

HONOLULU

# Totto Tells Ethics Commission To Scrap 'Silly' Time Sheet Rules

The Honolulu Ethics Commission forced its executive director and staff to start filling out time sheets to show what they do every six minutes.

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MAY 19, 2016 · By Nick Grube   

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Chuck Totto took a stand Wednesday against what he described as “silly” rules that he believes undermine the credibility of the Honolulu Ethics Commission.

Totto, executive director of the commission, was recently [suspended](#) after an investigation into allegations related to his management style and handling of ethics complaints involving the city’s \$6.9 billion rail project.

Part of his punishment, at least as it was laid out by commissioners in their [heavily redacted disciplinary memo](#) to Totto, was that he and his staff would have to start tracking their time in tenth-of-an-hour intervals, or every six minutes.



*Honolulu Ethics Commission Executive Director Chuck Totto has been on the defensive lately when it comes to how he manages his office.*

Totto, who has avoided talking to the media ever since his suspension, told commissioners Wednesday during their regularly schedule meeting that he's been complying with the decree, but that he doesn't believe it is effective.

In fact, he said the requirement can send a message to the public that the Ethics Commission doesn't trust its own people.

He said it's not as if the staff is "drinking beer and reading the newspaper all day."

"It makes the public think that this is just an inefficient approach to dealing with whatever the problems are at the commission," Totto said. "I'm a big boy, so if somebody doesn't like the way I operate on something I'll deal with it."

**“The commission needs to be mindful that this is a professional office and we’re**

Totto has been under pressure for the past several years after getting into several high profile spats with Mayor Kirk Caldwell's administration over concerns that officials

## **all professionals, this is not an assembly line.” — Ethics Commissioner Stanford Yuen**

were manipulating the Ethics Commission budget and interfering with investigations.

Caldwell has since appointed several new commissioners who last year [attempted to](#)

[muzzle](#) Totto with a restrictive media policy that would have prevented him from speaking with the press about ethics decisions.

The seven-member commission has since suspended Totto for a month without pay after a former employee complained to them about improper management and possible violations of the Hawaii Whistleblower Protection Act.

They also told him he would have to follow the six-minute mandate as well as develop office flowcharts for his five-person office.

On Wednesday, at least two commissioners questioned whether they were micromanaging Totto by making him and his staff fill out time sheets. Specifically, they wondered if the six-minute tracking requirement was an effective use of time.

“I don’t think it’s working,” Commissioner Stephen Silva said. “It’s overloading an already overloaded system.”

The Honolulu Ethics Commission, which has seen its caseload increasing, is already short staffed and perennially underfunded. Beginning next week Totto will be the only investigator in his office. Friday is the last day for his current investigator, and a position for associate legal counsel remains open.

Commissioner Stanford Yuen said that given the circumstances that it might be worthwhile for the commission to revisit whether Totto and his staff should be required to fill out time sheets on a monthly basis.

“The commission needs to be mindful that this is a professional office and we’re all professionals, this is not an assembly line,” Yuen said. “There are a lot of variables and uncertainty, so we have to trust the staff and the director of the office.”

Not all commissioners agreed that the six-minute tracking system should be abolished.

Commissioner Allene Suemori, for instance, said that the time sheets can help the commission get a better understanding of how resources are being used in the office so that it is easier to

justify to politicians that more money is needed for investigators.

Vice Chairman Michael Lilly, who works as an attorney in Honolulu, said the tracking mechanism can also be used internally by Totto and others to make sure they are working as efficiently as possible.

Attorneys in private practice do this all the time, he said, and it can be useful to make sure that they are not putting too much time into a task that might not provide the biggest return on investment.

“I’ve been keeping time for 35 years,” Lilly said. “Forget the money. It’s (about) too much time for too little return. ... It’s merely a time-management function, and that’s how I view the value of timekeeping.”

The commission did not make a decision Wednesday on whether to eliminate the time sheet requirement.

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## About the Author



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**Nick Grube** [Twitter](#) [Email](#) [RSS](#)

Nick Grube is a reporter for Civil Beat. You can reach him by email at [nick@civilbeat.com](mailto:nick@civilbeat.com) or follow him on Twitter at [@nickgrube](https://twitter.com/nickgrube).

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**lynne matusow**

*20 days ago*

I submitted the following written testimony for Wednesday's Ethics Commission meeting:

Inasmuch as the commission has directed attorneys and investigators with its staff to complete daily work time sheets detailing their tasks in six-minute increments, I believe the commissioners should lead by example, and that they too should complete work sheets detailing their tasks in six-minute increments. These work sheets should be filed with the print and broadcast media weekly so the public can evaluate the commissioners.

I have also done research into this subject, and learned that few if any legal firms, government agencies or employees, including the state ethics commission, corporation counsel, attorney general, prosecutor's office, and possibly the judiciary, are subject to this time consuming intrusive process.

Thus, what is good for the goose is good for the gander, even if wasteful.

2



**Natalie Iwasa**

*20 days ago*

Thank you for submitting testimony, Lynne. The commissioners did make note of it during the meeting.

Please also submit testimony to councilmembers and ask them to add \$6,000 to the operating budget, Bill 14 (6/1/16 meeting), for ethics training. The council has added over \$5 million to the budget for nonprofit aid. They can certainly add \$6,000 for the mandated training.

1

**Choon James***20 days ago*

To avoid uneven application of the “law”, Mayor Caldwell should also time-clock his hours.

When I was at the Budget Committee Hearing at Honolulu Hale on March 10, 2016, I observed Caldwell in his recreational grub - a t-shirt and shorts leaving his office during working hours.

Also, Mayor Caldwell was campaigning for his personal gain during working hours:

<http://www.civilbeat.com/2016/05/caldwell-gets-ethics-complaints/>

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2

**Natalie Iwasa***20 days ago*

Thank you for covering this, Nick. “. . . is easier to justify to politicians that more money is needed for investigators.” All one really needs to do is look at the EC’s caseload. They’ve been understaffed and underfunded for years.

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2

**cael***20 days ago*

the fact that there are more commissioners than staff should tell you everything you need to know about how the city views ethics.

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1

**beppie***18 days ago*

Totto’s objection to the ill-conceived 6 minute time logs is obviously valid. Anyone who tries it on his/her own for an hour will realize how unproductive it is: it interrupts whatever you are trying to accomplish, thus requiring a transfer of attention; and it takes time to open the log page and record your activity and the interval. I hope the Commission members focus on the purpose of their office and the burdens on their over-worked staff - get rid of this requirement which smells like punishment to me.

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1

**James Petersen***20 days ago*

In my experience, when you ask employees to complete counter-intuitive tasks that detract from their real jobs, they will find imaginative ways to try to mitigate the damage caused by the ill-considered task.

1

**Eric Ryan 808***20 days ago*

I'm confused. Is Civil Beat referring above to the \$8.1 Billion rail project? Your reporter cites a \$6.9 Billion rail project. But Honolulu only has one such project and the new pricetag is definitely \$8.1 Billion. Perhaps your editors can get permission from HART and Bill Brennan to update this story and any others which misstate the price to make the project seem cheaper. You might also have to get the Democrat Party to sign off on using the new, much higher price – especially since this is an election year and you wouldn't want to unduly embarrass Civil Beat's political partners. Consider the source of the lower price you are using. HART and the City administration haven't been either competent or honest since they began pushing this project. Civil Beat's own reputation needn't be blemished by continuing to use HART's cocktail napkin cost estimate.

1

**Translator***20 days ago*

how can anyone be expected to concentrate when being interrupted every six minutes to jot down what they were doing the prior five?

**Rick Tubania***18 days ago*

based on the record keeping imposed on totto and his staff, it can be reasonably concluded that they were not working efficiently (goofing off?). what has totto got to say about this other than it is silly, because it is not, as many professional firms (lawyers, accountants, etc) impose such requirements on their employees and staff.

**Natalie Iwasa***17 days ago*

“. . . professional firms (lawyers, accountants, etc) impose such requirements on their employees and staff.” That is the key – professional firms, who bill out their time to clients. This understaffed office should not be required to fill out timesheets.

One of the reasons given for this requirement is that the commissioners wanted to have evidence that more resources are needed. That’s already easy enough to see by looking at their caseload.

**Gwen Char Heliker***20 days ago*

I would like to know which particular Commisioner thought this one up? He/she should be fired for suggesting a policy that would result in even more waste of time. Common sense tells you that you cannot work properly on a project if you have to interrupt said project every 6 minutes to state that you were working on the project. Who ARE these people???

**SherlockM***20 days ago*

Are they working toward the goal of paying people to do nothing but fill out time sheets saying that what they are doing is filling out time sheets? The height of absurdity. More busy work has never solved any problem.

**Chuck Prentiss***20 days ago*

Every six minutes is silly. The time sheet will mostly say “filling out time sheet.”

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**Wade Rhein***18 days ago*

Time sheets are a good idea but not with six minute increments. 15-20 minutes would be better. Folks I've spoken with, report that our mayor is thin-skinned and bristles when challenged. If that is true, he must really dislike the idea of ethics. After all, don't we know who he thinks he is?

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**Natalie Iwasa***20 days ago*

It looks like clarification is needed on the timesheet issue. They don't need to stop every six minutes and note what they're working on. They just have to use six-minute increments for each task.

For example, if Chuck spends an hour and six minutes flow charting procedures, then he would note 1.1 hours for that task.

Chuck also stated that on average, it takes him 12 - 18 minutes/day to do his timesheet.

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**Patricia Blair***20 days ago*

New commissioners needed. They are wasting Toto's staffs time.

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**May Goya***20 days ago*

Quite ridiculous! So you spend a lot of time keeping track of the same project you may be working on. Big show of "who's the boss"!

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