



## MISUSE OF MTA PROPERTY, UNAUTHORIZED DUAL EMPLOYMENT, AND TIME ABUSE BY MTA HQ COMPUTER SUPPORT ANALYST

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### I. EXECUTIVE SUMMARY

The Office of the MTA Inspector General (OIG) substantiated allegations that a former MTA Headquarters (HQ) Computer Support Analyst 2 (Computer Support Analyst) currently employed at the Long Island Rail Road (LIRR) conducted personal business during MTA work hours and while using an MTA vehicle. Additionally, OIG found that the Computer Support Analyst failed to obtain dual employment authorization, not only for his personal business, but also for two additional outside employment positions that he held during his employment with the MTA. Specifically, OIG found that:

- (1) On 113 dates, between October 2021 and February 2024, the Computer Support Analyst either worked at his secondary outside employment during his MTA work hours or modified his scheduled MTA hours without permission to accommodate his outside employment.
- (2) There were over 300 instances between October 2021 to February 2024 that the Computer Support Analyst either failed to swipe in or out of the Kronos timekeeping system or swiped in but failed to swipe out.
- (3) On 44 dates, between November 2022 to October 2023, the Computer Support Analyst accessed eBay, PayPal and various sneaker-related websites on his MTA work computer.
- (4) There were over 300 non-MTA-related emails found in the Computer Support Analyst's MTA email account, from November 2017 to December 2023, pertaining to his outside employment activities. Of those emails, 65 occurred during his scheduled work hours.
- (5) The Computer Support Analyst synced his personal Google account to the Google Chrome application on his MTA computer, causing his personal Google Chrome bookmarks to link over 350 pornographic websites to his MTA Google Chrome application on his MTA computer.
- (6) The Computer Support Analyst transported merchandise for his personal sneaker business in his MTA-assigned vehicle.

- (7) The Computer Support Analyst admitted that he kept his assigned MTA vehicle at his home overnight despite being told that it was not permissible. On 44 dates between May 18, 2023 and March 2, 2024, Global Positioning System (GPS) records show that the Computer Support Analyst's assigned MTA vehicle was at or near his residence after his regularly scheduled shift for periods of time greater than 6 to 12 hours, suggesting that the vehicle was kept overnight at his home, in violation of the MTA policy regarding use of official vehicles.

Furthermore, OIG found that the Computer Support Analyst's supervisor, the Manager of Information Technology (IT) Client Support (Manager), failed to adequately review time and attendance and MTA vehicle usage records for the Computer Support Analyst.

OIG recommends that MTA HQ and LIRR take whatever action as to the Computer Support Analyst and Manager they deem appropriate. A copy of this report was provided to MTA HQ and LIRR, and their response is set forth at the end of this letter. Because the Computer Support Analyst's conduct also appears to violate the New York State Public Officers Law, a copy of this report has been provided to the New York State Commission on Ethics and Lobbying in Government (COELIG) for their review and any action they deem appropriate.

## II. BACKGROUND

The Computer Support Analyst was hired by MTA Headquarters as a Computer Support Analyst 2 in June 2017. In November 2024, the Computer Support Analyst transferred to the position of Assistant Stationmaster at LIRR. As a Computer Support Analyst, he was responsible for installing, maintaining, troubleshooting, and providing technical support to users of MTA computer hardware, software, and technology services. His position required him to work in the field and he operated an MTA pool vehicle traveling to various MTA locations including Nassau County, Queens, and Brooklyn. When working in the office, the Computer Support Analyst was assigned to work at Jamaica Central Control.<sup>1</sup> The Computer Support Analyst was required to work an 8.5-hour day with 30 minutes unpaid for lunch. As discussed in more detail below, the start time of his shift ranged from 6:30 a.m. to 8:00 a.m. on weekdays with Saturday and Sunday as his days off.

The Computer Support Analyst was supervised by the Manager for IT Client Support. The Manager was hired by the MTA in March 2009. As the Manager, he was responsible for supervising and managing 22 employees, assigning tasks, managing time and attendance, project coordination, and responding to operations calls and questions concerning information technology matters.

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<sup>1</sup> The Jamaica Central Control building is also commonly referred to as Jamaica Command Center.

### III. INVESTIGATION

#### A. Records Reviewed

##### 1. *Dual Employment Records and MTA Timekeeping Records*

The Computer Support Analyst formed a domestic limited liability company (LLC) in January 2018 according to New York State Department of State, Division of Corporations records. The Computer Support Analyst's LLC was listed as the user ID for his eBay account, which showed listings of various sneakers and electronic equipment for sale. Employment records showed that the Computer Support Analyst was also employed at a package delivery company loading packages from October 2021 to December 2021. His shift was primarily in the early morning hours from 4:00 a.m. to between 8:30 a.m. and 9:15 a.m. Other employment records showed that the Computer Support Analyst was also employed at a snow removal company from October 2021 to February 2024. He did not have steady regular hours as it was dependent upon the days and hours when there was an accumulation of fallen snow.

The Computer Support Analyst did not have MTA outside activity approval for his personal business, his employment at the package delivery company, or the snow removal company.

Employment records showed that the Computer Support Analyst was also employed at an airline as a ramp agent (baggage handler) from September 2022 to February 2024. In addition to weekend shifts, there were days during the week when he worked at the airline beginning his shift between 12:30 p.m. and 1:00 p.m. and ending at 7:15 p.m. or 9:30 p.m. In April 2023, the Computer Support Analyst obtained MTA outside activity approval to work at the airline, which was after he had already begun working at the airline. He listed on his dual employment authorization request, approved by the Manager, that the hours he would be working at the airline were Saturday and Sunday from 2:00 p.m. to 10:00 p.m. However, airline employment records show that he also worked weekdays at times that conflicted with his scheduled MTA hours that he listed as 7:00 a.m. to 3:00 p.m. On the weekdays that the Computer Support Analyst worked at both the MTA and the airline, his MTA Kronos swipe data shows a few instances when he swiped in to begin his MTA shift between 4:05 a.m. and 5:30 a.m., but the majority of the time he failed to swipe, which made it impossible to determine whether his MTA working hours overlapped with the airline working hours.

Overall, between October 2021 and February 2024, OIG found 113 dates that the Computer Support Analyst was working at his various secondary employment during his scheduled MTA hours or that he changed his MTA work hours, without authorization, to accommodate his outside employment schedule. A review of the Computer Support Analyst's

MTA Kronos timekeeping records showed that he did not regularly swipe in and out of the Kronos timekeeping system. His Kronos swipes from October 2021 to February 2024 showed that there were 115 instances when he swiped in but failed to swipe out, and 215 instances when he failed to swipe in or out at all.

Because the Computer Support Analyst routinely failed to enter Kronos swipes showing when he started and ended his shifts and both authorized and unauthorized changes were made to his work hours, OIG is unable to determine exactly how many hours the Computer Support Analyst was paid for hours that he did not work and was not entitled to be paid.

## *2. Computer Records*

OIG analyzed the Computer Support Analyst's MTA-issued computer which showed multiple ways that the Computer Support Analyst misused his MTA computer. First, analysis of the web history showed that between November 2022 to October 2023, on 44 dates, the Computer Support Analyst accessed eBay, PayPal, and various sneaker-related websites on his MTA computer.

Second, analysis showed that the Computer Support Analyst had over 300 personal emails in his MTA-issued email account, from November 2017 to December 2023, related to his outside employment activities. He sent emails between his MTA-issued email account and his personal email accounts related to his unauthorized personal business and also used his MTA-issued email account as the point of contact to receive email confirmation for purchase orders and merchandise offers at various sneaker online outlets. The emails also contained attachments and files regarding banking information for his personal business and business records. Sixty-five of these emails occurred during the Computer Support Analyst's scheduled work hours.

Third, analysis showed that the Computer Support Analyst synced his personal Google account to the Google Chrome application on his MTA computer. The sync caused the Computer Support Analyst's personal Google Chrome bookmarks to link to his MTA Google Chrome application. The bookmarks contained over 350 pornographic websites. MTA IT, however, determined that the Computer Support Analyst did not access or visit any of the pornographic websites on his MTA computer.

The Computer Support Analyst completed the MTA's web-based training on Outside Employment Activities and Computer and Social Media Usage in 2019. He also confirmed policy certifications for the Code of Ethics — which explains the policies regarding outside activities and other employment — in 2017 and 2019.

### 3. *GPS Records*

GPS records show that on 96 dates between May 18, 2023 and March 2, 2024, the Computer Support Analyst traveled within 500 feet of his residence with his MTA-assigned vehicle. On 44 of those 96 dates, the Computer Support Analyst's assigned MTA vehicle was present near his residence after his regularly scheduled shift for periods of time greater than six to twelve hours, suggesting that the vehicle was kept overnight, in violation of the agency policy regarding use of official vehicles.

## **B. Summary of Interviews Conducted**

### 1. *Timekeeping Practices and Work Assignments*

The Manager stated that the Computer Support Analyst worked an 8.5-hour day with 30 unpaid minutes for lunch. Each employee was required to swipe at a Kronos clock and was responsible for entering their own time in the PeopleSoft timekeeping system to document only the number of hours worked, not the exact times, although the Manager did not adequately check to see if the Computer Support Analyst was regularly complying with the Kronos swipe requirement. The Computer Support Analyst claimed that the earliest that he started his shift was 4:00 a.m. and the latest was 9:00 a.m. He gave contradictory responses regarding whether he notified his supervisor of the exact hours he planned to work. The Manager gave OIG conflicting information concerning the Computer Support Analyst's scheduled work hours. The Manager stated that the Computer Support Analyst's schedule changed over time but was unable to provide OIG with a clear timeline of exactly when those changes occurred, and the Manager gave differing information regarding the exact times of the Computer Support Analyst's shifts, with start times ranging from 6:30 a.m. to 8:00 a.m.<sup>2</sup> While the Manager claimed that he gave the Computer Support Analyst some degree of flexibility in his work hours due to managing his work assignments in the field, he denied that the Computer Support Analyst could make changes at his own discretion. The Manager advised that he expected his employees to send him an email if there were any changes to their scheduled shift hours, although the Computer Support Analyst did not regularly email him and the Manager said that the Computer Support Analyst "was not as reliable as the other employees."

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<sup>2</sup> The Manager initially told OIG that the Computer Support Analyst's work hours were 8:00 a.m. to 4:30 p.m. when he first started. Approximately in the summer of 2019, after the Computer Support Analyst's request for an earlier shift, his schedule changed to 6:30 a.m. to 3:00 p.m. Approximately in the fall of 2023, he requested a schedule of 7:30 a.m. to 4:00 p.m. which is how it remained at the time of the September 2024 OIG interview. In subsequent communication with OIG, the Manager advised OIG that prior to June 18, 2024, the Computer Support Analyst's official shift was 8:00 a.m. to 4:30 p.m. He located one email on June 18, 2024, in which the Computer Support Analyst requested a shift change to 6:30 a.m. to 3:00 p.m. and a second email on September 17, 2024, requesting a change from 7:00 a.m. to 3:30 p.m.

The Manager conceded that he primarily managed much of the timekeeping on an honor system. The Manager stated that the office did not have an assistant manager, so the responsibility fell onto him to monitor time and attendance. Since he was responsible for 22 employees, he found it very difficult to review daily timekeeping and still manage his other responsibilities. He claimed that he had spoken to the Computer Support Analyst several times about his timekeeping but never issued any formal disciplinary action against him. The Manager claimed that after being contacted by OIG, he monitored the Computer Support Analyst's Kronos swipes and noticed that they were "erratic."

The Manager claimed that employees were expected to start in the office but were permitted to start in the field if he was advised ahead of time. The Computer Support Analyst would send text messages to the Manager advising about working in the field instead of emails as requested. The Manager advised that when employees started their day in the field, they were supposed to mark that information on an internal "IT" calendar, but he did not strictly enforce that practice. The Manager also stated that the Computer Support Analyst did not often start his day in the field and usually came into the office.

The Computer Support Analyst stated that he received his assignments from the "Service Now" queue in the morning or from calls made directly to him for assistance. He is supposed to document completed tasks by closing out the associated work ticket. He admitted, however, that he often did not make a work ticket and had forgotten to close out work tickets.

## *2. Time Abuse, Unauthorized Dual Employment, and Dual Employment Policy Violations*

The Computer Support Analyst was questioned as to whether he ever had any other outside employment during his time at the MTA. The Computer Support Analyst only mentioned his employment at the airline for which he had received MTA approval, without mentioning the package delivery company or snow removal company. He later admitted that he did work at the package delivery company and snow removal company (only when it became clear OIG was aware of such employment) but failed to request MTA approval to work at those two jobs. The Computer Support Analyst either couldn't offer any explanation why he did not seek approval or stated, "I just didn't do it – negligence – didn't remember to." The Manager told OIG that he was unaware that the Computer Support Analyst had dual employment with the snow removal and package delivery companies.

The Computer Support Analyst confirmed that he worked at the package delivery company loading trucks as part of seasonal work. He claimed that his hours were 4:00 a.m. to 7:30 a.m., but he sometimes stayed until 8:00 a.m. if he was asked, which is in contrast to the employment records showing that he typically ended his shift between 8:30 a.m. and 9:15 a.m.



The Computer Support Analyst initially claimed that he used personal days if he had to work at the snow removal company. OIG confronted the Computer Support Analyst with numerous instances when he did not take personal days and when his scheduled MTA hours overlapped with the hours he worked at his outside employment. OIG specifically questioned him about February 13, 2024, when he last worked at the snow removal company. When challenged with the fact that his hours at the snow removal company were reported to be 3:39 a.m. to 2:30 p.m. and that he had an MTA Kronos swipe in at 4:05 a.m. and swipe out at 2:30 p.m. that same day, the Computer Support Analyst admitted that he was in fact checked in for work at the snow removal company while still on the clock during his MTA work hours. Although OIG did not find it credible, he stated that any other time other than February 13, 2024, where there was an overlap, he adjusted his MTA schedule so that he could work at his secondary employment.

The Computer Support Analyst confirmed that he worked at the airline as a baggage handler. He claimed that his hours at the airline were 1:30 p.m. to 9:30 p.m. or 1:00 p.m. to 4:00 p.m. The Computer Support Analyst admitted that there was a time when his hours overlapped with his MTA schedule one to four days per week. He estimated that it happened about nine times, but he could not be sure. He believed that the overlap would be about 30 minutes. When specifically discussing March 10, 2023, when his hours at the airline were 6:15 a.m. to 1:15 p.m., the Computer Support Analyst claimed that he took the day off from the MTA although he was paid for working that day. The Computer Support Analyst also admitted that there were occasions when he would change his MTA schedule to be able to work his shift at the airline. He claimed that he would change his MTA schedule to 4:00 a.m. to 12:30 p.m. The Manager confirmed that the Computer Support Analyst was not permitted to change his MTA work hours to accommodate his outside employment schedule.

OIG advised the Manager that there were occasions that the Computer Support Analyst's MTA work hours overlapped with his employment at the airline, the package delivery company, and the snow removal company. The Manager admitted that he was unaware the Computer Support Analyst's MTA hours overlapped with his secondary employment. The Manager told OIG staff that he had seen "erratic punches (Kronos swipes)," but he did not know the Computer Support Analyst was doing this to work elsewhere.

The Computer Support Analyst was also questioned about his business selling sneakers. He confirmed that he started the business in 2018 and used various websites including eBay to sell his sneakers. The Computer Support Analyst stated that he used social media to communicate with his customers and met with them once or twice a week. He denied that he sold his sneaker merchandise to other MTA personnel or that he ever had to be instructed to stop selling to fellow MTA employees. Conversely, the Manager stated that not long after the Computer Support Analyst started at the MTA, he observed that the Computer Support Analyst

brought boxes of sneakers into the building and kept them at his cubicle. The Manager also alleged that several employees had bought sneakers from the Computer Support Analyst but could not say exactly who the employees were. Around March 2018, the Manager claimed that he spoke to the Computer Support Analyst, advising him that his actions were impermissible. The Computer Support Analyst stopped bringing in the sneakers, and the Manager stated that he never had to speak to him again about the situation.

### 3. *MTA Computer Misuse*

The Computer Support Analyst initially denied that he ever used his MTA computer for his personal business. When confronted with information regarding his web history consisting of eBay and PayPal sites that were visited on numerous occasions during his MTA working hours and the various business documents related to his sneaker business contained within the emails on his MTA computer, the Computer Support Analyst did not deny that he was involved in those activities.

The Computer Support Analyst was also questioned about syncing his personal Google account to the Google Chrome application on his MTA computer. The Computer Support Analyst was advised about a list of synced bookmarks residing on his MTA work computer which contained numerous bookmarked sexually explicit websites. Again, the Computer Support Analyst did not deny that he was involved in those activities.

The Computer Support Analyst stated that he could not recall MTA training that he completed concerning the MTA policy regarding restrictions on personal use of MTA computer equipment. When questioned if he thought it would be appropriate to sync and register his personal account on his MTA computer, the Computer Support Analyst refused to answer the question. Even after he was instructed that his refusal to answer OIG questions would be deemed a refusal to cooperate with an OIG investigation and that he could face MTA discipline including termination, the Computer Support Analyst acknowledged that he understood the consequences but still refused to answer.

### 4. *MTA-Assigned Vehicle Misuse*

The Computer Support Analyst stated that he used an MTA vehicle or his personal vehicle to perform his field duties. Regarding the MTA vehicle, the Computer Support Analyst admitted that although he was told not to take the MTA vehicle home at the end of day, he did so three to four times a week.



The Computer Support Analyst also admitted that on more than 50 occasions he traveled with the agency vehicle to his home for lunch, to pick up his phone, identification, or something else he had forgotten. In his first interview with OIG, the Manager stated that an employee would be able to use the MTA vehicle to stop at home for lunch, but at a later interview he stated that it was not permissible.

The Computer Support Analyst initially denied that he used the agency car for his personal business but then admitted that he transported sneakers for his business in the MTA vehicle. He claimed, again not credibly, that he only met with customers on his lunch break to make sales, although he stated at an earlier time in the interview that he rarely took lunch. The Manager confirmed that it was not permissible for the Computer Support Analyst to transport sneakers or conduct his sneaker business using the MTA vehicle, even during lunch.

The Manager noted that employees were required to read the vehicle usage policy. The Manager recalled confronting the Computer Support Analyst about parking the vehicle overnight at home once, “probably pre-COVID.” When OIG staff asked if the Computer Support Analyst’s misuse of the vehicle had surprised him, the Manager agreed, stating that the Computer Support Analyst knew the policy.

#### IV. POLICIES

##### MTA All-Agency Code of Ethics

###### 1. *§ 1.07 Cooperation with Audits and Investigations*

The MTA All-Agency Code of Ethics Section 1.07 states, in pertinent part, that employees must cooperate fully and honestly with audits and investigations conducted by the MTA Inspector General, or other governmental agencies. Failure to cooperate will subject an Employee to appropriate disciplinary penalty, up to and including dismissal.

###### 2. *§ 4.02 Public Trust*

The MTA All-Agency Code of Ethics, Section 4.02, Public Trust, states, in pertinent part, that employees shall not engage in a course of conduct that will raise suspicion among the public that they are likely to be engaged in acts that are in violation of the public trust. Further, employees shall avoid even the appearance that they can be improperly influenced in the performance of their official duties or induced to violate the public trust or impair their independence of judgment in the exercise of their official duties.

3. *§ 4.07 Other Employment and Outside Activities*

The MTA All-Agency Code of Ethics, Section 4.07, states, in pertinent part, that employees are prohibited from outside employment that interferes or is in conflict with the proper and effective discharge of the individual's official duties. Each MTA Agency requires that Employees devote appropriate time and attention to their employment with that agency and full-time employment with an agency is deemed to be the employee's primary employment. Such outside employment should not interfere with the employee's ability to devote appropriate time and attention to their employment with their MTA agency. Furthermore, employees may engage in outside employment/activity provided that (1) such employment/ activity does not violate the specific guidelines for other employment set by their MTA Agency; (2) they do not use any MTA agency resources (e.g. time, equipment, telephone, etc.); and (2) they obtain the required approvals as set forth in the specific procedures for approval of other employment set by their MTA Agency.

4. *§ 8.04 Prohibition Against the Use of MTA Property*

The MTA All-Agency Code of Ethics, Section 8.04 Prohibition Against the Use of MTA Property, states, in pertinent part, that the MTA's supplies, equipment, computer resources, and other resources may not be utilized for non-governmental purposes, including for personal purposes or for outside activities of any kind.

5. *§ 9.01 General*

The MTA All-Agency Code of Ethics, Section 9.01, states, in pertinent part, that employees who violate any provision of the State Ethics Laws or of this Code may be subject to disciplinary action consistent with that administered for violations of the rules and regulations of the applicable MTA Agency, up to and including termination.

### **MTA All-Agency Policy Directive**

1. *Policy Number 11-033 Computer Usage*

The MTA All-Agency Policy Directive, Policy Number 11-033, states, in pertinent part, computer users are not permitted to use computer resources to violate any laws and regulations; to conduct any form of activity that would violate MTA policies or procedures; to engage in outside employment/activities or engage in private marketing or private advertising of products or services; or to surf, display, receive, send, forward, store, or distribute offensive, sexually explicit, pornographic or obscene text or images. MTA employees who violate this policy directive may be subject to discipline, up to and including dismissal.

## *2. Policy Number 11-037 Assignment and Use of Official Vehicles*

The MTA All-Agency Policy Directive, Policy Number 11-037, states, in pertinent part, that only employees who are first responders or who are on call 24 hours per day or who are responsible for ensuring public safety will be allowed to take MTA vehicles home or use vehicles for commuting purposes. Unless there are compelling reasons otherwise, the vehicle should be parked at an agency facility when not in use. The use of all MTA vehicles is restricted to the performance of official business and use for any personal purposes or business is strictly forbidden except under very limited circumstances where (i) personal use such as commuting is expressly authorized, or (ii) personal use is incidental to official business. Even in cases where personal use is authorized or is incidental to official business, each person operating an MTA vehicle is expected to exercise good judgment to avoid the appearance of impropriety thereby undermining public trust. Use of MTA Vehicles for off-duty travel or trips to eating places, social or sporting events, places of entertainment, or recreational activities is strictly prohibited. Unauthorized use of an MTA Vehicle or violation of or failure to comply with the requirements of this directive may result in the revocation of MTA vehicle assignment and/or disciplinary action, up to and including dismissal.

## *3. Policy Number 11-090 Outside Activities and Employment*

The MTA All-Agency Policy Directive, Policy Number 11-090 states, in pertinent part, that an employee's MTA position is considered their primary employment. An employee's Outside Activity must not interfere with the proper and effective discharge of their MTA duties or otherwise render the employee unfit for duty. All employees must obtain prior approval to engage in an Outside Activity pursuant to the MTA Code of Ethics. Any violation of this Policy Directive may lead to disciplinary action up to and including termination. Outside Activity is any employment (including self-employment) or activity performed by an MTA employee outside of their MTA job, for or on behalf of any entity or individual, to obtain compensation or other benefits whether financial or non-financial. Outside Activities also include any business venture, whether or not incorporated, that is owned or controlled by an employee.

### **New York State Public Officers Law**

#### *1. § 74(3)(d)*

“[n]o officer or employee of a state agency, member of the legislature or legislative employee should use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself or herself or others, including but not limited to, the misappropriation to himself, herself or to others of the property, services or other resources of the state for private business or other compensated non-governmental purposes.”

## 2. § 74(3)(h)

“[a]n officer or employee of a state agency, member of the legislature or legislative employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he or she is likely to be engaged in acts that are in violation of his or her trust.”

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## V. FINDINGS

1. The Computer Support Analyst failed to cooperate with the OIG investigation by refusing to answer OIG’s questions and providing untruthful and contradictory information in violation of MTA All-Agency Code of Ethics § 1.07.
2. The Computer Support Analyst failed to obtain approval for his sneaker business and the two additional jobs that he held at the snow removal and package delivery companies in violation of MTA All-Agency Code of Ethics § 4.07 and All-Agency Policy Directive Number 11-090.
3. The Computer Support Analyst engaged in activity for his personal business and worked at his three secondary jobs during his MTA work hours and changed his MTA shift hours to accommodate his outside employment schedule in violation of MTA All-Agency Code of Ethics § 4.07 and All-Agency Policy Directive Number 11-090.
4. The Computer Support Analyst misused his MTA computer, MTA email account, and MTA vehicle to conduct his dual employment/outside activities and during work hours in violation of the MTA All-Agency Code of Ethics § § 4.07 and 8.04, MTA All Agency Policy Directive Policy Numbers 11-033 and 11-090, and New York State Public Officers Law § 74(3)(d).
5. The Computer Support Analyst misused his MTA computer when he synced his personal Google account to the Google Chrome application on his MTA computer causing his personal Google Chrome bookmarks to link over 350 pornographic websites to his MTA Google Chrome application on his MTA computer in violation of MTA All Agency Policy Directive Policy Number 11-033.
6. The Computer Support Analyst misused his MTA-assigned vehicle to conduct his personal business and parked the MTA vehicle at his residence instead of an agency facility in violation of MTA All Agency Policy Directive Policy Number 11-037.

7. The Computer Support Analyst engaged in acts that violated the public trust in violation of MTA All-Agency Code of Ethics § 4.02 and New York State Public Officers Law § 74(3)(h).
8. The Manager failed to effectively supervise the Computer Support Analyst to ensure that his time and attendance were accurate and complete. He failed to monitor the Computer Support Analyst's work hours and did not adequately review the Computer Support Analyst's Kronos swipe data which clearly showed that the Computer Support Analyst's work hours were modified and he routinely failed to swipe causing incomplete or no work hours to be documented.
9. The Manager failed to adequately review the Computer Support Analyst's MTA vehicle usage.

This report represents the second report issued by OIG within the past 12 months detailing failures of supervision with the IT Department. OIG issued MTA/OIG [#2024-07](#), Conflicting Dual Employment and Misuse of MTA Resources by Computer Specialist and Gross Negligence in Supervision by MTA IT Supervisors in April 2024.

## VI. RECOMMENDATIONS

We recommend that MTA HQ and LIRR take whatever action they deem appropriate as to the Computer Support Analyst and the Manager. A copy of this report has been provided to the New York State Commission on Ethics and Lobbying in Government (COELIG) for their review and any action they deem appropriate.

*Agency Response: Upon receipt of OIG's report, on February 11, 2025, the Computer Support Analyst was terminated by LIRR. Regarding the Manager, on March 7, 2025, MTA issued a final warning letter that became a part of his official personnel file. Additionally, from the date of the final warning letter, the Manager will be subject to the forfeiture of the next two general wage increases for non-represented employees, forfeiture of teleworking privileges for twenty-four consecutive calendar months, and ineligibility for promotional opportunities for twenty-four consecutive calendar months.*