GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE INSPECTOR GENERAL

DEPARTMENT OF PUBLIC WORKS
SOLID WASTE MANAGEMENT ADMINISTRATION

REPORT OF RE-INSPECTION

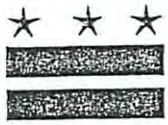
AUSTIN A. ANDERSEN
INTERIM INSPECTOR GENERAL

OIG No. 05-0016KA

December 2004

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Inspector General

Inspector General



December 7, 2004

Mr. William Howland
Acting Director
Department of Public Works
2000 14th Street N.W.
Washington, D.C. 20009

Dear Mr. Howland:

Enclosed is our *Report of Re-inspection of the Department of Public Works, Solid Waste Management Administration* (SWMA). We conducted the re-inspection of SWMA as a follow-up to our initial inspection that took place between June and September 2000. Re-inspections and follow-up reports are the key components of the OIG compliance process. This process was developed to assist District managers in improving service delivery by implementing the findings and recommendations that were agreed upon at the conclusion of the initial inspection.

Re-inspections are a review of matters that have already been discussed in detail, and as is true in this case, there is usually agreement on the majority of our findings and recommendations. However, please note that we do not send re-inspection reports such as this one out to agencies for comment prior to publication. Of the 66 findings made in our initial inspection, SWMA has complied fully with 50, 5 are in partial compliance, 8 have not been complied with, and 3 were overcome by events. In addition, during our re-inspection we found new issues regarding adjudication and collection processes in the solid waste enforcement program. This issue outlined in finding 63 on page 29 requires your immediate attention. I commend SWMA for the significant improvements represented by those findings complied with, and ask that SWMA managers be encouraged to work diligently and expeditiously to bring the agency into full compliance on the remaining issues.

If you have questions or comments concerning this report or other matters related to the re-inspection, please contact me at the number below or Lawrence Perry, Deputy Assistant Inspector General for Inspections and Evaluations at (202) 727-9249.

Sincerely,

Austin A. Andersen
Interim Inspector General

AAA/LP/lnd

Enclosure

cc: See Distribution

DISTRIBUTION:

The Honorable Anthony A. Williams, Mayor, District of Columbia (1 copy)
Mr. Robert C. Bobb, City Administrator, District of Columbia (1 copy)
Ms. Alfreda Davis, Chief of Staff, Office of the Mayor (1 copy)
Mr. Gregory M. McCarthy, Deputy Chief of Staff, Policy and Legislative Affairs (1 copy)
Ms. Sharon K. Gang, Interim Director, Office of Communications (1 copy)
The Honorable Linda W. Cropp, Chairman, Council of the District of Columbia (1 copy)
The Honorable Vincent B. Orange, Sr., Chairman, Committee on Government Operations, Council of the District of Columbia (1 copy)
Mr. Herbert R. Tillery, Deputy Mayor for Operations (1 copy)
Mr. Jay Greene, Chief of Staff to the Deputy Mayor for Planning and Economic Development (1 copy)
Mr. Neil O. Albert, Deputy Mayor for Children, Youth, Families, and Elders (1 copy)
Mr. Robert C. Bobb, Interim Deputy Mayor for Public Safety and Justice (1 copy)
Ms. Phyllis Jones, Secretary to the Council (13 copies)
Mr. Robert J. Spagnoletti, Attorney General for the District of Columbia (1 copy)
Dr. Natwar M. Gandhi, Chief Financial Officer (5 copies)
Ms. Deborah K. Nichols, D.C. Auditor (1 copy)
Ms. Kelly Valentine, Interim Chief Risk Officer, Office of Risk Management, Attention: Rosenia D. Bailey (1 copy)
Mr. Jeffrey C. Steinhoff, Managing Director, FMA, GAO (1 copy)
Ms. Jeanette M. Franzel, Director, FMA, GAO (1 copy)
The Honorable Eleanor Holmes Norton, D.C. Delegate, House of Representatives Attention: Rosaland Parker (1 copy)
The Honorable Tom Davis, Chairman, House Committee on Government Reform Attention: Melissa C. Wojciak (1 copy)
Ms. Shalley Kim, Legislative Assistant, House Committee on Government Reform (1 copy)
The Honorable Rodney Frelinghuysen, Chairman, House Subcommittee on D.C. Appropriations (1 copy)
Mr. Joel Kaplan, Clerk, House Subcommittee on D.C. Appropriations (1 copy)
Mr. Tom Forhan, Staff Assistant, House Committee on Appropriations (1 copy)
The Honorable George Voinovich, Chairman, Senate Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia (1 copy)
Mr. David Cole, Professional Staff Member, Senate Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia (1 copy)
The Honorable Richard Durbin, Senate Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia (1 copy)
Ms. Marianne Upton, Staff Director/Chief Counsel, Senate Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia (1 copy)
The Honorable Mike DeWine, Chairman, Senate Subcommittee on D.C. Appropriations (1 copy)
Ms. Becky Wagner, Appropriations Director, Senator Mike DeWine (1 copy)
The Honorable Mary Landrieu, Senate Subcommittee on D.C. Appropriations (1 copy)
Ms. Kate Eltrich, Clerk, Senate Subcommittee on D.C. Appropriations (1 copy)
The Honorable Susan M. Collins, Chair, Senate Committee on Governmental Affairs Attention: Johanna Hardy (1 copy)
The Honorable Joseph Lieberman, Ranking Minority Member, Senate Committee on Governmental Affairs, Attention: Patrick J. Hart (1 copy)

TABLE OF CONTENTS

INTRODUCTION 1

Background and Perspective 2
Summary of Findings 2
Scope and Methodology 3
Format of This Report 3

SOLID WASTE DISPOSAL DIVISION 4

Concerted Efforts Made to Keep Facilities Rodent Free 5
Steps Taken to Keep Walls and Floors at Transfer Station Cleaned 5
Contractor Vehicles No Longer Leak Solid Waste 6
Waste Hauled by Contractor Is Weighed and Recorded at Transfer Stations 6
Employees Wear Proper Clothing and Protective Equipment 6
Exhaust fans Installed to Provide Ventilation to Transfer Facilities 7
Sprinkler System Not Yet Repaired or Replaced 7
Conveyor Belt Platform Hazards Corrected 7
Old Conveyer Belts To Be Used Until Renovation Project is Completed 7
Platform Workers Have Been Issued New Communication Devices 8
Unsafe Incinerator Has Been Demolished 8
Illegal Dumping No Longer A Problem at Transfer Station 8
Identification Signs and Hours of Operation Need Posting at BRTS Facility 8
Division Has No Written Policies and Procedures 9
Renovation Projects Instituted at BRTS, FTTS 9

SOLID WASTE COLLECTION DIVISION 10

Employees Receiving Eye and Face Protection 11
Employees Receiving Protective Footwear 11
Employees Receiving Protective Gloves 12
Required Uniforms Received on a Weekly Basis 12
Serious Hazard in Brentwood Kitchen No Longer a Problem 12
Facilities Inadequately Treated For Pests 13
Odor Problems at South Capitol Street Facilities Corrected 13
New and Safer Trucks Purchased in 2000 13
Communication Equipment Issues Remain a Concern for Drivers 14
Increase in Available Fleet Improves Day-to-Day Trash Collection 14
Use of Cellular Phones Has Expedited the Process of Contacting Inspectors 14
Delays in the Return of Repaired Vehicles Still Effect Availability 15
Truck Washing Contracts Help Ensure Vehicles are Properly Cleaned 15
New Employees Receive On-the-Job Training From Senior Truck Operators 15
Dead Animal Collection Unit Has New Collection Trucks 16
Relocation of Bulk Collection Unit Provides Adequate Office Space 16
Relocation of Field Unit Provides Adequate Office Space 16
Men No Longer Using Women's Restrooms 17

Division Developed Standardized Performance Evaluation Program 17
Employees Receive a Copy of Performance Evaluations 17
Future Forman Training Program Abolished 17
Management and Staff are Aware of Policies on Inappropriate Behavior 18
Management Meets Regularly With Employees 18
SWCD Still Not Conforming to DCMR Requirements on EEO 18
Division Lacks Written Policies and Procedures 19
Employees Prohibited From Use of Personal Cell Phones 19
Division Has Developed Information Brochures 19

STREET AND ALLEY CLEANING DIVISION 20

Employees Issued Gas Key Cards for Tenant Vacuums 21
Employees Receiving Necessary Safety and Protective Equipment 21
Employees Still Using Personal Cell Phones 21
Purchase of New Sweepers Sufficient for Street Operation 22
All Wards Receive Sweeper Services 22
Current Fleet of Motorized Vehicles in Good Repair 22
Repair and Maintenance Issues Still Exist in Fleet Services 23
Supervisors are Responding Timely to Complaints 23
Employees Still Using Personal Cell Phones 23
Sweeper Operators Receive Formal Training 24
Managers and Supervisors Regularly Attend Classes 24
Employees are Working in Correct Pay Grade and Job Classification 24
Employees Have Corrected Position Descriptions 24
Management Has Not Established A Recognition/Incentive Awards Program 25
Employees Promoted on Basis of Performance and Seniority 25
Division Developed a Standardized Performance Evaluation Program 25

SOLID WASTE EDUCATION and ENFORCEMENT PROGRAM (SWEEP) 26

Unit Increases Number of Inspectors by 50 Percent 27
Unit Sponsors Employee Safety Seminars 27
Hazards Abated at Pennsylvania Ave. Facility 27
DCOP Denies Pay Differential for Hazards Exposure 27
Inspectors Trained In Ticket Writing But New Problems Emerge 28
New Tracking System Will Monitor Sanitation Violations 29
No Significant Employee Morale Problems At This Time 29
SWEEP Jr. Educational Program Restructered 29

APPENDICES 30

Appendix 1: List of Findings and Recommendations
Appendix 2: MAR 04-I-009
Appendix 3: Inspection Request to the D.C. Office of Risk Management
Appendix 4: D/DPW Response to MAR 04-I-009

ACRONYMS

ACRONYMS

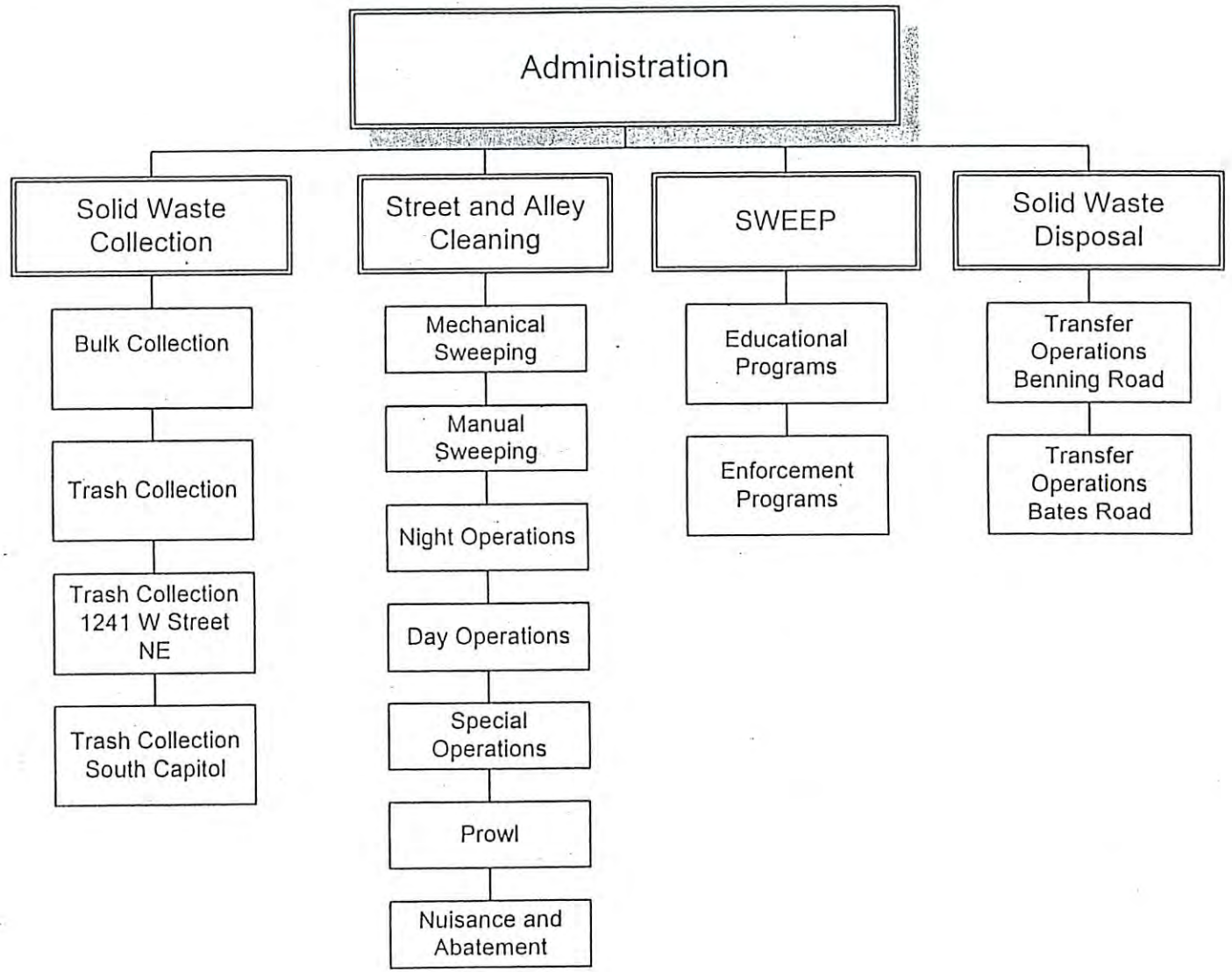
ANSI	American National Standards Institute
A/SWMA	Administrator/Solid Waste Management Administration
AVL	Automated Vehicle Locator
BRTS	Benning Road Transfer Station
CWD	Center for Workforce Development
DCMR	District of Columbia Municipal Regulations
DPW	Department of Public Works
D/DPW	Director/Department of Public Works
DMV	Department of Motor Vehicles
EEO	Office of Employment and Equal Opportunity
FTTS	Ft. Totten Transfer Station
MAR	Management Alert Report
MPD	Metropolitan Police Department
NOV	Notice of Violations
OAH	Office of Administration Hearings
OCTO	Office of the Chief Technology Officer
OIG	Office of the Inspector General
OPM	Office of Property Management
OSH	Office of Occupational Safety and Health
PCIE	Presidential Council on Integrity and Efficiency
PIO	Public Information Officer
PM	Preventive Maintenance
PWA	Public Works Academy

ACRONYMS

ROI	Report of Inspection
SACD	Street and Alley Cleaning Division
SOP	Standard Operating Procedure Manual
SWCD	Solid Waste Collection Division
SWDD	Solid Waste Disposal Division
SWEEP	Solid Waste Education and Enforcement Program
SWMA	Solid Waste Management Administration

ORGANIZATION CHART

SOLID WASTE MANAGEMENT ADMINISTRATION



INTRODUCTION

Background

The re-inspection of the Department of Public Works, Solid Waste Management Administration (SWMA) was a follow-up to the initial inspection conducted between June and September 2000. The OIG inspection process includes follow-up with inspected agencies on findings and recommendations with which they have agreed, and is designed to help District of Columbia (District) managers work towards continuous improvement in the delivery of services to residents and other stakeholders.

The mission of SWMA is to contribute to the District's economic competitiveness and quality of life by ensuring that neighborhoods and commercial areas are clean, environmentally safe and attractive, and that access to and movement along public rights-of-way are not impeded by trash and debris. SWMA's core services consist of:

- residential trash collection;
- solid waste disposal;
- street and alley cleaning; and
- education, enforcement, and recycling.

SWMA is divided into four divisions: Solid Waste Disposal (SWDD), Street and Alley Cleaning (SACD), Solid Waste Collection (SWCD), and the Solid Waste Education and Enforcement Program (SWEEP). SWMA operates 24 hours a day, seven days a week, and has 626 District government employees at multiple locations throughout the city.

Summary of Findings

The team found that SWMA divisions have made substantial progress in correcting many deficiencies found during the initial inspection. During the re-inspection, the inspection team (team) found that of the findings, 50 are in full compliance, 5 are partial in compliance, 8 have not been complied with, and 3 were overtaken by events.

SWDD has several major renovation projects slated to be completed by the end of FY 2004 at the Benning Road Transfer Station (BRTS) and the Ft. Totten Transfer Station (FTTS).[1] Many of the findings and recommendations identified in the initial inspection will be remedied during and upon completion of these renovation projects.

SWCD has made numerous improvements in the employees' work environment by providing proper uniforms, safety shoes and equipment, as well as vehicles that are comfortable, safe, and readily available to perform day-to-day job activities. The team found that SWMA is upgrading and providing communication devices for all divisions that are used by all employees

[1] SWDD is responsible for disposing of the District's solid waste. The District does not have landfills; collected waste is deposited at two city-owned solid waste transfer stations and then taken out of the city by contractor vehicles to a waste-to-energy plant and landfill in Virginia. BRTS handles solid waste collected from the District's southern Wards and is not open for public dumping. FTTS handles solid waste from the District's northern Wards and also accepts on-site dumping and bulk items from District residents.

in the field; however, the efficiency and reliability of these new communication devices continues to be problematic. In fact, the team found that communication equipment issues are still a major concern throughout DPW, and the D/DPW should implement a plan to resolve these issues quickly.

SCAD employees, currently in the street cleaning season, are meeting the needs of their assigned routes and are cleaning them with more frequency. In addition, SCAD has installed and implemented an Automated Vehicle Locator (AVL) system called Route Smart to assist drivers in planning the best route to use while scheduling daily assignments, thereby increasing street cleaning efficiency.

SWEEP has effectively restructured its SWEEP Jr. educational program. The dedicated group of employees that manages this program goes into schools educating students and teachers about the environment, conservation, and recycling. SWEEP has also begun managing the District's Recycling Enforcement Program for the commercial sector of the community.

Scope and Methodology

The re-inspection took place between March and May 2004, and evaluated SWMA's compliance with recommendations made in the December 2000 Report of Inspection No. 00-0003KA (ROI). During the re-inspection, the team conducted 34 interviews, directly observed major work processes, reviewed documentation, and inspected work areas and facilities. OIG inspections comply with standards established by the President's Council on Integrity and Efficiency (PCIE).

Format of This Report

Each finding in the original ROI is repeated and is followed by a summary of the status of SWMA's compliance with the agreed upon recommendation. Please see Appendix 1 for a complete list of the original findings and recommendations and the current status of those recommendations.

Findings and Recommendations:

SOLID WASTE DISPOSAL DIVISION

Original Finding:

1. **Benning Road Transfer Station (BRTS) and Fort Totten Transfer Station (FTTS) are not in compliance with the District Regulation requiring that transfer facilities be kept rodent free.**

Current Status: In Compliance.

Due to the nature of the business conducted at transfer facilities (trash disposal), it is impossible to completely eliminate all rodents. Since the initial inspection, however, the team found that SWMA has made concerted efforts to keep the facilities rodent free. SWMA has contracted with a pest control company for exterminating services and the team did not witness any rodents at the stations during re-inspection site visits.

In addition, all trash pits[2] at FTTS have been eliminated; the trash pit on the west side of BRTS has been eliminated; tipping floors[3] for both locations have been resurfaced; and trash is removed from the floors daily. As long as floors are kept relatively clean and the extermination continues monthly, these efforts should minimize the presence of rodents at these transfer stations.

Original Finding:

2. **BRTS and FTTS are not in compliance with the District Regulation requiring that facility walls and floors be swept, washed, and deodorized each day.**

Current Status: Partially In Compliance.

The team found that floors still are not swept and washed each day as required because the contractor does not provide enough trucks to remove trash on the peak days of Monday and Tuesday when trash volumes are highest. BRTS and FTTS process approximately 1,500 tons of trash daily.

SWMA has taken steps to comply by installing deodorizers at both transfer stations, the trash pits at FTTS have been eliminated, and FTTS' floors have been resurfaced. The pit on the west side of the station at BRTS has been resurfaced, as has the floor. Upon completion of the renovation project at BRTS, the trash pit on the east side of the station will be used for emergency purposes only.

The team found that SWMA and the contractor are currently in negotiations to resolve the truck availability issue. *SWMA should ensure that the trash-hauling contractors have trucks available to handle peak as well as normal trash removal loads at both transfer stations.*

[2] The pit is the area where accumulated trash is stored before being transferred to trucks to be sent to a landfill. This trash is now stored in trucks outside the facilities prior to transfer to landfills.
[3] The tipping floor is the area where trash is temporarily stored before being transferred to trucks.

Original Finding:

3. Contractor vehicles containing solid waste leakage are stored improperly overnight at disposal facilities in violation of District Regulations.

Current Status: In Compliance.

Since the initial inspection, the team observed that contractor vehicles containing solid waste are being properly stored in leak-proof containers in compliance with District regulations.

Original Finding:

4. Solid waste hauled by the contractor is not weighed at the transfer stations to determine the correct amount of fees the District should pay.

Current Status: In Compliance.

The District pays a pre-negotiated fee for each ton of solid waste hauled by the contractor. Since the initial inspection, the team found that solid waste hauled by contractors is now weighed prior to leaving the transfer station. The weight is recorded by computers in the transfer site scale room and a ticket is printed at the site with the truck weight, date and time, truck number, departure location, as well as the truck's final destination. The driver is then required to sign the ticket, is provided with a copy, and the original is retained at the transfer station for certification and reconciliation for future payments.

Original finding:

5. BRTS and FTTS are not in compliance with the federal law requiring employees to wear protective clothing.

Current Status: In Compliance.

BRTS and FTTS employees are now receiving proper safety equipment and uniforms including gloves, respirators, coveralls, safety shoes, air plugs, harnesses, hard hats, pants, and shirts. In addition SMWA has instituted a policy requiring that employees use safety equipment and clothing, and imposes penalties on employees for non-use.

Original Finding:

6. BRTS and FTTS employees complain of breathing problems caused by poor ventilation.

Current Status: Partially In Compliance.

Since the initial inspection, exhaust fans have been installed on the roof of each station, and upon completion of the current renovation projects, proper ventilation systems will be installed. In addition, management is providing respirators to employees for their personal use.

The team found, however, that there is a lead-time requirement of approximately 3 to 4 months in ordering new respirators; therefore, these devices may not be readily available when employees need them. *SWMA should review staffing and lead-time requirements for the respirators to ensure adequate availability of respirators as needed.*

Original Finding:

7. **FTTS management has not repaired a broken sprinkler system cited in a OSH Safety Report as leaving employees vulnerable to respiratory problems.**

Current Status: Not In Compliance.

The team was told this issue will be addressed in the renovation project that is currently underway and slated to be completed by the end of 2004. In the interim, FTTS employees have been provided respirators to help alleviate the problem of dust and debris.

Original Finding:

8. **The single entry/exit configuration of the BRTS conveyor belt platforms may be a safety hazard.**

Current Status: In Compliance.

Since the initial inspection, BRTS allows only one employee at a time on the platform to reduce safety hazards. The conveyer belt will be dismantled and removed after the renovations are completed at BRTS and the renovated transfer stations will no longer use conveyor belts to load trash into the contractor's trucks.

Original Finding:

9. **The conveyor belts and overhead crane at BRTS should be replaced immediately.**

Current Status: Not In Compliance.

The conveyor belts and overhead cranes at BRTS have exceeded their recommended service life. Although the conveyor belts and crane are still being used, management stated conveyer belts will be abandoned when the renovation project is completed and the overhead crane will be used for emergency purposes only.

Original Finding:

10. Inefficient communication between platform workers and truck drivers at BRTS creates the potential for accidents.

Current Status: In Compliance.

Since the initial inspection, BRTS platform employees have been issued radiophones, and use standard "Stop, Slow, and Go" hand signs to help direct the flow of traffic. In addition, spotters[4] are used to direct the flow of traffic onto the tipping floor.

Original Finding:

11. An obsolete incinerator flue at BRTS poses a potential safety hazard.

Current Status: In Compliance.

The team found that the incinerator flue was demolished and removed in January 2003.

Original Finding:

12. FTTS lacks security cameras to combat illegal dumping.

Current Status: In Compliance.

Since the initial inspection, FTTS has been fenced, and management stated that illegal dumping is no longer a problem at this site. In addition, security cameras have been installed at the fuel site, a security guard has been added, and Catholic University and District police regularly patrol FTTS.

Original Finding:

13. Identification signs are not posted at BRTS as required by District of Columbia Municipal Regulations (DCMR).

Current Status: Not In Compliance.

Title 21 DCMR § 733.1(c) states:

> A sign displaying the facility's business name, telephone number, hours of operation and the type of solid waste accepted

[4] Spotters are transfer station employees that are used to direct the flow of traffic into the transfer station from the yards and to direct the trucks once they enter and leave the tipping floor.

> at the facility shall be posted and maintained at the entrance to the facility and shall be visible from the street. The sign shall measure at least thirty inches by thirty inches (30 in. x 30 in.)[.]

The team found that there are still no signs identifying the facility and its hours of operation. Management stated that the signs will be installed after the BRTS renovation project is completed. *However, during the interim, SWMA should install temporary signs throughout the facility to comply with 21 DCMR § 733.1(c).*

Original Finding:

14. **The Solid Waste Disposal Division has no written policies and standard operating procedures governing its daily operations.**

Current Status: Not In Compliance.

SWDD employees still do not have written policies and procedures governing day-to-day operations at the transfer stations. Employees stated they are told verbally about processes and procedures, and will occasionally receive memoranda and emails. *The A/SWMA should establish written policies and procedures for SWDD operations and ensure dissemination to all BRTS and FTTS employees.*

Original Finding:

15. **The original intent and design of the BRTS and FTTS facilities are outdated and have been overtaken by technology.**

Current Status: In Compliance.

During the initial inspection, the team found that BRTS and FTTS facilities were unable to accommodate the District's changing solid waste management needs. Since the initial inspection, SWMA has instituted renovation projects at BRTS and FTTS. According to SWMA management, the renovation of these stations will allow the District to more than double the amount of trash currently being processed. According to construction schedules reviewed by the team, these renovations should be completed by the end of 2004.

FINDINGS AND RECOMMENDATIONS:

SOLID WASTE COLLECTION DIVISION

The Solid Waste Collection Division (SWCD) is responsible for collecting solid waste from residential premises (three dwelling units or less) within the District of Columbia. District residents on conventional[5] collection routes are entitled to twice-a-week collection services and those on super-can [6] collection routes are entitled to collection once a week. Collection of bulk items[7] is done by appointment.

Original Finding:

16. SWCD is not in compliance with 29 CFR § 1910.133 (1999) regarding the wearing of protective eye and face devices by employees.

Current Status: In Compliance.

Title 29 CFR § 1910.133 (a) (1) (1999) states:

> **The employer shall ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation.**

The team found that since the initial inspection, SWCD employees have been issued protective eyewear, gloves, safety shoes, and safety vests.

Original Finding:

17. SWCD is not in compliance with 29 CFR § 1910.136 (1999) regarding the wearing of protective footwear by employees.

Current Status: In Compliance.

Title 29 CFR § 1910.136 (a) (1999) states:

> **The employer shall ensure that each affected employee uses protective footwear when working in areas where there is a danger of foot injuries due to falling or rolling objects, or objects piercing the sole, and where such employee's feet are exposed to electrical hazards.**

[5] Those residential routes that have average size trash cans.
[6] Those residential routes that have the large District-issued trash cans that hold more than the average size trash cans.
[7] Large items such as furniture and appliances.

Since the initial inspection, safety shoes are provided to SWCD employees twice a year. The team found that the shoes meet the ANSI[8] standards, are waterproof, and observed employees wearing safety shoes during re-inspection site visits.

Original Finding:

Current Status: In Compliance.

18. SWCD is not in compliance with the District of Columbia Workers Union Master Agreement regarding the issuance of protective gloves to employees.

Current Status: In Compliance.

Since the initial inspection, the team found protective gloves are provided to all SWCD employees on a regular basis.

Original Finding:

19. Employees of SWCD have not been issued all uniform items required by the District of Columbia Workers Union Master Agreement and the job description for sanitation workers.

Current Status: In Compliance.

Since the initial inspection, SWMA has obtained a uniform rental contract and the vendor delivers clean uniforms on a weekly basis. In addition, SWMA management regularly surveys employees to ensure that all uniforms needs are met. When issues regarding missing or damaged uniforms are identified, SWMA has a process in place to resolve the outstanding issues with the vendor. In addition, SWCD supervisors monitor employee compliance with the uniform use requirements, and employees understand that disciplinary action may be taken for failing to wear proper uniforms and safety equipment.

Original Finding:

20. SWCD is not in compliance with the District of Columbia Office of Occupational Safety and Health (OSH) follow-up report regarding a serious hazard in the kitchen at the Brentwood facility.

Current Status: Overcome by events.

[8] American National Standards Institute (ANSI). For 85 years, ANSI has served as the coordinator of the U.S. voluntary standards system, a unique and diversified federation that includes developing organizations, trade associations, professional and technical societies, government, and labor and consumer groups. It has provided a forum where the private and public sectors can cooperatively work together toward the development of voluntary national consensus standards. ANSI advocates greater use of voluntary consensus standards by government agencies and broader participation by agency personnel in standards development. ANSI – an Historical Overview, available at http://www.ansi.org/about_ansi/introduction/history.aspx?menuid=1.

The Brentwood facility no longer exists.

Original finding:

21. <u>SWCD facilities are not being treated adequately for pests and rodents.</u>

Current Status: Not In Compliance.

During the initial inspection the team found evidence of vermin infestation at SWCD facilities that posed health hazards to employees. During the re-inspection of two SWCD facilities, the team found many of the same conditions continue to exist. The floors of the kitchens were dirty and contained signs of vermin infestation, while unhealthy and unsanitary conditions were found in the men's restroom. A Management Alert Report (MAR 04-I-009, Appendix 2) addressing these issues was sent to the D/DPW, in addition to an inspection request to the D.C. Office of Risk Management (Appendix 3). A copy of the D/DPW's response to the MAR is at Appendix 4. The team will follow-up on the D/DPW's progress in correcting the problems cited in the MAR.

In the interim, however, management should review the cleaning and pest control contracts used in these facilities to ensure that services provided adequately meet the needs of the facilities.

Original Finding:

22. <u>The quality of the air is poor at the 2860 South Capitol Street, S.E. and 2750 South Capitol Street, S.E. facilities.</u>

Current Status: In Compliance.

During the initial inspection, the team detected odors at these facilities similar to that of raw sewage. The team found that the buildings are located above a main sewer line which could have contributed to the air quality problems. SWMA requested that the Office of Property Management evaluate the problem, and modifications made to the sewer drain stack corrected the odor problem.

During the re-inspection, the team conducted site visits to both facilities and found there were no odors present. The team also interviewed several employees who confirmed that odors were no longer a problem at these facilities.

Original Finding:

23. <u>Employees complain that the 1999 Crane Carrier collection trucks purchased by DPW are not safe or comfortable.</u>

Current Status: In Compliance.

SWCD is no longer using the 1999 Crane Carrier trucks. New trucks were purchased in 2000, and SWCD management and employees confirmed there are no safety or comfort issues with the new vehicles.

Original Finding:

24. **The current radio equipment used for reporting emergencies is not effective.**

Current Status: Not In Compliance.

Since the initial inspection, all trucks in the SWCD have been equipped with hand-held communication units. The team found, however, that very often these units are not operable. As a result, drivers still use personal cell phones, or must travel to the nearest dumpsite when there are emergencies or when they need to reach SWMA management while in the field. Employees are not reimbursed for the use of their personal cell phones while conducting government business. The team found that SWMA is not repairing inoperable communication units for two reasons:

- SWMA has been told by OCTO telecommunication officials that the maker of the units in the trucks no longer supports that equipment. While there is a contract with another company to repair hand-held communication equipment, that company is not able to make repairs to units mounted in the trucks.

- SWMA has a plan to replace all of the communication equipment in the rucks and provide the drivers hand-held units on a daily basis.

The team found these communication-equipment issues are a concern for drivers throughout all SWMA divisions, and management should implement a plan to resolve these issues immediately.

Original Finding:

25. **SWCD lacks an adequate number of reliable vehicles to perform daily collections.**

Current Status: In Compliance.

During the initial inspection, SWCD lacked an adequate number of reliable vehicles, which caused delays in trash collection services and contributed to excessive overtime. Since then, SWCD has increased its fleet of trucks and is now capable of performing daily trash collections in a timely manner. The increased fleet also includes 19 reserve trucks for use in emergencies in the event a vehicle malfunctions.

Original Finding:

26. SWCD Sanitation foremen are often unable to contact Solid Waste Education and Enforcement Program (SWEEP) inspectors about obstructions or other problems. This causes a delay in service delivery to District residents.

Current Status: In Compliance.

SWEEP inspectors are responsible for ensuring that alleys are free from obstructions that may keep SWCD employees from accessing alleys for trash collections. During the initial inspection, the team found SWCD employees had difficulty contacting these inspectors when an alley was obstructed, thereby delaying the collection process. Since the initial inspection, SWCD sanitation foremen have been given authority to resolve these issues when alley obstructions are found.

In addition, SWEEP inspectors and SWCD employees have been issued hand-held communication equipment, which has expedited the process of contacting inspectors and ensures that these obstructions are cleared in a timely manner. SWEEP and SWMA managers also meet weekly to discuss alley obstruction issues occurring in communities. These steps have eliminated most of the delays in service delivery cited in the initial inspection.

Original Finding:

27. Maintenance on collection trucks is not current.

Current Status: In Compliance.

SWCD management is sent a schedule by the Fleet Management Division every month as to which vehicles will be scheduled for preventive maintenance and is delivering the trucks as instructed.

Original Finding:

28. SWCD trash collection trucks are not properly cleaned prior to storage at the collection facilities.

Current Status: In Compliance.

SWCD policies require crew chiefs to ensure that trucks are cleaned on the outside on a monthly basis and the truck cabs are cleaned on a daily basis. Since the initial inspection, the team found that the cabs of the trucks are being cleaned daily or as needed. SWCD also has truck washing contracts at both collection sites where the outsides of trucks are washed at least once a month with a high-pressure washer, as required.

Original Finding:

29. <u>SWCD does not adequately train new employees on using collection truck equipment.</u>

Current Status: In Compliance.

During the initial inspection, the team found that new SWCD employees had not received formal training on collection truck operations. New employees stated they did not know how to operate levers used to lift and dump trash cans or levers to compact the trash in the collection truck. The team found that this lack of training could have placed these employees at risk of injury or posed a risk of injury to others.

Since the initial inspection, however, employees stated they are receiving on-the-job training for collection truck operations conducted by senior members on the sanitation crews who were formally trained by the truck manufacturers.

In addition, a formal training class is being developed by the DPW Training Academy for all collection truck drivers. Once completed, this training should bring SWCD into full compliance with this finding.

Original Finding:

30. <u>Employees of the Dead Animal Collection Unit lack the appropriate equipment to efficiently perform their duties.</u>

Current Status: In Compliance.

Since the initial inspection, the Dead Animal Collection Unit has received two new collection trucks. Each truck has a lift-gate capable of handling 60-pound loads or more. There is also a reserve truck for animal pick-ups of less than 60 pounds. The team found that storage containers for dead animals are also in good working condition.

Original Finding:

31. <u>The Bulk Collection Unit does not have adequate office space.</u>

Current Status: In Compliance.

The Bulk Collection Unit has relocated to office space at 1241 W Place, N.E., and has been supplied with sufficient office equipment, such as photocopiers, computers, and facsimile machines.

Original Finding:

32. SWCD field locations do not have adequate office equipment to perform daily duties.

Current Status: In Compliance.

Since the initial inspection, the field location at 2860 South Capitol Street, S.E. has been renovated and SWCD management has installed adequate telephone lines, photocopiers, facsimile machines, and computers. The field location at Brentwood, cited in the initial inspection, no longer exists.

Original Finding:

33. Male employees sometimes use the women's restroom at the 1060 Brentwood Road facility.

Current Status: In Compliance.

The facility at Brentwood Road no longer exists. However, male employees have been instructed not to use the women's restroom at any SWCD facility, and they are complying with this directive.

Original Finding:

34. The SWCD is not in compliance with the District Personnel Manual regarding the issuance of annual performance evaluations.

Current Status: In Compliance.

The team confirmed that all employees are now receiving annual performance evaluations on time and are given an opportunity to review and discuss the evaluations with their supervisor. In addition, all SWMA supervisors use the same evaluation process and documentation to prepare employee evaluations.

Original Finding:

35. Many employees do not receive a copy of their performance evaluations.

Current Status: In Compliance.

Since the initial inspection, SWMA has developed a standardized performance evaluation program that management is using agency-wide. Interviewed employees stated that they are now receiving a signed copy of their performance evaluation in a timely manner.

Original Finding:

36. SWCD does not have written policies and procedures for its Future Foreman Training Program.

Current Status: Overcome by Events.

This program no longer exists.

Original Finding:

37. Some SWCD supervisors reportedly are disrespectful when talking to SWCD employees.

Current Status: In Compliance.

Since the initial inspection, SWCD management stated that all employees have been instructed to refrain from the use of inappropriate behavior and language on job sites and collection routes. SWCD managers have also attended courses at the Center for Workforce Development (CWD) on diversity, sexual-harassment, and equal employment opportunity programs (EEO). However, some supervisors and staff employees stated there has been no formal training or discussion about inappropriate behavior and language for all employees. They stated, however, that since the initial inspection, inappropriate behavior and language no longer appear to be a problem.

The team recommends that the D/DPW ensure that all employees, (management and staff) are aware of District and DPW policies regarding inappropriate behavior and language in the workplace. In addition, the D/DPW should ensure that employees who have not attended CWD's Diversity, Sexual Harassment, or EEO courses, are provided an opportunity to attend.

Original Finding:

38. Employees expressed concern that SWMA and SWCD management do not meet periodically with SWCD employees.

Current Status: In Compliance.

Since the initial inspection, employees meet with their immediate supervisors on a bi-monthly basis. There are still concerns by SWCD employees that upper-level management is not holding regular meetings with all employees.

Original Finding:

39. SWCD employees do not know who their Equal Employment Opportunity (EEO) Officer is and are not aware of the District's EEO/Sexual Harassment policies. Title 4 of the District Municipal Regulations requires the posting of this information.

Current Status: Not In Compliance.

The team noted that there are still no posters at SWCD facilities that identify the EEO representative or information regarding the District's EEO/Sexual Harassment policies as required by 4 DCMR § 104.1 (e). *The D/DPW should issues notice to all employees identifying the EEO representative and ensure information regarding the District's EEO and Sexual Harassment policies is posted in all DPW facilities.*

Original Finding:

40. **The Solid Waste Collection division lacks up-to-date written policies and procedures governing how the unit conducts and monitors its daily operations.**

Current Status: Not In Compliance.

The SWCD management provided the team with a draft copy of the SWCD Standard Operating Procedures (SOP); however, this document was incomplete and was not dated or signed by SWCD or SWMA management. *The A/SWMA should ensure that the division management creates updated written policies and procedures for the division's day-to-day operations, and distributes this guidance to all employees.*

Original Finding:

41. **SWCD employees use personal wireless telephone devices while performing their duties. This poses a potential safety hazard.**

Current Status: In Compliance.

Since the initial inspection, the team found that SWCD employees have been instructed that use of personal wireless telephone devices while performing assigned tasks is prohibited. The team did not observe the use of these devises during their site visits, unless government-issued communication devices became inoperable.

Original Finding:

42. **Literature describing SWCD services is neither sufficient nor adequately disseminated.**

Current Status: In Compliance.

Since the initial inspection, the DPW Public Information Officer (PIO) has developed informational brochures describing SWMA services such as the annual leaf collection process recycling, bulk trash collection, and super-can procedures. These brochures are distributed to District residents annually.

FINDINGS AND RECOMMENDATIONS:

STREET AND ALLEY CLEANING DIVISION

The Street and Alley Cleaning Division provides mechanical and manual sweeping of city streets; alley cleaning; clean-ups after public events; and public litter-can pick-up, maintenance, and replacement. The division operates on a 24-hours-7-days-a-week schedule.

Original Finding:

43. The process for refueling Tennant vacuums throughout the city appears to be unsafe.

Current Status: In Compliance.

Tennant vacuums are one-person, golf-cart-size vehicles used by the SACD Manual Sweeping Unit (Unit) to clean city curbs and sidewalks. Due to their small size and slow speed, the vacuums are stored at various locations in the city so they can be closer to the routes they clean.

During the initial inspection, the team found these vacuums often ran out of gas during the workday. This was due to employees failing to fill the vacuums at the beginning and end of each workday. In addition, the unit did not have access to government gasoline cards or ready access to government fueling stations. The team found fuel for vacuums being transported in large drums and the vacuums being re-fueled in public spaces, rather than in a controlled environment such as a gasoline station. The team found that this method of refueling may have presented a danger to employees and residents in these public re-fueling areas. Since the initial inspection, the unit has terminated use of this re-fueling method.

Unit employees have been issued gas key cards allowing them access to refueling at various D.C. government fueling stations, as well as commercial fueling stations. In addition, employees are now required to fully fuel the vacuums at the beginning and end of every shift, and failure to adhere to this policy results in a written reprimand by the employee's supervisor.

Original Finding:

44. Employees do not receive and use personal protective equipment as required by federal law.

Current status: In Compliance.

SACD employees now receive mandatory safety and protective equipment as needed; including, rubber gloves, respirators, safety vests, earplugs, safety shoes, and goggles. In addition, employees are instructed on the proper use of all safety equipment.

Original Finding:

45. The lack of operational radio equipment is a safety hazard to vehicle operators working alone.

Current Status: Partially In Compliance.

Since the initial inspection, all street-cleaning vehicles have been equipped with hand-held communication units; however, these units are not always operable. As a result, drivers still use personal cell phones when there are emergencies or when they need to reach SACD management while in the field. The employees are not being reimbursed for the use of their personal cell phones for conducting this government business.

These communication equipment issues are a concern for drivers throughout all DPW divisions, and management should implement a plan to resolve these issues immediately.

Original Finding:

46. A lack of operational sweepers decreases the Mechanical Sweeping Unit's ability to keep city streets clean.

Current Status: In Compliance.

Since the initial inspection, additional street sweepers have been purchased for a total fleet of 44 sweepers. The team found this fleet is sufficient to handle street-sweeper operations and allows for a reserve of 13 sweepers on a daily basis.

Original Finding:

47. Two wards in the city do not receive regularly scheduled mechanical street sweeping.

Current Status: In Compliance.

Since the initial inspection, the team found that SACD has increased the frequency with which streets are cleaned, and all wards in the city now receive either manual or mechanical street sweeping.

Original Finding:

48. The division's fleet of motorized vehicles is old and overused, and is not adequately maintained. There are frequent breakdowns and the amount of time vehicles can remain in service is reduced.

Current Status: In Compliance.

At the time of the re-inspection, the team found the current fleet of motorized vehicles in good repair, and SACD was scheduled to receive two new sweepers and a number of new dump trucks to increase its fleet.

Original Finding:

49. **Vehicles sent to the Fleet Services Division garage sometimes are not repaired for weeks or months, or are returned with partial repairs due to a lack of replacement parts.**

Current Status: Partially In Compliance.

According to SWMA, vehicle reliability issues have improved due to having a relatively new fleet of trucks. They stated, however, that there are still maintenance and repair issues with the Fleet Management Division, but the two divisions have instituted monthly meetings to resolve vehicle repair and availability concerns.

SWMA has hired additional staff to coordinate fleet services, which should assist in addressing ongoing problems with maintenance and repair services, thus improving vehicle availability in SACD.

Original Finding:

50. **Some SACD supervisors are months behind in responding to complaint calls from residents.**

Current Status: In Compliance.

Since the initial inspection, the team found that SACD supervisors are now responding timely to complaints from residents. SACD receives complaint information via the Hansen system (customer complaints are received in the Mayor's Control Center, tracked in the Hansen system, and forwarded to SACD for resolution). This system tracks the type of complaint, the date the complaint was received, and the division to which the complaint is to be assigned and resolved.

In addition, SACD prepares a monthly "Service Delivery On-Time Performance Report" that tracks the number of complaints received, completed, and outstanding for a particular month. This report details the total number of complaints resolved on time, overdue, and ongoing but not overdue for any given month.

Original Finding:

51. **The lack of radio equipment for coordination between sweeper operators and dump trump drivers wastes valuable time that could be used for street cleaning.**

Current Status: Partially In Compliance.

Since the initial inspection, all trucks in SWMA fleets have been equipped with hand-held communication units; however, these units are frequently inoperable. The team found that drivers still use personal cell phones when there are emergencies or when they need to reach SWMA

management while in the field. The employees are not reimbursed for the use of their personal cell phones for conducting this government business.

These communication equipment issues are a concern for drivers throughout all DPW divisions, and management should implement a plan to resolve these issues immediately.

Original Finding:

52. **There is no standardized training program for SAC sweeper operators.**

Current Status: In Compliance.

The team found that sweep operators now receive formal training on the use of all sweeper equipment. Training is conducted through the CWD, and drivers receive field training as well as classroom instruction.

Original Finding:

53. **Managers and supervisors within the division have not received the training necessary to improve service delivery and provide good leadership.**

Current Status: In Compliance.

Since the initial inspection, the team found that SACD managers and supervisors are regularly scheduled to attend classes at CWD and the Department of Public Works Academy (PWA). These courses include subjects such as World Class Management, Emergency Response Training, Communication Skills, Basic Writing, Time Management, and Workplace Safety.

Original Finding:

54. **Employees are working in higher graded positions without additional compensation, in violation of the agreement between the District of Columbia and the Union.**

Current Status: In Compliance.

Since the initial inspection, management and employees stated that employees are now working in their correct pay grades and job classifications, and employees believe management treats them fairly in this area.

Original Finding:

55. **Operators of vacuums and sweepers lack updated position descriptions and are not compensated for the additional responsibilities required by their positions.**

Current Status: In Compliance.

The management and employees interviewed at SACD stated that employees now have corrected position descriptions, and are now working in the correct pay grade and job classification. Interviewed employees in SACD believe that management treats them fairly in this area.

Original Finding:

56. **Employees stated that they do not receive recognition or incentive awards for outstanding job performance. This contributes to low morale.**

Current Status: Not In Compliance.

In the initial inspection, SWCD employees stated that management does not recognize employees who have outstanding attendance and performance records. The re-inspection team found that there is no established agency-wide incentive awards program that is offered by SACD or by the A/SWMA. Recognition or incentive awards are given on a unit-by-unit basis. *The team finds that A/SWMA still needs to establish a recognition/incentive awards program that is used by all SWMA divisions to recognize employees that have performed beyond their normal job duties.*

Original Finding:

57. **Seniority clauses in the union contract are seen as allowing promotions of less qualified employees and stifling employee initiative.**

Current Status: In Compliance.

During the initial inspection, employees stated that promotions often were based primarily on longevity rather than job performance, leadership abilities, and knowledge. Since the initial inspection, employees and management confirmed that employees are now being promoted on the basis of job performance and seniority.

Original Finding:

58. **Some supervisors do not keep sufficient written records to standardize evaluations of employee performance.**

Current Status: In Compliance.

SWMA has developed a standardized performance evaluation program that management is using agency-wide. Employees further stated that they now receive a signed copy of their performance evaluation in a timely manner.

FINDINGS AND RECOMMENDATIONS:

SOLID WASTE EDUCATION AND ENFORCEMENT PROGRAM

Original Finding:

59. **The SWEEP unit is severely understaffed and cannot effectively fulfill its responsibilities.**

Current Status: In Compliance.

The SWEEP unit now has approximately 40 inspectors assigned to the unit, which is a 50% increase in the number of inspectors since the initial inspection. The team found that this level of inspectors allows the unit to fulfill its responsibilities.

Original Finding:

60. **Some inspectors are concerned about the lack of security procedures for fieldwork.**

Current Status: In Compliance.

The SWEEP division now has monthly safety meetings. In addition, the division also sponsors seminars on street safety and security hosted by the Metropolitan Police Department (MPD). Inspectors have also been issued two-way radios, safety uniforms, safety vests, and flashlights.

Original Finding:

61. **Managers and employees complain of health hazards in the Pennsylvania Avenue building.**

Current Status: In Compliance.

During the initial inspection, employees complained of health hazards such as dust, foul odors, poor plumbing, and asbestos problems at this facility. Since the initial inspection, the Office of Property Management has abated these hazards, and the team found employees no longer have health and safety concerns regarding this facility. The team did not recognize any particular health or safety hazards during the re-inspection site visit.

Original Finding:

62. **Inspectors do not receive the pay differential for employees exposed to hazardous materials.**

Current Status: In Compliance.

The team found that since the initial inspection, the D.C. Office of Personnel (DCOP) reviewed SWEEP inspectors' job responsibilities and found no justification for granting pay differential to these employees.

The team finds, however, that inspectors may be exposed to extraordinary environmental hazards due to the fact that often they are required to search bags of trash that have been dumped illegally.

Original Finding:

63. Inspectors are not trained in the proper way to write tickets.

Current Status: In Compliance.

The team found that all of the SWEEP inspectors have now been provided training for a new ticket writing and adjudication process that will be managed by the newly created Office of Administrative Hearings (OAH).[9]

While the inspectors in the division have been trained in the new ticket writing process, the team found this new adjudication process is causing operational problems. The team found that the inspectors are being hampered in the performance of their current day-to-day duties because they are required by OAH to re-issue Notice of Violations (NOVs) previously issued.

Prior to March 22, 2004, the Department of Motor Vehicles (DMV) managed the revenue collection and adjudication of SWEEP NOVs. However, to comply with the new OAH process, OAH officials require inspectors to re-ticket and re-certify previously issued NOVs that DMV had not adjudicated by the March transition date.

According to SWEEP officials, this new process has caused the following operational and revenue-collection problems for the division:

- loss of revenue from NOVs;
- loss of employee productivity, because inspectors are unavailable for inspections while re-issuing previous NOVs;
- cost of re-issuing the previously issued NOVs by the certifying inspector;
- lack of a current revenue-collection process for violations that were adjudicated prior to the transfer to OAH. DMV is no longer collecting revenues for SWEEP, and OAH is not currently collecting revenues for NOVs adjudicated prior to March 22, 2004; and
- lack of a clear customer service resolution process.

SWEEP officials further stated that the potential cost of all open NOVs returned by DMV is approximately $8 million. According to SWMA management, of this amount, there is a potential realizable recovery of approximately $3 to $5 million at risk because OAH has not fully instituted a plan to collect outstanding revenues on these NOVs.

[9] The Office of Administrative Hearings shall function as a unified adjudication agency and shall provide access to a high-quality, fair, impartial, and efficient system of adjudicating cases at the administrative level. (*See* Office of Administrative Trials and Hearings Establishment Act of 2001, D.C. Law 14-76, effective March 6, 2002.)

Due to these potential operational and revenue-collecting deficiencies, the team recommends that the D/DPW and OAH officials:

- *determine the actual revenue amount of the NOVs returned to DPW by DMV and the impact of not recovering this revenue;*
- *determine the cost to re-process and re-file previously issued NOVs;*
- *request emergency funding to offset the cost of re-filing the NOVs;*
- *research and determine the potential impact on citizens because of the outstanding NOVs not being processed (i.e. registrations, tax sales, license renewal, etc.); and*
- *clearly define the transition process from the old ticket writing system, as well as define the new adjudication and collection process so as to have the least amount of negative impact on the agencies involved and the citizens of the District.*

Original Finding:

64. **Information on sanitation violations is not collected and used to improve operations.**

Current Status: Overcome by events.

The ticket tracking process was managed by DMV during the initial inspection. Since then, the process has been changed and will now be managed by OAH. OAH will implement a new tracking system to monitor all sanitation violations issued by SWMA.

Original Finding:

65. **Employees say morale is low because of treatment by managers.**

Current Status: In Compliance.

At the time of the initial inspection, SWEEP was undergoing an organizational change, which included the addition of a new division chief. It is possible that at that time some of the employees were unhappy with the changes being implemented. The team interviewed line staff and management employees, and found there is no significant employee morale problem at this time.

Original Finding:

66. **The SWEEP Jr. program lacks sufficient funding to be effective.**

Current Status: In Compliance.

Since the initial inspection, SWEEP has restructured the SWEEP Jr. educational program. The dedicated group of employees that manage this program go into the schools and teach students and educators about the environment, conservation, and recycling. SWEEP will also ask other division employees to participate in this program as well. The team found that the effectiveness of the SWEEP Jr. program has greatly improved since the initial inspection.

APPENDICES

APPENDICES

Appendix 1:	List of Findings and Recommendations
Appendix 2:	MAR 04-I-009
Appendix 3:	Inspection Request to the D.C. Office of Risk Management
Appendix 4:	D/DPW Response to MAR 04-I-009

APPENDIX 1

ORIGINAL FINDINGS AND RECOMMENDATIONS

SOLID WASTE DISPOSAL DIVISION

1. **BRTS and FTTS are not in compliance with the District Regulation requiring that transfer facilities be kept rodent free.**

   Current Status: In Compliance.

   That A/SWMA require that division management coordinate with DOH to develop and implement sufficient rodent extermination and pest control operations to eradicate rodents at BRTS and FTTS. A written plan should detail the steps to be taken to ensure compliance with District regulations.

2. **BRTS and FTTS are not in compliance with the District Regulation requiring that facility walls and floors be swept, washed and deodorized each day.**

   Current Status: Partially In Compliance

   a. That A/SWMA ensure that BRTS management complies with 21 DCMR § 733.1(i) by: (a) completely emptying the pit at BRTS to allow for the cleaning and deodorizing of the bottom; (b) installing a water hose on the tipping floor to wash down the tipping floor on a daily basis; (c) constructing a drainage system to eliminate potential problems with standing water; and (d) installing a deodorizer.

   b. That A/SWMA ensure that FTTS management complies with 21 DCMR § 733.1(i) by: (a) installing a water source for washing and deodorizing the floor, and (b) installing a drainage system to eliminate potential problems with standing water.

   c. That Solid Waste Disposal management consider adjusting work hours to allow time for sufficient cleanup each day.

3. **Contractor vehicles containing solid waste leak and are stored improperly overnight at disposal facilities in violation of District Regulations.**

   Current Status: In Compliance

   That A/SWMA and division management comply with District regulations by either requiring the contractor to remove all loaded trucks from the facility at the end of the work day, or by ensuring that vehicles containing waste are leak-proof and stored inside the facility.

4. <u>Solid waste hauled by the contractor is not weighed at the transfer stations to determine the correct amount of fees the District should pay.</u>

Current Status: In Compliance

That A/SWMA and division management install and/or expand scales at BRTS and FTTS to weigh all contractor vehicles entering and exiting the facilities and to record the weight prior to departure for the Virginia facility. A record of the weight recorded at the transfer station should be submitted with the contractor's claim for reimbursement.

5. <u>BRTS and FTTS are not in compliance with the federal law requiring employees to wear protective clothing.</u>

Current Status: In Compliance

a. That A/SWMA ensure that division management enforces federal law by issuing and requiring all employees to wear proper uniforms and safety equipment. Improperly dressed employees should not be allowed on the tipping floors or in other work areas.

b. That division management issue protective uniforms and other required safety equipment that fits properly.

6. <u>BRTS and FTTS employees complain of breathing problems caused by poor ventilation.</u>

Current Status: Partially In Compliance

a. That A/SWMA ensure that division management complies with 21 DCMR § 731.15(6) (D) by having the ventilation systems in both facilities inspected to ensure that they meet regulatory standards.

b. That A/SWMA consider requiring that all employees working at BRTS and FTTS be tested periodically for respiratory and other ailments.

7. <u>FTTS management has not repaired a broken sprinkler system cited in a OSH Safety Report as leaving employees vulnerable to respiratory problems.</u>

Current Status: Not In Compliance

That A/SWMA ensure that FTTS management repairs or replaces the water spray sprinkler system on a priority basis.

8. <u>The single entry/exit configuration of the BRTS conveyor belt platforms may be a safety hazard.</u>

Current Status: In Compliance

That A/SWMA and unit management install sufficient fixed ladders so that employees can enter and exit from either end of the platforms near the conveyor belts.

9. <u>The conveyor belts and overhead crane at BRTS should be replaced immediately.</u>

Current Status: Not In Compliance

a. That A/SWMA and division management ensure that new conveyor belts are purchased to replace those currently in use.

b. That A/SWMA and division management ensure that the overhead crane is replaced and the concrete floor strengthened and resurfaced as necessary.

10. <u>Inefficient communication between platform workers and truck drivers at BRTS creates the potential for accidents.</u>

Current Status: In Compliance

That A/SWMA and division management install a traffic light system above each truck lane at BRTS for signaling drivers and directing their movements.

11. <u>An obsolete incinerator flue at BRTS poses a potential safety hazard.</u>

Current Status: In Compliance

That A/SWMA ensure that division management removes the steel flue from the BRTS rooftop.

12. <u>FTTS lacks security cameras to combat illegal dumping.</u>

Current Status: In Compliance

That A/SWMA and division management install the security cameras needed at the disposal sites to deter illegal dumping and other security problems.

13. Identification Signs are not posted at BRTS as required by District of Columbia Municipal Regulations (DCMR).

Current Status: Not In Compliance

That A/SWMA ensure that division management complies with 21 DCMR § 733.1(c) by designing and installing an appropriate identification sign.

14. The Solid Waste Disposal Division has no written policies and standard operating procedures governing its daily operations.

Current Status: Not In Compliance

That A/SWMA ensure that division management creates and promulgates comprehensive written policies and standard operating procedures for both disposal sites.

15. The original intent and designs of the BRTS and FTTS facilities are outdated and have been overtaken by technology.

Current Status: In Compliance

That A/SWMA and division management commission a design and cost feasibility package that would replace each of the existing transfer stations.

SOLID WASTE COLLECTION DIVISION

16. SWCD is not in compliance with 29 CFR 1910.133 regarding the wearing of protective eye and face devices by employees.

Current Status: In Compliance

That A/SWMA and division management ensure that safety equipment, including but not limited to dust masks and safety goggles, is distributed to employees as part of their uniform.

17. SWCD is not in compliance with 29 CFR 1910.136 regarding the wearing of protective footwear by employees.

Current Status: In Compliance

a. That A/SWMA and division management create a committee that includes SWCD Sanitation Crew Chiefs and Sanitation Technicians to recommend a work boot that is more comfortable, wears longer, and is waterproof.

b. That A/SWMA and division management ensure that all employees wear the proper footwear while carrying out their assigned tasks. Employees without proper footwear should not be allowed to work in areas where boots are required.

c. That A/SWMA and division management include the requirement to wear work boots in the written uniform policy.

18. **SWCD is not in compliance with the District of Columbia and Workers Union Master Agreement regarding the issuance of protective gloves to employees.**

Current Status: In Compliance

a. That A/SWMA and division management create a committee that includes SWCD Sanitation Crew Chiefs and Sanitation Technicians to recommend the kind of safety gloves that are suitable for collecting trash.

b. That A/SWMA and division management distribute cloth safety gloves at least every two months and rubber gloves at least every four months to all employees.

c. That A/SWMA and division management ensure a policy is written and implemented regarding the frequency of glove distribution to employees.

19. **Employees of SWCD have not been issued all uniform items required by the District of Columbia Workers Union Master Agreement and the job description for sanitation workers.**

Current Status: In Compliance

a. That A/SWMA direct division management to survey all employees to determine which uniform items they have not received.

b. That A/SWMA direct division management to issue the required number of uniforms to all employees. Employees should be required to sign for all uniforms issued.

c. That A/SWMA direct division management to form a committee comprised of employees and managers, to determine what, if any, additional uniform items are necessary to perform the duties of Sanitation Technician and Sanitation Crew Chief.

d. That A/SWMA direct division management to establish a written uniform policy. This policy should be strictly enforced once all employees have been outfitted with their complete uniforms and safety equipment.

e. That D/DPW assess the current uniform contract to ensure compliance with all contract performance requirements

20. <u>SWCD is not in compliance with the District of Columbia Office of Occupational Safety and Health (OSH) follow-up report regarding a serious hazard in the kitchen at the Brentwood facility.</u>

Current Status: Overcome by Events

That A/SWMA and division management immediately correct the deficiency at the 1060 Brentwood Road facility noted in the OSH report by inspecting the wiring and replacing the electrical cover plate in the kitchen facility and report the correction to OSH.

21. <u>SWCD facilities are not being treated adequately for pests and rodents.</u>

Current Status: Not In Compliance

a. That A/SWMA ensure that division management has the 2860 South Capitol Street, S.E. and the 1060 Brentwood Road facilities treated immediately and then as frequently as needed.

b. That A/SWMA and division management immediately replace the appliances and make all necessary repairs to the kitchen at the 2860 South Capitol Street, S.E. facility.

22. <u>The quality of the air is poor at the 2860 South Capitol Street, S.E. and 2750 South Capitol Street, S.E. facilities.</u>

Current Status: In Compliance

That A/SWMA request that OSH conduct an inspection of the air at both South Capitol Street facilities to determine whether there is a hazard to employees and if measures can be taken to minimize the odor.

23. <u>Employees complain that the 1999 Crane Carrier collection trucks purchased by DPW are not safe or comfortable.</u>

Current Status: In Compliance

a. That A/SWMA and division management immediately request that OSH investigate the complaints of SWCD employees about the safety and comfort of the Crane Carrier and make recommendations based on the findings.

b. That A/SWMA and SWCD management approve final specifications for all SWCD vehicles prior to purchases made by the Fleet Services Division.

24. **The current radio equipment used for reporting emergencies is not effective.**

Current Status: Partially In Compliance

That A/SWMA and division management secure a form of communication for SWCD employees that will allow them to contact the sanitation foreman from any location.

25. **SWCD lacks an adequate number of reliable vehicles to perform daily collections.**

Current Status: In Compliance

a. That A/SWMA and division management examine the current fleet of vehicles to determine which collection trucks are the most reliable.

b. That D/DPW purchase new collection trucks to ensure an adequate number of safe and reliable vehicles.

c. That A/SWMA coordinate with Fleet Services management to obtain vehicles for each sanitation foreman.

26. **SWCD Sanitation foremen are often unable to contact Solid Waste Education and Enforcement Program (SWEEP) inspectors about obstructions or other problems. This causes a delay in service delivery to District residents.**

Current Status: In Compliance

a. That A/SWMA assign four SWEEP inspectors to the Solid Waste Collection Division.

b. That A/SWMA direct the chief of SWEEP to adjust the work hours of inspectors to more closely align with those of SWCD workers.

27. **Maintenance on collection trucks is not current.**

Current Status: **In Compliance**

a. That D/DPW require Fleet Services Division to perform timely preventive maintenance (PM) on all vehicles assigned to SWCD. PM schedules and maintenance should be monitored by SWCD management.

b. That A/SWMA monitor and document the frequency of repairs performed on the same vehicles by Fleet Services. These reports should be submitted to D/DPW and the Administrator for Fleet Services monthly. Where Fleet Services employees did not properly repair the collection trucks, A/SWMA should not be required to pay for the repairs.

c. That SWCD management ensure that Sanitation foremen require crew chiefs and drivers to conduct pre-trip and post-trip inspections on all collection trucks in addition to the PM performed by Fleet Services. Problems should be documented immediately and reported to Fleet Services as soon as possible.

d. That A/SWMA request that a mechanic be assigned to the Brentwood Road and South Capitol Street facilities to fix minor repairs on vehicles.

28. **SWCD trash collection trucks are not properly cleaned prior to storage at the collection facilities.**

Current Status: **In Compliance**

a. That division management ensure that sanitation crew chiefs clean the insides of their trucks daily, as stated in their job descriptions.

b. That division management ensure that all collection trucks are cleaned with the high-pressure washer at least monthly.

29. **SWCD does not adequately train new employees on using collection truck equipment.**

Current Status: **In Compliance**

That A/SWMA and division management ensure that all new employees are properly trained and educated on collection truck equipment prior to having to use the equipment.

30. **Employees of the Dead Animal Collection Unit lack the appropriate equipment to efficiently perform their duties.**

Current Status: **In Compliance**

a. That A/SWMA and division management either purchase a dead animal collection truck with a lift-gate or a lift-gate to attach to the current dead animal collection truck to assist in lifting loads over 60 pounds.

b. That A/SWMA and division management immediately purchase new storage containers for the dead animal collection trucks.

31. <u>The Bulk Collection Unit does not have adequate office space.</u>

Current Status: In Compliance

a. That D/DPW move quickly to install electricity, plumbing, and telephone lines in the bulk collection trailers.

b. That D/DPW require the contractor to make the necessary repairs to the roofs of the Bulk Collection trailers or replace them.

32. <u>SWCD field locations do not have adequate office equipment to perform daily duties.</u>

Current Status: In Compliance

a. That A/SWMA and division management have a telephone line installed at 2860 South Capitol Street, SE facility for the facsimile.

b. That division management ensure that the photocopiers at the 2860 South Capitol Street, SE and 1060 Brentwood Road facilities are repaired and/or replaced.

c. That division management issue additional computers to the 2860 South Capitol Street and 1060 Brentwood Road collection yards. At minimum, one computer should be available for every two sanitation foremen and one computer for each area chief.

d. That A/SWMA and division management purchase separate office equipment, including but not limited to computers, photocopiers, and facsimile, for the Bulk Collection Unit.

33. <u>The women's restroom at the 1060 Brentwood Road facility is sometimes used by male employees.</u>

Current Status: In Compliance

That division management direct all male employees to cease using the women's restroom at the 1060 Brentwood facility.

34. <u>The SWCD is not in compliance with the District Personnel Manual regarding the issuance of annual performance evaluations.</u>

Current Status: In Compliance

That A/SWMA and division management ensure that employees receive annual performance evaluations, and that they are discussed with each employee in a private meeting with the evaluator.

35. <u>Many employees do not receive a copy of their performance evaluations.</u>

Current Status: In Compliance

a. That division management provide employees with a copy of their signed performance evaluation.

b. That A/SWMA and division management ensure that all employees are provided a copy of their performance evaluation as soon as possible after they are signed.

36. <u>SWCD does not have written policies and procedures for its Future Foreman Training Program.</u>

Current Status: Overcome by Events
That A/SWMA and division management establish a written policy detailing the application process, selection criteria and eligibility requirements for the Future Foreman Training Program. This policy should be distributed to all SWCD staff and posted at all facilities.

37. <u>Some SWCD supervisors reportedly are disrespectful when talking to SWCD employees.</u>

Current Status: In Compliance

a. That A/SWMA ensure that appropriate action is taken against division managers and employees who use abusive language towards other employees.

b. That A/SWMA issue a notice or bulletin to employees prohibiting the use of such language in the workplace and spelling out penalties for violations.

38. <u>Employees expressed concern that SWMA and SWCD management do not meet periodically with SWCD employees.</u>

Current Status: In Compliance

a. That division management require that field supervisors hold meetings with their SWCD staff at least bi-monthly.

b. That A/SWMA and Chief/SWCD meet with SWCD employees at least every six months.

39. <u>SWCD employees do not know who their Equal Employment Opportunity Officer (EEO) is and are not aware of the District's EEO/Sexual Harassment policies. The posting of this information is required by Title 4 of District Municipal Regulations.</u>

Current Status: Not In Compliance

a. That D/DPW issue a notice to all employees identifying the EEO Officer and the phone number and location of the office.

b. That A/SWMA and division management post information regarding the District's EEO and Sexual Harassment policies on bulletin boards in all SWCD facilities.

40. <u>The Solid Waste Collection division lacks up-to-date written policies and procedures governing how the unit conducts and monitors its daily operations.</u>

Current Status: Not In Compliance

That A/SWMA ensure that division management creates, promulgates, and updates written policies and procedures for all significant aspects of the division's day-to-day operations.

41. <u>SWCD employees use personal wireless telephone devices while performing their duties. This poses a potential safety hazard.</u>

Current Status: In Compliance

That division management prohibit the use of personal wireless telephone devices while performing assigned tasks.

42. Literature describing SWCD services is neither sufficient nor adequately disseminated.

Current Status: In Compliance

That A/SWMA create literature for dissemination describing SWMA services. This literature should also include telephone numbers for SWMA administrators and the complaint hotline. Every Sanitation Crew and Sanitation Foreman should have the literature on hand at the start of each day.

STREET AND ALLEY CLEANING DIVISION

43. The process for refueling tenant vacuums throughout the city appears to be unsafe.

Current Status: In Compliance

That D/DPW and A/SWMA replace the current refueling process of tenant vacuums with one that uses gasoline cards so that they can refuel in the controlled environment of a gasoline station.

44. Employees do not receive and use personal protective equipment as required by federal law.

Current Status: In Compliance

a. That D/DPW allocate sufficient funds for the purchase and issuance of effective and reliable protective equipment for SAC employees.

b. That A/SWMA and division management develop and implement personal protection equipment policies to bring the division into compliance with federal regulations.

45. The lack of operational radio equipment is a safety hazard to vehicle operators working alone.

Current Status: Partially In Compliance

That A/SWMA and division management purchase sufficient communication devices to provide one to each vehicle operator who works alone.

46. A lack of operational sweepers decreases the Mechanical Sweeping Unit's ability to keep city streets clean.

Current Status: In Compliance

That D/DPW, A/SWMA, the Fleet Services Administrator (A/FSD), and division management purchase additional mechanical sweepers and sweeper repair parts as soon as fiscally possible.

47. **Two wards in the city do not receive regularly scheduled mechanical street sweeping.**

Current Status: In Compliance

a. That D/DPW, A/SWMA, and division management coordinate with the Clean City Coordinator to develop and implement additional signed routes for city streets that the Clean City Initiative has consistently rated as hazardous or dirty but have no regularly scheduled mechanical sweeping.

b. That D/DPW, A/SWMA, the Clean City Coordinator and division management review the city's signed routes to determine those routes that may not require mechanical sweeping every week to place them on a less frequent schedule to free up additional resources for other areas.

48. **The division's fleet of motorized vehicles is old and overused, and is not adequately maintained. There are frequent breakdowns and the amount of time vehicles can remain in service is reduced.**

Current Status: In Compliance

a. That D/DPW, A/SWMA, A/FSD and division management develop and implement a scheduled purchasing and rotation-out-of-service plan for street cleaning vehicles. A feasibility study and price comparison of leasing vehicles vs. purchasing also should be prepared.

b. That D/DPW and A/FSD implement a scheduled maintenance plan for all vehicles. If fleet mechanics are unable to provide regular maintenance, then this function should be contracted out.

49. **Vehicles sent to the Fleet Services Division garage sometimes are not repaired for weeks or months, or are returned with partial repairs due to a lack of replacement parts.**

Current Status: Partially In Compliance

That D/DPW ensure that appropriate funding is made available for the purchase of the parts and equipment needed to repair street cleaning vehicles.

50. Some SACD Supervisors are months behind in responding to complaint calls from residents.

Current Status: In Compliance

That A/SWMA and division management develop a schedule assigning the rapid response teams a list of complaints to focus on in each ward on a rotating basis (i.e., one ward per day). Priority and emergency complaints would still be addressed first, but the crews would have a list of backlogged complaints to address each day as time permits.

51. The lack of radio equipment for coordination between sweeper operators and dump truck drivers wastes valuable time that could be used for street cleaning.

Current Status: Partially In Compliance

That A/SWMA and division management provide working radio equipment to all sweeper operators.

52. There is no standardized training program for SAC sweeper operators.

Current Status: In Compliance

That A/SWMA direct division management to establish a formalized training program for sweep operators as soon as possible. The training program should designate the amount of time that a trainee spends riding with and watching a trainer, the minimum amount of time spent driving accompanied by a more senior employee, and a minimum set of maneuvers that a trainee must be able to accomplish before riding alone. The training program should also include a preventive maintenance segment provided by a Fleet Services Division sweeper mechanic.

53. Managers and supervisors within the division have not received the training necessary to improve service delivery and provide good leadership.

Current Status: In Compliance

a. That D/DPW, A/SWMA, and division management make full use of training resources available from the D.C. Office of Personnel and the Center for Workforce Development.

b. That D/DPW allocate resources for supervisory, communication and industry-specific training and professional affiliation for mid-level and front-line managers and supervisors.

54. <u>Employees are working in higher graded positions without additional compensation in violation of the agreement between the District of Columbia and the Union.</u>

Current Status: In Compliance

a. That A/SWMA and division management coordinate with senior supervisors to identify those employees assigned to positions of a higher grade. In situations where the unit has a compelling need to continue using the employee in the higher grade, a promotion or temporary promotion should be made in accordance with DPM, § 839 and 841.

b. That A/SWMA request that DPW Personnel educate the division's senior staff on personnel regulations and applicable procedures.

55. <u>Operators of vacuums and sweepers lack updated position descriptions and are not being compensated for the additional responsibilities required by their positions.</u>

Current Status: In Compliance

a. That A/SWMA and division management develop position descriptions and position titles that reflect the additional requirements and responsibilities for the operators of vacuums and sweepers.

b. That A/SWMA and division management coordinate with DPW Personnel to establish and implement a grade structure and promotion plan for these newly established positions.

56. <u>Employees stated that they do not receive recognition or incentive awards for outstanding job performance. This contributes to low morale.</u>

Current Status: Not In Compliance

That A/SWMA and SWCD management systematically recognize SWCD employees for excellent job performance and other achievements in an appropriate manner.

57. <u>Seniority clauses in the union contract are seen as allowing promotions of less qualified employees and stifling employee initiative.</u>

Current Status: In Compliance

That D/DPW and appropriate union authorities review Division promotion practices and the language in the Master Agreement with the goal of developing

promotion standards with language more compatible with District regulations on competitive promotions (DPM, Chapter 8, Subpart 8.2A).

58. Some supervisors do not keep sufficient written records to standardize evaluations of employee performance.

Current Status: In Compliance

That A/SWMA and division management direct supervisors to integrate records of route cleanliness and supervisor inspections into the employee performance evaluation process.

SOLID WASTE EDUCATION AND ENFORCMENT PROGRAM

59. The SWEEP unit is severely understaffed and cannot effectively fulfill its responsibilities.

Current Status: In Compliance

That A/SWMA assign additional employees to the SWEEP unit.

60. Some inspectors are concerned about the lack of security procedures for fieldwork.

Current Status: In Compliance

That A/SWMA and SWEEP management develop and implement policies and procedures that address the safety of inspectors while working in the field.

61. Managers and employees complain of health hazards in the Pennsylvania Avenue building.

Current Status: In Compliance

That A/SWMA and SWEEP management ask D.C. OSH to conduct a health and safety inspection of the building located at 3220 Pennsylvania Avenue S.E.

62. Inspectors do not receive the pay differential for employees exposed to hazardous materials.

Current Status: In Compliance

That A/SWMA and SWEEP management assess the duties and responsibilities of SWEEP inspectors to determine whether their duties merit the "dirty pay" differential.

63. Inspectors are not trained on the proper way to write tickets.

Current Status: In Compliance

That A/SWMA and SWEEP management provide the necessary training to ensure that inspectors can prepare accurate tickets that will make an effective case in adjudication hearings.

64. Information on Sanitation Violations is not being collected and used to improve operations.

Current Status: Overcome by Events

That A/SWMA and SWEEP management develop a tracking system to collect information about violations and monitor the effectiveness of the ticket issuance program.

65. Employees say morale is low because of treatment by managers.

Current Status: In Compliance

That A/SWMA and the entire division attend an off-site retreat with the aide of a facilitator to hold frank and open discussion between employees and their managers about on-the-job attitudes and behavior.

66. The SWEEP Jr. program lacks sufficient funding to be effective.

Current Status: In Compliance

a. That A/SWMA and SWEEP management develop a program budget for SWEEP Jr. 2002 that allocates sufficient staff, resources and materials in order to operate the SWEEP Jr. program.

b. That A/SWMA and SWEEP management develop a comprehensive program plan, that identifies the program's mission, goals and objectives, and a system by which to measure the program's effectiveness.

APPENDIX 2

DISTRICT OF COLUMBIA
OFFICE OF THE INSPECTOR GENERAL

AUSTIN A. ANDERSEN
INTERIM INSPECTOR GENERAL

INSPECTIONS AND EVALUATIONS DIVISION

MANAGEMENT ALERT REPORT

DEPARTMENT OF PUBLIC WORKS
SOLID WASTE MANAGEMENT ADMINISTRATION

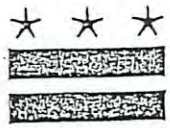
HEALTH AND SAFETY PROBLEMS IN TOILET AND KITCHEN AREAS

MAR 04 – I - 009

APRIL 19, 2004

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Inspector General

Inspector General



April 19, 2004

Mr. William Howland
Interim Director
Department of Public Works
2000 14th Street N.W.
Washington, D.C. 20009

Dear Mr. Howland:

This is a Management Alert Report (MAR 04-I-009) to inform you of health and safety issues that have come to our attention during our re-inspection of the Department of Public Works (DPW), Solid Waste Management Administration. The Office of the Inspector General (OIG) provides these reports when we believe a serious matter requires the immediate attention of a District government official.

Background

The Solid Waste Collection Division (SWCD) operates trash collection yards at 1241 W Place N.E., and 2860 South Capitol Street S.E. During visits to these sites, the OIG inspection team (the team) observed conditions listed below in the restroom and kitchen areas that are potentially hazardous to the health and safety of SWCD employees. Employees stated that they have reported these problems on numerous occasions to managers at these two locations, as well as to division level management, but no action has been taken. Title 7 DCMR § 2009.1 states: "[e]mployees have a right, to the maximum extent possible, to a safe and healthful working environment."

Observations

1241 W Place N.E. – In the men's restroom, the team observed that neither the sinks nor the toilets had running water, and all were inoperative. Several toilets were filled with human waste that could not be flushed. Toilet stall doors were broken. Employees stated that these conditions have existed for approximately 8 months, and it was apparent to the team that these problems have been of long duration. (See photos attached) In order to use a restroom, employees have to leave the SWCD building and walk to a building belonging to another District agency.

2860 South Capitol Street S.E. – During the inspection of this site, the team noted that the common area and kitchen floors were filthy. It appeared that the floors had not been swept or mopped in a long time, and there were roaches indicating vermin infestation. In addition, the kitchen stove's gas oven was on, its door was open, and it had been left unattended (there was no

food being prepared at the time) for several hours. SWCD managers at the site told the team that some employees use the oven for heat on cold days. The team also noted that the fire extinguisher was not readily accessible, but was lying on the floor under a table, and the team observed holes in the walls around the floor in the common area. (See photos attached)

As a result of these findings we have asked the Office of Risk Management to conduct an inspection of the buildings at the above-mentioned locations..

Title 29 CFR 1910.141(c)(1)(i) requires employers to make toilet facilities available to all employees.

Title 22 DCMR § 102.4 states:

> [a]ll water closets and privies connected with any house, building, or premises within the District in and upon which people live, or where they congregate or assemble, or where any kind of business is done, that are kept in an uncleanly and foul condition, and from which offensive smells and noxious gases arise; ... shall be considered nuisances injurious to health." *Id.*

Further, 21 DCMR § 900.3 states: "[a]ll water closets shall be furnished with a supply of running water adequate for flushing purposes, and shall be maintained so as not to endanger the public health or otherwise create a nuisance."

Recommendations

In light of the potentially hazardous health and safety issues at SWCD, we recommend that you take the following measures:

- immediately abate the unsanitary conditions in the restroom facilities at 1241 W Place N.E. Consider putting Porta-Johns on site as an interim step if a permanent solution must be delayed;
- provide adequate heat to all rooms at 2860 South Capitol Street S.E., and instruct employees not to use the gas oven for heat;
- direct managers at 2860 South Capitol Street S.E. to ensure that fire extinguishers are properly located and maintained;
- direct managers at 2860 South Capitol Street S.E. to repair the holes in the walls, and to establish a scheduled cleaning and maintenance program for the common area and the kitchen area;

- have the kitchen area properly exterminated on a regular schedule to prevent vermin infestation; and

- direct managers at both locations to ensure that the conditions described in this Management Alert Report do not recur.

Please provide your comments on this MAR by April 30, 2004. Your response should include actions taken or planned, dates for completion of planned actions, and reasons for any disagreement with the concerns and recommendations presented. Please distribute this Management Alert Report only to those personnel who will be directly involved in preparing your response.

Should you have any questions or desire a conference prior to preparing your response, please contact Lawrence Perry, Assistant Inspector General for Inspections and Evaluations, on 202-727-9249.

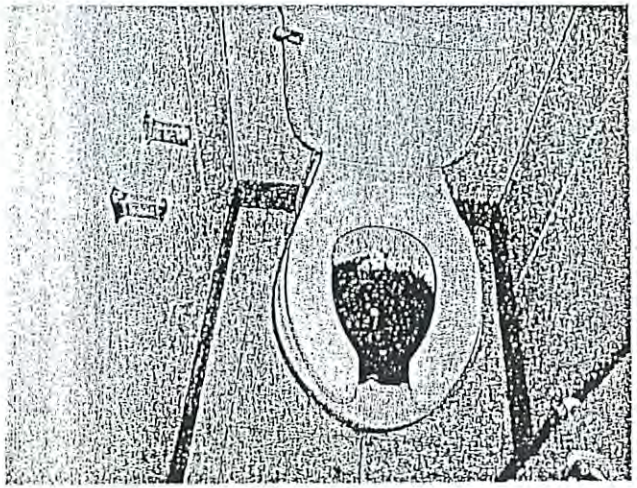
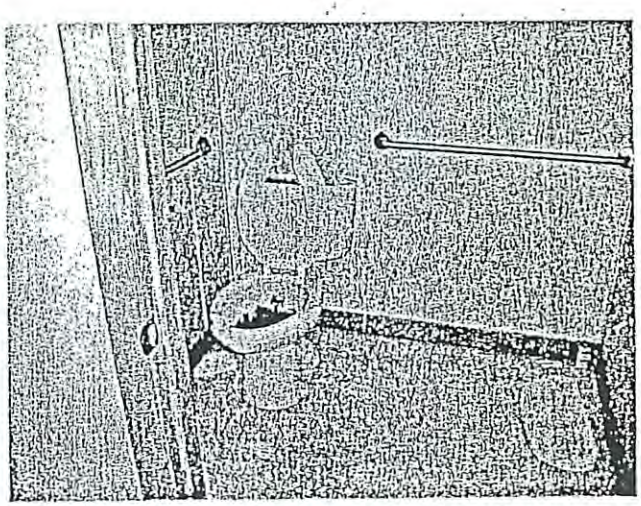
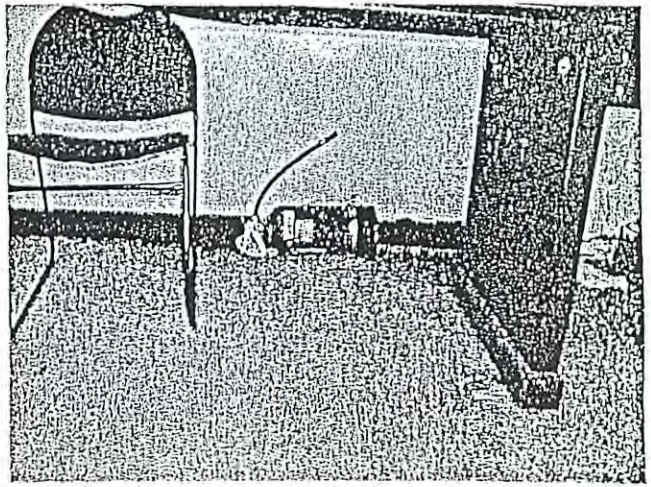
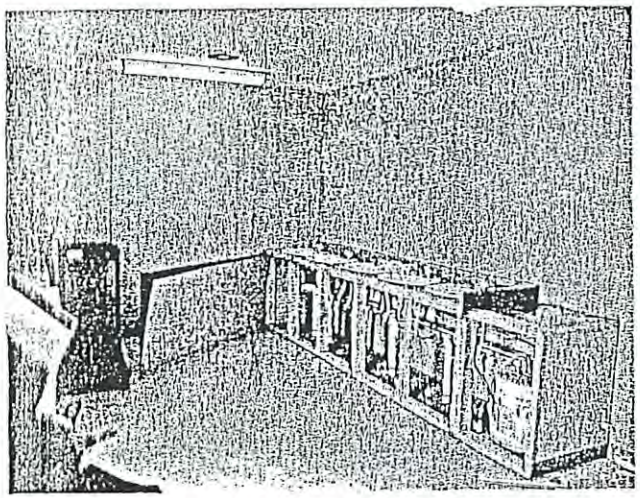
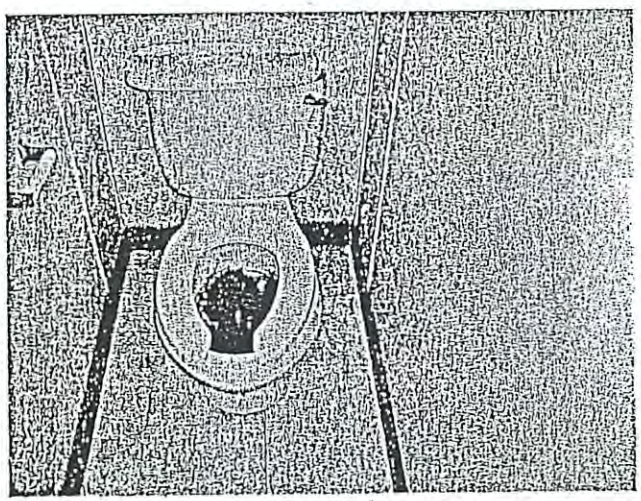
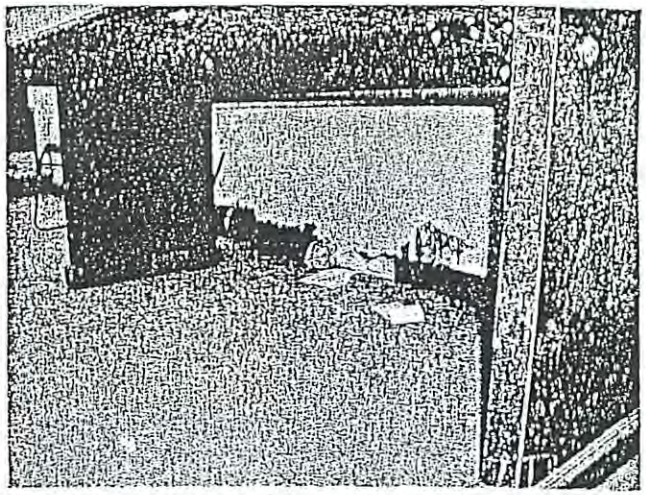
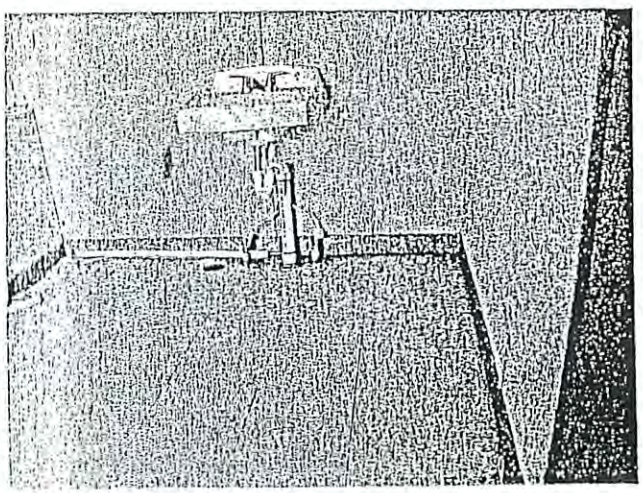
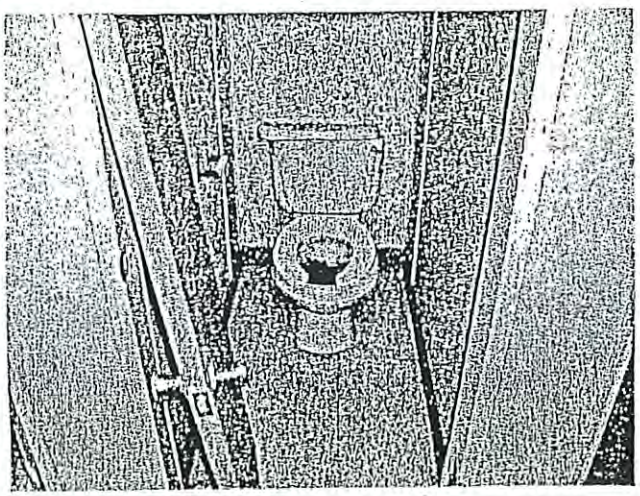
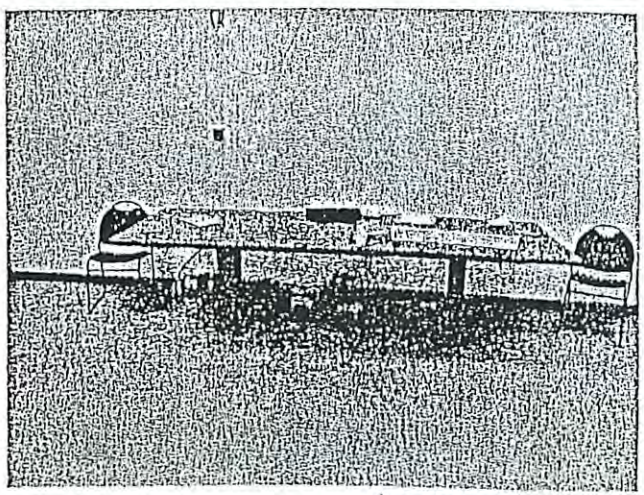
Sincerely,

Austin A. Andersen
Interim Inspector General

AAA/lc

Attachments

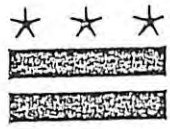
cc: Mr. Robert C. Bobb, City Administrator
Mr. Herbert R. Tillery, Deputy Mayor for Operations
Mr. John Dougan, Assistant Director, Office of Risk Management
Mr. Ronald S. Flowers, Chief of Fleet Management, Department of Public Works

APPENDIX 3

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Inspector General

Inspector General



April 19, 2004

Mr. John Dougan
Assistant Director
Office Risk Management, Risk Control
441, 4th Street, N.W. Suite 800 South
Washington, D.C. 20001

Dear Mr. Dougan:

The Office of the Inspector General is conducting a re-inspection of all major components of the Department of Public Works (DPW). During a visit to DPW's Solid Waste Collection Division (SWCD) trash collection yards at 1241 W Place, N.E., and 2860 South Capitol Street S.E., our inspection team (the team) observed conditions listed below in the restroom and kitchen areas that are potentially hazardous to the health and safety of SWCD employees. (See attached photos) Consequently, we are requesting that your office conduct an inspection of these two sites to assess the risks to the employees affected.

Observations

1241 W Place N.E. – In the men's restroom, the team observed that the sinks had no running water and toilets were inoperative. Several toilets were filled with human waste that could not be flushed. Toilet stall doors were broken. Employees stated that these conditions have existed for approximately 8 months, and it was apparent to the team that these problems had been of long duration.

2860 South Capitol Street S.E. – During the inspection of this site, the team noted that the common area and kitchen floors were filthy. It appeared that these floors had not been swept or mopped in a long time, and there were roaches indicating vermin infestation. In addition, the kitchen stove's gas oven was on, its door was open, and it had been left unattended (there was no food being prepared at the time). SWCD managers told the team that some employees use the oven for heat on cold days. The team also noted that the fire extinguisher was not readily accessible, but was lying on the floor under a table and the team observed holes in the walls around the floor in the common area.

If you have questions or require additional information to assist you in addressing these issues, please contact Inspector Lena Cockfield on 202-727-9527. Thank you for your attention to this matter.

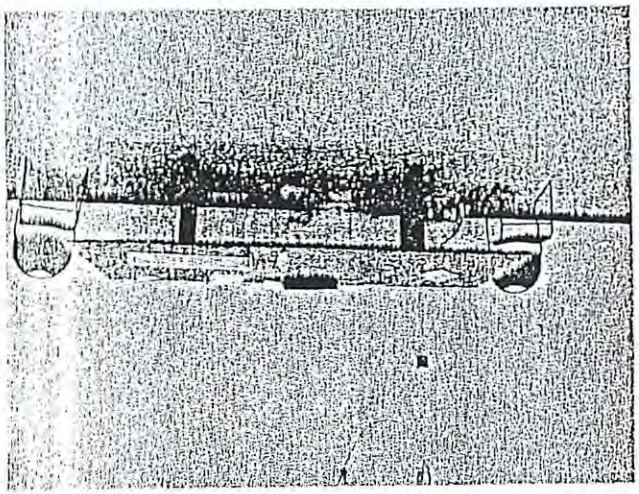
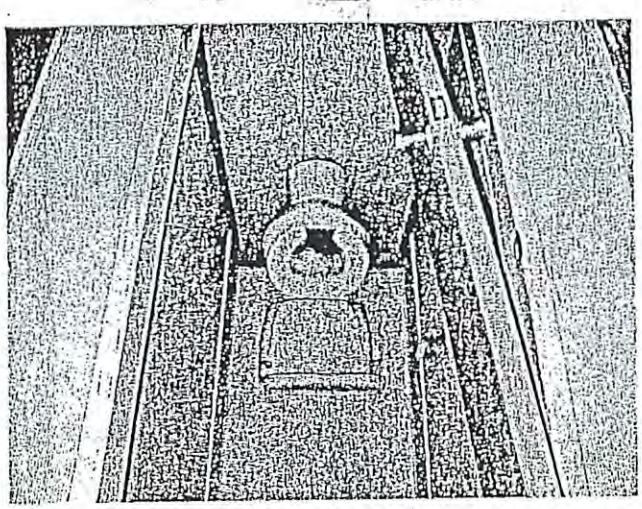
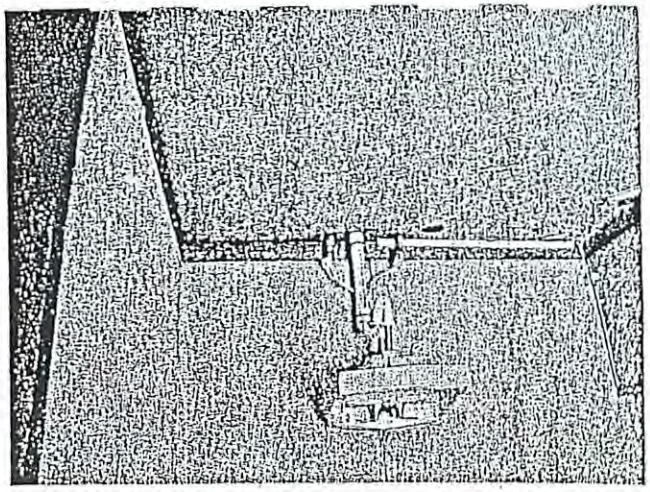
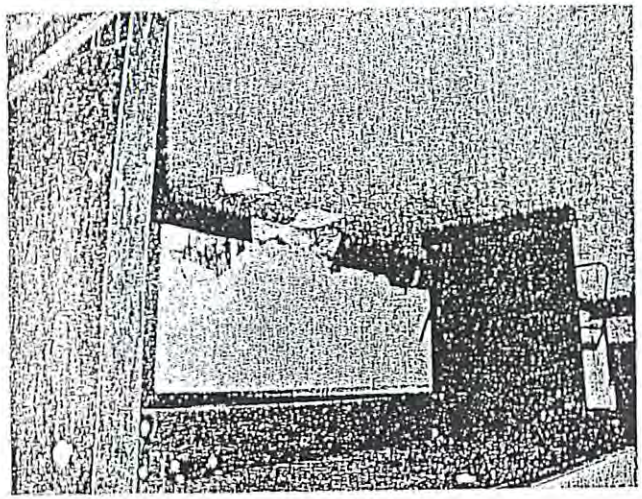
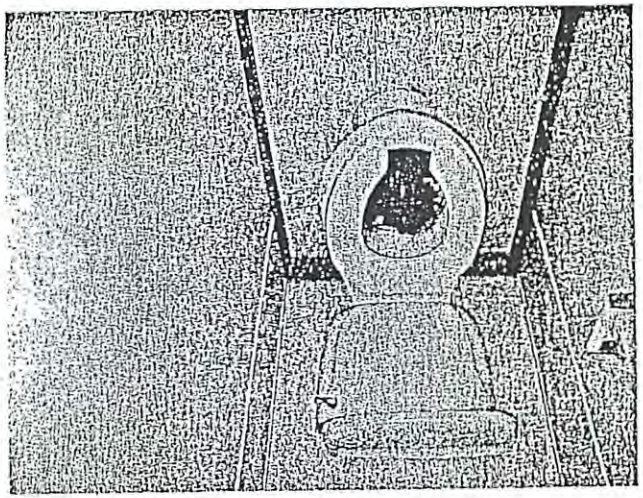
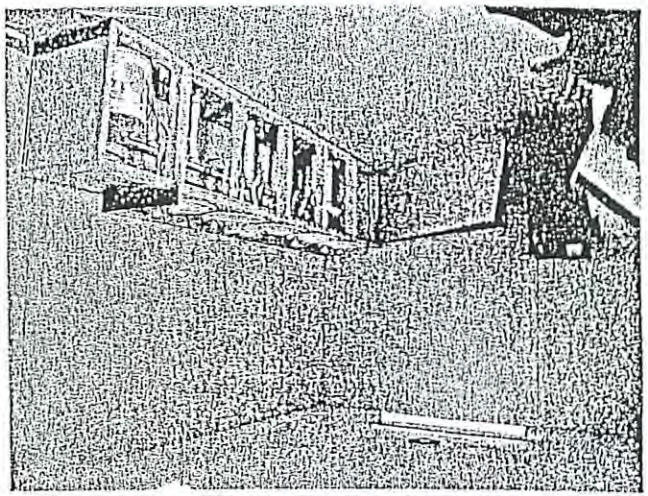
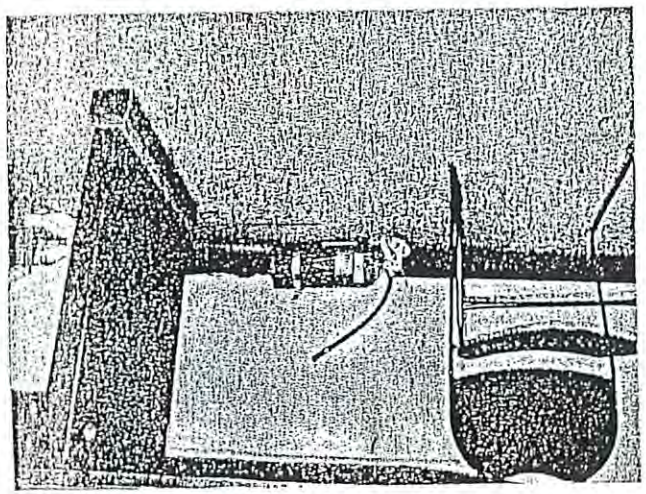
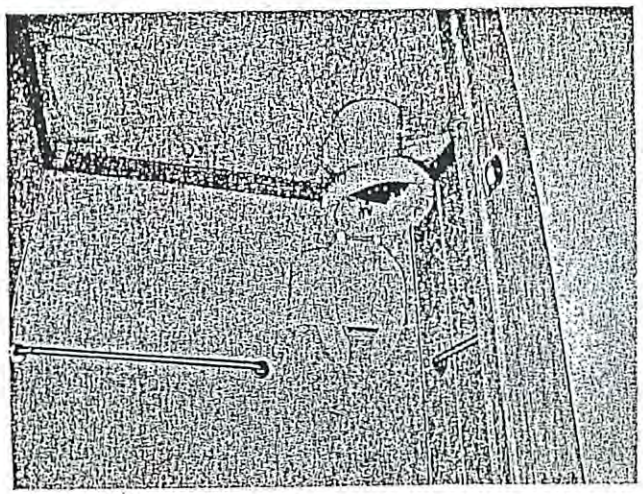
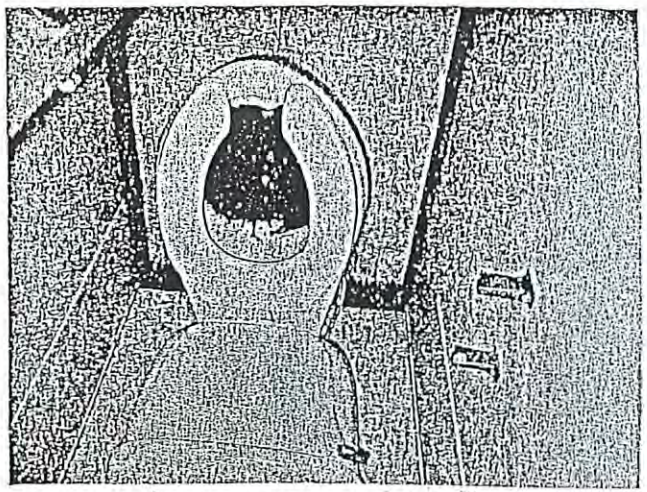
Sincerely,

Austin A. Andersen
Interim Inspector General

AAA/lc

Attachments

cc: Mr. Robert C. Bobb, City Administrator
Mr. Herbert R. Tillery, Deputy Mayor for Operations
Mr. William Howland, Interim Director Department of Public Works

APPENDIX 4

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF PUBLIC WORKS

Office of the Director

May 18, 2004

Mr. Austin Anderson
Interim Director
Office of the Inspector General
717 14th St., NW
Washington, DC 20005

Dear Mr. Anderson:

This is in response to the Management Alert Report MAR 04-I-009, concerning the Department of Public Works Solid Waste Collection Division's health and safety issues at 1241 W Place, NE and 2860 S. Capitol St., SE.

Observations/Solutions:

1241 W Place, NE – Management concurs that the toilets and sinks in the men's bathroom were not in working order. Management has had on numerous occasions plumbers in to work on the constant problem with the toilets that were inoperable.

The bathrooms are being cleaned daily. Toilets and sinks are now properly working, and we have asked our facilities manager to look at upgrading the entire men's bathroom with commercial high-grade toilets. We think the problem with the toilets is that they are low flushing, which has no force when flushing. We anticipate a total change out by the end of June 2004. We have also requested repair of any sink that was not properly working (running hot or cold water). Supervisors at this location have been instructed to monitor this situation daily and report back to the Chief of Solid Waste Collections Division.

2860 S. Capitol St., SE – During the inspection by the OIG team of this location it was noted that the common area and the kitchen floors were filthy, roach infestation, the fire extinguisher improperly stored with no accessibility and the kitchen oven on with the door open for the sole purpose of providing heat on cold days.

SWCD management has made contact with the Office of Property Management to instruct the current cleaning contractor to do better at cleaning this facility. The current contractor did not use soap on the floors, nor strip and buff the floors. OPM has agreed to monitor this site over the next few months to ensure that the contractors are in compliance with their contract, as it relates to keeping the facilities clean.

A work order was placed the week of April 26, 2004, to replace the tile flooring in the kitchen and to repair any holes in the walls at this location. Management has also procured with Dixon Pest Control to abate the roach infestation and rat harborage.

Should you need additional information or clarification, please feel free to contact Thomas Henderson, Administrator for the Solid Waste Management Administration, at 645-0744.

Sincerely,

William O. Howland Jr.

William O. Howland
Interim Director

/rw