when that employee also worked the observed holiday (or two days at time and a half in addition to the Holiday Benefit pay). Administrative Procedure 23-41 was drafted to ensure consistent countywide application of and compliance with Personnel Policy 8-102, which allows for the payment of Holiday Pay to a non-exempt employee *only* when that employee works the observed holiday (which is not the same as the actual holiday when the holiday falls on a weekend). This prevents an employee from being paid at time and a half for two different days for the same holiday. The Administrative Procedure written in 2009 standardized the calculation of Holiday Pay throughout the County. It has nothing to do with ADP, which was implemented in 2014, five years later.

For some departments that have round-the-clock operations, such as portions of the Sheriff Department, Pima Animal Care, the Regional Wastewater Reclamation Department, etc., some employees are normally scheduled to work on a Saturday or Sunday and so might be scheduled to work on the "actual" holiday but might not be scheduled to work on the "observed" holiday that falls on a Friday or Monday. In those cases, the employee is paid for the 8 hours of Holiday Benefit on their normally scheduled day off that falls on the "observed" holiday and are paid for working on the "actual" holiday at regular pay (not at time and a half Holiday Pay, because they are not working on the officially "observed" holiday). That is, the employee is paid both the 8 hours of Holiday Benefit and paid their regular pay for working only the one day.

The issue raised at the Call to the Audience on September 1st is basically a question of whether the County should pay the extra premium Holiday Pay for employees who work on a holiday other than the official "observed" holiday and, potentially, pay an employee premium Holiday Pay for two days if they work on both the observed holiday and the actual holiday. Currently, employees are only paid the premium pay of Holiday Pay if they work on the officially "observed" holiday.

The Human Resources Department, for comparison purposes, polled 12 jurisdictions to determine how many pay their non-exempt employees for working *both* observed and actual holidays as well as how many pay their non-exempt employees for working either the observed *or* the actual holiday. None of the jurisdictions polled engage in either practice of paying for both days or of permitting employees to choose which day is paid holiday pay. As shown in the table below, when an actual holiday falls on a weekend, most jurisdictions authorize holiday pay only to non-exempt employees who work on the observed holiday, and a few jurisdictions authorize holiday pay only to non-exempt employees on the actual holiday, but not offer both. One jurisdiction does not authorize holiday pay to non-exempt employees who work either one. None of the jurisdictions polled allowed an employee to be paid premium pay for both the observed holiday

and the actual holiday. Basically, under the approach recommended by the Association, if non-exempt employees worked 8 hours for both days, they would be paid a total of 8 hours of Holiday Benefit at regular pay and 16 hours of Holiday Pay at time and a half, or the equivalent of being paid 32 hours for working 16 hours. Under the FLSA, an employer is allowed to pay more than required, but it appears other jurisdictions in Arizona are not choosing to pay premium pay more than once for a holiday.

| JURISDICTION | OBSERVED HOLIDAY<br>Non-exempt employees paid time and a half for working observed holiday when actual holiday falls on a weekend | ACTUAL HOLIDAY<br>Non-exempt employees paid time and a half for working actual holiday when it falls on a weekend |
|---|---|---|
| City of Chandler | X | |
| City of Peoria | X | |
| City of Phoenix | | X |
| City of Sierra Vista | X | |
| City of Tucson | | X |
| Cochise County | | |
| Department of Public Safety | X | |
| Graham County | X | |
| Maricopa County | X | |
| Pinal County | X | |
| Town of Oro Valley | X | |
| Town of Sahuarita | | X |
| | | |
| *Totals* | ***8*** | ***3*** |

Issue 2 –Complaints relating to Altering Employee Time Punches

The County uses ADP's eTIME as its time capture system to determine hours worked so that the County can accurately pay employees for time actually worked. Accurate time keeping is a basic tenet of the Fair Labor Standards Act (FLSA). The FSLA was passed in 1938 to ensure hourly workers (referred to as non-exempt employees) are paid for actual hours worked, including overtime hours. Employees who are exempt from this law are denoted "exempt" for that reason. The County is covered by the FLSA and must maintain records including hours worked for each covered, nonexempt worker (29 CFR 516.2.) Time keeping records must be complete and accurate, and the County is subject to both civil and criminal penalties for failing to maintain such records. The FLSA requires the County to pay employees "at a rate not less than one and one-half times the regular rate" for work exceeding forty hours per week. 29 U.S.C. § 207(a)(1).

For decades before the ADP Payroll and time capture module went into effect, the County relied primarily on manually prepared paper time sheets for most of its employees. Those paper time sheets were turned in for processing on the Wednesday before the end of the pay period (basically three days before the end of the pay period). The paper time sheets were then

manually keyed into the County's mainframe payroll system by clerical staff. Employees did not enter their own time into the system. Because the time sheets were completed before the end of the pay period, employees had to estimate what hours they were planning to work for the rest of the week. As a result, Central Payroll had to process thousands of corrected time sheets after the end of each pay period. With the implementation of eTIME, hours worked were captured through electronic time punches every day and immediately entered into the system.

The Deputy Sheriffs Association did raise valid concerns about the ADP time capture at the Call to the Audience. I believe the issues can be categorized into two separate issues: (1) problems with the mobile phone app used by many employees at the PCSD, and (2) an inordinate amount of time spent either correcting or altering actual punches.

1. Problems with ADP Mobile Phone APP

The County is very disappointed with the quality of the ADP mobile phone app that is used by many of the Sheriff Deputies, other employees at PCSD and several other departments, including the Regional Wastewater Reclamation Department, the Regional Flood Control District, and the Natural Resources Parks and Recreation Department. The problems with the mobile app began in May and have been on-going since these past three months. Because of the problems arising from the use of the ADP mobile app, time entries are either not being made or are posting incorrectly. To correct those errors, an employee's supervisor must make the change on the time record in ADP. The staff of HR and Central Payroll have been meeting regularly with ADP staff to resolve the problem and two weeks ago had a meeting with PCSD staff and ADP to try to resolve the problem. We are contacting other ADP customers to see if they are also having problems with the mobile app.

Although our preference is to have ADP get the mobile app to work properly, there are several approaches the County could take to deal with this problem if the mobile app cannot be fixed. The PCSD has extensive use of the ADP phone app for its employees, not just for its deputies who are in the field, but also for staff who have access to desktop computers or to time clocks. One approach that would significantly lessen the problem created by the errors in the mobile app would be to have more use of desktop computers to clock in for employees assigned at desk positions or more use of time clocks for any employee who is not assigned to field positions. Although this would not eliminate the problem the deputies are having, it would eliminate a large proportion of the edits currently required. Another approach that ADP indicated would be possible would be the use of an html site connection through the deputies' Mobile Data Computers (MDCs) that are installed in the deputies' patrol cars. We are trying to confirm this option with ADP and, if determined to be possible, the County would need to evaluate what security would need to be installed to protect the MDCs.

2. Problems not related to the ADP Mobile Phone APP

Based on a review (attached) by Finance of ADP edits at PCSD for pay period ending August 22, 2015, it appears that nearly half of all edits being made to employees' time records are unrelated to the mobile app issues. Many of the edits relate to staff within the Adult Detention Center who are using time clocks. Finance believes many of these edits are unnecessary or could easily be avoided. They include edits to change a pay code, such as identifying time as sick leave or annual leave, which could be done by the employee themselves without the need for a later edit or correction by the supervisors. They also include edits for employees who repeatedly did not clock in or out, which should be resolved through appropriate supervisorial direction. They also include

corrections to punches to change the time punched by just a few minutes, such as changing a punch time of 3:03 pm by three minutes to an edited punch time of 3:00 pm. It is not clear why such minor changes to time are being made. I have directed the Finance and Risk Management staff to reach out to the PCSD administrative staff to engage in some intensive training to resolve these issues.

The simplest and quickest resolution to many of the problems noted would be to have all employees who are not field employees use either a time clock or use a desktop computer to enter time punches. That alone should eliminate almost half of the edits being made. Also, if employees actually begin or end work at a time other than the exact minute scheduled for starting or ending, we recommend that the actual time punches be left unedited and that the employee be paid for the actual time worked.

Accountability, Transparency and the Role of Management

Although not an ADP issue, the speaker at the Call to the Audience and other PCSD staff in meetings between the deputies, HR and Central Payroll have suggested that the requiring supervisors to alter an employee's original time record shows a lack of trust for the employee. Nothing could be farther from the truth. Pima County trusts and relies upon all of its employees to timely and accurately report hours worked. In fact, it is the responsibility of non-exempt employees to accurately document their time on a daily basis. It is also basic management responsibility to monitor time for non-exempt employees. When an employee claims to work hours that are not reflected in their daily time records, only a person in a management position should alter the original time record. It is a basic responsibility of management to see that staff time is accurately and timely reported. If employees are able to alter their actual time records before they are reviewed by management, then management will not be able to knowledgeably or effectively manage the time worked or have a good handle on overtime that should be paid.

Virtually every employee of Pima County performs a job that impacts the health or safety or security of citizens of the County, including inspecting buildings for safety codes, processing public monies, maintaining safe conditions in parks and pools, providing health services to the community, inspecting food establishments for health violations, designing and maintaining infrastructure, prosecuting and defending criminal cases, etc. This is not an issue of trust. All employees are trusted to timely and accurately report when they work. It is the County's obligation under the Fair Labor Standards Act is to assure that accurate time records are maintained. I believe it is also the County's responsibility for accountability and transparency to have alterations to original time records made and approved by management.

Attachments

c: Allyn Bulzomi, Director, Human Resources Department
Keith Dommer, Director, Finance and Risk Management Department

# ADP Problems and Concerns

**PROBLEMS AND CONCERNS:**

- The first issue I would like you to consider is that statutorily and through administrative policy, there are holidays that will sometimes fall on a weekend and this creates an observed holiday versus the actual holiday. This poses an unfair reality for the Departments, as observed over the Fourth of July weekend. Employees that had Friday off (the observed holiday) as a regular day off, did not benefit if they had to work the actual holiday on Saturday July 4th with the exception of the holiday benefit. That day for them was straight time. This will occur again this year on December 25th, because it falls on Saturday. Those that have Christmas eve off as a regular day off, that have to work Christmas day, will receive straight time and thus receive no benefit for the sacrifice. County policy dictates that individuals working on a holiday receive time and a half for working the holiday. Employee's that have the observed holiday off and work the actual holiday currently receive straight pay.

NOT ADP Issue

- The second issue that I would like to address is the amount of time that is required for supervisors and managers to spend fixing ADP time punch issues. This problem can easily be eliminated by allowing users to be able to fix their own time cards and effect changes as needed to make them correct. This does not elevate the approval process and still falls under the same guidelines as it was done for thirty years prior to ADP. This would free up supervisors and managers for more critical department tasks.

- The third area of concern is the cell phone application. Numerous issues exist from error messages, to improper logging of time and overall user friendliness of the application itself. We would ask that the Board of Supervisors direct ADP to spend more time fixing the bugs and problems with the phone application.

- Public Works, Waste Water, and SEIU, and the Sheriff's Department all seem to share common experience with ADP. All have described the system as being an added hindrance to everyday tasks. If not kept up on, the system creates a myriad of problems that need to be fixed.

- In the Sheriff's Department this means that deputies are spending hours per week dealing with ADP issues and mishaps that are repetitive. In addition to this, supervisors are required to make changes and fix problems with each of their employees. This hinders the supervisor from observing employees at high priority calls and affects the ability to properly supervise or observe employee performance based on several hours a week dealing with ADP. Supervisors and deputies who are entrusted with making life changing decisions on a daily basis lack the ability to make changes to their own time cards.

- To trust these individuals in Waste Water, Public Works, SEIU, and the Sheriff's Department to make decisions that affect a large portion of the community at any given time, yet not trust them to make simple changes to their time cards is unjust.

- Most of these employees work in the field and do not have access to a desk top. With the application on phones providing so many problems, ADP becomes an everyday issue that needs to be dealt with.

**SOLUTION:**

- It has been verified that ADP requires the Board of Supervisors to make this decision. ***If full autonomy was given to the departments that work 24/7***, this would cut back tremendously on the time spent dealing with the recurrent ADP issues. This in turn would not affect the verification process, as employees would still be required to approve their individual time cards holding them responsible for all entries.

- ADP has the ability to treat each of the different departments in Pima County separately from one another. This gives ADP the ability to create a system that is unique to each department.

Kevin E. Kubitskey
Pima County Deputy Sheriff's Association
520-940-5311

Data from Pay Period Ending 8-22-15

| Count of Type | Column Labels | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Row Labels | Add Comment to Punch | Add Duration | Add Pay Code | Add Pay Code Move | Add Punch | Delete Duration | Delete Pay Code | Delete Punch | Edit Pay Code | Edit Punch | Suspend Pay From Schedule For Specific Date | Grand Total |
| Admin Supp Specialist | | | | 3 | 14 | | | 2 | | 53 | | 72 |
| Admin Suppt Specialist Senior | 5 | | 14 | 3 | 27 | | | 6 | 4 | 63 | | 122 |
| Captain | | | 1 | | | | | | | | | 1 |
| Corrections Cook | 16 | | 11 | | 6 | | 1 | 3 | 7 | 34 | 1 | 79 |
| Corrections Cook Senior | 6 | | 3 | | 3 | | | | | 7 | | 19 |
| Corrections Custodian Senior | | | 21 | 1 | 5 | | 2 | 5 | 3 | 75 | | 112 |
| Corrections Food Service Wrkr | 15 | | 5 | | 1 | | | | 2 | 20 | | 43 |
| Corrections Lieutenant | | 1 | | | | | 1 | | | | | 2 |
| Corrections Officer | 476 | | 715 | 119 | 534 | | 208 | 62 | 124 | 1,481 | | 3,719 |
| Corrections Sergeant | 2 | | 7 | 8 | 69 | | | 36 | 10 | 95 | 1 | 228 |
| Corrections Specialist | 1 | | 24 | | 1 | | 2 | | | 32 | | 60 |
| Custodial Supervisor | | | | | | | | | | 10 | | 10 |
| Custodian | | | 1 | | 1 | | | | | 2 | | 4 |
| Custodian Senior | | | 5 | 5 | 70 | | | 4 | | 124 | | 208 |
| Deputy Sheriff | 160 | | 623 | 182 | 1,429 | 2 | 71 | 527 | 85 | 2,548 | 105 | 5,732 |
| EDP Tech Suppt Specialist | | | 1 | | | | | | | | 1 | 2 |
| Evidence Technician | | | 19 | 1 | 19 | | | 7 | 2 | 41 | | 89 |
| Fingerprint Technician | | | 1 | | 4 | | | | | 23 | | 28 |
| Forensic Technician | | | 25 | 1 | 22 | 1 | 1 | 19 | 1 | 41 | | 111 |
| Info Recrds Supvr Sheriff Dept | | | 3 | | 8 | | | | | 40 | | 51 |
| Intake Support Specialist | 8 | | 15 | | 13 | | 1 | | 11 | 53 | | 101 |
| Intake Support Supervisor | | | 5 | 2 | 9 | | 1 | 1 | | 3 | | 21 |
| IT Applications Analyst | | 3 | 4 | | | | | | | | 7 | 14 |
| IT Svs Support Analyst | | | 8 | | 2 | | | | 1 | 23 | | 34 |
| Latent Print Examiner | | | 1 | | | | | | | 8 | | 9 |
| Lead Evidence Technician | | | 2 | 2 | 3 | | 1 | 4 | 2 | 28 | | 42 |
| Lieutenant | | | 5 | | | | | | | | | 5 |
| Office Support Level III | | | | | | | | | | 1 | | 1 |

| Row Labels | Add Comment to Punch | Add Duration | Add Pay Code | Add Pay Code Move | Add Punch | Delete Duration | Delete Pay Code | Delete Punch | Edit Pay Code | Edit Punch | Suspend Pay From Schedule For Specific Date | Grand Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Office Support Level IV | | | 4 | | | | 2 | | | 3 | | 9 |
| Personnel Asst Sheriffs Dept | | | | 3 | 9 | | | 4 | | 5 | | 21 |
| Process Server | | | 4 | | 14 | | | 3 | 1 | 25 | | 47 |
| Program Coord Sheriff Unclas | | 2 | 1 | | | 1 | | | | | 1 | 5 |
| Program Coordinator Unclas | | 2 | 10 | | | 1 | | | | | | 13 |
| Program Specialist Unclas | 4 | | 9 | 4 | 35 | | 1 | 7 | 2 | 106 | 3 | 171 |
| Pub Safety Data Tech | 2 | | 34 | | 4 | | 11 | | 3 | 16 | | 70 |
| Pub Safety Transcription Tech | | | 23 | | 21 | | | 1 | 3 | 42 | | 90 |
| Public Safety Support Spec | 16 | | 74 | 8 | 59 | | 20 | 5 | 12 | 212 | | 406 |
| Records Technician | | | 1 | 1 | | | | 2 | 1 | 14 | | 19 |
| Sergeant | 38 | | 61 | 35 | 161 | | 7 | 26 | 13 | 295 | 22 | 658 |
| Sheriff's 911 Call Taker | | | 6 | | 1 | | | 1 | | 2 | | 10 |
| Sheriff's 911 Dispatch Supvr | | | | 2 | 10 | | | 4 | | 31 | | 47 |
| Sheriff's 911 Dispatcher | 1 | | 53 | 2 | 60 | | 14 | 7 | 8 | 33 | 1 | 179 |
| Specialized Office Supt Supvr | | | | 3 | 17 | | | 1 | | 7 | | 28 |
| Supply Technician Principal | 5 | | | | 2 | | | | | 8 | | 15 |
| Supply Technician Senior | | | 6 | | 11 | | 22 | 1 | 3 | 27 | | 70 |
| Tactical Medic Sheriff Dept | | | | | 8 | | | 2 | | 7 | | 17 |
| **Grand Total** | **755** | **8** | **1,805** | **385** | **2,652** | **5** | **366** | **740** | **298** | **5,638** | **142** | **12,794** |