



## SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT INDEPENDENT OFFICE OF THE INSPECTOR GENERAL

# SUMMARY OF INVESTIGATIONS VOLUME III - 2026

### INVESTIGATION RESULTS



The BART Office of the Inspector General (OIG) completed five investigations into alleged misconduct.

We are providing this summary report to remain compliant with California Public Utilities Code § 28841, which requires that we keep BART administration, the Board of Directors, and the public informed of our findings and recommendations. After reviewing documentation and records, and conducting observations and interviews, we generally found that the five allegations lacked evidence to support wrongdoing. However, we identified the need to clarify language in a non-disclosure agreement and better communicate rules governing the use of District vehicles for non-work-related purposes.

1. A confidentiality agreement needed to clearly recognize and inform employees of their protected rights, including their right to report concerns to the OIG. The District is revising the agreement to clarify that its purpose is to protect certain confidential information. It is not intended to restrict legally protected activities, including whistleblower rights under federal and state law, and District policy. OIG case number 373.
2. Evidence did not support the allegation that four employees from the same work unit engaged in time theft by arriving late, leaving early, or manipulating time records. An allegation of overtime abuse involving a fifth employee named in the complaint was referred to management. There was no evidence confirming overtime abuse, however, documentation was not provided to demonstrate that work was performed during the claimed overtime periods. The absence of documentation alone does not establish overtime abuse. OIG case number 365.

### WHY THIS WORK MATTERS



This work shows that allegations of misconduct are taken seriously and resolved objectively. Even when claims are not substantiated, OIG independent investigations protect public trust by confirming that resources are not being misused and employees are treated fairly. Equally important, these reviews identify gaps in policies and practices that, if left unaddressed, could create future risk.

### RELEVANT LAWS & POLICIES



Various laws and policies protect employee rights, safeguard public resources, ensure accountability, and maintain employee safety. These include whistleblower protections, public records disclosure requirements, and District policies governing confidentiality, timekeeping, vehicle use, and workplace safety.

### RECOMMENDATION



There are no recommendations associated with the investigations discussed in this report. The allegations were either unsupported or otherwise addressed.

3. The use of District vehicles to transport off-work employees from Oakland Shops to the Lake Merritt BART Station occurred in the absence of clear rules governing the practice, resulting in confusion about whether it was permissible. Additionally, the alleged 1.5-hour travel time for this trip is inconsistent with information provided by those interviewed, who indicated the trip takes approximately five minutes and typically occurs en route to other work locations. BART discontinued the practice following our investigation. OIG case number 375.
4. A whistleblower raised a concern regarding the withholding of public information, suggesting a possible violation of the California Public Records Act. Certain records that appeared subject to disclosure were classified as security-sensitive and withheld from release. After a preliminary investigative review, the matter was referred to management for resolution. OIG case number 378.
5. Potential safety concerns were raised regarding training practices involving contact with a de-energized third rail, a required safety protocol after power is shut off. During a preliminary investigative review, we learned that BART safety officials were already aware of the issue and noted that regulatory officials had attended and completed the training in question. A limited, non-legal review of applicable federal and state requirements did not identify violations of the laws noted in the complaint. Accordingly, we closed the matter. OIG case number 395.

## OIG DISCLOSURE PRACTICES

We identify those involved in our investigations in only limited circumstances. This avoids violating privacy and confidentiality rights granted by law and creating unwarranted actions against those involved with our investigation. The decision to provide names is made on a case-by-case basis and considers all elements of an investigation. This practice does not prevent individuals from requesting documents under the California Public Records Act (CPRA). However, such disclosures may be restricted or limited by law.



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