Town of Ashland, Massachusetts

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July 20, 2016

Honorable Glenn A. Cunha, Inspector General
Commonwealth of Massachusetts
Office of the Inspector General
McCormack State Office Building
1 Ashburton Place, Room 1211
Boston, MA

RE: May 17, 2016 correspondence titled, "Addressing the Risks of Time Abuse Across Multiple Jurisdictions"

Dear Inspector General Cunha:

I am writing to follow-up on my previous correspondence which provided a summary of the steps I was taking to address the concerns you brought up in your correspondence of May 17, 2016.

As I noted in prior communications, the Town of Ashland takes your concerns very seriously. As a result, we critically evaluated our internal controls to help prevent any fraudulent activity from occurring, instituted a secondary employment policy, and commissioned an independent investigation of Mr. Oram's work hours to further examine whether there was any issues of time abuse. Following is a final summary of the information obtained and actions taken from that investigation.

1. **Whether or not Mr. Oram received permission to work for other towns as outlined in MGL c.111, Section 27A.**

   This statute requires written authorization from the Health Agent's primary employment appointing authority (the Ashland Town Manager), for the Health Agent to work in another community. Mr. Oram's employment with other communities have spanned over decades, and each Town Manager during at least the last ten years was aware that Mr. Oram worked in other communities and that there was an agreement that Mr. Oram would not do any work for other communities while on Ashland time. However there was no formal written authorization given that I could find.

   From now on, the Health Agent will be required to solicit and receive written authorization for this work. During the period of this investigation, I have not granted this authorization to Mr. Oram. With the results of the investigation complete, I will be open to providing this type of authorization in the future (within certain parameters) provided that I feel that Mr. Oram's secondary employment is not in any way interfering with his ability to do his job in Ashland.

2. **Adopting a policy on secondary employment.**

The Town of Ashland provided you with a draft copy of our new secondary employment policy and the final version is attached. It should be noted that this still needs to be bargained with our collective bargaining units. A revised policy may be forthcoming as a result.

3. **Investigating whether there was any time fraud.**

The Town of Ashland engaged Melanson and Heath to review Mr. Oram's timesheet records, calendar, and email, as well as data collected from Sherborn's previous investigations. Our independent investigator's analysis indicates states:

"We found no evidence that Mark Oram violated his work requirement by working on Sherborn issues during time working in Ashland. Mr. Oram works normal Town hours with some flexibility to account for hours worked outside the normal workday, such as Board of health meetings. All evidence indicates that he responds to requests in Ashland outside of work hours, weekends and while on vacation. His shared calendars support that representation."

Our investigation did indicate that the town would benefit from additional controls, including ensuring that exempt employees could not work second jobs utilizing flex time, which is now in place. We also added additional requirements to our timesheet process in order to provide a certain level of redundancy for even tighter controls.

We are also exploring opportunities to regionalize with other towns in order to provide more effective and efficient service within respective municipalities.

In closing, we appreciate your office taking the time to point out these areas that could have facilitated any fraud or abuse. We hope that this investigation and our subsequent actions and responses instill a new level of confidence in Mr. Oram's work as well as our own control methods. Please let me know if you require any further information.

Sincerely,

Michael Herbert
Town Manager

CC: Ashland Board of Selectmen
Ashland Board of Health
Sherborn Board of Selectmen
Sherborn Board of Health
Sherborn Town Administrator
Norfolk Board of Selectmen
Norfolk Board of Health
Norfolk Town Administrator
Lisa Mead, Town Counsel
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