



# The Office of the Inspector General Fraud, Waste, or Abuse Investigations

## What We Do

The Office of the Inspector General (OIG) is an independent office within BART helping to protect the District's revenues and interests by investigating allegations of fraud, waste, or abuse. The three types of allegations can seem similar and difficult to tell apart, but it is the intent of the action that separates the three:

### Fraud

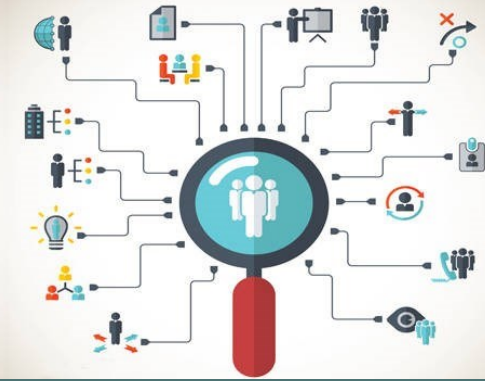
In broad terms, fraud is an act that is intended to swindle someone or an organization. It is the intentional misrepresentation of the facts for monetary or personal gain.

### Abuse

Abuse is behavior that is deficient or improper when compared with behavior that a prudent person would consider reasonable and necessary. It includes misuse of authority or position for personal interests.

### Waste

Waste is using or spending resources carelessly, extravagantly, or to no purpose.



## Fraud, Waste, or Abuse Examples

- Bribery, gratuities, & kickbacks
- Paid for time not worked
- Bid rigging & collusion
- Inferior product substitution
- Records falsification & false claims
- Contractor & supplier overbilling
- Unnecessary processes/procedures
- Misuse of authority or position
- Gross neglect of duty/mismanagement
- Theft/embezzlement
- Conflicts of interest & ethics violations
- False workers' compensation claim
- Creating unnecessary overtime
- Cost mischarging
- Unnecessarily expensive travel costs
- Personal use of employer equipment
- Violations of contract provisions

## 24/7 OIG Whistleblower Hotline

[www.bart.gov/oighotline](http://www.bart.gov/oighotline)

510-464-6100

## What We Don't Do

There are other concerns employees may have that are outside of the OIG's purview. Examples include discrimination, harassment, working out-of-class, performance evaluations, and workplace safety. These are still serious issues that should be reported to the Office of Civil Rights, Human Resources, appropriate Union, or System Safety. Calling Customer Services is an easy way to get connected to the right help: 510-464-7134.

## Reporting Allegations of Fraud, Waste, or Abuse

The OIG encourages all employees, contractors, and citizens to report their observations. Every individual, regardless of religion, race, immigration or documentation status, or national origin, is safe to obtain assistance from the OIG.

The OIG's whistleblower hotline - [bart.gov/oighotline](http://bart.gov/oighotline) - is set up so that people may report their concerns 24-hours a day every day of the year. When submitting an allegation online, reporters are prompted to create a unique pin. Reporters should do so and keep it in a safe place as it cannot be retrieved. The system will generate a case number, which reporters should keep with their pin so that they may later use the pin and case number to check on the status of their complaint and send the OIG a message via the system.

The OIG accepts anonymous complaints. However, we encourage reporters to provide contact information so that we may ask follow-up questions. The OIG is dedicated to maintaining the confidentiality of complainants. In only limited circumstances must we disclose a complainant's name, such as for an investigation that leads to criminal prosecution where the complainant may need to be called as a witness. Most cases do not require disclosure of the complainant's name. Further, the BART Board of Directors adopted a Whistleblower and Antiretaliation Policy to protect those who come forward in good faith to report a concern.

### **BART's Whistleblower & Antiretaliation Policy**

Protects those who come forward with concerns about the District: [bit.ly/35LbRud](http://bit.ly/35LbRud)

## Helping an Investigation

The OIG needs a good lead to conduct an investigation. Without specific information that points the OIG in the right direction, doing an investigation is a lot like looking for a needle in a haystack. At times, we decline complaints because there is not enough information available for us to conduct an investigation and the complainant did not provide any contact information for follow up. Other times, we are able to quickly launch and complete an investigation because we have the information and/or documentation that leads us in the right direction.

### **Complaint with Insufficient Information**

Complaint: Project X is going to be full of surprises and hidden cost overruns. No one is checking on the delays.

OIG Assessment: There is no specific information regarding the issue that would allow the OIG to narrow on the issue using investigative techniques.

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### **Complaint with Sufficient Information**

Complaint: Contractor Y submitted fake invoices for project X. Attached are three of those invoices and the contract. My email is RSP812@gmail.com. Jean Davis can back me up.

OIG Assessment: Specific information is available allowing the OIG to narrow in on the issue using investigative techniques.