



**Office of the Washington State Auditor**  
**Pat McCarthy**

# **Whistleblower Investigation Report**

## **Department of Social and Health Services**

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October 12, 2017

Cheryl Strange, Secretary  
Department of Social and Health Services

**Report on Whistleblower Investigation**

Attached is the official report on Whistleblower Case No. 17-016 at the Department of Social and Health Services.

The State Auditor's Office received an assertion of improper governmental activity at the Department. This assertion was submitted to us under the provisions of Chapter 42.40 of the Revised Code of Washington, the Whistleblower Act. We have investigated the assertion independently and objectively through interviews and by reviewing relevant documents. This report contains the result of our investigation.

If you are a member of the media and have questions about this report, please contact Assistant Director for Communications Kathleen Cooper at (360) 902-0470. Otherwise, please contact Whistleblower Manager Jim Brownell at (360) 725-5352.

Sincerely,

Pat McCarthy  
State Auditor  
Olympia, WA

cc: Governor Jay Inslee  
Andrew Colvin, Public Disclosure/Ethics Administrator  
Kate Reynolds, Executive Director, Executive Ethics Board  
Jacque Hawkins-Jones, Investigator

# WHISTLEBLOWER INVESTIGATION REPORT

## Assertion and results

Our Office received a whistleblower complaint asserting a Department of Social and Health Services (Department) employee (subject) did not submit leave for absences when he reported to work late or left early.

We were unable to determine whether an improper governmental action occurred.

## Background

The Department's Juvenile Rehabilitation Administration serves the state's highest-risk youth, who have either committed a serious crime or have an extensive criminal background and have been placed in the Administration's custody. The Department oversees three facilities housing these youth, one of which is Echo Glen Children's Center (Echo Glen).

In June 2017, our Office issued a whistleblower investigative report<sup>1</sup> involving three security guards at Echo Glen, who purportedly had been leaving their shifts early without using leave. We confirmed that occurred regarding one security guard, but were unable to substantiate the assertion for the other two security guards because Echo Glen does not record when security guards leave the campus. Additionally, Echo Glen allowed security guards to document their scheduled hours as worked, instead of documenting the actual hours they worked.

We found that an associate superintendent, who was responsible for approving leave, did so without knowledge of whether the employee was present or absent from work. She said she signed the submitted leave, assuming everything was accurate. Based on our findings, we recommended, among other things, Echo Glen require security guards to document the actual hours they work.

The associate superintendent manages the security unit and is responsible for approving schedules and employee leave. The schedules cover three shifts each day: five guards on the day and swing shifts, and four on the graveyard shift.

Employees must scan their employee cards when driving through the campus gate. The associate superintendent said she advised employees, in writing, to scan their employee cards even if the gate was open or they followed another car through the gate. Once on campus, security employees report to the security office to retrieve vehicle and cottage keys, meet with other security staff, and sign or initial the daily log before starting their shift.

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<sup>1</sup> Whistleblower Report 16-026

## About the Investigation

The subject of this investigation also works as a security guard at Echo Glen. His job duties include supervising resident movements, appointment and emergent medical transports, general observation and responding to security calls. The subject was also an instructor at the Washington State Criminal Justice Training Commission (Commission), providing training on an as-needed basis.

We reviewed the subject's timesheets, leave and overtime requests and gate key records for October 1, 2015 through June 30, 2016, and verified his training schedule with the Commission.

Based on the evidence referenced above, we found the subject arrived on average one hour early for 36 of his shifts. However, there was no reliable evidence available to determine when he left work or if he worked complete shifts because his timesheets reflected scheduled hours not actual hours worked. A safety issue could arise if the subject came in early and left early, overstaffing at the onset and understaffing when he left.

The subject said he occasionally came in "20 to 30 minutes" early to avoid traffic. Occasionally he would enter the campus by tailgating another vehicle rather than scanning his employee card.

Regarding the discrepancy between how early the subject said he came in and the average we found, he said generally speaking, there were two scenarios when that occurred: he was called in to cover shifts at Echo Glen, or he went directly to Echo Glen from the Commission.

When asked what he would do when he arrived early, he said he would ask an employee on duty if they wanted to leave and most did. Because the graveyard shift has only four security employees, when he arrived early for the day shift he was able to retrieve all the necessary equipment to begin his shift. Employees arriving early for the swing shift would not have access to the equipment because all of it would be in use.

The subject said he left early when he came in early, so he put in his full shift, unlike other security employees. He said some security employees took advantage of this "culture" leaving several hours early without notifying anyone when they left.

The subject said for many years no one spoke about security guards coming in and leaving early for fear of retaliation, and because of that management could deny knowledge and the potential for safety risks. He said that even though the previous whistleblower investigation brought these concerns to light and management could no longer deny knowledge of the issues, management still chose not to address them.

Therefore, we were unable to determine if an improper governmental action occurred.

## **Department's Response**

*Echo Glen Children's Center, Rehabilitation Administration with the Department of Social and Health Services acknowledges receipt of the Whistleblower Investigation Report from the Washington State Auditor's Office file #17-016.*

*Although your office was unable to determine in this case whether an improper governmental action occurred, the Department would like to note that, in an effort to assure that employee timesheets reflect actual hours worked, Echo Glen Children's Center Administration has already started implementing the following action:*

- 1. We will retrain security department supervisors and manager on personal and supervisory responsibilities related to timekeeping and scheduling policies and practices. This will include leave tracker expectations, shift change requirements and ethical standards.*
- 2. We will retrain security department staff on expectations of leave tracker, shift change requirements and ethical standards. Employees will sign off that they understand time keeping and scheduling expectations consistent with their position and role.*

## **State Auditor's Office Concluding Remarks**

We thank Department officials and personnel for their assistance and cooperation during the investigation.

## WHISTLEBLOWER INVESTIGATION CRITERIA

We came to our determination in this investigation by evaluating the facts against the criteria below:

RCW 42.52.160 Use of persons, money, or property for private gain.

(1) No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.