



# Memorandum

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To: The Honorable Carlos Alvarez, Mayor  
The Honorable Chairperson Bruno A. Barreiro  
Members, Board of County Commissioners

From: Christopher Mazzella  
Inspector General

Date: September 14, 2007

Re: Former County Employees Arrested for Overtime Fraud

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Attached is a news release issued today regarding captioned matter. An investigation by the Miami-Dade Office of the Inspector General (OIG) into two former Department of Solid Waste Management (DSWM) employees ended in their arrest today. Emilio Orbis (Orbis), a County employee for over twenty-six years, and Carlos Manuel Fernandez (Fernandez), a thirteen-year employee, were arrested following the joint investigation by the OIG and the State Attorney's Office (SAO). Orbis and Fernandez were terminated by DSWM following the investigation. Both employees, who worked at DSWM's North Dade Landfill Maintenance Shop, were caught on video helping each other change the time clock. Orbis manually manipulated the time clock to change the date and time settings while Fernandez acted as the look-out. By tampering with the time cards, Orbis and Fernandez caused the false overtime hours to be recorded on the official payroll attendance records (PARS). The pair was able to obtain over \$2,000 each from January 2006 through June 2007 by falsifying the weekend overtime they worked.

Orbis and Fernandez have been charged with Organized Scheme to Defraud, Grand Theft and Official Misconduct, all third degree felonies. The OIG is grateful to the Department of Solid Waste Management for their assistance during the course of this investigation. The OIG is committed to pursuing any employee misconduct that affects the operations of the County and the monies entrusted by the taxpayers.

cc: Mr. George Burgess, County Manager  
Mr. Henry Sori, Executive Assistant to the County Manager  
Ms. Kathleen Woods-Richardson, Director, Department of Solid Waste Management  
Ms. Cathy Jackson, Director, Audit & Management Services  
Mr. Charles Anderson, Commission Auditor

Clerk of the Board (copy filed)



OFFICE OF THE INSPECTOR GENERAL

**Solid Waste Former Employees Arrested for Time-Clock Tampering  
Resulting in Overtime Fraud**

Two long-time Miami-Dade County employees of the Department of Solid Waste Management (DSWM), Emilio Orbis (Orbis) and Carlos Manuel Fernandez (Fernandez), were arrested following a joint investigation by the Miami-Dade Office of the Inspector General (OIG) and the Miami-Dade State Attorney's Office (SAO). The DSWM played an integral role in assisting in this investigation. Orbis and Fernandez, who have been terminated from their employment with the County, were both assigned to DSWM's Maintenance Shop at the North Dade Landfill located at 21500 N.W. 47 Avenue. They have been charged with one (1) count of Organized Scheme to Defraud, seven (7) counts of Official Misconduct and one (1) count of Grand Theft, all third degree felonies for receiving fraudulent overtime pay by tampering with the official time clock at the DSWM.

The investigation began when the OIG received a complaint that DSWM Maintenance Shop employees were falsifying overtime hours worked on the weekends. The OIG was able to verify the time clock tampering through the installation of a covert video recorder installed at the North Dade Landfill facility. The video recorded Orbis and Fernandez assisting each other in altering the time clock to stamp their time cards with false times. Orbis used a key to unlock the time clock and manually manipulate it to alter the time and day settings. Fernandez acted as a look out and, on some occasions, was observed handing Orbis the key to the clock.

In addition to the video surveillance, OIG special agents conducted surveillances of Orbis and Fernandez. The OIG special agents observed their actual arrival and early departure from work on two separate weekends. The video captured the alteration of the time cards for those same dates. In addition to the video and physical surveillance, the OIG reviewed the Sunpass toll records for both Orbis and Fernandez, which recorded their travel on the turnpike to and from the North Dade Landfill facility. The toll records reflected they left work earlier than their time cards indicated. According to an arrest affidavit signed by a Circuit Court Judge, Orbis submitted a total of 58 false overtime hours from January 1, 2006 through June 4, 2007. Fernandez submitted 64.5 false hours of overtime for the same period. Orbis received \$2,173 and Fernandez received \$2,007 in fraudulent overtime pay for those dates.

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Inspector General Christopher Mazzella stressed that government employees who steal overtime not only cheat the taxpayers but also demoralize their fellow workers. Such misconduct fosters mistrust in government operations. The OIG is committed to promoting accountability and curtailing fraud in the government workplace.

Copies of the arrest affidavit are available at the Office of the Inspector General, 19 West Flagler Street, Suite 220, Miami, Florida, telephone number (305) 375-1946, or at the State Attorney's Office, c/o Ed Griffith, 1350 N.W. 12 Avenue, Miami, Florida, telephone number (305) 547-0535.