

From: [Greg T. Kopniske](#)
To: [Cara L. Yoder](#)
Subject: FW: [External]Re: [External]Re: [External]Re: [External]Re: Ohio Auditor's Office
Date: Tuesday, August 1, 2023 9:20:36 AM

For your info

From: Karen Shawver <kashawver@gmail.com>
Sent: Tuesday, August 1, 2023 9:02 AM
To: Greg T. Kopniske <GTKopniske@ohioauditor.gov>
Subject: [External]Re: [External]Re: [External]Re: [External]Re: Ohio Auditor's Office

*** Auditor of State Security Notice *** This e-mail is from an external source. Think before you click links or open attachments.

Good morning Greg

The Auditor's office is faced with yet another payroll issue regarding lunch hours.

I asked for a legal opinion from our law director approximately six years ago and it still remains unanswered.

Our laborers contract states they get paid overtime (time and a half) for hours worked over eight in a day or forty in a week.

Some utilities workers have worked through their paid lunch and the managers paid them time and a half in addition to the paid lunch. These employees work 8:30 to 4:30 and receive a paid lunch hour. So working through the lunch does not, in my opinion constitute the worked over 8 hours rule in contract. We stopped paying the time and half and a grievance was filed. The Safety service director ruled that we have to pay it. I don believe he grasps the contract language or even understands this is double time and half for working through the lunch period. This practice is only being done in our utilities departments which creates unfair practices which I have repeatedly explained to the Service Director.

Union wants us to pay but this office stands firmly in our interpretation of the overtime language.

I have once again asked for assistance from our legal department, but am asking your office for any other guidance you can suggest.

Thank you. If you need further clarification, please let me know.

Sent from my iPhone

On Jun 29, 2023, at 3:43 PM, Greg T. Kopniske <GTKopniske@ohioauditor.gov> wrote:

Thank you very much! I will let Cara know also

From: Karen Shawver <kashawver@gmail.com>
Sent: Thursday, June 29, 2023 3:23 PM

To: Greg T. Kopniske <GTKopniske@ohioauditor.gov>

Subject: [External]Re: [External]Re: [External]Re: Ohio Auditor's Office

*** Auditor of State Security Notice *** This e-mail is from an external source. Think before you click links or open attachments.

If you need more up to date reports showing the HPP, overtime and payments for working through the lunch periods let me know. I just er ran them today in response to your question.

On Thu, Jun 29, 2023 at 10:13 AM Greg T. Kopniske <GTKopniske@ohioauditor.gov> wrote:

Thank you for the clarification.

From: Karen Shawver <kashawver@gmail.com>

Sent: Thursday, June 29, 2023 10:12 AM

To: Greg T. Kopniske <GTKopniske@ohioauditor.gov>

Subject: [External]Re: [External]Re: Ohio Auditor's Office

*** Auditor of State Security Notice *** This e-mail is from an external source. Think before you click links or open attachments.

After reading my response again....on the Janette Peña matter she was given HPP as crew leader and there already is a Office Crew Leader performing the job duties relating to the meters. She was receiving the same amount as his pay for doing the bookkeeping work, not performing his job duties.

That wasn't real clear in my explanation.....

On Thu, Jun 29, 2023 at 10:08 AM Karen Shawver <kashawver@gmail.com> wrote:

You are very welcome. Please let me know if you have any questions.

On Thu, Jun 29, 2023 at 10:07 AM Greg T. Kopniske

<GTKopniske@ohioauditor.gov> wrote:

Thank you very much for your response. I will be sharing this info with our auditor, Cara Yoder.

From: Karen Shawver <kashawver@gmail.com>

Sent: Thursday, June 29, 2023 10:03 AM

To: Greg T. Kopniske <GTKopniske@ohioauditor.gov>

Subject: [External]Re: Ohio Auditor's Office

***** Auditor of State Security Notice *** This e-mail is from an external source. Think before you click links or open attachments.**

Good Morning Greg

The original matter brought before the Prosecutor was the Michael Mattei matter.

After our meeting and looking further, it appears that Janette Pena, Financial Bookkeeper, has been receiving HPP, overtime and overtime for working through her lunch period for an excessive period, quite similar to the Mattei manner.

The department head and/or director of utilities has permitted/authorized these payments. She has been paid as an office crew leader which has been a position of authority to oversee the meter reading processes. There was recently a very slight change in the job description which added a couple lines about "billing" and the utilities director has since promoted Janette to the position, without getting approval from council nor having funds appropriated to cover a substantial pay increase. The auditor's office has not permitted the pay increase to go into effect to prevent the personnel line items from being over budget.

Pam does work in that department but does not really work overtime or receive HPP. She did receive it for a short time after Mr Mattei quit and before a replacement named.

Julie Gerth, who processes payroll for the department has been receiving quite a bit of OT and OT for working through lunch similar to the time periods Mr Mattei did. From what has been said around here, there are several employees in that department who live too far from home to go to lunch at home so they stay in and "work through lunch"getting paid an additional hour they are already being paid for. The administration has indicated they should not be doing this and even shared a directive however they continue to do this and receive extra pay or now enter it as comp time earned.....

These are tax dollars that are being wasted and these payments are an abuse and fraudulent in my humble opinion.

I have been told this is not my responsibility and I am "overstepping my bounds"

Sent from my iPhone

On Jun 28, 2023, at 3:23 PM, Greg T. Kopniske
<GTKopniske@ohioauditor.gov> wrote:

Hi Karen,

Cara and I did not really get a chance to speak with you in depth

about your concerns with the utility department. We are in the process of reviewing the records you gave us, I think around 330 pages.

Are you able to articulate your concerns with the department, specifically person by person. I know you mentioned a Janet and a Pam and concerns about their pay grade. Anything you can do to perhaps narrow the scope of what we should be looking for would be a great help.

Thank you,

<image001.png>

[Facebook](#) | [Twitter](#) | [OhioAuditor.gov](#)

[Facebook](#) | [Twitter](#) | [OhioAuditor.gov](#)

[Facebook](#) | [Twitter](#) | [OhioAuditor.gov](#)

[Facebook](#) | [Twitter](#) | [OhioAuditor.gov](#)