



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

EMPIRE STATE PLAZA
AGENCY BLDG. 2, 16TH FLOOR
ALBANY, NEW YORK 12223
(518) 474-1010

61 BROADWAY, SUITE 2100
NEW YORK, NEW YORK 10006
(212) 635-3150

65 COURT STREET, 5TH FLOOR
BUFFALO, NEW YORK 14202
(716) 847-7118

LETIZIA TAGLIAFIERRO
INSPECTOR GENERAL

February 18, 2021

Roberta Reardon
Commissioner
New York State Department of Labor
W. Averell Harriman State Office Campus
Building 12
Albany, New York 12240

Re: NYS IG 2470-023-2020

Dear Commissioner Reardon:

On November 5, 2020, the New York State Department of Labor (DOL) alleged to the Offices of the New York State Inspector General that [REDACTED], a former DOL labor services representative working at DOL's White Plains office, used his assigned New York State travel credit card to pay for approximately \$4,400 in non-business expenses.

The Inspector General investigated this allegation and found that [REDACTED] a DOL employee since 2016, was provided with a New York State credit card in September 2016 for travel expenses when on official DOL business. Upon receipt of the credit card, White signed a Travel Card Application acknowledgement, agreeing to comply with certain terms and conditions of use, including, "You may not use this credit card for

personal charges.” The acknowledgment, as well as DOL policies, also required [REDACTED] to timely submit expense reports in order for all credit card charges to be reconciled.

The Inspector General’s investigation found that [REDACTED] used his assigned travel credit card to make non-business purchases. Specifically, a review of charges to his credit card during the period July 2019 through October 2020, which totaled \$4,439.78, found many charges that were for non-business purposes and made while [REDACTED] was not in travel status, including on weekends. These purchases included charges at fast food establishments/delis (totaling \$2,065.38), FedEx shipping (\$25), E-ZPass violations (\$219), supermarket purchases (\$147 and \$134), and vehicle expenses (\$420), among others. [REDACTED], [REDACTED] supervisor, advised the Inspector General that when he confronted [REDACTED] about these charges in late October 2020, [REDACTED] initially disclaimed any inappropriate use. However, several days later, [REDACTED] acknowledged to [REDACTED] some improper use of his State-issued credit card and, on November 4, 2020, resigned without reconciling any of these charges.

The investigation also found that when [REDACTED] failed to timely reconcile his credit card charges, [REDACTED] failed to require him to do the same. Indeed, since July 2019, contrary to DOL policy, [REDACTED] did not reconcile his credit card charges. Moreover, although both [REDACTED] and [REDACTED] received emails from the New York State Office of General Services Business Services Center (BSC) alerting them to the unreconciled charges in March, April, July, and October 2020, neither [REDACTED] nor [REDACTED] worked to resolve the issue. [REDACTED] acknowledged to the Inspector General that he failed to require that [REDACTED] reconcile all purchases until October 23, 2020, when he notified his direct supervisor, [REDACTED], of the matter. While [REDACTED] noted that his regular practices were impacted in March 2020 by the start of the COVID-19 pandemic as he transitioned to working from home, he provided no legitimate reason for failing to address the matter before the pandemic or in the months following March 2020.

Of note, DOL advised that it is using agency discretion under New York State attendance and leave rules to withhold payment to [REDACTED] for the value of his unused annual leave (approximately \$6,000), since he resigned from DOL without providing two weeks’ notice.

Given the above findings, I recommend that DOL take any action deemed appropriate against [REDACTED] including recouping the value of [REDACTED] improper charges to his State-issued credit card. Additionally, I recommend that DOL take any action deemed appropriate against [REDACTED] for his failure to address [REDACTED] unreconciled credit card charges. Lastly, as [REDACTED] actions may implicate provisions of New York State Public Officers Law, I am also providing the findings of this investigation to the New York State Joint Commission on Public Ethics for its consideration.

Please advise me of the action taken by DOL in response to this referral and recommendation within 45 days of the date of this letter. If you require further information, please contact Deputy Inspector General Jessica Silver at 212.635.3150.

Sincerely,



Letizia Tagliaferro
Inspector General

Cc: Jill Archambault , Esq.,
Acting General Counsel
New York State Department of Labor

Camille Joseph Varlack, Esq.
Chair
New York State Joint Commission on Public Ethics

Monica Stamm, Esq.
Acting Executive Director and General Counsel
New York State Joint Commission on Public Ethics