

**An Audit of the
Milwaukee County
House of Correction
Correctional Officer Staffing**

March 2008

Committee on Finance and Audit

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March 10, 2008

To the Honorable Chairman
of the Board of Supervisors
of the County of Milwaukee

We have completed an audit of the Milwaukee County House of Correction Correctional Officer Staffing. The audit was done in accordance with a resolution [File No. 07-368] directing the Department of Audit to review hiring practices and the application of County employment policies at the House of Correction (HOC).

The report presents repeated evidence of increased staff absenteeism in response to, and partially responsible for, increased forced overtime. While continuation of recent efforts to aggressively recruit and hire additional Correctional Officers at the HOC appears to hold the greatest promise for immediate relief from this cycle, the HOC faces challenges that are not likely to be resolved in the very near future. Improvement will require intensive effort by the Executive Administration as well as concerted oversight by the County Board.

A response from the HOC Superintendent is included as **Exhibit 2**. We appreciate the cooperation extended by the Superintendent and his staff during the audit.

Please refer this report to the Committees on Finance and Audit and Personnel.

Jerome J. Heer
Director of Audits

JJH/cah

Attachment

cc: Milwaukee County Board of Supervisors
Scott Walker, Milwaukee County Executive
Thomas Nardelli, Chief of Staff, County Executive's Office
Cynthia Archer, Acting Director, Department of Administrative Services
Ronald Malone, Superintendent, Milwaukee County House of Correction
Terrence Cooley, Chief of Staff, County Board Staff
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An Audit of the Milwaukee County House of Correction Correctional Officer Staffing

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Summary

At its meeting on September 27, 2007 the Milwaukee County Board of Supervisors passed a resolution [File No. 07-368] directing the Department of Audit to review hiring practices and the application of County employment policies at the House of Correction (HOC). As noted in the resolution, members of the Personnel Committee "...expressed deep concern regarding the demands placed on staff at the HOC, noting that unless vacancies were filled and the number of available Corrections Officers was increased, the institution was at considerable risk for a major disruption..."

The HOC functions are defined in Chapters 302, 303, 304 and 973 of the Wisconsin State Statutes. It maintains custody of all sentenced prisoners in Milwaukee County committed by the courts for periods not exceeding one year; provides programs of work release, rehabilitation, education, work, recreation and training; provides medical, dental and other necessary services; processes applications for parole; and releases prisoners upon expiration of sentence, parole, or upon orders of the court. The HOC maintains custody of unsentenced prisoners on an overflow basis from the Milwaukee County Criminal Justice Facility (CJF, or Jail) and also operates a program of home detention using electronic surveillance equipment.

Operation of the HOC is closely intertwined with operation of the Jail, which is under the control of the Milwaukee County Sheriff. By consent agreement, inmates at the Jail are transferred to the HOC on a regular basis to maintain the Jail population at or below 960. A series of thresholds have been established, as explained in the budget, for various actions by the Sheriff and the HOC Superintendent to ensure that in serious overcrowded situations, individuals with the lowest risk of harm to the community are released from custody. Ultimately, due to past litigation placing a 'hard cap' on the County Jail, it is the population at the HOC that experiences the most volatility.

The Problem

The circumstances that prompted passage of the resolution directing the commencement of this audit included testimony and reports before the Personnel Committee, as well as coverage in the local media, that detailed highly stressful working conditions for Correctional Officers at the House of Correction. Chief among the problems cited was staff members' inability to obtain relief from working mandatory double shifts and long stretches of consecutive days without time off. Management reported high rates of absenteeism due to Family Medical Leave (FML) and position

vacancies due to turnover and slow recruitment processes as reasons for the forced overtime situation.

At the HOC, Correctional Officer 1's (CO 1's) are responsible for direct supervision of inmates. We began our analysis by plotting actual hours worked at the HOC by CO 1's during the five-year period 2003 through 2007. We found that the composition of total hours worked—regular (straight time) hours vs. overtime hours—have changed significantly. While total hours worked on a regular straight time basis has decreased 13.0% in 2007 compared to 2003, total overtime hours have increased by 206.7%. Examining the data in greater detail, we found that:

- Average overtime hours worked per officer increased from 134.3 to 426.7 hours (an increase of 293.3 hours, or 218.4%);
- Family Medical Leave use also increased dramatically (an average increase of 57.6 hours, or 100.5%);
- Work-related injury time off increased sharply (an average increase of 31.6 hours, or 140.6%);
- Use of excused time off and sick time each increased significantly (an average increase of 10.0 hours, or 27.4% in excused time and 11.8 hours, or 32.5% in sick time). Combined, average use in 2007 equaled 98% of the annual County allotment for an employee; and
- On average, CO 1's at the HOC worked 163.8 fewer regular hours (-9.6%) per available FTE in 2007 as compared to 2003.

These numbers reflect a 'vicious cycle' (cycle) of existing staff working a greater proportion of their workload on an involuntary overtime basis, increasing stress levels and leading to a greater reliance on unconventional means of obtaining time off.

Quantifying the Problem

Even if the HOC were to fully address the issues contributing to the cycle of forced overtime and absenteeism, the 2007 average staffing level of 326 FTE CO 1's (as currently deployed) would be 23 short of the desired level of 349 FTE's. This constitutes the **staffing level** portion of the current staffing problem facing HOC.

A much larger portion of the current staffing problem is attributable to issues relating to lower **staff utility** as measured in terms of regular hours worked per FTE. These issues include high levels of absenteeism in the form of increased Family Medical Leave, increased sick and excused time, and increased time off due to work-related injury. Assuming a baseline of the average overtime worked in 2003, we estimate the impact of these staff utility issues is approximately 34 FTE's. This is not to say we recommend the addition of 34 Correctional Officers. Rather, it is calculated to show the

impact of, and the progress needed, to resolve staff utility issues. Left unresolved, these issues result in the need for additional staff to compensate for lower staff utility.

Addressing the Staffing Level

It is apparent that the staffing problem at HOC is complex, with several inter-related issues. Under the best of circumstances, HOC was understaffed in 2007. In light of this conclusion, and to the extent that the issues contributing to the cycle of forced overtime and increased absenteeism will be abated by reducing forced overtime, an immediate attempt to increase the number of full time Correctional Officer 1's at the HOC is warranted. We estimate that an outlay of approximately \$1,273,000 (annualized) would be offset by an estimated reduction in overtime costs of about \$860,000, leaving a net annualized cost for 23 additional CO 1 positions of approximately \$413,000. *[Note: Savings from overtime reduction may not be fully realized, depending on actual staff deployment and unscheduled absences.]*

Factors Affecting Staffing Levels

Following are some key factors that directly or indirectly affect the ability of the HOC to maintain sufficient numbers of CO 1's to avoid incurring onerous levels of forced overtime.

Inmate Population Levels

HOC experienced a significant and sustained increase in daily inmate population in May 2007. While average total inmate population levels began to decline after peaking at 71,075 inmate days in August, the average population remained above average levels of the previous four years.

One consequence of this sustained increase in average inmate population was an inability for HOC management to maintain the closing of seven dormitories, closings that were assumed in establishing 2007 HOC staffing levels. Thus, opening previously closed and unbudgeted dormitories to accommodate additional inmates created additional demand for CO 1's and other positions. The immediate means of meeting this additional demand for staff coverage is through the use of overtime.

Number of Posts and Staff Deployment

We found two problems that exhibited a 'disconnect' between the CO 1 staffing level contained in the 2007 HOC Adopted Budget and actual HOC staff deployment. Together, these problems contributed significantly to HOC management's heavy reliance on forced overtime in 2007.

- **Number of Posts**—We found a major discrepancy between the number of posts (i.e., job assignments or 'stations') used to establish the 2007 Adopted Budget staffing level for CO 1's at

the HOC and the number of posts used by HOC management to schedule daily staff deployment. Based on interviews with HOC management and our review of HOC documents used for budget preparation and staff scheduling, we estimate there is a discrepancy of approximately 15 FTE in the number of posts budgeted and the number of posts staffed. Staffing the HOC at this higher-than-budgeted level with available CO 1's created additional demand for overtime.

- **Post Relief Factors**—We also found that the relief factors used to determine the number of authorized positions required to staff the assumed number of posts at the HOC have not been revised for several years. The escalating trends in time off due to injury, illness and Family Medical Leave noted in this report have significantly affected the validity of the relief factors used to calculate the number of authorized CO 1 positions contained in the HOC 2007 Adopted Budget. We estimate that applying a post relief factor that reflected actual experience in 2007 would have required an additional 23 FTE. Thus, the discrepancy between the budgeted and actual post relief factors created additional demand for the use of overtime.

Ensuring harmony between budgeted resources and staff deployment is a fundamental responsibility of management. The sharing of one Fiscal Administrator between the Office of the Sheriff and the HOC, with the majority of the administrator's physical presence at the Sheriff's Office, probably contributes to this problem. Recommendations are included in this report to address the discrepancies and to elevate HOC management's attention to budget matters.

Staff Turnover

A review of turnover statistics shows that the HOC has experienced difficulty retaining new hires at the CO 1 position. Seventy of 134 (53.2%) CO 1's hired between 2003 and 2006 are no longer employed at the HOC. Our earlier quantitative analysis of the 2007 HOC staffing problem indicates the HOC needs to add and maintain an additional 23 CO 1 positions over average 2007 staffing levels of 326 FTE. This turnover analysis suggests that in order to achieve a net increase of 23 CO 1 positions and maintain 349 FTE's throughout the year, the HOC must aggressively pursue recruitment of far more candidates than it has during the past five years.

Recruiting Efforts

As of late February 2008, the following progress has been made towards improved recruiting and retention efforts identified by the HOC Superintendent and the Division of Human Resources Director in a joint supplemental action plan submitted to the County Board:

- Background checks of CO 1 candidates have been accelerated by devoting additional resources to the process, including the addition of a full time Investigator Coordinator. In addition, a common standard has been established for use by both the HOC and Sheriff's Department, resulting in a streamlined process.
- Large-scale testing sessions have been scheduled more frequently than in the past, and the HOC has begun a pilot program of smaller-scale testing to augment the pool of candidates.

- Efforts to determine the reasons for high turnover rates among CO 1's are underway, with plans for both an employee survey and implementation of exit interviews with departing staff.
- Efforts to explore incentives to retain staff will start with the planned employee survey.
- Communications training has been implemented, beginning with 11 newly hired CO 1's on January 15, 2008 and a planned session for supervisors and managers. A University of Wisconsin-Milwaukee faculty member has been retained for this purpose.

While these aggressive recruitment and retention efforts are positive and significant improvements, it is important to understand that such efforts must be sustained because of high turnover rates and because of a significant 'fallout' rate between the number of scheduled applicants for CO 1 positions and the number that pass the test and other requirements for certification.

Staff Utility

We also concluded that staff utility, defined in terms of the average number of regular hours worked per FTE, is quantitatively an even more significant problem at the HOC. In this report, we discuss four inter-related issues that comprise the vicious cycle previously described:

Forced Overtime

Forced overtime occurs when available staff is insufficient to provide coverage for all assigned posts, and the number of staff that accept overtime assignments on a voluntary basis does not fill the resulting gap. We found that 73% of the overtime scheduled for CO 1's at the Adult Correctional Center in 2007 was forced as opposed to voluntary.

In addition, the total number of overtime hours ***scheduled in advance*** for CO 1's at the Adult Correctional Center – 91,244 hours – exceeds the approximate overtime hours budgeted for all HOC positions in 2007 (56,000) by 63%. Advanced scheduling of overtime at that rate is a clear indication that staffing levels are insufficient to meet staff deployment patterns.

Moreover, our review of CO 1 grievances at the HOC shows that 21 of 32 (65.6%) grievances resolved during the months of September and November 2007 related to forcing overtime on officers out of turn. This absorbs valuable administrative and CO 1 time to schedule and conduct grievance hearings. Since the remedy for forcing overtime out of turn is an exemption for the next forced overtime assignment, such incidents further reduce HOC management's options when unscheduled absences occur.

Family Medical Leave

We looked for, but found no evidence of, an unusual incidence of commonality of doctors among the requests reviewed. The most frequent condition cited for FML requests we reviewed was migraine headaches. Thirteen of the 54 individuals (24.1%) cited migraines as the reason for one or more of the requests.

Prior to July 2007, no one at the HOC monitored or tracked individual use of FML. As a direct result of the failure to monitor FML use, 17 individuals had exceeded the annual limit of 480 hours of FML (state and federal combined) as of the pay period ending 10/6/07. Further review showed that nine individuals had exceeded the limit in 2006. The current Human Resources Coordinator at the HOC has demonstrated a desire to closely monitor FML use and enforce County policies concerning proper documentation.

In addition, HOC employees are now required to first use sick leave balances, with compensatory time (off time earned in exchange for overtime worked) used as a last resort. Over time, this practice will provide HOC management greater control over unscheduled absences, since use of compensatory time must be approved in advance, whereas sick leave is unscheduled.

Sick Leave and Excused Time Off

Combined sick and excused time used per CO 1 position was 30% higher in 2007 than in 2003. The 2007 total, which equates to 98% of a County employee's annual allotment, is yet another symptom of the cycle we have described in this report. During interviews, we were told that during peak forced overtime periods, CO 1's sometimes call in sick the day before they are scheduled off to ensure they are not placed on forced overtime the following day.

We believe additional staff resources hold the greatest promise for reducing absenteeism due to unscheduled sick leave. Limited information indicates that additional staff hired at the end of 2007 may be positively impacting unscheduled absences. In October 2007, a total of 642 staff days were lost as a result of Correctional Officers calling in sick or not reporting for work. In January 2008, that number totaled 264 staff days, a reduction of 59%.

Work-Related Injury Time Off

Our review of payroll records indicates that the average time coded for injury pay per CO 1 increased 140% in 2007 compared to 2003, while average time coded to injury pay for all other County employees increased 47% when comparing those two years.

Interviews with the County's Risk Manager and HOC staff provided no insights regarding the increased incidence of injury pay. Consequently, we drew no specific conclusions from this area of our review. The pattern of dramatic increase in injury pay for CO 1's at the HOC does, however, appear to fit the general pattern of reduced staff utility in response to high levels of forced overtime.

Conclusion

We have presented repeated evidence of increased staff absenteeism in response to, and partially responsible for, increased forced overtime. While continuation of the recent efforts to aggressively recruit and hire additional CO 1's at the HOC appears to hold the greatest promise for immediate relief from this cycle, addressing residual staff utility issues will require longer-term, sustained efforts that will involve changing the organizational culture at the HOC.

Legislative Oversight

During the course of this audit, we became aware of three other reviews of HOC operations. The first is an annual inspection conducted by the State of Wisconsin Department of Corrections. The second review is an annual site inspection, also required by State Statute, led by the Chief Judge of the Milwaukee County Circuit Courts. Included on the inspection team are representatives from the District Attorney's Office, the City of Milwaukee Mayor's Office, Municipal Judges and several other public officials. The third review is a study conducted under the auspices of the United States Department of Justice National Institute of Corrections (NIC). The NIC report in particular highlights significant improvements that are needed in almost every area of HOC operations, including security. HOC management has prepared a response to the NIC report and the County Executive has given management 90 days (late April) to take corrective action.

HOC faces challenges that are not likely to be resolved in the very near future. Improvement will require intensive effort by the Executive Administration as well as concerted oversight by the County Board. At a minimum, it is important that the Board be kept apprised of efforts to implement recommendations contained in this audit report, progress in addressing the NIC report, continued resolution of deficiencies cited by the State inspectors' and the Chief Judge's reviews, and the results of ongoing human resources initiatives that have been reported to the Personnel Committee.

A management response from the House of Correction is included as **Exhibit 2**.

Background

At its meeting on September 27, 2007 the Milwaukee County Board of Supervisors passed a resolution [File No. 07-368] directing the Department of Audit to review hiring practices and the application of County employment policies at the House of Correction (HOC). As noted in the resolution, members of the Personnel Committee "...expressed deep concern regarding the demands placed on staff at the HOC, noting that unless vacancies were filled and the number of available Corrections Officers was increased, the institution was at considerable risk for a major disruption...."

The HOC functions are defined in Chapters 302, 303, 304 and 973 of the Wisconsin State Statutes. It maintains custody of all sentenced prisoners in Milwaukee County committed by the courts for periods not exceeding one year; provides programs of work release, rehabilitation, education, work, recreation and training; provides medical, dental and other necessary services; processes applications for parole; and releases prisoners upon expiration of sentence, parole, or upon orders of the court. The HOC maintains custody of unsentenced prisoners on an overflow basis from the Milwaukee County Criminal Justice Facility (CJF, or Jail) and also operates a program of home detention using electronic surveillance equipment.

The HOC is comprised of two main facilities. The Adult Correctional Center (ACC) is a secure compound located in Franklin near the County's southern border, with dormitories, an infirmary and a disciplinary/protective custody unit. The Community Correctional Center (CCC) is a minimum security facility located near the County Courthouse in downtown Milwaukee. It houses inmates with court-ordered community access to work, attend school, provide childcare, or to receive medical attention. The staff at the CCC also manage a program of home detention for selected inmates.

Operation of the HOC is closely intertwined with operation of the Criminal Justice Facility, which is under the control of the Milwaukee County Sheriff. The 2008 Adopted Budget provides capacity limits for the Jail and the HOC, including both the Adult Correctional Center and the Community Correctional Center. Included in that information is the original (design) capacity, the expanded rated (rated) capacity and the number of actual beds available at each facility, as shown in **Table 1**.

**Table 1
Milwaukee County
Incarceration Capacity**

| | <u>Design Capacity</u> | <u>Rated Capacity</u> | <u>Number of Beds</u> |
|--------------|-----------------------------------|----------------------------------|----------------------------------|
| Jail | 744 | 936 | 990 |
| HOC | 1,858 | 2,010 | 2,340 |
| Total | 2,602 | 2,946 | 3,330 |

Source: Milwaukee County 2008 Adopted Budget.

By consent agreement, inmates at the Jail are transferred to the HOC on a regular basis to maintain the Jail population at or below 960. A series of thresholds have been established, as explained in the budget, for various actions by the Sheriff and the HOC Superintendent to ensure that in serious overcrowded situations, individuals with the lowest risk of harm to the community are released from custody. Ultimately, due to past litigation placing a 'hard cap' on the County Jail, it is the population at the HOC that experiences the most volatility.

Budget History

In 1999, a 1,000-bed expansion project was completed at the HOC, bringing the total design capacity of the Adult Correctional Center to 1,650 inmates. In that year's adopted budget, 148 new Correctional Officer positions were created, increasing total protective services staff from 325 Full Time Equivalent positions (FTE's) in 1998 to 473 FTE's in 1999.

Table 2 provides basic data concerning resources devoted to the HOC during the past six years.

| Table 2 Selected Budgetary Data Resources Devoted to HOC 2002—2007 | | | | | | |
|---|---|--------------|--------------|--------------|--------------|--------------|
| | <u>2002</u> | <u>2003</u> | <u>2004</u> | <u>2005</u> | <u>2006</u> | <u>2007</u> |
| Personal Services | \$24,298,347 | \$22,321,548 | \$22,399,769 | \$22,557,941 | \$22,784,054 | \$22,589,114 |
| Employee Fringe Benefits | 7,186,424 | 8,633,522 | 11,373,830 | 13,595,249 | 12,740,153 | 19,003,014 |
| Total Expenditures | 40,508,303 | 41,295,287 | 43,753,589 | 44,059,831 | 43,527,360 | 49,801,812 |
| Budgeted Authorized Positions (Funded) | 638.1 | 587.0 | 517.5 | 557.4 | 545.6 | 527.4 |
| Overtime FTE | 75.9 | 49.6 | 49.5 | 38.5 | 74.9 | 37.6 |
| Budgeted Average Daily Census | 2,310 | 2,000 | 2,000 | 1,730 | 1,970 | 1,910 |
| Actual Average Daily Census | 2,152 | 2,045 | 2,035 | 1,920 | 2,020 | 2,138 |
| Notes: | EFB = Employee Fringe Benefits (Active and Legacy) FTE = Full Time Equivalent Positions Average Daily Census figures do not include inmates on Electronic Surveillance All figures for 2002-2006 are actuals except as noted; all 2007 figures are budgeted. | | | | | |
| Source: | Adopted Budgets 2002-2007 and HOC Census Records. | | | | | |

The remaining sections of this report contain our analysis of issues and circumstances that have prompted the County Board’s “deep concern regarding the demands placed on staff at the HOC.”

Section 1: Quantifying the HOC Staffing Problem

The Problem

On September 27, 2007, the Milwaukee County Board of Supervisors approved a resolution [File No. 07-368] that expressed "...deep concern regarding the demands placed on staff at the HOC, noting that unless vacancies were filled and the number of available Corrections Officers was increased, the institution was at considerable risk for a major disruption...." The circumstances that prompted passage of that resolution, which contained a directive for commencement of this audit, included testimony and reports before the Personnel Committee, as well as coverage in the local media, that detailed highly stressful working conditions for Correctional Officers at the House of Correction. Chief among the problems cited was staff members' inability to obtain relief from working mandatory double shifts and long stretches of consecutive days without time off. Management reported high rates of absenteeism due to Family Medical Leave and position vacancies due to turnover and slow recruitment processes as reasons for the forced overtime situation.

Chief among the problems cited was staff members' inability to obtain relief from working mandatory double shifts and long stretches of consecutive days without time off.

At the HOC, Correctional Officer 1's (CO 1's) are responsible for direct supervision of inmates. We began our analysis by plotting actual hours worked at the HOC by CO 1's during the five-year period 2003 through 2007. **Table 3** presents the annual totals for CO 1 hours worked, comprised of regular (straight time) and overtime hours.

**Table 3
Total Hours Worked at HOC
Correctional Officer 1s
2003—2007**

| | <u>2003</u> | <u>2004</u> | <u>2005</u> | <u>2006</u> | <u>2007</u> | <u>% Change '03 vs. '07</u> |
|------------------------------|-------------|-------------|-------------|-------------|-------------|---------------------------------|
| Correctional Officer 1 FTE's | 338.9 | 331.1 | 337.5 | 317.8 | 326.4 | -3.7% |
| Regular Hours Worked | 575,360 | 556,294 | 539,158 | 535,676 | 500,742 | -13.0% |
| Overtime Hours Worked | 45,508 | 61,227 | 77,806 | 91,815 | 139,595 | 206.7% |
| Total CO 1 Hours Worked | 620,868 | 617,521 | 616,964 | 627,491 | 640,337 | 3.1% |

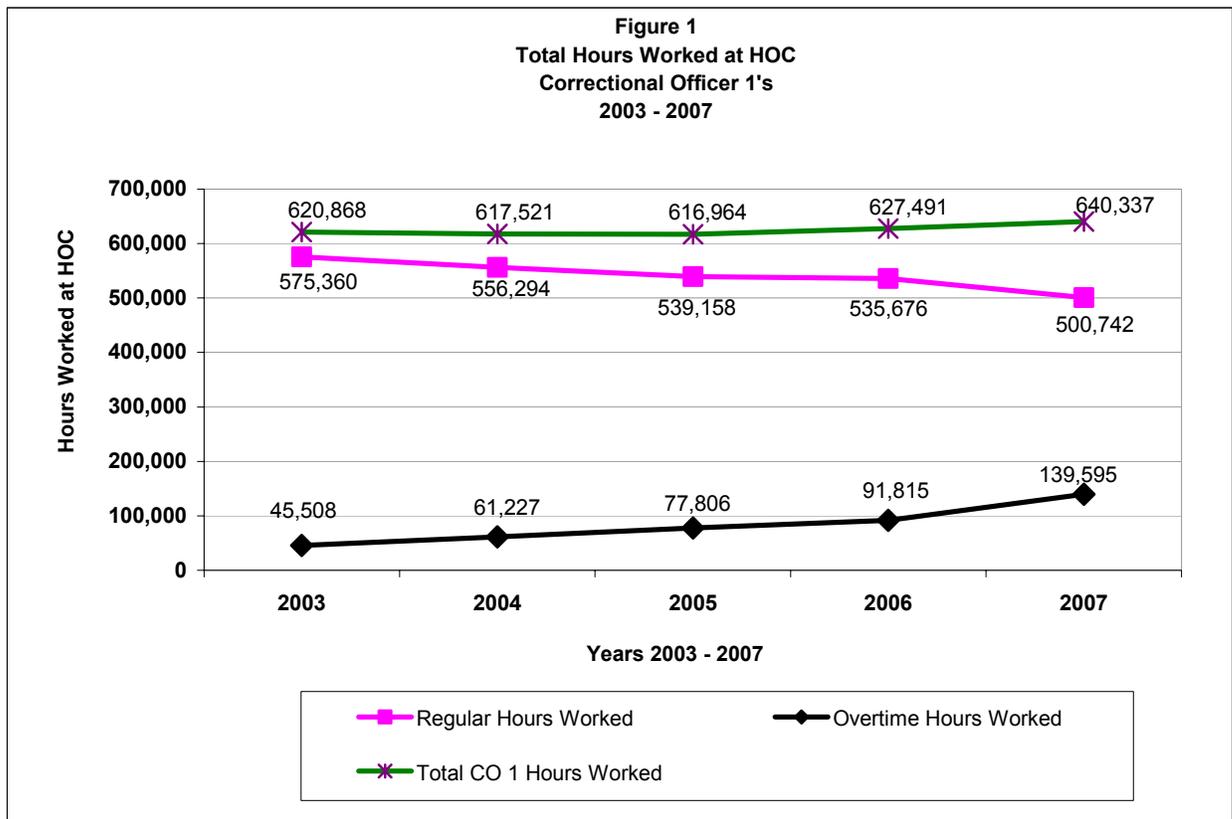
Note: FTE's calculated as number of filled positions available for work 365 day per year.

Source: Milwaukee County payroll data from QMF system (2007 adjusted for year-end cutoff).

While total hours worked on a regular straight time basis has decreased 13.0% in 2007 compared to 2003, total overtime hours have increased by 206.7%

As shown in **Table 3**, the average number of CO 1's available for work generally declined until 2007, when a reversal of that trend resulted in a reduction of just 3.7% compared to 2003. At the same time, the total number of CO 1 hours required to staff the facility has fluctuated somewhat, declining slightly in both 2004 and 2005, then increasing the following two years. In 2007, total hours worked was 3.1% higher than in 2003. While the five-year trends of these two factors (staffing and workload) are somewhat divergent, they are not dramatically so. However, the composition of total hours worked—regular hours vs. overtime hours—have changed significantly. While total hours worked on a regular straight time basis has decreased 13.0% in 2007 compared to 2003, total overtime hours have increased by 206.7%.

Figure 1 graphically illustrates these trend lines.



We selected 2003 as a 'base year' of comparison with 2007 for further analysis.

Based on this initial analysis, a review of Adopted Budget narratives and interviews with HOC staff, we selected 2003 as a 'base year' of comparison with 2007 for further analysis. Following are key reasons for our selection:

- The 2003 Adopted Budget included the abolishment of ten CO 1 positions and one Correctional Manager position among other management and administrative position cuts, suggesting efforts to attain greater operational efficiencies.
- There is no record of general discontent on the part of Correctional Officers regarding the 2003 balance between regular hours and overtime hours worked to maintain operations.
- There is no record or recollection of general concerns regarding issues cited as problems in 2007, such as mandatory overtime, staff vacancies or Family Medical Leave abuse.

Table 4 presents a comparison of major time codes used by CO 1s in 2003 and 2007, respectively, expressed as average hours per FTE.

| <u>Time Codes</u> | <u>2003</u> | <u>2007</u> | <u>Difference</u> | <u>% Change 2003-'07</u> |
|--------------------|-------------|-------------|-------------------|------------------------------|
| Regular Hours | 1,697.8 | 1,534.0 | -163.8 | -9.6% |
| Overtime Hours | 134.3 | 427.6 | 293.3 | 218.4% |
| Vacation Hours | 108.6 | 112.7 | 4.2 | 3.8% |
| Compensatory Hours | 18.4 | 18.6 | 0.2 | 1.2% |
| Holiday Used Hours | 64.4 | 39.3 | -25.1 | -39.0% |
| Personal Hours | 25.8 | 22.2 | -3.6 | -14.1% |
| Excused Hours | 36.5 | 46.5 | 10.0 | 27.4% |
| Sick Hours | 36.4 | 48.2 | 11.8 | 32.5% |
| FMLA Hours | 57.3 | 114.9 | 57.6 | 100.5% |
| FMLA AWOP Hours | 13.4 | 14.9 | 1.6 | 11.7% |
| AWOP Hours | 37.2 | 70.1 | 32.8 | 88.2% |
| Injury Hours | 22.5 | 54.1 | 31.6 | 140.6% |
| Total | 2,252.6 | 2,503.1 | 250.5 | 11.1% |

Note: Apparent discrepancies are due to rounding of imbedded numbers.

Source: Milwaukee County Payroll Data from QMF system.

The data provides empirical evidence of the conditions raised by both labor and management when discussing Correctional Officer staffing problems at the HOC.

The data in **Table 4** provides empirical evidence of the conditions raised by both labor and management when discussing Correctional Officer staffing problems at the HOC. Specifically, the following differences in working patterns occurred concurrently:

- Average overtime hours worked per officer increased from 134.3 to 427.6 hours (an increase of 293.3 hours, or 218.4%);
- Family Medical Leave use also increased dramatically (an average increase of 57.6 hours, or 100.5%);
- Work-related injury time off increased sharply (an average increase of 31.6 hours, or 140.6%);
- Use of excused time off and sick time each increased significantly (an average increase of 10.0 hours, or 27.4% in excused time and 11.8 hours, or 32.5% in sick time).

Combined, average use in 2007 equaled 98% of the annual County allotment for an employee; and

- On average, CO 1's at the HOC worked 163.8 fewer regular hours (-9.6%) per available FTE in 2007 as compared to 2003.

Table 5 presents the same information, with time code totals expressed as percentages of a standard 2,080-hour work year.

| <u>Time Codes</u> | <u>2003</u> | <u>2007</u> | <u>% of 2,080 2003</u> | <u>% of 2,080 2007</u> |
|--------------------|----------------|----------------|----------------------------|----------------------------|
| Regular Hours | 1,697.8 | 1,534.0 | 81.6% | 73.8% |
| Overtime Hours | 134.3 | 427.6 | 6.5% | 20.6% |
| Vacation Hours | 108.6 | 112.7 | 5.2% | 5.4% |
| Compensatory Hours | 18.4 | 18.6 | 0.9% | 0.9% |
| Holiday Used Hours | 64.4 | 39.3 | 3.1% | 1.9% |
| Personal Hours | 25.8 | 22.2 | 1.2% | 1.1% |
| Excused Hours | 36.5 | 46.5 | 1.8% | 2.2% |
| Sick Hours | 36.4 | 48.2 | 1.8% | 2.3% |
| FMLA Hours | 57.3 | 114.9 | 2.8% | 5.5% |
| FMLA AWOP Hours | 13.4 | 14.9 | 0.6% | 0.7% |
| AWOP Hours | 37.2 | 70.1 | 1.8% | 3.4% |
| Injury Hours | 22.5 | 54.1 | 1.1% | 2.6% |
| Total | 2,252.6 | 2,503.1 | 108.3% | 120.3% |

Note: Apparent discrepancies are due to rounding of imbedded numbers.

Source: Milwaukee County Payroll Data from QMF system.

Viewing the data in this manner shows that in 2003, the amount of overtime worked by the average CO 1 at the HOC was equivalent to 6.5% of a standard 2,080-hour work year. In 2007, that figure rose to 20.6%. Furthermore, our review of daily work schedules for CO 1's at the HOC in 2007 indicate that at least 73% of overtime worked was 'forced overtime,' or involuntary overtime mandated by management to maintain minimum staffing levels.

Viewed in their entirety, these numbers reflect a 'vicious cycle.'

Coupled with interview information gathered during our review, and viewed in their entirety, these numbers reflect a 'vicious cycle' (cycle) of existing staff working a greater proportion of their workload on an involuntary overtime basis, increasing stress levels and leading to a greater reliance on unconventional means of obtaining time off. This is reflected in the patterns of increased use in Family Medical Leave, sick and excused time, and work-related injury time off. The resulting loss of average hours worked on regular time placed ever more pressure on those CO 1's that reported for work, manifesting in additional forced overtime, and so went the cycle of forced overtime, employee stress and discontent, employee absenteeism, and increased need for forced overtime.

Quantifying the Problem

As with any vicious cycle, it is difficult to discern the underlying cause or causes. What may begin as a symptom of one problem, such as increased sick time due to stress from prolonged periods of forced overtime, may in turn be the causal agent for increasing the need for additional overtime to cover absences due to illness. In many respects, the HOC staffing problems begs the classic question, 'which came first—the chicken or the egg?' To gain insight as to how policy makers can most effectively break the cycle of forced overtime and absenteeism at HOC, we set out to quantify the extent of the problem in two broad categories: staffing levels and staff utility, measured in terms of average hours worked per available FTE.

We set out to quantify the extent of the problem in two broad categories: staffing levels and staff utility.

To accomplish this, our first step was to use the data presented in **Tables 3** and **4** to determine the approximate level of CO 1 staffing that would be required to cover total hours worked in 2007 if the work patterns exhibited in 2003 were replicated. **Table 6** summarizes the results of this analysis.

Table 6
Impact if 2007 CO 1 Staffing Level and
Staff Utility Replicated 2003 Patterns

| | <u>2007</u> <u>Totals</u> | <u>2003</u> <u>Averages</u> |
|--|------------------------------|--------------------------------|
| FTE | 326.4 | |
| Regular | 500,742 | 1,697.8 |
| Overtime | 139,595 | 134.3 |
| Total | 640,337 | 1,832.1 |
| FTE Needed at 2003 Pattern* | 349.5 | |
| 2007 Actual FTE | 326.4 | |
| Additional Staff Needed in 2007 at 2003 Pattern | 23.1 | |

* 640,337 hours of coverage divided by 1,832.1 hours/FTE in 2003 = 349.5 FTE

Source: Department of Audit analysis from Milwaukee County payroll data.

Absent the 2007 factors contributing to the cycle of forced overtime and absenteeism, the HOC was understaffed by approximately 23 full time Correctional Officer 1's in 2007.

As shown in **Table 6**, if the same pattern of 1,698 regular hours and 134 overtime hours worked per Correction Officer 1 in 2003 was replicated by CO 1's at the HOC in 2007, a total of 349.5 FTE CO 1's would be required to cover the 640,337 total hours actually worked. In other words, this analysis indicates that, absent the 2007 factors contributing to the cycle of forced overtime and absenteeism, the HOC was understaffed by approximately 23 full time Correctional Officer 1's in 2007.

Our second step in quantifying the extent of the staffing problem between staffing levels and staff utility was to use the same data from **Tables 3** and **4**, but this time we calculated the approximate level of CO 1 staffing that would be required to cover total hours worked in 2007 if the 2007 actual work patterns were retained, but overtime was capped at the average level worked in 2003. **Table 7** summarizes the results of this analysis.

**Table 7
Impact if 2007 CO 1
Overtime Capped at 2003 Levels**

| | <u>2007 Totals</u> | <u>Assume:</u> | | |
|----------|------------------------|----------------|--------------|--|
| FTE | 326.4 | | | 383.8 FTE Needed at '03 OT/'07 REG pattern* |
| Regular | 500,742 | 1,534.0 | '07 Avg. REG | 326.4 FTE 2007 Actual |
| Overtime | 139,595 | 134.3 | '03 Avg. OT | 57.4 Additional Staff Needed if OT Capped |

* 640,337 hours of coverage divided by 1,668.3 hours/FTE at assumed pattern = 383.8 FTE

Source: Department of Audit analysis from Milwaukee County payroll data.

As shown in **Table 7**, if a work pattern of 1,534 regular hours (2007 actual average) and 134 overtime hours (2003 actual average) worked per Correction Officer 1 is assumed, a total of 383.8 FTE CO 1's would be required to cover the 640,337 total hours actually worked in 2007. In other words, this analysis indicates that, assuming the 2007 factors contributing to the cycle of forced overtime and absenteeism is present, but overtime is capped at the base 2003 level, approximately 57 additional full time Correctional Officer 1's would be required to staff the HOC in 2007.

Calculating the difference between the analyses presented in **Tables 6** and **7** allows us to quantify the extent of the 2007 HOC staffing problem into the two broad categories of staffing level and staff utility. This calculation is presented in **Table 8**.

**Table 8
Quantifying the 2007 HOC Staffing Problem
Staffing Level vs. Staff Utility**

383.8 FTE Required Assuming '07 REG/'03 OT Pattern
- 326.4 FTE 2007 Actual
= **57.4 Additional FTE to Cap OT at 2003 Level**

Staffing Level Issue = 23.1 Additional FTE Needed if 2003 Work Pattern Replicated
Staff Utility Issues = 34.3 Difference = Impact of FMLA, SIK/EXT, INJ Pay Issues

Source: Department of Audit analysis from Milwaukee County payroll data.

As shown in **Table 8**, our analysis indicates that even if the HOC were to fully address the issues contributing to the cycle of forced overtime and absenteeism, the 2007 average staffing level of 327 FTE CO 1's (as currently deployed) would be 23 short of the desired level of 349 FTE's. This constitutes the **staffing level** portion of the current staffing problem facing HOC.

A much larger portion of the current staffing problem is attributable to issues relating to lower staff utility as measured in terms of regular hours worked per FTE.

Our analysis further shows that a much larger portion of the current staffing problem is attributable to issues relating to lower **staff utility** as measured in terms of regular hours worked per FTE. These issues include high levels of absenteeism in the form of increased Family Medical Leave, increased sick and excused time, and increased time off due to work-related injury. These issues are both symptomatic issues in response to significantly increased forced overtime, and causal in nature by creating additional staff coverage problems. Assuming a baseline of the average overtime worked in 2003, we estimate the impact of these staff utility issues is approximately 34 FTE's. This is not to say we recommend the addition of 34 Correctional Officers. Rather, it is calculated to show the impact of, and the progress needed, to resolve staff utility issues. Left unresolved, these issues result in the need for additional staff to compensate for lower staff utility.

Addressing the Staffing Level

Based on our quantitative analysis, it is apparent that the staffing problem at HOC is complex, with several inter-related issues. The analysis suggests that under the best of circumstances, HOC was understaffed in 2007. In light of this conclusion, and to the extent that the issues contributing to the cycle of forced overtime and increased absenteeism will be abated by reducing forced overtime, an immediate attempt to increase the number of full time Correctional Officer 1's at the HOC is warranted.

Table 9 presents calculations used to estimate the net cost for each additional CO 1 position added at the HOC.

**Table 9
Estimated Cost of Additional
Correctional Officer 1 Positions**

| | | | |
|----------------------------|-----------------|------------------|--|
| | | \$16.26 | Hourly Rate for CO 1 in 2008 |
| 2008 Fringe Health | \$26,821 | 33,951 | Base Salary 2008 |
| 2008 Legacy Health | 12,986 | 2,597 | Social Security |
| 2008 Active Health | \$13,835 | 13,835 | Fringe Active Health |
| | | 4,998 | Fringe Active Pension |
| | | \$55,381 | Total per Position |
| 2008 Fringe Pension | 19.86% | | |
| 2008 Legacy Pension | 5.14% | | |
| 2008 Active Pension | 14.72% | 55,381 | Outlay Per Added Position |
| | | -37,414 | Less Reduced Overtime |
| | | \$17,966 | Net Cost Per Additional Position |
| | | | |
| | | 1,273,756 | Outlay for 23 Additional Positions |
| | | -860,528 | Less Reduced Overtime |
| | | \$413,228 | Net Cost of 23 Additional Positions |

Source: Department of Audit calculations from Department of Administrative Services 2008 Budget Instructions and CO 1 average regular hours worked in 2007.

An outlay of approximately \$1,273,000 would be offset by an estimated reduction in overtime costs of about \$860,000, leaving a net annualized cost for 23 additional CO 1 positions of approximately \$413,000.

As shown in **Table 9**, an outlay of approximately \$1,273,000 (annualized) would be offset by an estimated reduction in overtime costs of about \$860,000, leaving a net annualized cost for 23 additional CO 1 positions of approximately \$413,000. *[Note: Savings from overtime reduction may not be fully realized, depending on actual staff deployment and unscheduled absences.]*

Factors Affecting Staffing Levels

Several factors affect the ability of an organization to maintain a particular staffing level. Following are some key factors that directly or indirectly affect the ability of the HOC to maintain sufficient numbers of CO 1's to avoid incurring onerous levels of forced overtime.

- Inmate Population Levels;
- Number of Posts and Staff Deployment;
- Staff Turnover; and
- Recruiting Efforts.

Inmate Population Levels

Table 10 shows the average daily inmate population at the HOC for the period 2003 through 2007. The information is presented by month to demonstrate the volatility in the population throughout the year. Volatility in the HOC inmate population is an important factor influencing staffing level needs because it affects the ability of HOC management to maintain dormitory closings that have been assumed in the establishment annual operating budgets.

| <u>Month</u> | <u>2003 Monthly Total</u> | <u>2004 Monthly Total</u> | <u>2005 Monthly Total</u> | <u>2006 Monthly Total</u> | <u>03-'06 Average by Month</u> | <u>2007 Monthly Total</u> | <u>Month</u> |
|-----------------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|--|-----------------------------------|--------------|
| January | 66,919 | 61,149 | 57,701 | 60,024 | 61,448 | 61,878 | Jan |
| February | 60,941 | 58,039 | 52,145 | 55,377 | 56,626 | 56,282 | Feb |
| March | 63,707 | 62,234 | 57,360 | 62,207 | 61,377 | 61,159 | Mar |
| April | 61,430 | 61,650 | 54,276 | 60,482 | 59,460 | 60,124 | Apr |
| May | 61,301 | 64,971 | 56,476 | 62,018 | 61,192 | 65,731 | May |
| June | 58,508 | 62,409 | 56,175 | 62,784 | 59,969 | 65,590 | Jun |
| July | 60,424 | 64,139 | 58,715 | 63,855 | 61,783 | 69,762 | Jul |
| August | 61,853 | 63,863 | 59,810 | 64,153 | 62,420 | 71,075 | Aug |
| September | 60,345 | 61,215 | 60,984 | 62,292 | 61,209 | 70,056 | Sep |
| October | 65,429 | 64,213 | 63,527 | 62,404 | 63,893 | 69,297 | Oct |
| November | 64,061 | 60,462 | 61,985 | 61,036 | 61,886 | 65,896 | Nov |
| December | 61,599 | 60,359 | 61,621 | 60,868 | 61,112 | 63,682 | Dec |
| Monthly Average | <u>62,210</u> | <u>62,059</u> | <u>58,398</u> | <u>61,458</u> | <u>61,031</u> | <u>65,044</u> | |
| Daily Average | <u>2,045</u> | <u>2,035</u> | <u>1,920</u> | <u>2,021</u> | <u>2,005</u> | <u>2,138</u> | |

Source: HOC Census Records.

HOC experienced a significant and sustained increase in daily inmate population in May 2007.

As shown in **Table 10**, HOC experienced a significant and sustained increase in daily inmate population in May 2007. According to HOC staff, one factor in the initial increase was an unexpected increase in the incarcerations of State Violators of Probation or Parole (VOP's), a by-product of stepped-up law enforcement efforts by the City of Milwaukee Police Department. While average VOP's and total inmate population levels began to decline after peaking at 71,075 inmate days in August, the average population remained above average levels of the previous four years.

One consequence of this increase was an inability for HOC management to maintain the closing of seven dormitories assumed in establishing 2007 HOC staffing levels.

One consequence of this sustained increase in average inmate population was an inability for HOC management to maintain the closing of seven dormitories, closings that were assumed in establishing 2007 HOC staffing levels. Thus, opening previously closed and unbudgeted dormitories to accommodate additional inmates created additional demand for CO 1's and other positions. The immediate means of meeting this additional demand for staff coverage is through the use of overtime.

Number of Posts and Staff Deployment

Staffing levels at a 24-hour correctional facility is predicated on establishing the appropriate number of posts (i.e., job assignments or 'stations') that must be covered to ensure both inmate and employee safety. The total number of posts may vary depending on the shift (e.g., 3rd shift, when inmates are sleeping, typically require fewer posts than 1st and 2nd shifts), day of the week, (weekends typically require fewer posts than weekdays) location and other factors.

Another factor in determining staffing levels is identifying an appropriate relief factor. This process requires the consideration of numerous variables to determine how many Full Time Equivalent (FTE) positions are needed to provide the necessary coverage demanded by a particular post. For instance, in order to provide adequate staffing to cover a post that is scheduled seven days per week, eight hours per day, more than one FTE will be required. Since a typical full time employee works an eight-hour, five-day-a-week schedule and is entitled to time off for vacations, holidays and illnesses, among other reasons, the average time away from the post must be calculated and converted to that portion of another FTE position required to cover the post. Therefore, the critical components necessary to calculate a relief factor for a given post are:

1. The total number of hours required to cover the post annually.

2. The average number of annual work hours available from positions assigned to cover the post.

According to the Public Safety Fiscal Administrator (Fiscal Administrator) shared by the Sheriff's Office and the HOC, four separate relief factors were used to establish the authorized funding level for CO 1's in the HOC's 2007 Adopted Budget, as shown in **Table 11**.

| Table 11 | |
|---------------------------------------|---|
| Post Relief Factors Used in | |
| Establishing 2007 HOC | |
| CO 1 Authorized Staffing Level | |
| <u>Relief</u> | <u>Post</u> |
| <u>Factor</u> | <u>Requirements</u> |
| 1.95 | Seven days a week coverage with relief for breaks. |
| 1.67 | Seven days a week coverage with no relief for breaks. |
| 1.20 | Five days a week coverage with no relief for breaks. |
| 0.56 | Weekend coverage with no relief for breaks. |

Source: Documents provided by HOC Fiscal Manager.

According to the HOC Fiscal Administrator, the 2007 Adopted Budget for HOC included an authorized staffing level of 342 Correctional Officer 1 positions based on the relief factors shown in **Table 11** and a schedule of posts, both of which were developed several years ago after the major HOC expansion in 1999. Narrative highlights in the 2007 Adopted Budget indicated the HOC was anticipating operating with seven closed dormitories in 2007. According to the Fiscal Administrator, savings attributable to these closings were included in the lump sum reduction (vacancy & turnover) of nearly \$1.5 million. Thus, while the HOC had 349 CO 1 positions authorized in its 2007 Adopted Budget, and theoretically could have filled all 349 positions, in effect just 327.4 FTE Correctional Officer 1 positions were funded.

However, we found two problems that exhibited a 'disconnect' between the CO 1 staffing level contained in the 2007 HOC

We found two problems that exhibited a 'disconnect' between the CO 1 staffing level contained in the 2007 HOC Adopted Budget and actual HOC staff deployment.

Adopted Budget and actual HOC staff deployment. Together, these problems contributed significantly to HOC management's heavy reliance on forced overtime in 2007.

- **Number of Posts**—We found a major discrepancy between the number of posts used to establish the 2007 Adopted Budget staffing level for CO 1's at the HOC and the number of posts used by HOC management to schedule daily staff deployment. Based on interviews with HOC management and our review of HOC documents used for budget preparation and staff scheduling, we estimate there is a discrepancy of approximately 15 FTE in the number of posts budgeted and the number of posts staffed. That is, in 2007, HOC staffed several posts per week with a total of 15 FTE Correctional Officer 1 positions that were not anticipated in the 2007 Adopted Budget. Staffing the HOC at this higher-than-budgeted level with available CO 1's created additional demand for overtime.
- **Post Relief Factors**—We also found that the relief factors used to determine the number of authorized positions required to staff the assumed number of posts at the HOC have not been revised for several years. The escalating trends in time off due to injury, illness and Family Medical Leave previously noted in this report have significantly affected the validity of the relief factors used to calculate the number of authorized CO 1 positions contained in the HOC 2007 Adopted Budget. We estimate that applying a post relief factor that reflected actual experience in 2007 would have required an additional 23 FTE. Thus, in addition to the discrepancy in the number of posts budgeted, the discrepancy between the budgeted and actual post relief factors created additional demand for the use of overtime.

Ensuring harmony between budgeted resources and staff deployment is a fundamental responsibility of management.

Ensuring harmony between budgeted resources and staff deployment is a fundamental responsibility of management. The disconnect between the number of posts and post relief factors used for budgeting and actual staff deployment at the HOC must be addressed immediately. A reconciliation and scrutiny of the posts assumed for budget preparation and the posts actually staffed may yield economies that can reduce the demand for CO 1 positions. One possibility is to explore using Correctional Officer 2's for direct inmate supervision in certain circumstances on a straight time basis. Currently, CO 2's fulfill this function only on an overtime basis.

Sharing one Fiscal Administrator between the Office of the Sheriff and the HOC probably contributes to the problem.

The sharing of one Fiscal Administrator between the Office of the Sheriff and the HOC, with the majority of the administrator's physical presence at the Sheriff's Office, probably contributes to the disconnect between budgeting and staff deployment. Interviews indicate that the Fiscal Administrator is viewed as an 'outsider' by the HOC administration.

We estimate the creation of an additional senior level fiscal manager position for the HOC would cost approximately \$125,000, including fringe benefits [*Note: Estimate of fringe benefits on a new hire does not include legacy costs*].

To address the disconnect between budgeted staff resources and staff deployment at the HOC, we recommend HOC management:

- 1. Immediately reconcile and scrutinize the location and nature of each post used for budgeting with those actually staffed at the HOC.*
- 2. Identify standard financial reports to be assigned to a senior administrator for careful monitoring of actual performance against budget, with monthly reports to the HOC Superintendent to discuss the meaning of, and resolution of, any significant variances.*
- 3. Request the creation of an additional senior level Fiscal Administrator position for exclusive assignment to the HOC. In discussing this recommendation with HOC management, we were informed that recruitment is currently underway for a Fiscal Manager position at the HOC. While we believe the issues discussed in this report merit a senior level Fiscal Administrator position dedicated to the HOC, we believe it is appropriate to continue the current recruitment effort for immediate fiscal support, and that HOC management revisit the issue of the appropriate level of fiscal support after six months.*

Staff Turnover

A review of turnover statistics shows that the HOC has experienced difficulty retaining new hires at the CO 1 position.

Table 12 shows the number of CO 1's hired at the HOC each

year since 2003, as well as the number that have departed due to resignation, termination or transfer as of February 2008.

| <u>Year Hired</u> | <u>No. Hired</u> | <u>Year Departed</u> | | | | | | <u>Total Dept. by Yr. of Hire</u> | <u>Hired</u> |
|-----------------------|------------------|----------------------|-------------|-------------|-------------|-------------|-------------|-----------------------------------|--------------|
| | | <u>2003</u> | <u>2004</u> | <u>2005</u> | <u>2006</u> | <u>2007</u> | <u>2008</u> | | |
| 2003 | 37 | 5 | 7 | 3 | 2 | 1 | 0 | 18 | 2003 |
| 2004 | 38 | 0 | 4 | 8 | 6 | 6 | 0 | 24 | 2004 |
| 2005 | 31 | 0 | 0 | 5 | 7 | 3 | 0 | 15 | 2005 |
| 2006 | 28 | 0 | 0 | 0 | 7 | 6 | 0 | 13 | 2006 |
| 2007 | 76 | 0 | 0 | 0 | 0 | 6 | 11 | 17 | 2007 |
| Total Hired | 210 | | | | | | | | |
| Total Departed | | | | | | | | | |
| By Year | | 5 | 11 | 16 | 22 | 22 | 11 | 87 | |

Source: Milwaukee County Payroll Records.

70 of 134 (53.2%) CO 1's hired between 2003 and 2006 are no longer employed by the HOC.

As shown in **Table 12**, of the 37 CO 1's hired in 2003, 18 (48.6%) had departed within four years. Of the 38 CO 1's hired in 2004, 24 (63.2%) had departed within three years. Excluding the 76 new hires in 2007 (49 of which were hired on or after October 15), 70 of 134 (53.2%) CO 1's hired between 2003 and 2006 are no longer employed at the HOC.

Broadening the analysis to include departures from veteran CO 1's is necessary to understand the full impact staff turnover has on meeting the entry level staffing needs at the HOC. **Table 13** shows the net change in CO 1 staffing levels from 2003 to the present.

**Table 13
HOC Staff Turnover
All Correctional Officer 1 Positions
2003—2008 YTD**

| | <u>2003</u> | <u>2004</u> | <u>2005</u> | <u>2006</u> | <u>2007</u> | <u>2008</u> | <u>YTD Total</u> |
|-----------------------------|-------------|-------------|-------------|-------------|-------------|-------------|----------------------|
| New Hires | 37 | 38 | 31 | 28 | 76 | 0 | 210 |
| New Hire Departed | 5 | 11 | 14 | 19 | 16 | 11 | 76 |
| New Hire Transfer | 0 | 0 | 2 | 3 | 8 | 0 | 13 |
| Resign/Quit | 29 | 30 | 21 | 11 | 23 | 0 | 114 |
| Transfers | 7 | 4 | 6 | 8 | 4 | 0 | 29 |
| Net Change in CO 1's | -4 | -7 | -12 | -13 | 25 | -11 | -22 |

Source: Milwaukee County Payroll Records.

The figures in **Table 13** indicate the net effect of new hires and departures for the Correctional Officer 1 positions at the HOC has been negative in each of the past five years, with the exception of 2007. It should be noted that with 49 of the 76 new hires in 2007 coming on or after October 15, it is likely the full impact of staff turnover on 2007 new hires has not yet been realized.

While some amount of turnover is natural and can be beneficial in times of budgeted staff reductions, it is important to remember that the CO 1 position at the HOC is the only classification that provides direct inmate supervision on a straight time basis (CO 2 positions cover posts in the absence of an available CO 1 position only on an overtime basis). A review of HOC budget documents and payroll records for the years 2003 through 2007 shows a mixed record of adhering to funded CO 1 positions, as shown in **Table 14**.

**Table 14
HOC Funded and Actual CO 1 FTE's
2003—2007**

| | <u>2003</u> | <u>2004</u> | <u>2005</u> | <u>2006</u> | <u>2007</u> |
|--------------------------|-------------|-------------|-------------|-------------|-------------|
| Authorized CO 1 FTE's | 383.0 | 382.0 | 371.0 | 354.0 | 349.0 |
| % of Gross Wages Funded | 83.6% | 84.0% | 95.2% | 95.9% | 93.8% |
| Funded CO 1 FTE's | 320.2 | 320.9 | 353.2 | 339.5 | 327.4 |
| Actual FTE's | 338.9 | 331.1 | 337.5 | 317.8 | 326.4 |
| FTE Vacancies | -18.7 | -10.2 | 15.7 | 21.7 | 1.0 |
| Net Change from Turnover | -4 | -7 | -12 | -13 | 25 |

Source: HOC Budget and Payroll Records.

As indicated in **Table 14**, the HOC exceeded the number of CO 1 positions funded in its annual budgets in both 2003 and 2004. A review of County financial records shows that the HOC produced budget deficits of about \$1.1 million in 2003 and \$1.4 million in 2004. This is consistent with the Fiscal Administrator's description of HOC staffing levels responding to inmate population demands. When inmate population demands require staffing dormitories that were budgeted to be closed, staffing levels as well as overtime may exceed budgeted levels.

Table 14 shows that in 2005 and 2006, however, net reductions in CO 1 staffing levels from turnover (-12 and -13, respectively) and, according to HOC management, difficulties in recruiting new hires, kept CO 1 staffing levels below budgetary limits. County financial records show that the HOC produced budget surpluses of \$357,000 in 2005 and \$754,000 in 2006. As previously noted, 49 new hires on or after October 15, 2007 helped sustain a net increase of 25 CO 1's for the year. The CO 1 staffing level for 2007 averaged about 1 FTE less than the 327 positions funded in the 2007 Adopted Budget. Preliminary financial records for 2007 indicate the HOC produced a deficit of approximately \$94,000 in 2007.

Preliminary financial records for 2007 indicate the HOC produced a deficit of approximately \$94,000 in 2007.

It should be noted that staffing levels and staff turnover are fluid figures. For instance, while the HOC averaged just one FTE vacant position of CO 1 over the course of 2007, the HOC Superintendent reported 42 vacancies from authorized positions in a September 6, 2007 memo to the Personnel Committee.

The HOC must aggressively pursue recruitment of far more candidates than it has during the past five years.

Our earlier quantitative analysis of the 2007 HOC staffing problem indicates the HOC needs to add and maintain an additional 23 CO 1 positions above the average staffing level of 326 FTE in 2007. This turnover analysis suggests that in order to achieve a net increase of 23 CO 1 positions and maintain 349 FTE's throughout the year, the HOC must aggressively pursue recruitment of far more candidates than it has during the past five years.

Recruiting Efforts

In light of our initial conclusion that additional Correctional Officer 1's are needed at the HOC, it is important to understand past and current recruitment efforts.

In his September 6, 2007 memo to the Personnel Committee, the HOC Superintendent indicated management would aggressively recruit to fill positions. On September 27, 2007 the County Board passed a resolution [File No. 07-368] authorizing and directing the Director of the Division of Human Resources (DHR) and the Superintendent of the HOC to "prepare and submit a supplemental action plan for enhanced recruitment, retention and respite efforts for public safety positions" at the HOC. In a joint memo to the Chairman of the County Board of Supervisors dated October 8, 2007, the DHR Director and the HOC Superintendent outlined plans for expediting and streamlining the recruitment and hiring processes.

A key factor in the length of time required to certify candidates for the CO 1 position is a background check.

A key factor in the length of time required to certify candidates for the CO 1 position is a background check. According to the memo, background checks were previously conducted by part

time investigators. Citing 10 to 20 hours required to conduct typical background checks, delays of months were attributed to this factor. As a temporary solution to expedite the hiring process, the plan called for initiating training for a class of recruits prior to background checks being fully completed. Under these circumstances, the recruits would not be allowed to work independently, and failure to pass all aspects of the completed background check would result in their termination.

Subsequent to the writing of that memo, HOC management discovered that deploying CO 1's without fully completed background checks would be in violation of Wisconsin Administrative Code LES 2 Recruitment Qualifications, promulgated by the Law Enforcement Standards Board. As an alternative, background checks have been expedited by increasing the hours of two part time investigators and the filling of a vacant full time Investigator Coordinator position.

A follow-up memo to the Chairman of the County Board from the HOC Superintendent and the DHR Director indicated substantial progress in providing additional candidates to fill vacant CO 1 positions at the HOC. As previously noted, 48 CO 1's were hired on or after October 15, 2007.

As of late February 2008, the following progress has been made towards efforts identified in the HOC Superintendent's and DHR Director's joint supplemental action plan.

- As previously noted, background checks have been accelerated by devoting additional resources to the process, including the addition of a full time Investigator Coordinator. In addition, a common standard has been established for use by both the HOC and Sheriff's Department, resulting in a streamlined process. Use of a private background checking service was explored, but it was determined that with the standardization achieved, no time savings could be achieved in that manner.
- Large-scale testing sessions have been scheduled more frequently than in the past, and the HOC has begun a pilot

program of smaller-scale testing to augment the pool of candidates. According to HOC management, as of late February, 29 candidates had been interviewed for 17 vacant CO 1 positions, and a waiting list for qualified candidates is anticipated in the near future due to improved recruiting efforts.

- Efforts to determine the reasons for high turnover rates among CO 1's are underway, with plans for both an employee survey and implementation of exit interviews with departing staff.
- Efforts to explore incentives to retain staff will start with the planned employee survey.
- Communications training has been implemented, beginning with 11 newly hired CO 1's on January 15, 2008 and a planned session for supervisors and managers. A University of Wisconsin-Milwaukee faculty member has been retained for this purpose.

These aggressive recruitment and retention efforts are positive and significant improvements.

While these aggressive recruitment and retention efforts are positive and significant improvements, it is important to understand the significant 'fallout' rate between the number of scheduled applicants for CO 1 positions and the number that pass the test and other requirements for certification to both the Sheriff's Office and the HOC. (Once certified, there is additional fallout from failed drug screenings and background checks.) The statistics presented in **Table 15** illustrate the daunting recruitment challenge that lies ahead.

| Month of <u>Test</u> | Applicants <u>Scheduled</u> | Testing <u>Candidates</u> | Certified to Sheriff's Office <u>and HOC</u> |
|---------------------------------|--|--------------------------------------|---|
| October | 248 | 135 | 90 |
| November | 207 | 109 | 78 |
| December | 145 | 91 | 77 |

Source: Division of Human Resources.

Conclusions

The extent to which the 23 additional CO 1 positions will alleviate the staffing problems identified in this report cannot be predicted. We have presented a quantitative analysis that suggests 23 additional positions beyond average 2007 levels are warranted assuming staff utility patterns exhibited in 2003. It is unlikely that those patterns can be replicated in the short term. Careful monitoring of staff utility, in terms of the average number of hours worked on a regular (straight time) basis and staff turnover will be required on an ongoing basis. Further, operational adjustments such as those identified in this report can be used to mitigate the number of additional staff ultimately required to avoid the vicious cycle of forced overtime and employee absenteeism described in this report. Therefore, as an immediate step, we recommend HOC management:

Careful monitoring of staff utility, in terms of the average number of hours worked on a regular (straight time) basis and staff turnover will be required on an ongoing basis.

- 4. Establish a plan, for County Board consideration, to add and maintain approximately 23 additional full time Correctional Officer 1's to the 2007 average staffing level of 327 Correctional Officer 1 positions .*

The increased staffing recommended in this report will not be adequate unless additional steps are taken to reverse the increases identified in HOC staff's use of Family Medical Leave, sick and excused time, and time off for work-related injury. We looked at each of these items, as well as the related issue of forced overtime, for additional insights into addressing the 2007 HOC staffing problem. **Section 2** of this report presents our findings in those areas.

Section 2: Staff Utility Issues

In **Section 1** of this report, we described the staffing problem at the House of Correction as a cycle of forced overtime, employee stress and discontent, employee absenteeism, and increased need for forced overtime. Based on our quantitative analysis of the staffing problem, we concluded that the HOC is under-staffed and we recommended that management immediately seek to add and maintain an additional 23 Correctional Officer 1 FTE's.

Staff Utility

We also concluded that staff utility, defined in terms of the average number of regular hours worked per FTE, is quantitatively an even more significant problem at the HOC. In this section we discuss four inter-related issues that comprise the vicious cycle previously described:

- Forced Overtime;
- Family Medical Leave;
- Sick Leave and Excused Time Off; and
- Work Related Injury Time Off.

Forced Overtime

Forced overtime occurs when available staff is insufficient to provide coverage for all assigned posts, and the number of staff that accept overtime assignments on a voluntary basis does not fill the resulting gap. We reviewed CO 1 staff schedules at HOC's Adult Correctional Center for all of 2007. The schedule is prepared three days in advance and does not include changes based on officers calling in the day of a scheduled shift for illness, personal days, family emergencies or for 'no shows.' That information was not readily available. Thus, our review does not include overtime assigned to officers on short notice,

Forced overtime occurs when available staff is insufficient to provide coverage for all assigned posts, and voluntary overtime does not fill the resulting gap.

and the results most likely understate the extent to which overtime is forced. **Table 16** shows the results of this review.

| | | |
|--------------------|--------|--------|
| Total OT Scheduled | 91,244 | 100.0% |
| Voluntary Overtime | 24,436 | 26.8% |
| Forced Overtime | 66,808 | 73.2% |

Source: Dept. of Audit review of ACC scheduling log.

73% of the overtime scheduled for CO 1's at the Adult Correctional Center in 2007 was forced as opposed to voluntary.

Advanced scheduling of overtime at the 2007 rate is a clear indication that staffing levels are insufficient to meet staff deployment patterns.

The data in **Table 16** shows that, despite the likely understatement noted above, 73% of the overtime scheduled for CO 1's at the Adult Correctional Center in 2007 was forced as opposed to voluntary.

In addition, the total number of overtime hours **scheduled in advance** for CO 1's at the ACC – 91,244 hours – exceeds the approximate overtime hours budgeted for all HOC positions in 2007 (56,000) by 63%. Advanced scheduling of overtime at that rate is a clear indication that staffing levels are insufficient to meet staff deployment patterns.

Moreover, our review of CO 1 grievances at the HOC shows that 21 of 32 (65.6%) grievances resolved during the months of September and November 2007 related to forcing overtime on officers out of turn. This absorbs valuable administrative and CO 1 time to schedule and conduct grievance hearings. Since the remedy for forcing overtime out of turn is an exemption for the next forced overtime assignment, such incidents further reduce HOC management's options when unscheduled absences occur.

Our review of Personnel Review Board (PRB) statistics for 2003 and 2007 showed no appreciable change in the number of disciplinary hearings involving HOC employees. In 2003, HOC employees accounted for 34 of the 117 PRB hearings, while in

2007 HOC employees accounted for 34 of the 162 PRB hearings.

Forced overtime is a key component of the job stress and low morale that contributes to the CO 1 absenteeism which, in turn, results in additional forced overtime.

Forced overtime is a key component of the job stress and low morale that contributes to the CO 1 absenteeism which, in turn, results in additional forced overtime. In **Section 1** of this report, we noted that the average CO 1 at the HOC worked a total of 427 hours of overtime in 2007, and we have shown that at least 73% of that was likely forced. However, due to extensive absenteeism, many CO 1's worked far in excess of 427 hours of overtime. Payroll records indicate that through mid-November, 84 CO 1's worked 500 or more overtime hours in 2007, including 18 that worked in excess of 800 hours and three that worked more than 1,000 hours of overtime.

We believe the only immediate remedy for excessive, sustained patterns of forced overtime is the addition of staff resources.

We believe the only immediate remedy for excessive, sustained patterns of forced overtime is the addition of staff resources. The recent effort to intensify recruiting efforts, with the addition of 49 CO 1's hired on or after October 15, 2007 appears to have provided some relief in this regard. We compared data from two categories of unscheduled absenteeism that is maintained by HOC for the months of October 2007 and January 2008 (note: this data includes a limited number of non-CO I positions). In October 2007, a total of 642 staff days were lost as a result of Correctional Officers calling in sick or not reporting for work. In January 2008, that number totaled 264 staff days, a reduction of 59%.

Family Medical Leave

Family Medical Leave (FML) was a topic addressed by the HOC Superintendent to the DHR Director in a memo dated September 6, 2007. Prepared for distribution to the County Board Personnel Committee, the HOC reported that of 464 active employees, 112 were currently on Family Medical Leave, including 94 on intermittent leave. Based on payroll records, CO 1's coded about 37,500 hours (approximately 22 FTE) to FML in 2007.

We reviewed 89 FML request forms from 54 CO 1's that were processed by the HOC in 2007. We looked for, but found no evidence of, an unusual incidence of commonality of doctors among the requests reviewed. The most frequent condition cited for FML requests we reviewed was migraine headaches. Thirteen of the 54 individuals (24.1%) cited migraines as the reason for one or more of the requests.

Based on interviews with the Human Resources (HR) Coordinator at the HOC and a review of payroll records, we noted the following:

Prior to July 2007, no one at the HOC monitored or tracked individual use of FML.

- Prior to July 2007, no one at the HOC monitored or tracked individual use of FML. The current HR Coordinator, who assumed her duties at the HOC in June 2007, began tracking hours for each employee on FML at that time.
- As a direct result of the failure to monitor FML use, 17 individuals had exceeded the annual limit of 480 hours of FML (state and federal combined) as of the pay period ending 10/6/07. Further review showed that nine individuals had exceeded the limit in 2006.

The current HR Coordinator at the HOC has demonstrated a desire to closely monitor FML use and enforce County policies concerning proper documentation.

The current HR Coordinator at the HOC has demonstrated a desire to closely monitor FML use and enforce County policies concerning proper documentation. For instance, she provided an example of an individual that had recently exceeded the number of incidents per month that he was excused, based on a physician's certification, under approved intermittent FML. Monitoring individuals' use of intermittent FML, the HR Coordinator flagged the excessive use and required that the individual obtain re-certification from his physician. The subsequent documentation provided by the individual's physician did not support continued status on intermittent FML, and the request was denied.

In addition, the HR Coordinator sought and obtained HOC management approval to exercise the employer's right to determine the type of paid leave an employee must use when on approved federal FML. Consequently, HOC employees are now

required to first use sick leave balances, with compensatory time (off time earned in exchange for overtime worked) used as a last resort. Over time, this practice will provide HOC management greater control over unscheduled absences, since use of compensatory time must be approved in advance, whereas sick leave is unscheduled.

The 2008 Adopted Budget contains a position in DHR for a County-wide FML Coordinator position.

Abuse of Family Medical Leave is difficult to identify, particularly when an individual complains of vague symptoms to a physician. In addition, federal privacy laws constrain an employer's ability to directly challenge physicians' certifications. The 2008 Adopted Budget contains a position in DHR for a County-wide FML Coordinator position to provide uniformity and technical assistance for the proper enforcement of County FML policies. To date, that position has not been filled.

We believe that, to the extent FML use at the HOC is a response to stress and/or displeasure with the forced overtime issue discussed in this report, additional staff resources devoted to addressing that issue will eventually result in reduced incidence of FML. In addition, we recommend HOC management:

5. *Continue to monitor individuals' total use of FML. When individuals reach their annual limits for state and federal eligibility, use the opportunity to review their situations for possible return to work, continued leave of absence or possible disciplinary measures.*
6. *Continue efforts to aggressively monitor and enforce FML policies regarding physician certifications and employees' incidence of occurrences under intermittent FML status.*
7. *Work with the County's planned FML Coordinator to establish legally sustainable measures for challenging physicians' certifications for FML, where appropriate.*

Payroll records indicate average combined sick and excused time used per CO 1 position was 30% higher in 2007 than in 2003.

Sick Leave and Excused Time Off

Payroll records indicate average combined sick and excused time used per CO 1 position was 30% higher in 2007 (94.7 hours) than in 2003 (72.9 hours). The 2007 total, which equates to 98% of a County employee's annual allotment, is yet another

symptom of the cycle we have described in this report. During interviews, we were told that during peak forced overtime periods, CO 1's sometimes call in sick the day before they are scheduled off to ensure they are not placed on forced overtime the following day.

HOC policy regarding sick leave uses a rolling 12-month period to count incidents of sick leave. Consecutive days of absence due to illness are considered one incident. For the first through third incident, the employees' supervisor is to discuss the matter with the employee. For the fourth incident, a verbal reprimand is administered. For the fifth incident, the employee is given a written reprimand. The sixth and subsequent incidents initiate progressive discipline, including suspensions up to and including discharge.

In November 2007, HOC management changed a long-standing policy that permitted staff to call into work and declare they were taking up to three consecutive days off due to illness. The revised policy requires a call-in each day. However, because three consecutive days are still construed as one incident, there has been no apparent impact from the change, according to the HR Coordinator.

We have previously presented limited information that indicates unscheduled incidents of sick leave is down. According to the HR Coordinator, this reduction appears to be linked to the recent hiring of additional CO 1s, rather than the change in call-in requirements.

As previously stated, we believe additional staff resources hold the greatest promise for reducing absenteeism due to unscheduled sick leave.

Time coded to injury pay per CO 1 increased 140% in 2007 compared to 2003, while average time coded to injury pay for all other County employees increased 47% when comparing those two years.

Work-Related Injury Time Off

According to the County's Risk Manager, the incidence of injury pay is up sharply throughout the County in 2007. However, our review of payroll records indicates the increase exhibited by CO 1's at the HOC far outpaced that of employees in all other County departments. Specifically, average time coded for injury pay per CO 1 increased 140% in 2007 compared to 2003, while average time coded to injury pay per for all other County employees increased 47% when comparing those two years.

Interviews with the County's Risk Manager and HOC staff provided no insights regarding the increased incidence of injury pay. Consequently, we drew no specific conclusions from this area of our review. The pattern of dramatic increase in injury pay for CO 1's at the HOC does, however, appear to fit the general pattern of reduced staff utility in response to high levels of forced overtime.

Conclusion

We have presented repeated evidence of increased staff absenteeism in response to, and partially responsible for, increased forced overtime. While continuation of the recent efforts to aggressively recruit and hire additional CO 1's at the HOC appears to hold the greatest promise for immediate relief from this cycle, addressing residual staff utility issues will require longer-term, sustained efforts that will involve changing the organizational culture at the HOC.

Section 3: Legislative Oversight

County Board Oversight

We became aware of three other reviews of HOC operations during our audit.

During the course of this audit, we became aware of three other reviews of HOC operations. The first is an annual inspection conducted by the State of Wisconsin Department of Corrections. These inspections provide objective reviews of critical aspects of HOC operations such as safety and security practices, records and reporting, inmate management, inmate suicide prevention and other State-regulated issues.

The second review is an annual site inspection, also required by State Statute, led by the Chief Judge of the Milwaukee County Circuit Courts. Included on the inspection team are representatives from the District Attorney's Office, the City of Milwaukee Mayor's Office, Municipal Judges and several other public officials. The objective of these inspections are to review the affairs and management of the HOC and to make recommendations for improvements.

The third review is a study conducted under the auspices of the United States Department of Justice National Institute of Corrections (NIC). The NIC report in particular highlights significant improvements that are needed in almost every area of HOC operations, including security. HOC management has prepared a response to the NIC report and the County Executive has given management 90 days (late April) to take corrective action.

Events at the HOC such as dramatic shifts in overtime, chronic morale problems and security concerns indicate a heightened need for oversight on an ongoing basis.

In addition to its role as a policy making body, the County Board also has an essential oversight responsibility. Events at the HOC such as dramatic shifts in overtime, chronic morale problems and security concerns indicate a heightened need for oversight on an ongoing basis. Just as Ordinances dictate that

revenue deficits must be reported to the Board, other serious issues should be as well. Administrators may be reluctant to undertake such reporting because part of a healthy oversight process is to assess responsibility for things that have gone wrong.

There is a need to engage the County Board in a constructive dialogue well before problems reach a crisis point.

However, oversight also involves the need to determine if changes are needed in policies, resources, facilities and programs. All of these involve the need to engage the County Board in a constructive dialogue well before problems reach a crisis point. One of the difficulties in setting up a more timely oversight mechanism is the need to rely on judgment in determining when a situation has risen to a level where it should be reported. With deficits, a dollar threshold has been set. Decisions about program oversight thresholds are more subjective. One way to trigger reporting would be to require that any reports, studies, inspections or audits of a County program or department be referred to the relevant standing committee of the County Board. Care must be taken to ensure that administrators are not discouraged from seeking these kinds of reports. The recent NIC report on the HOC is a case in point; that report was requested by HOC management.

Improvement at the HOC will require intensive effort by the Executive Administration as well as concerted oversight by the County Board.

The HOC faces challenges that are not likely to be resolved in the very near future. Improvement will require intensive effort by the Executive Administration as well as concerted oversight by the County Board. At a minimum, it is important that the Board be kept apprised of efforts to implement recommendations contained in this audit report, progress in addressing the NIC report, continued resolution of deficiencies cited by the State inspectors' and the Chief Judge's reviews, and the results of ongoing human resources initiatives that have been reported to the Personnel Committee.

To enhance legislative oversight efforts and to help ensure HOC makes rapid and steady progress towards rectifying numerous

deficiencies identified from a number of sources, we recommend that HOC management:

8. *Routinely refer all outside reviews, including state and/or federal inspections, consultants' reports, audits and other relevant studies, to the Milwaukee County Board of Supervisors for consideration by appropriate standing committees.*

Audit Scope

The objective of this audit was to identify and address issues of concern on the part of the Milwaukee County Board's Personnel Committee regarding demands placed on the staff at the House of Correction which, according to County Board Resolution [File No. 07-368] "...unless vacancies were filed and the number of available Corrections Officers was increased, the institution was a considerable risk for a major disruption..."

The audit was conducted under standards set forth in the United States Government Accountability Office *Government Auditing Standards (2003 Revision)*.

We limited our review to the areas specified in this Scope Section. During the course of the audit, we:

- Reviewed House of Correction policies and procedures regarding staffing, recruitment and training of Correctional Officers.
- Reviewed House of Correction policies and procedures related to overtime, vacation, personal time, holidays, sick time and the Family Medical Leave Act.
- Compiled and analyzed hours coded to regular hours, overtime worked, overtime used, excused hours, sick hours, Family Medical Leave (FML), FML absent without pay, absent without pay, and injury pay for the years 2003 through 2007.
- Compiles and analyzed data related to new Correction Officers 1's hired, departed, and transferred for the years 2003 through 2007.
- Compiled data related to Correction Officer 1's (other than Correction Officer 1s hired from 2003 through 2007) who transferred from the House of Correction, resigned, quit or retired for the years 2003 through 2007.
- Interviewed various House of Correction, Department of Human Resources, Corporation Counsel and Risk Management staff.
- Reviewed and analyzed 2007 budget documentation used to calculate the number of authorized Correction Officer 1 positions required.
- Calculated the number of hours Correction Officer 1's were scheduled to work forced overtime.
- Reviewed completed FML request documents for accuracy and completeness.
- Compiled and analyzed data related to grievances heard during September and November 2007 related to forced overtime.
- Reviewed documentation related to 2007 Personnel Review Board proceedings related to forced overtime.

COUNTY OF MILWAUKEE
INTER-OFFICE COMMUNICATION

DATE : March 10, 2008
TO : Jerome J. Heer, Director of Audits
FROM : Ronald K. Malone, Superintendent, House of Correction
SUBJECT : **Audit of HOC Correctional Officer Staffing March 2008**

The audit report of the HOC Correctional Officer Staffing was received by HOC Administration the beginning of March and was reviewed with the Department of Audit on March 8, 2008.

In general, HOC Administration concurs with the recommendations included in the audit report with the following comments.

Audit Recommendations

1. Immediately reconcile and scrutinize the location and nature of each post used for budgeting with those actually staffed at the HOC.

Variances in budgeted security posts and actual security posts are primarily due to changes in the inmate population both in the classification of inmates and number of inmates held at the House of Correction.

The number of security posts needed for the current inmate population is currently under review. Factors being considered as part of this review include recommendations of the NIC audit; inmate housing allocations between the HOC and the CJF; negotiations with the State regarding housing State inmates; the implementation of a GPS program for community access inmates and the duties of various Correction Officer ranks.

The results of this review will be incorporated in the House of Correction's 2009 budget request. In addition, requests for personal changes will be submitted for mid-year action if this review results in significant changes in staffing levels for the HOC.

2. Identify standard financial reports to be assigned to a senior administrator for careful monitoring of actual performance against budget, with monthly reports to the HOC Superintendent to discuss the meaning of, and resolution of, any significant variances.

The Public Safety Fiscal Administrator has been preparing fiscal monitoring reports of payroll activity compared to budget every pay period and has been preparing monthly fiscal monitoring reports of all revenue and expenditure categories in addition to the quarterly fiscal monitoring reports submitted to the Department of Administrative Services. Responsibility for these reports will be transferred to the HOC Fiscal Operations Manager as soon as the position is filled.

3. Request the creation of an additional senior level Fiscal Administrator for exclusive assignment to the HOC....

During 2007, the House of Correction requested that the vacant position of Public Safety Fiscal Analyst (pay range 33JM) be abolished and a new position of Operations Manager be created in pay range 38M. The Department of Administrative Services recommended this action but the Department of Human Resources reduced the pay range to 34M. The HOC appealed the reduction in pay range to the Personnel Committee but the Personnel Committee concurred with the DHR recommendation.

The Department of Human Resources is currently reviewing applications for the new HOC Fiscal Operations Manager (pay range 34m). A list of candidates should be made available to HOC Administration very soon. The position should be filled in April 2008.

4. Establish a plan, for County Board consideration, to add and maintain approximately 23 additional full-time Correction Officer 1's to the 2007 average staffing level of 327 Correctional Officer 1 positions.

There are currently 343 authorized Correction Officer 1 positions for the House of Correction. As of March 10, 2008, there are 25 vacant CO 1 positions. The next scheduled class for CO 1 recruits is March 31, 2008. Thirteen recruits have been offered positions at this time. Additional candidates are at various stages of the background process.

The actual number of Correction Officer 1 positions needed to be filled is dependent on the implementation of the proposed GPS or other home detention program; the number of closed inmate dormitories; the number of security posts needed and the number of hours worked per year for existing Correction Officers.

5. Continue to monitor individuals' total use of FML....
6. Continue efforts to aggressively monitor and enforce FML policies...
7. Work with the County's planned FML Coordinator...

In general, we concur with the audit recommendations in regard to Family and Medical Leave.

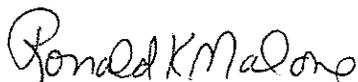
We will continue to monitor individuals' total use of FML.

We will continue to monitor and enforce FML policies related to medical certifications and prescribed frequency of occurrence under the intermittent FML status.

We plan to work with the FML Coordinator to establish measures to review and address medical situations.

8. Routinely refer all outside reviews, including state and/or federal inspections, consultants' reports, audits and other relevant studies, to the Milwaukee County Board of Supervisors for consideration by appropriate standing committees.

HOC Administration agrees to inform the Chairman of the County Board of all inspection reports, audit reports and relevant studies received by the House of Correction.



Ronald K. Malone, Superintendent

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