



The City of New York
Department of Investigation

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Release #14-2020
nyc.gov/doi

**FOR IMMEDIATE RELEASE
TUESDAY, OCTOBER 27, 2020**

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**FORMER GENERAL COUNSEL OF NEW YORK CITY CIVIL SERVICE COMMISSION PLEADS GUILTY
TO FALSIFYING HER WORK HOURS WHEN SHE WAS EMPLOYED BY THE COMMISSION**

Margaret Garnett, Commissioner of the New York City Department of Investigation (“DOI”), announced today that the former General Counsel for the City Civil Service Commission (“CSC”) pleaded guilty to a misdemeanor charge of falsifying hours on her timesheet, which she did not work, and agreed to pay back more than \$15,000 in restitution to the City. The investigation resulted from a referral to DOI from CSC, which noted discrepancies in the defendant’s timesheets. This matter was investigated in partnership with the office of Cyrus R. Vance, Jr., Manhattan District Attorney, who also prosecuted the case.

MARCIE SERBER, 62, Plainview, N.Y., was charged today with one count of Grand Larceny in the Third Degree, a class D felony, and 29 counts of Offering a False Instrument for Filing in the First Degree, a class E felony. SERBER pleaded guilty to one count of Offering a False Instrument for Filing in the Second Degree, a class A misdemeanor and tendered payment of \$15,084.41 in restitution to the City. Criminal Court Judge Jay L. Weiner accepted the guilty plea. The defendant is scheduled to be sentenced on Monday, November 2, 2020.

DOI Commissioner Margaret Garnett said, “City employees who fabricate the hours they work are cheating taxpayers who fund their salaries. All employees of the City have the obligation to be truthful about their work hours, most especially attorneys who are entrusted with upholding the rule of law and who are held to a high ethical standard.”

According to the criminal complaint, the investigation analyzed data generated by the defendant between April 2017 and November 2019, specifically the defendant’s timesheets, the defendant’s scan-in data at CSC, internal CSC emails and screenshots of text messages between the defendant and her colleagues where the defendant stated she would be out of the office, and the defendant’s Metrocard data. That analysis found the defendant submitted 29 different timesheets to the City, stating that she worked when she did not in fact come into work. On 26 of the 30 dates, the defendant sent either an email or a text that she would be out of the office but claimed on her timesheets that she had worked that day, and on the remaining four dates, the defendant did not scan into CSC’s Offices at 1 Centre Street, and on three of those dates Metrocard data showed the defendant did not swipe into the subway near her office. In addition, the investigation found that the defendant did not have permission or authority to work from home. The investigation calculated the number of hours the defendant claimed on each of the 30 dates in question, reviewed her pay rate, and determined that the City paid the defendant \$15,054 in wages the defendant was not entitled to receive because she did not work on those dates.

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SERBER was employed by the CSC from May 2015 until she resigned in lieu of termination in December 2019. At the time of her resignation, she was receiving an annual salary of approximately \$149,107.

Commissioner Garnett thanked Nancy G. Chaffetz, Commissioner and Chair of the Civil Service Commission, and her staff; and Manhattan District Attorney Cyrus R. Vance, Jr., and his staff, for their cooperation and assistance in this investigation.

The office of Manhattan District Attorney Cyrus R. Vance Jr., prosecuted the case, specifically Assistant District Attorney Becky Stern, under the supervision of Assistant District Attorney Luke Rettler, Chief of the Public Corruption Bureau.

The investigation was conducted by DOI's Office of the Inspector General for CSC, specifically Confidential Investigators Jeffrey Li, Investigative Auditor Lap Chan and Deputy Inspector General David Jordan, under the supervision of Inspectors General Ann Petterson and Clinton Daggan, Deputy Commissioner/Chief of Investigations Dominick Zarrella, and First Deputy Commissioner Daniel Cort.

DOI is one of the oldest law-enforcement agencies in the country and New York City's corruption watchdog. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City. DOI's strategy attacks corruption comprehensively through systemic investigations that lead to high-impact arrests, preventive internal controls and operational reforms that improve the way the City runs.

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