

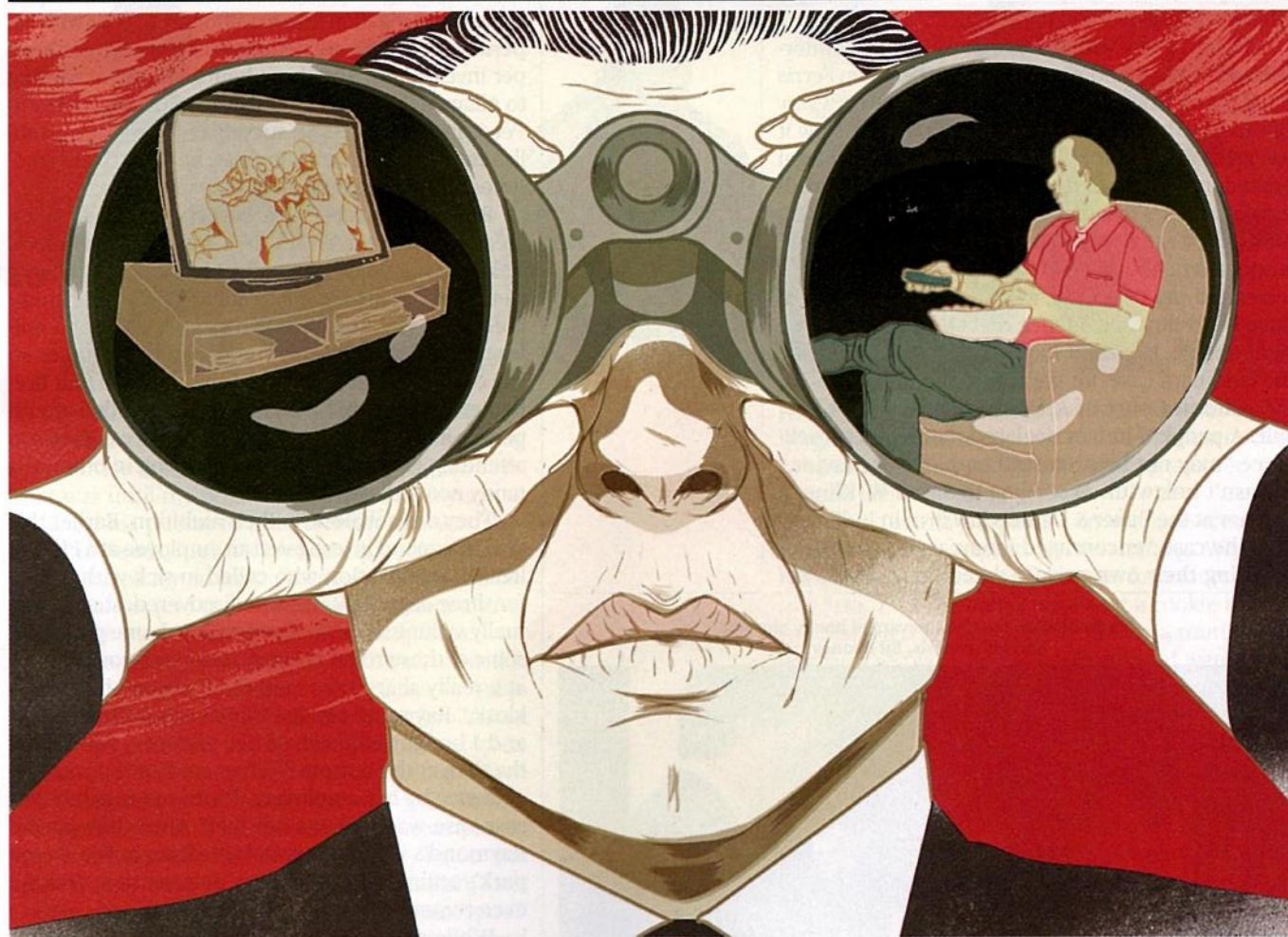
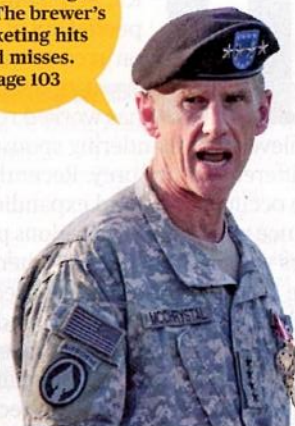
What to do when
you're grounded.
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Bloomberg Businessweek

Airport Hell & Koshermania & Online Art

Stanley
McChrystal
drinks Bud Light
Lime. The brewer's
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The Sick-Day Bounty Hunters

As an alarming number of workers play hooky, corporations are clamping down—and calling in the detectives. *By Eric Spitznagel*

Illustration by Marcos Chin

Etc. Hooky Detectives

Rick Raymond parked his black Kia SUV behind a row of trees and peered out at his target. It was 4 a.m. on a recent morning, and Raymond—a seasoned private detective who has worked roughly 300 cases, from thieves to philandering spouses—was closing in on a different sort of prey. Recently, Raymond has come to occupy a new and expanding niche in the surveillance universe. Corporations pay him to spy on workers who take “sick days” when they may not, in fact, be sick. Such suspicion has led Raymond to bowling alleys, pro football games, weddings, and even funerals. On this morning it has taken him to a field outside the home of an Orlando repairman whose employer is doubtful about his slow recovery from a car accident. Although Raymond tries to be impartial about his subjects, “80 to 85 percent of the time,” he says, “there’s definitely fraud happening.”

Playing hooky without getting caught—as immortalized in the cat-and-mouse skirmish between Ferris Bueller and Principal Rooney in *Ferris Bueller’s Day Off*—used to be an adolescent rite of passage. Now it has given rise to a thriving industry, with stern legal precedent to back it up. In 2008, Raybestos Products, a car parts manufacturer in Crawfordsville, Ind., hired an off-duty police officer to track an employee suspected of abusing her paid medical leave. When the employee, Diana Vail, was fired after the cop produced substantial evidence that she was exploiting her benefits, she sued Raybestos. In what became the landmark case for corporate snooping, the 7th U.S. Circuit Court of Appeals dismissed her lawsuit. A panel of judges declared that while surveillance “may not be preferred employer behavior,” it wasn’t unlawful. According to Susan W. Kline, a partner at the Baker & Daniels law firm in Indianapolis, the case “encouraged [companies] to consider hiring their own private detectives.” It also set

57 percent of U.S. employees are taking sick days when they’re not actually sick

a precedent, she says, that “reasonable suspicion” is sufficient justification for employer spying.

Such techniques have become permissible at a time when workers are more likely to play hooky. Kronos, a workforce productivity firm in Chelmsford, Mass., recently found that 57 percent of U.S. salaried employees take sick days when they’re not really sick—a nearly 20 percent increase from statistics gathered between 2006 and 2008. Taking such risks amid an economic meltdown, suggests Kronos Senior Director Joyce Maroney, has less to do with foolish confidence than a general lack of enthusiasm for work. “People are staying in jobs they don’t like because of a fear that there won’t be another job out there,” she says. “With less job satisfaction, there’s a greater propensity for sick-time abuse.”

That’s great news for the corporate surveillance business. Alliance Worldwide Investigative Group, a private investigation firm in Clifton Park, N.Y., with experience in corporate sleuthing, charges \$75 per hour per investigator. And those hours add up. According to Alliance Chief Executive Officer and founder Mario Pecoraro Jr., successful surveillance requires establishing a pattern of activity that, he says, “can sometimes require multiple days, or even weeks.”

Perhaps this is because workers have become increasingly inventive with their sick-day tomfoolery. This summer, Middletown (Pa.) schoolteacher Leslie Herneisey—a three-time Teacher of the Year nominee—was arrested and charged with lying to colleagues about having an inoperable brain tumor so she could take extended sick leave. In 2009 four firefighters in Haverhill, Mass., were suspended after a private investigator, hired by the mayor, caught them attending hockey games and engaging in other blatantly non-sick-day activities.

They are not alone in their ambition. Earlier this year, Raymond investigated an employee at a Florida health organization who called in sick with the flu for three days. As Raymond discovered, she was actually visiting the Universal Studios theme park. “On some of those roller coasters, they take your picture at a really sharp turn, and then you can buy it at a kiosk,” Raymond recalls. “She went on three rides, and I bought all three of her pictures, which had the date at the bottom.” When confronted with the evidence by her employers, Raymond says her first response was, “That’s not me!” After they played Raymond’s video of her volunteering at the theme park’s animal show, her only defense was, “I don’t even remember that!” She was fired.

While some employees may be less engaged in their jobs, many are increasingly interested in new and creative ways to get out of work. “It’s all about technology these days,” says Frank M. Ahearn, a New York-based equal opportunity “privacy consultant” who has helped employers “catch people who were supposed to be at work” and advised others on eluding their bosses. “If you understand how to use technology effectively, you can appear to be anywhere,”

Ferris Bueller, the Che Guevara of hooky players, and his nemesis, Ed Rooney



Missing Persons

No matter the business, every manager has to deal with self-serving employees capable of slacking off or deception. Sometimes, though, it's the top dog who's playing hooky—or just asleep at the wheel. *By Neil Janowitz*

George W. Bush
Former President, brush-clearing enthusiast
During two terms, Bush spent 487 days at Camp David and 490 at his Crawford ranch. One-third of his Presidency was thus spent “working from home.”

Lindsay Lohan
Delinquent actress
After she often no-showed during the shoot of 2007's *Georgia Rules*, the CEO of production company Morgan Creek sent a letter chastising her for such lame excuses as “heat exhaustion.”

Manny Ramirez
MLB superstar
Playing for the Red Sox in 2003, he was out sick during a series against the Yankees. Though not sick enough to stop him from socializing with the Pinstripes' Enrique Wilson at the Boston Ritz-Carlton bar.

Jimmy Cayne
Former CEO, Bear Stearns
The Bridge Grand Master famously departed for a tournament as his firm—and its nearly \$400 billion in assets—flirted with bankruptcy and sent Wall Street into chaos.

Jack Phillips and Harold Bride
Radio operators, Titanic
The duo were tasked with handling radio messages for the ship's 2,220-plus passengers. Unfortunately, they didn't heed significant iceberg warnings.



he says. Ahearn once had a client who issued each of his employees a cellphone with a GPS tracking system. “He thought it was foolproof,” Ahearn says. That was until the boss learned one employee had FedExed his phone to a hotel where he was supposed to be staying on a business trip. Instead, the worker opted for an exotic vacation. “It’s a duel between bosses and their employees,” Ahearn says. “Whoever has better technology usually wins.”

One popular toy among the adult Ferris Bueller set is the SpoofCard. Sold on the Internet by Toms River (N.J.)-based TelTech Systems, a SpoofCard allows users to select any 10-digit number to appear on the phone of the person they’re calling. When their customer calls in sick, the boss will see this number on the caller ID and assume the employee is at home in bed when he may actually be on line at the Matterhorn, or on the beach in Hawaii. Meir Cohen, president of TelTech Systems, insists SpoofCards don’t pose any ethical dilemma. “We’ve had people misuse the technology occasionally for illegal purposes,” he says, “but the majority of people use it to protect their privacy. If you have a boss that’s prying into your personal life, this is a great tool.”

Cohen also offers a chance to offset the SpoofCard with a new TelTech product, LiarCard, which uses voice analysis to determine if a caller is being dishonest. “We have companies that use the LiarCard for HR

purposes,” he says, “to find out if their employees are lying to them.” Cohen doesn’t mind selling a service to one customer that’s designed to entrap another. “We want to help everyone,” he says.

Cohen may have a point—sometimes even corporate surveillance experts need watching. When he was working as a training director for a large detective firm, Rick Raymond once sent a rookie investigator and a seasoned veteran out on a routine job. Instead, the two opted to get drunk and watch football at a nearby Outback Steakhouse. Later that day, a secretary from Raymond’s firm went to lunch at the same Outback and witnessed both detectives drinking beers and eating cheese fries. “They were there before she showed up,” he says, “and they were still there, watching football and drinking beer, two hours later.” When the pair submitted their surveillance logs for the week, both failed to mention their afternoon repast. Both were immediately fired.

As the sun rises over Orlando, Raymond’s still sitting in his SUV, watching his repairman. He’s now come to appreciate the employer-employee relationship. “I remember one worker who created an elaborate hoax to go on a cruise when he was supposed to be sick,” Raymond says. “When he was shown the video surveillance I’d done, he actually said to his boss, ‘I can’t believe you’d be so sneaky.’ The hypocrisy is amazing!” And it’s great for business. **B**

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