








BART OIG Snapshot

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This snapshot highlights the BART Office of the Inspector General's (OIG) activities from July 1 to September 30, 2024.

Investigations Activity

	investigations completed	1
	investigations pending completion	6
	active investigations	25
	new complaints received	16
	new complaints accepted	11
	new complaints forwarded	4
	new complaints declined	1

We continued to manage a heavy investigation caseload addressing a wide range of allegations, including false claims, contract noncompliance, and whistleblower retaliation.

We also made significant progress on several of our fraud investigations, including three cases of alleged workers' compensation fraud and three cases of alleged contractor fraud. We are nearly finished with these investigations and expect to release our findings in the coming months.

Focus on Whistleblower Protection

This quarter, we emphasized the importance of BART's Whistleblower and Antiretaliation Policy. Recently, we have seen an increase in retaliation allegations causing us concern and making it crucial to increase awareness of whistleblower rights and protections.

Our approach involves directly engaging with those experiencing retaliation to understand their concerns and preferences regarding our investigation process, ensuring we prioritize their needs and safety. It also involves notifying District General Counsel upon the whistleblower's acceptance to do so or if we conclude that the severity of the retaliation requires that we address it directly.

To enhance our response, we are now treating each retaliation case individually within our case tracking system, improving how we capture metrics that allow us to see patterns in case data and ensure we thoroughly and fairly address each allegation.

Our goal is to foster an environment where employees feel secure in reporting concerns without fear of retaliation, reinforcing our commitment to protect whistleblowers from those who wish to silence them.



Performance

Our investigation and audit efforts continue to add value by recovering losses from those who committed fraud or submitted false claims, and by improving operational efficiencies and enhancing compliance with District policies. BART has accepted 90% of our 109 total recommendations to date, implementing 61% (68) of them so far.

Audit Activity

We are thrilled to share that we made significant progress on several key audits that we kicked off in the previous fiscal year as part of our [FY24-26 Audit Plan](#). These audits are focused on identifying opportunities to help the District control or avoid costs.

Although our overtime, construction contract change order, and Link21 audits encountered some delays, our consultants have since made considerable headway. Likewise, the OIG team made significant progress on our comprehensive audit of BART’s workers’ compensation program.






















Recently, we conducted site visits as part of our construction contract change order audit, giving us firsthand insight into project management and execution. Site observations are useful auditing techniques in gaining real life experiences, allowing for impactful and practical recommendations.

We anticipate sharing the results of all our audits early next calendar year.

Ongoing Strategic Goals and Efforts

Each of the following goals reflects our office’s ongoing commitment to excellence. Each is embedded in our daily operations, ensuring we remain adaptable, transparent, and effective in serving our mission.

-  Conduct fraud, waste, or abuse investigations.
-  Be transparent in our processes and intentions.
-  Adjust priorities as trends & risks emerge.
-  Shift workloads in response to changes.
-  Continue & improve upon our use of videos.
-  Promote professional development & well-being.
-  Recognize & learn from others’ expertise & backgrounds.
-  Understand business context before drawing conclusions.
-  Demonstrate appreciation for those who provide their support.
-  Show empathy for others by understanding their positions.
-  Acknowledge the efforts of others.
-  Make real-time changes to our audit plan.
-  Build a team of talented & diverse employees.
-  Complete audits on our FY24-26 audit plan.
-  Make the most of communication trends & modern media tools.
-  Work with our peers on informative content.
-  Share professional community information.
-  Rethink how we work as a team & coordinate our efforts.
-  Evolve our procedures to remain highly effective & efficient.

Office Highlights

We are happy to share that we made significant strides in our continued efforts to set the OIG up for success. Here are a few of our accomplishments that build on our work to create a high-performing office focused on added value, flexibility, communication, and relationships.

ACFE Conference: Four members of our team attended the annual Association of Certified Fraud Examiners (ACFE) training conference. The conference provided a valuable opportunity for our staff to enhance their knowledge on fraud prevention and detection techniques, connect with industry professionals, and gather insights that will help us improve our practices. We are excited to apply what we learned to further strengthen our commitment to accountability and transparency within BART.



AIG Endorsement: We discussed the Association of Inspectors General (AIG) endorsement of our proposed OIG charter at the August 1, 2024, audit committee meeting. In their letter dated January 16, 2024, the AIG emphasized that the charter demonstrates the OIG's *"commitment to performing independent, objective, transparent and evidence-based audits and investigations in the spirit of the Principles and Standards for Offices of Inspector General."* The AIG also said the charter demonstrates a willingness to ensure that the charter *"promotes compatibility with applicable laws and authorities related to employee protections."*

Recommendation Dashboard: We began implementation of Missionmark, an audit-management system that will streamline our audit workflows and provide a dashboard for monitoring recommendations. The system is expected to be fully operational by the end of the year, including having the dashboard posted to our website for BART stakeholder use.

Risk Assessment: In response to updates to our professional standards - the Principles and Standards for Offices of Inspectors General and Generally Accepted Government Auditing Standards - we conducted an office risk assessment to identify potential threats to our quality management system. We used the results to ensure that our procedures and our office environment support our ability to maintain independence, comply with our professional standards, and complete high-quality and objective investigations and audits.



Employee Engagement and Outreach: We participated in the Let's Grow BART Employees Career Expo at the Hayward Maintenance Complex, where our team engaged with BART employees to share insights into our mission and distribute informational materials. We also worked on our new hire orientation material, including a video introducing our work to new employees, to raise awareness of our office and its mission. Our plan is to have an OIG team member present at each orientation to facilitate engagement.

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