

## Tracking Building Inspectors

by Dana Farrington

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photo adapted from [p0ps Harlow](#)

The inspectors are now under inspection. As of Oct. 1, the New York City [Buildings Department](#) began tracking its inspectors with Global Positioning System technology via their cell phones. Supervisors can see where the inspectors are at any given time, pull up archives of where they were the day before and even watch their minute-by-minute movement -- all they need is Internet access and a password.

The department's move faces opposition from the Allied Building Inspectors Union. The friction stems mostly from what the union claims is a lack of information about how the system will work and how the department will ensure that the technology does not follow inspectors during their time off.

### The Department's Many Woes

The program comes amid building department efforts to cope with a year of controversy that, among other reforms, resulted in the [resignation](#) of former Commissioner Patricia Lancaster last year. The latest scandal came last week when six inspectors were arrested for bribery, and prosecutors [accused](#) the Luchese crime family of infiltrating the department.

Over the past five years, the Buildings Department has seen at least one bribery incident every year. Often inspectors themselves reported the bribe attempt to the Department of Investigations, which then worked with buildings to arrest the briber.

Tracking will certainly not solve all the department's problems. Knowing the location of an inspector does not immediately reveal wrongdoing in cases like bribery, said buildings department's spokesperson Tony Sclafani.

"This is one step to ensure integrity, but it's obviously -- it's not going to be the catch-all," said Sclafani.

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### Tracking Offenses

The [Department of Investigation](#) has worked closely with the Buildings Department on a number of cases in which GPS tracking would have indicated inspectors were not where they were supposed to be.

Following the [crane collapse](#) in March 2008 that killed seven people, the city [arrested](#) building inspector Edward Marquette. Marquette had allegedly falsified his inspection of the site 11 days earlier. Another inspection was conducted the day before the accident.

A [press release](#) on the investigative report published this past March states that the investigators "found that the DOB crane inspection and permitting protocols would not have identified the rigging errors that caused the collapse."

GPS would have sent warning signals about an [elevator inspector](#) who was on the payroll of the Buildings Department as an inspector and of the Metropolitan Transit Authority as an elevator maintenance supervisor. On his timesheets, he claimed to have worked for both departments simultaneously.

In a statement on the arrest, then Commissioner-designate Robert LiMandri promised to begin using GPS technology to ensure inspectors arrived at their sites. Even without GPS, though, the department's Office of Internal Audits and Discipline picked up on the discrepancies, which resulted in an investigation and the inspector's arrest.

Of the GPS program, the investigation department emailed this statement on Sept. 25: "DOI is supportive of any measure that improves supervision and strengthens integrity, accountability and safety for city inspectors." Neither of the departments addressed specific inquiries about whether the Department of Investigation will have access to the GPS software or records in the event of an investigation.

### A Trend to Track

The department's revamping efforts have resulted in a dozen new laws, more money for

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oversight programs and reorganization of leadership. So why make the extra effort to monitor inspectors even more closely? Sclafani said the three main goals were "integrity, efficiency and safety."

President of Local 211 of The Allied Building Inspectors Union, Joseph Corso, disagreed. "Public perception. Sounds good," said Corso. "That's what they're doing. They're placating the public."

Other city governments that have instituted similar programs also have faced resistance. In Massachusetts in 2006, the public safety commissioner suspended 20 inspectors who refused to accept phones that had the GPS capability needed for tracking. Here in New York, the GPS technology can be activated on existing phones,

Inspectors in Bridgeport, Conn., were fired after the fire department secretly placed GPS tracking devices in their government vehicles and found inspectors using the cars for personal use. The inspectors went to court to argue that the devices were illegal according to state law. A judge rejected their argument.

New York City has its own experience tracking government employees. The Fire Department has Automatic Vehicle Locators in all of the city's fire trucks and ambulances. Fire department spokesman Steve Ritea said that the system allows the dispatchers to send the closest vehicle to the scene of a fire or other emergency.

The Buildings Department, though, will track people, not vehicles. It has signed up to use Telenav Track, a product of [Telenav](#) designed to follow the movement of employees who work outside the office. The product's website advertises that employers "get more from your mobile workers" with minute-to-minute tracking to "keep your finger on the pulse" and alerts on when workers enter or exit a certain location.

Sclafani said that the technology would correspond with the route schedule inspectors receive at the beginning of each shift. A supervisor can sit at any computer with Internet and look up the location of his unit's workers at that moment. The supervisor also can follow them from inspection to inspection or look at past routes to see whether or not they correspond to the schedule they were given. No one can access the information without the correct username and

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password.

The department publicly announced the plan Aug. 28 and began implementing it two days later.

Corso said the city should have provided the union with more information than it did and might file a lawsuit over the tracking.

Although the union knew the department had been considering the program for a while, the inspectors did not receive word of its implementation until the day before the public announcement -- three days before the city started using the software with its first 10 workers. The union did not know who those 10 workers were.

To date, Corso says he has not received documentation from the department about how the software works and what the actual plans entail. He said he had two face-to-face meetings with city officials, with few results.

Sclafani said that the union was "well-informed as to the particulars of the program."

If Local 211 does not receive adequate documentation "in the very near future," Corso said that the union would take legal action, a process that starts with the federal Labor Relations Board.

The union, Corso said, wants to ensure that the workers are not tracked past designated work hours, especially since a given inspection does not have a specific ending time. There is, for example, no set time for an inspector to go on lunch break. Because workers must keep their phones on 24 hours a day for emergency purposes, Corso is also concerned the software could track the inspectors after working hours. A sales representative from Telenav said turning off cell phones deactivates the tracking device.

Sclafani said that the technology was activated and de-activated according to the inspectors' schedules. "The software is sophisticated enough where we're only tracking them on duty," he

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said.

Corso dismissed the tracking program as unnecessary since the Buildings Department has people ensuring that workers are on site, including unit supervisors and the Department of Investigations. People who think it is the "norm" for inspectors to avoid certain stops on their scheduled route "just don't know the system," he said.

The tracking system could do more than upset current workers, Corso said. He worries that it will deter people becoming inspectors, a sobering prospect for an agency that already has a hard time recruiting new people

The inspectors' starting salary of \$49,000, said Corso, is less than they could receive in the private sector. The idea of being tracked on the job, said Corso, would present "another stumbling block."