



**STATE OF NEW YORK  
OFFICE OF THE INSPECTOR GENERAL  
OFFICE OF THE WELFARE INSPECTOR GENERAL  
OFFICE OF THE WORKERS' COMPENSATION FRAUD INSPECTOR GENERAL**

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**LETIZIA TAGLIAFIERRO  
INSPECTOR GENERAL**

May 4, 2020

Ann Marie T. Sullivan, M.D.  
Commissioner  
New York State Office of Mental Health  
44 Holland Avenue  
Albany, New York 12229

Re: NYS IG 2974-043-2019

Dear Commissioner Sullivan:

On October 15, 2019, the Offices of the New York State Inspector General received a complaint from the New York State Office of Mental Health (OMH) alleging that [REDACTED], an OMH office assistant 2 assigned to the New York State Department of Corrections and Community Supervision's Mid-State Correctional Facility, was claiming overtime hours that she had not worked.

The Inspector General investigated this allegation and found that since May 2019, [REDACTED] routinely submitted time sheets to OMH in which she claimed 30 minutes of overtime beyond any overtime actually worked. [REDACTED] testified to the Inspector General that she did this to compensate for having worked through her daily lunch breaks, and such work was done at the direction of her supervisor. [REDACTED] also acknowledged that she is required to take an unpaid 30-minute lunch break every day. [REDACTED] supervisor, [REDACTED], testified to the Inspector General that she neither instructed [REDACTED] to work

through her daily lunch break nor advised [REDACTED] that she could claim overtime hours for such work. [REDACTED] further testified that she is not familiar with OMH's rules regarding unpaid lunch breaks and did not regularly review [REDACTED] time sheets for accuracy.

Based upon these findings, I recommend that OMH take any action it deems appropriate against [REDACTED] for her failure to conform to OMH's time and attendance policies. Additionally, [REDACTED] and [REDACTED] should be retrained on OMH's time and attendance policies, with emphasis placed on retraining [REDACTED] regarding her responsibility to closely scrutinize her subordinates' time sheets for errors, discrepancies, and proper overtime submissions.

Please advise me of any action taken by OMH in response to these recommendations within 45 days of the date of this letter. If you require further information, please contact Deputy Inspector General James R. Davis at 518.474.1010.

Sincerely,

[REDACTED]  
Letizia Tagliafierro  
Inspector General

Cc: J. Mark Noordsy, Esq.  
General Counsel and Deputy Commissioner