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CAR Anywhere: Payroll data reveals OT pay leaders

By Michelle Breidenbach, The (Syracuse, N.Y.) Post-Standard | 03.25.2010



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It's always nice to get a tip, but we found our local [overtime pay leaders](#) by goofing around in some online records. I came across an online database of public employee salaries offered by [SeeThroughNY](#), a non-profit transparency portal.

And like any curious journalist, I pulled out our county government and sorted it top to bottom in a Microsoft Excel spreadsheet.

This was not the typical payroll information we routinely get from government payroll offices. This database of 4,727 records originated from the state pension system, run by the state comptroller's office. It wasn't just a list of base salaries, but a collection of actual pay for all current employees from all governments in New York. That means it counted base pay, overtime, side jobs, bonuses and back pay from old contract disputes. It adds up every dollar that counts toward retirement benefits – a number every public employee wants to make as big as possible.

Two names popped out. Onondaga County sheriff's Sgts. Michael Asmolik and Richard Flanagan Jr. Two sheriff's deputies who had hardly been mentioned in our pages were making more money than the sheriff, the district attorney and the county executive.

I pulled up the county comptroller's payroll Excel spreadsheet we keep in our files.

Our beat reporters routinely obtain the data every year.

It showed their base salaries were normal for deputies of their rank. They weren't on road patrol or jail duty – jobs that may require an overnight stakeout or hospital duty with a sick inmate. How were they more than doubling their salaries?

I asked another reporter for help. John O'Brien has covered police and courts in Syracuse for 21 years.

Sources told him the deputies were working super overtime by teaching at the police training academy. And the sheriff had not been sending any new recruits through the academy lately.

We went back to the county payroll records, which include a hire date.

They showed one deputy was close to retirement, a typical time to boost final salaries and, therefore, pension payments for life. The other deputy was younger, but had the same first and last name as the director of the police academy. Hmmm.

O'Brien and I made a case to John Lammers, our projects editor, to dig in deeper.

The police training academy is an old government function that is managed by everyone and no one. It is housed on the campus of the county-run community college. The college pays the director and some teachers. Others are paid by the sheriff. Most of the students come from other police agencies. And oversight is left to a state office called the Division of Criminal Justice Services.

We needed to know what these two men were doing for their pay. We asked the county comptroller's office for a spreadsheet that would show actual pay from the sheriff every two weeks. This gave us some idea which weeks involved the heaviest overtime, so we could make smarter records requests for more information.

The information was provided at no cost in an Excel spreadsheet with about 100 records. The comptroller's office broke paychecks down by regular pay and overtime for each two-week period.

We asked the sheriff and the college for copies of time sheets. The time sheets are paper records and the sheriff wanted to redact social security numbers. O'Brien asked to examine the records in person to save time and money. It didn't work. We learned that New York law allows an agency to charge for copies if they must be made to redact information.

We decided to look at timesheets for just two months, to be sure the records contained the kind of information we could really use. They did. We asked for the rest of the year. The sheriff and the college provided PDF copies of the paper records.

The time sheets showed vividly how the two accumulated overtime. They were working 16-hour days, taking four hours off overnight, then returning to work another 16-hour day. That is every available minute allowed by sheriff's policy.

The details in the time sheets brought the story to life. Days stretched from 4 a.m. to 8 p.m. One deputy worked like this for 32 days straight – racking up 180 hours of straight time and 291.5 hours of overtime, an average of 15 hours per day. By the end of the year, he had worked enough hours to equal an extra 47 weeks of full-time work.

We lined up printouts of one year of time sheets from the sheriff and the college to make sure the hours didn't overlap.

The sheriff asked his internal investigators to do the same thing. The hours ran up against each other. They punched off of the sheriff's payroll one minute and punched in at the college the next. Only two hours overlapped and the sheriff said it was a mistake.

The deputies wrote on their time sheets that they were teaching emergency driving courses on most of those weeks. The sheriff and his staff described that as dangerous and unpopular work because it can lead to injuries that require surgery.

College officials could not say specifically which courses the men taught and asked Asmolik to make a list. The state agency also could not say.

O'Brien used records from the comptroller's office to figure out how much the overtime pay could increase the deputies' pension benefits (about \$20,000 a year for Asmolik.)

Flanagan had different issues. He had the same first and last name as the director of the training academy. He was reporting to his father. I asked the college for a copy of its nepotism policy. It prohibits family members from supervising relatives because family relationships complicate work relationships and the appearance of favoritism is unavoidable. The actual policy had stronger language than I would have used if I had to define nepotism from the dictionary.

O'Brien interviewed Sheriff Kevin Walsh, who is also paid extra to teach at the academy, and Flanagan. Flanagan argued that he didn't directly report to his father because there was one layer of staff between them – Asmolik. But we could see that the father had signed his son's time sheet on at least one occasion.

The sheriff investigated and found no problems with the two employees. He said that he had concerns about the deputies' ability to work so many hours, but said they felt they were able to do it.

The college is also investigating.
