

LOS ANGELES POLICE COMMISSION

WORK PERMITS AUDIT
(PUBLIC, OPEN SESSION)



Conducted by the
OFFICE OF THE INSPECTOR GENERAL

ALEXANDER A. BUSTAMANTE
Inspector General

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**OFFICE OF THE INSPECTOR GENERAL
WORK PERMITS AUDIT
PUBLIC**

PURPOSE OF REVIEW

Pursuant to its audit plan, the Office of the Inspector General (OIG) has completed its Work Permits Audit (Audit). The primary purpose of the Audit was to test for compliance with Los Angeles Police Department (LAPD or Department) policies and procedures regarding work permits.

BACKGROUND

Outside employment for police employees is a widely accepted practice and one enjoyed by LAPD members for decades. This practice has allowed employees to become small business owners, practice crafts like carpentry, share knowledge through teaching and coaching, and develop personal skills that bring meaning to their lives. During the past two years employees were granted more than 4,000 work permits allowing them the opportunity to pursue outside interests.

Outside employment can impact an employee's ability to perform his/her duties and, as such, the Department has established policies to set acceptable guidelines. According to the Department Manual, "In all cases of outside employment, the primary duty, obligation and responsibility of an employee are, at all times, to the Department."¹ Additionally, "Employees engaged in outside employment shall conduct themselves in the same manner as if on duty."

Any employee interested in outside employment may submit a work permit application to their commanding officer (CO). The approval process requires the CO to consider whether the employer type is authorized and whether the employee possesses the necessary qualifications to perform the desired work. This recommendation is sent to the CO of Personnel Group for final approval. If, however, a work permit is denied, the employee may appeal the determination to the Chief of Police. Upon denial of the Chief of Police, the employee may further appeal that determination to the Board of Police Commissioners.

Upon the granting of a work permit, each CO is required to regularly monitor their employees' outside employment commitments to ensure that they are not impairing their on-duty performance. The CO may revoke a work permit if impairment of on-duty performance is perceived. Furthermore, because certain activities are inherently incompatible with an employee's primary responsibility to the Department, the Department may impose conditions on outside employment or may prohibit the activity altogether.²

Work permits are separated into two categories: (1) Secondary Employment and (2) Motion Picture/Television Filming. The vast majority of work permits are approved for Secondary Employment.³ Between January 1, 2010, and April 30, 2012, the Department approved 4,773 work permits. Secondary Employment accounted for 4,518 of these permits.

¹ LAPD Manual Volume 3, Section 744.08 – Primary Responsibility.

² LAPD Manual Volume 1, Section 270.30 – Outside Employment Policy.

³ Of the Secondary Employment permits, 4,254 were issued to sworn officers and 264 to civilians.

AUDIT OBJECTIVES

Objective No. 1: Determine if the work permits were properly completed.

Objective No. 2: Determine if the work permit approval process was properly followed.

Objective No. 3: Determine if the work permit data was accurately entered into the Computer Automated Permit System (CAPERS).

Objective No. 4: Determine if any approved work permits should have been denied based on work restrictions.

Objective No. 5: Determine if any approved work permits should have been denied based on unauthorized employment types.⁴

SCOPE AND METHODOLOGY

The scope and methodology for each objective is described in the Results by Objective section of this report. However, in summary, the OIG reviewed work permits that were approved between January 1, 2010, and April 30, 2012.⁵ During that time, a total population of 4,944 approved work permits was identified.⁶

The OIG conducted the Audit in accordance with generally accepted government auditing standards. These standards require that the audit is adequately planned, performed, and supervised, and that sufficient, competent, relevant evidence is examined to provide a reasonable basis for the results and conclusion.

RESULTS BY OBJECTIVE

Objective No. 1: Determine if the work permits were properly completed.

Scope and Methodology

The OIG reviewed a judgmentally selected sample of 31 work permits to determine if they were properly completed. Instead of randomly selecting a sample from the entire population, the OIG selected and reviewed a sample of work permits based on the following risk criteria:

1. Work permit was for a sworn officer;
2. Work to be performed was security-related;
3. Officer was required to have a security guard permit;
4. Officer was not wearing an LAPD uniform;

⁴ Although generally broadly defined, the Department Manual specifically identifies private investigations as a prohibited activity (Volume 1, Section 270.35).

⁵ An employee may be granted multiple work permits for the same time period.

⁶ The 4,944 work permits include the 171 approved during April 2012.

5. Officer had a work restriction; and,
6. Outside employer was required to have a special permit approved by the Los Angeles Police Commission or a license with the California Department of Alcoholic Beverage Control.

The OIG examined the work permit source document for proper completion and approval for each of the 31 permits entered into CAPERS.

Results

The Department was 100% compliant. All 31 work permit applications contained the relevant data required for a properly completed application, including employee, supervisor and CO signatures.⁷

Objective No. 2: Determine if the work permit approval process was properly followed.

Scope and Methodology

As in Objective No. 1, the same sample of 31 work permits was used to assess the approval process.

Results

The Department was 100% compliant. All 31 work permit applications were reviewed by the applicant's supervisor and CO before receiving the approval of the CO of Personnel Group.

Objective No. 3: Determine if the work permit data was accurately entered into CAPERS.

Scope and Methodology

As in Objective No. 1, the same sample of 31 work permits was used to assess the accuracy of the data entered into CAPERS. The OIG verified that the data entered into CAPERS matched the information on the approved work permit.

Results

The Department was 100% compliant for all tested data elements entered in CAPERS with the following two exceptions:

- Criteria No. 4, officer was not wearing an LAPD uniform, had a 74% compliance rate. According to the data in CAPERS, none of the 31 approved work permits had indicated a request to wear an LAPD uniform. However, based on review of the approved work permits and supporting documentation, 8 of the permits contained such a request on their application.

⁷ LAPD Permit for Secondary Employment form No. 01.47.00.

- Criteria No. 5, officer had a work restriction, had a 0% compliance rate. According to the data in CAPERS, all 31 applications indicated the officer had a work restriction. However, a review of the work permit applications revealed that none of the officers had reported a work restriction on their application.

The OIG provided management of Personnel Group with the details regarding the errors in CAPERS and the data has since been corrected.

Objective No. 4: Determine if any approved work permits should have been denied based on work restrictions.

Results

Although all 31 work permits in the sample group indicated that the employee had a “work restriction,” a review of the individual applications revealed that the data was erroneous. The OIG determined that each of the 31 work permits should have reflected “no work restriction.” Based on the OIG’s finding, no testing was conducted for this objective.

Objective No. 5: Determine if any approved work permits should have been denied based on unauthorized employment types.

Background, Scope, and Methodology

The Department acknowledges that certain activities are inherently incompatible with an employee's primary responsibility to the Department. As such, the Department Manual provides the authority to impose conditions on outside employment and may prohibit employment altogether. Further, the degree of limitation is “based upon the interest of the Department and ensuring that the Department receives full and faithful services in return for its expenditure of resources.”⁸

The OIG reviewed the 4,944 work permits in CAPERS approved from January 1, 2010, to April 30, 2012, for indication of possible unauthorized employment types.

Results

The OIG found that all approved work permits were for authorized employment types.

MANAGEMENT RESPONSE

The commanding officer of Personnel Group expressed general agreement with the Audit results.

⁸ LAPD Manual Volume 1, Section 270.30 – Outside Employment Policy.

CONCLUSION

The Audit tested the Department's compliance with its policies and procedures related to work permits and found that systems are in place to properly review, approve and track work permits. The review process ensures that employees properly complete work permit applications, the applications precede through the approval process and employees are working in suitable professions.⁹

⁹ During the Audit, the OIG discovered information involving Department employees that, because of personnel rules and confidentiality concerns, will be submitted to the Commission for consideration in closed session.