



CITY OF TAMPA

Pam Iorio, Mayor

Internal Audit Department

Wayne Boytim, Acting Internal Audit Director

February 23, 2005

Honorable Pam Iorio
Mayor, City of Tampa
1 City Hall Plaza
Tampa, Florida

RE: Safety Division, Audit 05-14

Dear Mayor Iorio:

Attached is the Internal Audit Department's report on the Safety Division.

We thank the management and staff of the Safety Division and Employee Relations for their cooperation and assistance during this audit.

Sincerely,

Wayne Boytim
Acting Internal Audit Director

cc: Sarah Lang, Human Resources Director
Michael McNabb, Risk Manager
Darrell Smith, Chief of Staff

**HUMAN RESOURCES DEPARTMENT
SAFETY DIVISION
AUDIT 05-14
DECEMBER 30, 2004**

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INTRODUCTION

The Safety Division is organizationally located under the Human Resources Department. Staffing consists of a Loss Prevention Supervisor, two Field Safety Inspectors and an Office Support Specialist II.

The primary responsibilities of the Division are to assist the Employee Relations Section in the drug/alcohol testing program, conduct safety inspections and provide training programs. The Omnibus Transportation Employee Testing Act of 1991 mandated drug and alcohol testing of commercial drivers. The Safety Division utilizes the Health Evaluation and Information System for Drug Abuse in Industry (HEIDI) software program to randomly select employees and tracks test results. Employee Relations is responsible for coordinating test activities. Inspections entail site visits to all City Departments, work and construction sites. Training courses include defensive driving, CPR and other specialized areas.

STATISTICS

| | <u>FY04</u> | <u>FY03</u> |
|------------------------------|--------------------|--------------------|
| Inspections Conducted | 1,207 | 872 |
| Employees Trained | 2,340 | 2,760 |

Source: Statistics were provided by the Safety Division. According to management, inspection increased in FY04 because a vacant Field Safety Inspector position was filled.

STATEMENT OF OBJECTIVES

This audit was conducted in accordance with the Internal Audit Department's FY05 Audit Agenda. The objectives of this audit were to ensure that:

1. Drug and alcohol testing of employees with a commercial drivers license (CDL) was consistent with City policy; and
2. Field safety inspections were consistent with established procedures.

STATEMENT OF SCOPE

The audit period covered drug and alcohol testing as of November 12, 2004, and Safety Division activity that occurred from October 1, 2002, to September 30, 2004. Source documentation was obtained from the Safety Division and Employee Relations Section. Original records as well as copies were used as evidence and verified through physical examination.

STATEMENT OF METHODOLOGY

Government Auditing Standards require auditors to determine if computer-processed data are sufficiently reliable to be used in the audit process. The HEIDI System is used to randomly select employees with a CDL for drug/alcohol testing and to track test results. We performed certain procedures to assess the reliability of the computer-processed data. Based on the results of these procedures, the computer-processed data appears to be sufficiently reliable in all material aspects.

The sample size and selection were statistically generated using a desired confidence level of 90%, expected error rate of 5% and a desired precision of +/- 5%. Statistical sampling was used in order to infer the conclusions of test work performed on a sample to the population from which it was drawn and to obtain estimates of sampling error involved. When appropriate, judgmental sampling was used to improve the overall efficiency of the audit.

STATEMENT OF AUDITING STANDARDS

We conducted our audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to afford a reasonable basis for our judgments and conclusions regarding the organization, program, activity or function under audit. An audit also includes assessments of applicable internal controls and compliance with requirements of laws and regulations when necessary to satisfy the audit objectives. We believe that our audit provides a reasonable basis for our conclusions.

AUDIT CONCLUSIONS

Based upon the test work performed and the audit findings noted below, we conclude that:

1. Drug and alcohol testing of employees with a commercial drivers license (CDL) was consistent with City policy. However, documentation and follow-up of missed tests needs to improve; and
2. Field safety inspections were consistent with established procedures.

While the findings discussed below may not, individually or in the aggregate, significantly impair the operations of the Safety Division and Employee Relations Section, they do present risks that can be more effectively controlled.

RANDOM DRUG AND ALCOHOL TESTING

A City employee that drives on public streets in a commercial vehicle and carries a class A, B, or C commercial motor vehicle license is deemed a commercial driver. Generally, a commercial vehicle is defined as a vehicle with a gross weight over 26,000 pounds.¹ The City of Tampa employs more than 500 commercial drivers. The United States Department of Transportation (DOT) requires that at least 50% of employees with a CDL and driving a commercial vehicle be randomly tested for drugs on an annual basis. Also, the DOT requires that at least 10% of all commercial drivers be tested for alcohol on an annual basis.

Each month, the Safety Division generates a randomly selected list of commercial drivers for drug and alcohol testing. This list is forwarded to Employee Relations (ER). Employee Relations is responsible for carrying out the program. They coordinate with the applicable departments to notify the employee of the scheduled test.² Testing is performed by a licensed and certified laboratory.

The laboratory forwards test results to the Safety Division. Employee Relations is notified immediately if an employee tests positive. Employees that test positive are subject to additional measures under the City's Drug Free Workplace Policy.

To verify compliance with City Policy, we obtained a listing of all employees with a CDL license. From this list, a random sample of forty-seven selections was generated to review for drug/alcohol testing information. There were six exceptions found, all were missed tests by employees. The reasons documented for not taking the test were not adequate. Also, missed tests should be made up immediately; however, this was not accomplished. There was little or no follow-up by ER for the missed tests. The same exception was noted in the prior audit (Audit 01-07).

We also tested policy compliance for positive test results. Since there were no positive test results in the initial random sample, we obtained a list of all employees that had positive test results in Fiscal Years 2003 and 2004. A judgmental sample of 18 employees was selected. There were eleven exceptions found, all involving the lack of written documentation of suspended driving privileges. This was also noted in the previous audit (Audit 01-07).

¹ Federal Motor Carrier Safety Administration, DOT. Part 382.107: Controlled Substances and Alcohol Use and Testing; Definitions.

² According to management, employees are notified of drug/alcohol testing the same day the test is scheduled. Also according to management, the employee's supervisor or designee accompanies the employee to the testing laboratory.

RECOMMENDATION 1

A written policy should be developed and implemented for the drug/alcohol testing process. It should require documentation of all actions taken by the City, monitoring to make certain the tests were taken and prompt follow-up on any missed tests.

This will ensure compliance with the established policies and procedures and provide support for any decisions regarding employment.

AUDITEE RESPONSE

We concur. The Safety Section (Risk Management Division) will send a report at the end of each month listing the employees whose drug test results have not been received. This report will be sent directly to Ken Perry, EEO/Labor Relations Manager, for the Employee Relations Division's follow-up with the individual departments to determine the reason for non-compliance and appropriate action. Additionally, the Employee Relations Division will develop written procedures regarding the documentation of the suspension of driving privileges.