

## **Civil Service Rule XVII: Audit of Payrolls**

### **Section 1. Audit by Comptroller:**

Prior to payment of any salary, wage, compensation, claim, or account for personal services by the Treasurer or any other disbursing officer, the Comptroller or person designated by him shall certify that the persons named on the payroll or account have been lawfully employed in a position duly authorized and are entitled to payment for actual service in such positions or authorized absences therefrom, at the rates, for the periods, and in the amounts covered by such payrolls or accounts. The Comptroller shall not approve any item of a payroll or account of any employee nor issue his warrant for any payment therefor, except on evidence satisfactory to him that the employment complies with the points stipulated above.

### **Section 2. Notice to Comptroller:**

(a) Personnel information: The Director shall establish procedures for notifying the Comptroller without delay, of any new positions, new employees, changes in pay or status, and attendance and absence of employees and of his approval or disapproval of such actions to be used as basis for the conduct of the audit specified in Rule XVII, Section 1. He shall, if so requested by the Comptroller, make available the official roster for the purpose of making such audits.

(b) Violation of Compensation Plan: Whenever the Director finds that any person is employed or is proposed to be paid as an employee in the classified service in any amount not provided for under the provisions of Article XVIII and any rules and ordinances in effect not inconsistent therewith, he shall so notify the Comptroller. After such notice the Comptroller shall not approve any further payment to such person except in accordance with such provisions.

### **Section 3. Remedies in Case of Denial of Payment and Unauthorized Payment:**

No claim of any person appointed or employed contrary to the provisions of Article XVIII or the rules and ordinances thereunder, whose payroll or account is refused approval or payment, shall be paid by the City, but the officer or officers appointing or employing, or attempting to appoint or employ any such person, and the sureties of his or their official bonds shall be liable jointly and severally for the amount due to such person by reason of such employment or purported employment. No officer, during the time of his official service thereafter, or his surety, or other person on behalf of either, shall be reimbursed by the City for any sum so paid or recovered. The City Counselor, or special counsel designated therefor by the Board of Aldermen, shall prosecute such actions as may be necessary to recover any sum paid contrary to the provisions of this Article from any officer or officers making the appointment or continuing the employment on which such payment was based, in contravention of the provisions of this Article or the rules and ordinances made in pursuance thereof, or any officer signing or countersigning or authorizing the signing or countersigning of any order or warrant for payment, or making

any payment therefrom or from the sureties of any such officer or officers on their official bonds.