

ADMINISTRATIVE INVESTIGATION REPORT

A. Subject of Investigation

Angelita Zayas, School Security Worker I, Board of Education; date of hire: July 25, 1988

B. Witnesses

- Lisa Kelly, School Security Guard
- Evelyn Merzon, School Security Guard
- Rita Worthy, Administrative Assistant, School Security
- Andrea Joyner, School Security Guard
- Harold Brooks, Union President

C. Exhibits

1. Notice of Administrative Leave (10/15/20)
2. Records of entry/exit (9/30/20 to 10/6/20)
3. Surveillance photos/CD (9/30/20)
4. Timesheet 9/8/20 to 9/16/20
5. Overtime Slips 9/8/20 to 9/16/20
6. Records of entry/exit (9/9/20 to 9/23/20)
7. Records of entry/exit (8/31/20 to 10/15/20)
8. Summer Schedule 2020 by School\
9. Timesheet (Angelita Zayas) Extra Duty/Overtime 7/25/20
10. Timesheet (Ron Rosarbo) Extra Duty/Overtime Week of 7/19/20
11. Parking Lot video surveillance (photos and CD)
12. Building permits week of September 7, 2020
13. Overtime Slips 9/8/20 to 9/16/20
14. Building permits week of September 14, 2020
15. Building permits week of September 21, 2020
16. Timesheet Extra Duty/Overtime 9/22/20 to 9/29/20
17. Records of entry/exit (8/31/20 to 10/15/20)
18. Email to Chief Reddish from Officer Joyner
19. Questionnaire to and Responses from Harold Brooks
20. Job Description School Security Worker

D. Background

On October 14, 2020, Chief of School Security Thaddeus Reddish informed Taryn Bonner, BOE Labor Relations Manager of allegations that Security Supervisor Angelita Zayas was engaging in falsification of hours worked and theft of school property. Based on the seriousness of the allegations, Ms. Bonner noticed by letter of October 15, 2020 to Ms. Zayas that she was being placed on paid administrative leave pending administrative investigation. (Exhibit 1). This investigation was assigned to Mr. Scott Nabel of the Office of Labor Relations-Citywide.

E. Findings

Theft of Property

Based on the evidence the following occurred on September 30, 2020:

- Supervisor Zayas was observed entering a storage room located in Adult Education located at 580 Ella T. Grasso Boulevard removing 2 cases of beverage placing the items on the table located next to the metal detector and walking away.
- Supervisor Zayas then returns to the items and covers them with her jacket. Supervisor Zayas then opens the front door and allows Supervisor Rosarbo to enter the building. The two walked to the storage closet and it is at this time that Supervisor Rosarbo removed 2 cases of beverage.
- The two walked back to the front of the building and an unknown light skinned male was allowed entry into the building. The three appear to speak for a short time with Supervisor Rosarbo handing the unknown male a case of beverage and the three exited the building.
- Once outside Supervisor Zayas placed the covered 2 cases of beverage in her personal vehicle.
- Supervisor Rosarbo and the unknown male placed the other 2 cases in his department issued vehicle a white jeep bearing CT 344NH."

Supervisor Zayas' presence at Adult Education is confirmed as of 5:46pm on September 30, 2020 through her record of entry and photo surveillance. A surveillance photo captures her carrying beverages and her conduct is captured in various surveillance photos between 7:01pm and 7:26pm in the Adult Ed Main Lobby, Main Entrance, and Front Parking Lot.

While this investigation was pending, Officer Joyner reported the following to Chief Reddish on January 5, 2020:

Monday, January 4th at 10am I received a call from Ronnie that he was at Workforce Alliance and wanted to drop off some water. Ronnie asked for me to call the custodian to bring the water inside. Ronnie was with his union President

Mr. Brooks who drove the water over to New Haven Adult Education Center with a young lady to drop the water off at 10:05 am. As the custodian and I watched Mr. Brooks load the water onto the hand truck he then informed us that he was done. Mr. Brooks left and the custodian brought the water inside.

On January 7, 2021, Harold Brooks sent an email to Michelle Bonora and Taryn Bonner copied to Iline Tracey, Barbara Montalvo and Lisa Mack entitled *School Security* stating in pertinent part the following:

Happy New Year and I hope that the year is off start for all of us. The purpose of this email is to inform you that on Monday morning I dropped off 48 bottles of water to the Adult Education Building on behalf of Mr Ronald Rosarbo and Ms. Angelita Zayas. It is our view that this was a simple misunderstanding and hence we are replacing two cases of water...

Questionnaires were issued to Mr. Brooks in response to his email and the report made by Officer Joyner. Mr. Brooks reports the following:

- He is referring the Union as to whose view it is that the water incident was a simple misunderstanding. He does not specify who in the Union felt this matter was a misunderstanding, but has no specific knowledge as to how the principal as alleged may have been involved in this "misunderstanding." The reason he emailed the NHPS personnel was to document the water had been returned.
- He was aware that on January 4, 2021, Mr. Rosarbo and Ms. Zayas were on administrative leave with pay.
- The employees-Mr. Rosarbo and Ms. Zayas-thought they had permission to take the water from Principal Bonara.
- He dropped off the water at approximately 10 am while on a break from work, acting as an union agent. He further reports that he was working remotely on that date. He recalls being there for approximately 3-5 minutes to drop off the water. He did not have permission to be away from work at this time and reports being away from work for approximately 20 minutes.
- No one assisted him with dropping off the water. He used his personal vehicle to transport the water in the back seat of his vehicle to Adult Education and a member of his household accompanied him. He did not transport the water into the building.
- He reports there was a security guard, custodian and his family member present. He does not identify these persons by name other than the family member who he identifies as Rachel. He reports he does not know the names of the security guard or custodian present at the time. He does not recall details of the conversation, but reports "I mentioned that I was dropping off the water on behalf of employees/members and that I was as a union

officer bringing the water to the school. I told the custodian that he did not have to help me with taking the water out of my car.”

- He reports the reason why his family member was present was because “[t]hey were asked to.”
- He obtained the water in the parking lot of Workforce Alliance and it was “provided” to him by Supervisor Rosarbo at the Workforce Alliance parking lot. He placed the water in his car and then drove to the lot of the school. He was unable to respond to the question if any other persons were present at this time.
- He reports the reason for dropping off the water was to replace water used by members. He further reports no one asked him or directed him to drop off the water.
- He had no involvement with the removal of the water or knowledge of where, how and why the water was removed other than two cases of water were taken.
- He reports that neither Supervisor Rosarbo nor Supervisor Zayas were present when he dropped off the water or on City property at the time. There were no relatives or friends of Supervisor Rosarbo or Supervisor Zayas present at the time that he dropped off the water.
- The Union took pictures of the water being delivered.

Misuse of Time/Falsification of Time/Attendance Records/Neglect of Duty

Supervisor Zayas’ regular work hours are 8:00am to 4:00pm.

A review of the evidence demonstrate misuse of time and falsifying attendance:

- 10/14/20 Entered Columbus School at 8:29am. (\$13.64)
- 10/13/20 Entered Columbus School at 8:40am. (\$18.28)
- 10/9/20 Entered Columbus School at 8:22am. (\$9.00)
- 10/8/20 Entered Columbus School at 8:34am. (\$13.64)
- 10/7/20 Entered Columbus School at 10:50am. (\$77.20)
- 9/30/20 Entered Columbus School at 8:32am. (\$13.64)
- 9/29/20 Entered Columbus School at 10:51am. (\$77.20)
- 9/25/20 Entered Columbus School at 9:20am. (\$36.28)
- 9/24/20 Entered Columbus School at 10:58am. (\$81.84)
- 9/23/20 Entered Columbus School at 8:1_am. (\$4.09)
- 9/22/20 Entered Columbus School at 10:52am. (\$77.20)
- 9/18/20 Entered Columbus School at 8:46am. (\$20.46)
- 9/17/20 Entered Columbus School at 9:04am. (\$27.28)
- 9/16/20 Entered Columbus School at 12:41pm. (\$127.39)
- 9/15/20 Entered Columbus School at 8:29 ((\$13.64)
- 9/14/20 Entered Columbus School at 9:01am. (\$27.28)

- 9/11/20 Entered Columbus School at 8:33am. (\$13.64)
- 9/10/20 Entered Columbus School at 8:50am. (\$22.64)
- 9/9/20 Entered Columbus School at 8:4_am. (\$18.27)
- 9/8/20 Entered Columbus School at 10:52am. (\$81.84)
- 9/4/20 Entered Columbus School at 9:53am. (\$54.56)
- 9/2/20 Entered Columbus School at 8:56am. (\$27.28)
- 9/1/20 Entered Columbus School at 10:36am. (\$68.20)
- 8/31/20 Entered Columbus School at 8:32am. (\$13.64)

Records of her entering/exit assigned work location demonstrate her lack of presence during scheduled hours. On none of the occasions above did Supervisor Zayas report being tardy or been authorized for time off in accordance with policy and the collective bargaining agreement.

Supervisor Zayas' regular hourly rate (as of 7/1/20) is \$27.28. An approximation of her pay associated with tardiness each day between August 31 and October 14, 2020 is provided above parenthetically and totals \$938.13.

On 7/25/20, Supervisor Angelita Zayas (#22) was assigned to Adult Education from 7:45am to 1:00pm. . She submitted a timesheet for Extra Duty/Overtime claiming to have worked at Adult Education from 8:00am to 1:00pm . Her hourly overtime rate (as of 7/1/20) is \$41.07. Five (5) hours of overtime not worked has the value of \$205.35.

Supervisor Zayas did not report to her assignment at Adult Education. Instead, Supervisor Rosarbo, while working overtime on Citywide alarms, covered for her without notifying anyone. Video surveillance of the parking lot at Adult Education reveals the following:

- 7:03am Supervisor Rosarbo's vehicle in lot
- 7:51am Supervisor Rosarbo's vehicle is no longer in the lot
- 8:02am Supervisor Rosarbo's vehicle is back and he is standing next to it
- 8:34am Supervisor Rosarbo is walking towards his vehicle
- 8:52am Supervisor Rosarbo's vehicle in lot
- 9:06am Supervisor Rosarbo is walking towards his vehicle and then is standing in front of it
- 9:27am Supervisor Rosarbo's vehicle in lot
- 10:13am Supervisor Rosarbo is walking towards his vehicle
- 10:39am Supervisor Rosarbo's vehicle being moved to (or from) parking space

A review of the evidence further reveals:

- 9/8/20** Hours of Assignment at Adult Ed were 3:00pm to 8:00pm; assigned to SSO 22 [Angelita Zayas]. Claimed to work Extra Duty/Overtime from 3:00 to 8:00. **No Record of entry/exit at Adult Ed on 9/8/20.** The value of 5 overtime hours not worked is **\$205.35.**
- 9/12/20** Hours of Assignment at Adult Ed were 7:30am to 1:00pm; assigned to SSO 22 [Angelita Zayas]. Claimed to work Extra Duty/Overtime at Adult Ed from 7:30am to 1:00pm. **Entry/exit records place actually place Supervisor Zayas at Adult Ed only from 7:48am to 11:41am.** The value of 1.5 hours overtime not worked is **\$61.60.**
- 9/16/20** Hours of Assignment at Adult Ed were 3:30pm to 6:30pm; assigned to SSO 22 [Angelita Zayas]. Claimed to work Extra Duty/Overtime at Adult Ed from 3:30pm to 6:30pm. **Entry/exit records actually place Supervisor Zayas at Adult Ed only from 3:16pm to 3:34pm.** The value of 3 hours overtime not worked is **\$123.21.**
- 9/23/20** Hours of Assignment at Adult Ed were 3:30pm to 6:30pm; assigned to SSO 22 [Angelita Zayas]. Claimed to work Extra Duty/Overtime at Adult Ed from 3:30pm to 6:30pm. **No Record of entry/exit at Adult Ed on 9/23/20.** The value of 3 hours of overtime not worked is **\$123.21.**

In sum, in the month of September 2020, Supervisor claimed to work extra duty/overtime on three occasions in which she did not work at all (9/8/20, 9/16/20, and 9/23/20) and one on which she arrived late and left more than an hour early (9/12/20). The total amount paid for such time not worked is approximately **\$513.37.** **The total of payroll falsification regarding overtime from July through September is approximately \$718.72.**

F. Violations

Supervisor Zayas is in the position of School Security Worker I. This job description states in pertinent part the following:

This is responsible, investigative public safety work involving the control, maintenance and enforcement of regulations governing the order and security of the City's Public Schools.

The illustrative examples of work include:

- Patrols and supervises traffic of school corridors, rest rooms, entrances, exits and passage ways.
- Identifies intruders and any other unauthorized persons, and regulates or controls their entry and passage in the public school buildings.
- Assists authorized visitors by directing and explaining security regulations as necessary.

- Assists and directs student traffic associated with fire alarms, cafeteria use, busing and parking facility access.
- Assists, as directed, during athletic, social and academic activities scheduled in the school building during and after regular school hours.
- Assists, as directed, in controlling and investigating causes of school disturbances and other internal and external problems.
- Assists law enforcement officers as directed.

This position requires of the candidate to “..successfully complete a program in law enforcement training at a police training facility and upon completion be eligible for power of arrest status under Connecticut General Statutes.”

Supervisor Zaya’s conduct demonstrates an unwillingness or inability to meet the essential job functions of School Security Worker I. Additionally, Supervisor Zayas violated the following violations of the School Security Division’s Standard Operating Procedures (October 2014):

2014-001 Foreword

This manual is intended to provide guidelines for your conduct as an employee of the Security Department at the New Haven School District. It is not intended to prescribe specific conduct in every situation that you are likely to encounter. This guide is no substitute for sound judgment. Security officers of all ranks must use common sense while applying rules to any given situation. In no way shall this guide be construed to supersede the provisions of the New Haven School District or the New Haven Board of Education employee handbook.

Loyalty, courage, integrity and dedication to duty are all qualities expected of the professional security officer. The qualities alone, however, are not sufficient. Professionalism demands that service to the New Haven School District always be paramount in the mind of each officer. Personal feelings must be sublimated in deference to the good of the school district and those you serve.

We represent a public educational institution and as such our primary goal is to render the best possible service to our students, staff and community. Personal appearance, courtesy, attitude, alertness and ability are the keys to success and ultimately to the success of the New Haven School District.

2014-005 Rules and Regulations

- **Reporting to Work:** *All security personnel will report to work promptly for their regularly scheduled work hours (and any extra or special assignment hours).*

- **Post Coverage and Attendance:** *All security personnel are expected to exemplify promptness and good attendance in reporting to work. Excessive tardiness or absenteeism will not be tolerated. No security personnel shall leave his/her assignment without permission, and without the proper notification being made to the Security Office, security supervisor and/or building principal.*

2014-007 Extra Duty Assignments – Roles and Responsibilities

Procedure

1. *Report on time at the location indicated in the special or extra duty assignment notification (whether verbal or written).*
4. *Be responsible for handling and/or assisting in all incidents and complaints that take place while on duty to include (a) Thefts, damage to property, disputes, lost or missing children.*
7. *Officers shall leave their assignment when authorized by a supervisor or the Director of Security.*

Falsifying/Fraud

In addition to engaging in theft of property from the New Haven Public Schools, Supervisor Zayas submitted timesheets and extra duty/overtime slips for payment for hours not worked. She misrepresented hours worked during her regular workday, as she habitually and frequently failed to report to work as scheduled without authorization. Additionally, on July 25, 2020 and on four occasions in September 2020, she claimed to have worked the scheduled hours of the extra duty/overtime assignment at Adult Education, where she did not show up at all or worked fewer hours.

Supervisor Zayas's conduct also violates the Section 12 5/8-8 (c) of City's Code of Ethics which prohibits "...the use of any publicly owned or supported property, vehicle, equipment, material, labor or service that it is the general practice to make available to the public at large, or that is provided a a matter of stated public policy for the use of public officials and municipal employees in the conduct of business." Section 12 5/8-8 I states that the "...prohibited practices are also sufficient for an appropriate authority to impose discipline in accordance with the City Charter, this chapter [Code of Ethics]...and/or any applicable collective bargaining agreement."