



THE CITY OF NEW YORK
DEPARTMENT OF SANITATION
OPERATIONS ORDER 2012-25



EFFECTIVE DATE: July 7, 2012

SUBJECT: ANTI-CORRUPTION PROCEDURES

AFFECTED DIRECTIVES: Operations Order 1998-07 is hereby rescinded

REFERENCE: General Order 2012-25 (Trade Waste)

PURPOSE:

The purpose of this directive is to develop procedures to eliminate Trade Waste Violations and maintain a corruption free environment through risk assessment, education, inspections and careful monitoring of potential violations. For the purpose of this order The Department defines Trade Waste Violations in General Order 2012-25 (Trade Waste).

I. RESPONSIBILITY

All managers and supervisory personnel are charged with the responsibility of ensuring that employees follow the Departments Anti-Corruption Procedures. Borough Chiefs are responsible for ensuring that their commands follow all Anti-Corruption Procedures. Deputy Chiefs will have their districts risk assessment maps updated annually. Borough Operation Superintendents will ensure that corruption notices (**DOI Posters – Appendices E & F**) are posted at all locations and that flyers (**Appendices A, B & C**) are available for the district officers to distribute as necessary. District Superintendents will be responsible for the implementation of Anti-Corruption Procedures in their districts. B.C.C. Supervisors will identify risk areas and reduce the possibility for corruption through education and supervision. B.W.D. Supervisors are responsible for inspecting loads to ensure that Trade Waste is **not** unloaded at any disposal location.

II. RISK ASSESSMENT

Section Risk Assessment Maps will be prepared and colored red for high risk areas, green for medium risk areas, and white (un-colored) for low risk areas. Indicate the collection frequency for each section and use the following legend to mark the colored risk areas.

- C = Commercial Area
- CR = Commercial \ Residential
- RR = Residential with Renovations
- I = Industrial
- O = Other

Maps must be in an 8.5 x 11 plastic sheet protector and available for each Field Supervisor. A separate book containing all section maps will be kept by the District Superintendent. Maps will be updated annually in July.

Risk areas should be spot checked daily by the Field Supervisors and spot checked by the Night District Superintendent and the District Superintendent. Checks will be random, so no pattern can be detected. Night District Superintendents will inform the District Superintendents of any potential problem locations.

III. EDUCATION

Once a location is identified as a risk, the Supervisor or District Superintendent will speak with the homeowner or contractor. The officer must explain the correct way to dispose of the material. Three flyers have been prepared to help with the presentation (Appendices A, B, C). **These flyers explain:**

- What type of material DSNY will collect
- How they should put out material for collection
- How much material can be collected on each service
- What materials are recyclable
- How to dispose of commercial waste
- That It is against the law to **offer** money to DSNY employees
- That it is against the law for DSNY employees to **request**, or **accept** money or anything of value from the public.
- The fines and penalties for violations of these laws

IV. MONITORING RISK

Supervisors must continue to check the possible risk location(s) to ensure that no one tries to illegally dispose of the material. District Superintendents will increase field supervision and check known drop off and dump out areas. At least one officer will be in the field when district equipment is working. The District Superintendent will arrange this coverage immediately following roll call. The District Superintendent will be required to know which officer is in the field at any given time. Officers should stagger lunch times to ensure maximum supervision. Officers assigned to specialty units such as C.T.U., D.V.O., Sick Leave, Safety, etc. will provide additional monitoring while conducting department business within a district. These specialty unit officers will report any potential corruption problems to the Field Supervisor by radio. Proper monitoring of personnel and equipment in the field should reduce the risk for corruption.

V. VIOLATIONS

Procedures when an officer suspects Trade Waste Violations

- Stop the truck and question both Sanitation Workers about the type and amount of material collected
- Check the D.S. 350 for prior authorization
- Determine if Sanitation Workers are on their route

If an officer determines there are no improprieties they should sign the D.S. 350 and instruct the crew to continue on the route.

If an officer still suspects Trade Waste Violations:

- Order the crew to remain on location and not to dump their truck until they are ordered to do so (confiscate the DS 350 immediately).
- Contact, via radio, the District Superintendent or designee, who must respond to the site.
- The District Superintendent, or designee, will notify the borough office of a possible Trade Waste Violation, giving the number of the truck involved, the location from which the suspected Trade Waste material was generated and request that this truck not be allowed to unload at any disposal location.
- Determine what type of material was collected. Interview any civilians present to determine if they are homeowners, store owners, contractors, or others who may provide information. Ask whether the Sanitation Worker(s) requested or received compensation for collecting the material.
- Gather as much information as possible about the site (owner's or contractor's name, address, type of work, telephone numbers). Get statements with names and addresses. List any information from vans or contractor signs on the property
- After consultation with the District Superintendent or designee, the Supervisor will mark on the D.S. 350- **DO NOT DUMP** and escort crew and truck to the garage. Secure truck and contact Borough office for further instructions.

The Borough Office Will:

- Notify Bureau Operations Office (B.O.O.) and prepare an Unusual Occurrence Report
- Send a borough staff officer to the address from which the suspected Trade Waste material was generated to assist in the information gathering process and await the arrival of a FIAT Officer
- The borough staff officer will contact B.O.O. with a report of their findings.

Operations Office Will:

- Notify F.I.A.T., Inspector General Office (IG), and the Office of Employment and Disciplinary Matters, OEDM (Advocate) and request assistance with the investigation
- Notify Operations Control Office, (O.C.O.) not to accept the truck at any disposal location without B.O.O. approval and request a disposal site for the load to be inspected and videotaped.
- Determine the appropriate administrative or disciplinary action for the Sanitation Workers involved.

F.I.A.T. Office Will:

- Respond to the address from which the suspected Trade Waste material was generated and interview any homeowner or contractor on site
- Along with the Borough Staff Officer, escort the truck containing the suspected Trade Waste material to the disposal site provided by the Operations Control Office (O.C.O.) to inspect and videotape the offloading of this vehicle and estimate the amount of Trade Waste material contained on the truck. **(NOTE: the Garage Utility Sanitation Worker will drive the truck containing the suspected Trade Waste to the disposal site. He must be equipped with a shovel and metal rake to assist in the sorting of the material as it is offloaded).**
- The FIAT Officer and Borough Staff Officer will confer and come to a consensus on the amount of Trade Waste type material contained in the load.

VI. BUREAU OF WASTE DISPOSAL INSPECTIONS

All Bureau of Waste Disposal Supervisors assigned to Truckfills, Marine Transfer Stations, and private Export Disposal Locations are required to inspect D.O.S. loads to insure that Trade Waste is not unloaded at any disposal location. Particular attention should be paid to a vehicle that records an unusually high weight. When inspecting a load, look for signs of possible Trade Waste, including the following:

- An excessive amount (approximately 10% of the load) of construction and demolition debris (dirt, sheetrock, concrete, bricks, cement, wood, metal, or tile).
- Material that appears as though it might have originated from a commercial establishment, i.e., (Boxes of fruit, vegetables or large amounts of car parts)

If the above is observed, follow the Procedures for Suspected Trade Waste at all Disposal Locations (Appendix D).

VII. REPORTING CORRUPTION, BRIBES OR CONFLICT OF INTEREST

Department employees will make every effort to eliminate the risk of corruption or conflict of interest through risk assessment, education and supervision. It is also the responsibility of every employee pursuant to Mayoral Executive Order # 16 to report directly and promptly to the Office of the Inspector General or the Department of Investigations any information about Department employees involved in corruption, bribes or conflicts of interest. Posters directing employees to notify the Inspector General or Department of Investigations **must** remain posted in conspicuous locations throughout all Department of Sanitation locations. (Appendices E & F)

NOTE: Whenever there is suspicion of a Trade Waste violation, supervisory personnel must ensure that the vehicle involved is secured at all times until released for offloading by FIAT and/or the Chief of Bureau Operations.

CANCELLATION: This order will remain in effect until rescinded.

ISSUING AUTHORITY:



**Bernard J. Sullivan
First Deputy Commissioner**

DISTRIBUTION: ALL MANAGERS AND ALL SUPERVISORS



sanitation

!! OFFICIAL NOTICE!! ATTENTION CONTRACTORS AND OR COMMERCIAL ESTABLISHMENTS

Any person employed, assigned, in charge of, or otherwise associated with any establishment or venture, i.e. renovation, within the City of New York to arrange with, enter into an agreement with, or solicit any agreement, or arrangement with employees of the Sanitation Department of the City of New York to collect, *remove*, or otherwise accept materials of any kind whatsoever from a establishment or venture **IS IN VIOLATION OF THE LAW AND ARE SUBJECT TO SEVERE CIVIL AND CRIMINAL PENALTIES.**

**UP TO ONE YEAR IN PRISON AND / OR A \$5,000.00
FINE**

Under no circumstances are employees of any agency of the City of New York, and specifically Sanitation employees of the New York City Department of Sanitation, authorized or permitted to collect, *remove*, or accept materials of any kind whatsoever from commercial establishment. This shall include but not be limited to all materials generated from alterations, renovations, and construction.

Such illegal arrangements carry severe penalties for employees of the City of New York including TERMINATION OF EMPLOYMENT as well as CRIMINAL PROSECUTION.

DON'T DO IT!!!

CORRUPTION

MUST BE REPORTED DIRECTLY TO THE

Department of Sanitation

Office of the Inspector General

80 Maiden Lane – 19th Floor

New York, NY 10038

Telephone: (212) 825-2438



sanitation

!!OFFICIAL NOTICE!!

SOLICITING DEPARTMENT OF SANITATION EMPLOYEES

Under no circumstances are any person(s), agents, owners, residents, or any person(s) otherwise residing in or in charge of any residential premises within the City of New York authorized or permitted to solicit, or agree to, or arrange for, employees of the City of New York, and specifically Sanitation employees, to collect, remove, or otherwise accept any materials from any residential premises within the City of New York for a fee, gratuity, reward, or compensation of any kind whatsoever, whether actually paid or not.

For any person, agent, owner, resident, or any person(s) otherwise residing in, or in charge of, any residential premises within the City of New York to **participate in such activities is in violation of the law and will subject them to severe civil and criminal penalties.**

**UP TO ONE YEAR IN PRISON AND / OR A \$5,000.00
FINE.**

Participation by employees of the City of New York in such illegal activities as described above carry severe penalties including **TERMINATION OF EMPLOYMENT** as well as **CRIMINAL PROSECUTION.**

DON'T DO IT!!!

**CORRUPTION
MUST BE REPORTED DIRECTLY TO THE**

Department of Sanitation
Office of the Inspector General
80 Maiden Lane – 19th Floor
New York, NY 10038
Telephone: (212) 825-2438



sanitation

!OFFICIAL NOTICE!!

BULK COLLECTION

The Department of Sanitation provides free curbside removal of large non-commercial "bulk" items from residential buildings. These bulk items can be placed at the curb no earlier than 5:00 PM THE EVENING BEFORE the scheduled collection day: (no earlier than 4:00 PM from October 1st to April 1st):

- Metal bulk (items made of more than 50% metal) can be placed at the curb the evening before your regular **RECYCLING** collection day.
- Non-metal bulk items can be placed at the curb the evening before your regular **REFUSE** collection day.

If you are disposing of old lumber, all nails etc. should be removed. The lumber must be securely tied in bales no more than 2 feet high and 4 feet long.

THE DEPARTMENT of SANITATION NO LONGER COLLECTS ANY ORGANIC WOOD (WOOD FROM TREES) FROM RESIDENTIAL AND INSTITUTIONAL PROPERTIES IN THE BOROUGHS OF MANHATTAN, BROOKLYN NORTH, BROOKLYN SOUTH, QUEENS WEST AND QUEENS EAST, STATEN ISLAND 1 SECTION 14 AND STATEN ISLAND 2 SECTION 24. The New York City Department of Parks and Recreation is now responsible for the on-site chipping and disposal of firewood, and wood from trees. Residents must contact 311 or go on-line at www.nyc.gov/parks to schedule an appointment for the on-site wood chipping and disposal of their material.

While the Department does remove non-commercial waste from homeowners engaged in small "do-it-yourself" projects, **homeowners who are undertaking large projects should contract for their own dumpster by contacting a private rubbish removal service.**

Bulk and construction debris generated by hired contractors or fee-for-service personnel on home repair or renovation projects is considered commercial waste and **IT IS THEREFORE THE RESPONSIBILITY OF THE CONTRACTOR TO ARRANGE FOR APPROPRIATE PRIVATE DISPOSAL.**

CORRUPTION

MUST BE REPORTED DIRECTLY TO THE

Department of Sanitation

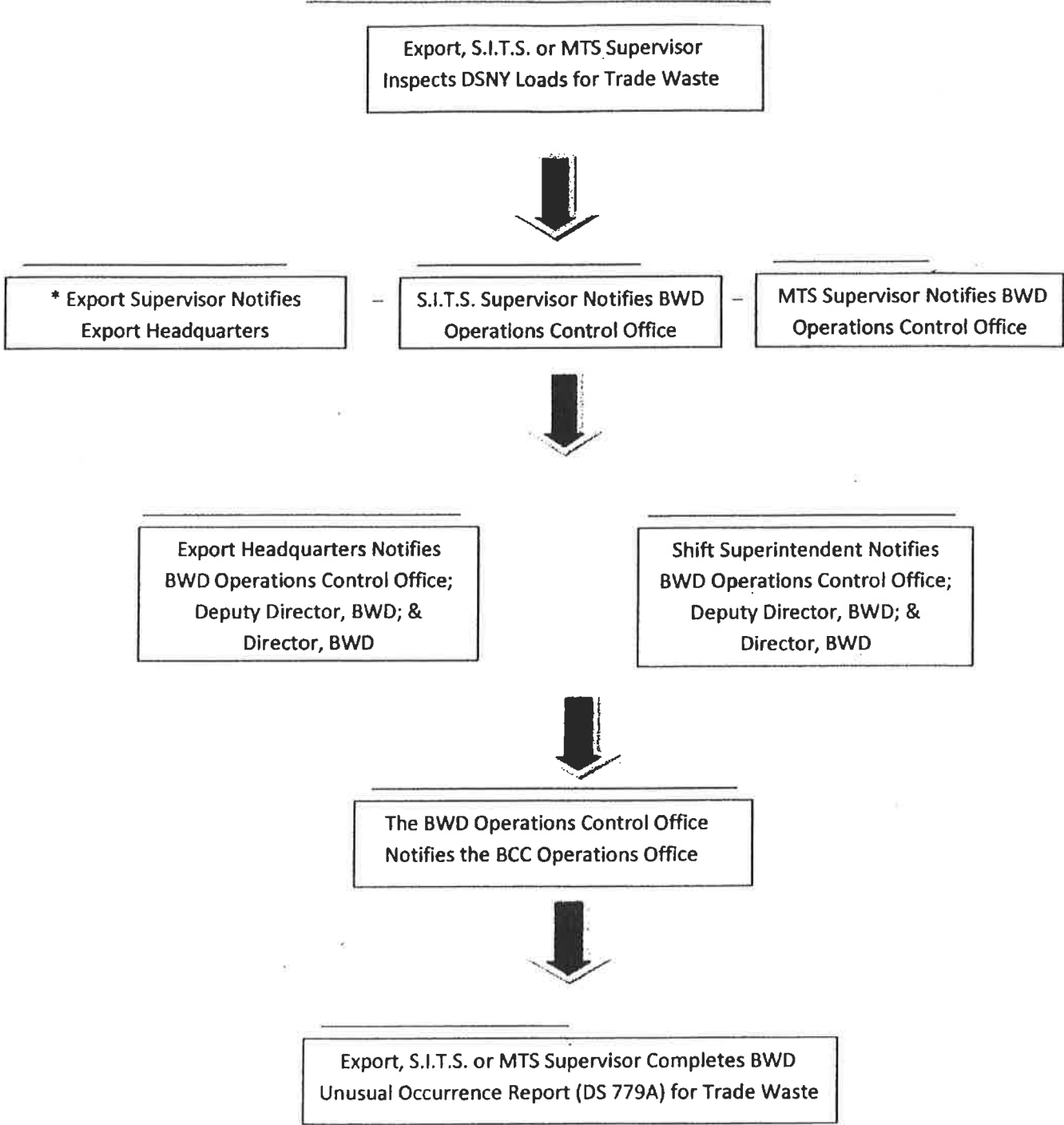
Office of the Inspector General

80 Maiden Lane – 19th Floor

New York, NY 10038

Telephone: (212) 825-2438

**Procedure for Suspected Trade Waste
At All Disposal Locations**



***NOTE: DURING OFF SHIFT HOURS, WHEN DIVISIONAL HEADQUARTERS ARE CLOSED, THE SUPERVISOR MUST CONTACT THE OPERATIONS CONTROL OFFICE DIRECTLY.**

CORRUPTION

**MUST BE REPORTED DIRECTLY TO THE
DEPARTMENT OF INVESTIGATION**

OFFICE OF THE INSPECTOR GENERAL

for the

DEPARTMENT OF SANITATION

80 Maiden Lane - 19th Floor

New York, NY 10038

1-(212) 825-2438

or

1-(212) 825-5959

www.nyc.gov/doi

to submit a secure e-mail

Pursuant to

MAYOR'S EXECUTIVE ORDER #16

JOHN J. DOHERTY

Commissioner

New York City

Department of Sanitation

ROSE GILL HEARN

Commissioner

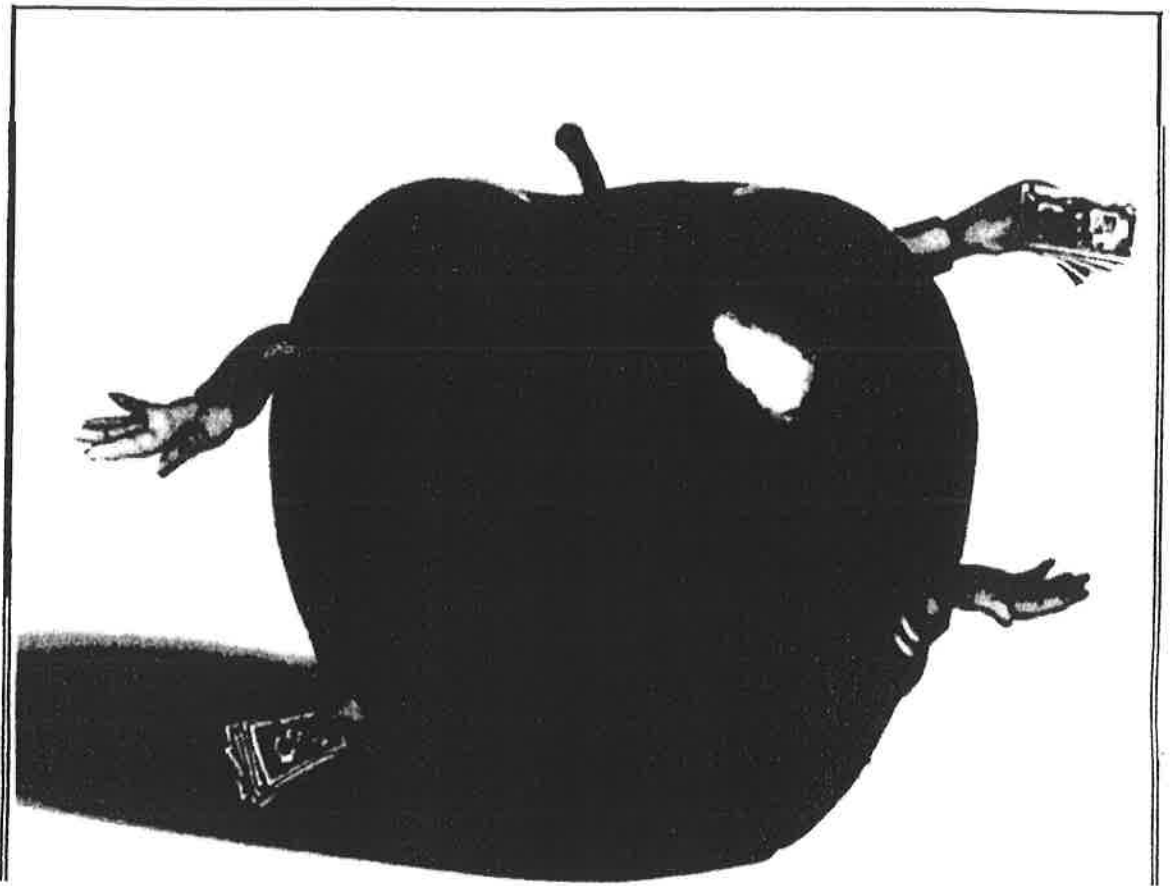
New York City Department
of Investigation

ROBERT A. GIGANTE

Inspector General

New York City Department
of Investigation





Get the worms out of the Big Apple

If you know someone who's ripping off the City of New York, call:

212-3-NYC-DOI

or

212-825-5959

(all calls will be kept confidential)



The City of New York
Michael R. Bloomberg, Mayor
Rose Gill Hearn, Commissioner

www.nyc.gov/html/goi



SUBJECT: TRADE WASTE - GENERAL ORDER 2012-25 (Trade Waste) &
OPERATIONS ORDER 2012-25 (Anti-Corruption Procedures)
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Employees of the Department of Sanitation are prohibited from collecting Trade Waste. Collecting Trade Waste is grounds for termination of employment.

Trade Waste is defined as follows:

- Materials originating from any premises other than a residential building, public building, or special use building
- Any material originating from any commercial occupant of a residential premise.
- Any material originating from a residential premise where the work was performed for a fee, by a contractor or any person engaged in the home improvement business.

Supervisors will issue written orders on the D.S. 350 to indicate when a special pick-up is to be serviced.

If Department employees along a route are in doubt as to the material put out for collection it is their duty to notify their supervisor. At all times, crews must record the address of the material in question on the DS 350.

If material put out by the occupant of a residential premise, entitled to collection, exceeds six (6) cans, bags, bundles, or boxes of lumber, plasterboard, plaster, rock, cement, concrete, or timber arising from the alteration, construction, repair, or maintenance, the Sanitation Workers will pick up the allowable six (6) cans, etc., and notify his/her supervisor.

A gratuity is not only money, but any benefit or value given to an employee. All situations regarding gratuities are to be reported to the Inspector General or the Department of Investigation.

Soliciting, receiving or accepting a gratuity is a violation of the law.

A copy of the complete order has been given to all employees and a copy will remain posted on the Department bulletin board.

This Department Message is to be read at all roll calls on the First Tuesday of each month (1st Wednesday, if the 1st Tuesday of the month is an excused Holiday).

1 District Superintendents and Supervisors will read General Order 2012-25 (Trade Waste) and Operations Order 2012-25 (Anti-Corruption Procedures) and sign the daily roster attesting they have read and understood it. In addition, all roll call supervisors will sign the blotter attesting that the above message was read at roll call.

Bernard J. Sullivan
First Deputy Commissioner