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Report of Investigation

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EXECUTIVE SUMMARY

The Office of Inspector General (OIG) received a complaint alleging that the Parking Division Manager (PDM) plays favoritism by hiring employees with whom PDM has a long history. The position of Parking Enforcement & Operations Supervisor was posted and an employee (E1) who according to the complainant, did not go through job shadowing and does not meet the qualifications, is telling people that they were promised the job. E1 is telling people about all the changes they will be making. The complainant stated that PDM told E1 they had the job but to keep it quiet until it is official. The complainant said the interviews did not contain any questions regarding meters and that this is the role of this supervisor. The complainant stated that the position was being hired for leadership and not experience.

According to City Ordinance 2-17-2, the Inspector General's goals are to (1) Conduct investigations in an efficient, impartial, equitable, and objective manner; (2) Prevent and detect fraud, waste, and abuse in city activities including all city contracts and partnerships; (3) Deter criminal activity through independence in fact and appearance, investigation and interdiction; and (4) Propose ways to increase the city's legal, fiscal and ethical accountability to insure that tax payers' dollars are spent in a manner consistent with the highest standards of local governments.

The OIG determined that the allegations contained elements of potential fraud, waste, or abuse and that it was appropriate for the OIG to conduct a fact-finding investigation. The purpose of the investigation was to determine if there were unfair practices in hiring for this position.

As a result of the investigation, the OIG was not able to substantiate that PDM preselected E1 or promised E1 a position, and then proceeded to go through the hiring process for the perception of equal opportunity when hiring. The OIG was able to substantiate that there were no interview questions related to meters and that there was an emphasis on management and leadership skills for this position.

ABBREVIATIONS

City: City of Albuquerque
E1: Employee referred to in the complaint
HR: Central HR
OIG: Office of Inspector General
P1: Interview Panelist 1
P2: Interview Panelist 2
Parking: Parking Division
PDM: Parking Division Manager

SCOPE AND METHODOLOGY

Scope: Information and documents related to the Parking Enforcement & Operations Supervisor position from September 27, 2022, which is when applications first started being received, through November 2, 2022, which is when interviews for the position were conducted.

The methodology consisted of:

- Review the job description for the position referenced in the complaint
- Review the applicant list and applicant documents
- Review interview file
- Review Administrative Instruction 7-68 City of Albuquerque Hiring Process
- Conduct information-gathering interviews with employees who were on the interview panel

INVESTIGATION

Background

The Office of Inspector General (OIG) received a complaint alleging that the Parking Division Manager (PDM) plays favoritism by hiring employees with whom PDM has a long history. The position of Parking Enforcement & Operations Supervisor was posted and an employee (E1) who according to the complainant, did not go through job shadowing and does not meet the qualifications, is telling people that they were promised the job. E1 is telling people about all the changes they will be making. The complainant stated that PDM told E1 they had the job but to keep it quiet until it is official. The complainant said the interviews did not contain any questions regarding meters and that this is the role of this supervisor. The complainant stated that the position was being hired for leadership and not experience.

Allegation: Preselecting employees for positions and going through the hiring process for the perception of equal opportunity when hiring.

Authority: ADMINISTRATIVE INSTRUCTION NO. 7-68 City of Albuquerque Hiring Process

APPLICANT REVIEW: *Department HR Coordinators (HRCs) will review and verify applicants who have passed through the Applicant Tracking System (ATS) to ensure applicants meet the qualifications including minimum education and experience requirements. Hiring Managers (HMs) will only receive applications of qualified individuals. For specialized and technical positions, the HRC shall review and confirm qualifications with the HM. If a disagreement occurs between the HRC and Department Director regarding qualifications, the HR Director or designee shall provide final validation.*

Formal documentation to validate credentials is preferred but not required for an individual to be deemed qualified or selected for interview; see required documentation by selection state below.

SELECTION FOR INTERVIEW:

HMs are encouraged to select at least two (2) qualified applicants for interview. It is preferred that a minimum of five (5) qualified applicants (to provide effective comparison of skills and abilities) are selected for an interview; however, there is no maximum number of applicants who can be interviewed. If the department has received less than two (2) qualified applicants, the HRC may report the job or continue with the interview process.

Interviewing preference programs must be followed. Refer to AI 7-57 Military Veterans Hiring Initiative and Corporation for National and Community Service programs (i.e. AmeriCorps and SeniorCorps) for additional requirements to interview qualified applicants. Collective bargaining agreements may also impose requirements for internal candidates which HR and HRC should check for. The HRC will inform the HM by noting any qualified applicants who are entitled to an interview within the ATS. If there are any questions regarding collective bargaining agreements, the HRC shall refer to the HR Department. The HRC will be required to document all interviews in the ATS.

Analysis:

The OIG reviewed the Job Description for the position named in the allegation. Under *Minimum Education and Experience Requirements*, it states the following:

Education and experience directly related to the minimum requirements below may be interchangeable on a year for year basis.

Associate's degree from an accredited college or university in criminal justice, law enforcement, business administration, or public administration; and

Five (5) years of experience in any combination of the following areas:

- *parking operations*
- *code enforcement*
- *public relations; and*

To include one (1) year of supervisory or lead experience.

ADDITIONAL REQUIREMENTS:

Possession of a valid New Mexico Driver's License, or the ability to obtain by date of hire.

Possession of a City Operator's Permit (COP) or ability to obtain within six (6) months from date of hire.

Possession of a valid National Crime Information Center (NCIC) Certification within six (6) months from date of hire.

Must pass a background check.

Must pass a pre-employment physical.

The OIG reviewed the Applicant List for the position. There were sixteen (16) applicants. Out of the sixteen (16) applicants, Central Human Resources (HR) referred twelve (12), including E1, to Parking. According to the Applicant List, the remaining four (4) candidates failed to meet the minimum qualifications.

Five (5) candidates from the twelve (12) who were referred were chosen to be interviewed. Three (3) individuals sat on the interview panel, including PDM. The OIG reviewed the interview questions and the scoring sheets from each of the interview panelists for each of the candidates interviewed. E1 received the highest score from all three (3) interview panelists. There were no interview questions that were specific to meters.

Interview of P1

The OIG interviewed P1 who stated that they were contacted by PDM to sit on the interview panel. P1 stated that PDM, P1, and P2 conducted the interviews with each of the candidates and then convened following the interviews to discuss the strengths and weaknesses of all of the candidates. P1 stated that based on the candidates' resumes and how they did in their interviews, PDM, P1, and P2 all agreed that E1 was the strongest of the candidates.

P1 explained that they were looking for somebody who had experience with the operations of the division. P1 stated they were also looking for somebody who is a leader and an excellent communicator. P1 explained that this is an interesting position in that it oversees enforcement and meters and from what P1 recalled, some candidates had more experience with enforcement and

there were candidates who had more experience with meters, but for this position, the person hired would have to at times supervise both sides. However, if a candidate had strength in one area, they could learn the other.

P1 remembers being very impressed with E1 and did not doubt that E1 was the best one for the job. P1 expressed that E1 had excellent communication skills, they answered the questions asked and provided examples, they came across as being a team player, and they were very open about their experience and their goals if they were to be selected for the position. P1 stated that although E1 may not have had the most amount of experience about some aspects such as enforcement or meters, E1 had the leadership skills and the people skills that P1 believes are critical to the position. P1 stated that they did not know any of the candidates before the interviews and P2 did not know any of the candidates. P1 stated that PDM did know some of the candidates, but PDM did not provide any information about these candidates before the interviews. P1 stated that the integrity of the process was important to PDM, P1, and P2.

Interview of P2

The OIG interviewed P2 who stated that they were contacted by PDM to sit on the interview panel. P2 stated that they provided their feedback on the candidates who were interviewed, but the final hiring decision was made by PDM and secondarily, P1. Outside of sitting on the panel, and giving notes and feedback, P2 did not have any input concerning the selection of the candidate to be hired.

Before they conducted the interviews, P2 stated that they asked PDM what the position was going to be and what qualities PDM was looking for. P2 stated that the two main components that stuck out were that PDM was looking for someone with experience and someone who would be able to manage others fairly well. Specifically, the interview panelists were looking for somebody with managerial experience, as well as ideally, parking experience, and all the “normal” things that go into a job interview.

P2 stated what they liked about E1 was that this individual had experience in parking services and seemed to really have a caring attitude towards fellow employees. E1 also gave a really great sense of not only wanting to enrich the department from a performance standpoint, but wanting to enrich the careers of fellow co-workers as well. P2 stated that E1 also had a really great attitude throughout the interview. E1 was nervous, but also seemed excited and seemed like someone who would appreciate taking on the position. P2 further shared that E1 came in very professional, they came prepared with their resume and all the materials that they needed, and their answers were very well thought out, but E1 did not answer the questions off the cuff, nor did it seem like E1 knew what was coming. P2 added that E1 also seemed very willing to learn.

P2 recalled there being four (4) or five (5) candidates interviewed. P2 stated two (2) or three (3) candidates made great impressions and whom P2 thought would be acceptable hires.

P2 stated that PDM, P1, and P2 did not discuss any of the candidates until after the interviews had been conducted. P2 stated that PDM wanted P1 and P2's honest opinions of the candidates and PDM did not want to taint P1 and P2's views of the candidates in any way going into the interviews. Interviews were held, PDM, P1, and P2 scored all of the candidates individually, and then they discussed the candidates afterward. P2 stated it was then that PDM provided some feedback on some of the candidates based on PDM's knowledge of the candidates' day-to-day work ethic and style.

Interview of PDM

The OIG interviewed PDM, who stated that the Parking Enforcement & Operations Supervisor position had been vacated. From what PDM could recall, the position was advertised sometime in August, 2022. They received an email from the Parking Division's Human Resources (HR) representative with a list of the candidates who qualified for the position. PDM then reviewed the list and chose whom to interview.

PDM explained that when choosing the interview panel, those who sat on the panel had to be at a classification and grade that was either equal to, or greater than that of the position being interviewed for. PDM stated they chose P1 and P2 to sit on the panel. PDM explained that P1 was Deputy Director for the Division. PDM further explained that given the Parking Division has to deal with the media from time to time, PDM felt that P2 would be a good choice for a panelist, as PDM thought that P2 could provide a different outlook, as P2 has experience in dealing with the media.

PDM explained that when considering candidates for the position, PDM was looking for somebody who had experience not just with meters or enforcement, but somebody who had management and leadership experience. PDM stated that when it came to this position, experience with meters was twenty-five percent (25%) important; experience with enforcement was twenty-five percent (25%) important; and good management skills were fifty percent (50%) important.

The OIG asked PDM about E1. PDM explained that they have seen E1's management over the past several years and believes that E1 has good management skills. E1 is able to think outside of the box and can move things forward that may sometimes be stagnant. Even if E1 may not know something, they try to get things moving. PDM stated this is what they have seen from E1 and this is also what was reflected on E1's resume. PDM pointed out that P1 and P2 also scored the candidates and that E1 scored the highest overall. PDM stated that PDM, P1, and P2 did not go into the interviews already knowing whom they were going to choose. PDM added that PDM did not have any particular individual in mind for the position when it was advertised. PDM stated that they take the process seriously and that PDM, P1, and P2 wanted the process to be as fair as possible. PDM stated it was HR who qualified the candidates and sent the list. P1 and P2 did not know what candidates were being interviewed and there were no discussions about the candidates before the interviews. Candidates were not discussed until after all the candidates had been

interviewed and scored. PDM stated that E1 gave a very good interview, and P1 commented that E1 interviewed very well. PDM stated that P2 did not know who any of the candidates were.

PDM shared that PDM had overheard a Parking Division employee tell one of the Parking Enforcement Officers that E1 was going to get the job. PDM stated that PDM then told this employee “Don’t say that, because you don’t know. We don’t know what’s going to happen.” PDM stated that just because someone has been a long-term employee within the Division, this does not mean that person gets the position. There could be someone else who is more qualified.

PDM stated that PDM did offer the opportunity for people to do job shadowing of the position, so they could see what the position was like that they would potentially be going into and if they were still interested. PDM stated that all of the internal applicants did take advantage of the opportunity to job shadow, including E1. PDM stated that PDM offers this for every position they plan to hire for. However, PDM admitted that the job shadowing was only for internal applicants and was not offered to external applicants. PDM stated that PDM did not get involved with the job shadowing being that PDM knew they were going to be on the interview panel. PDM acknowledged that job shadowing does give an advantage to internal candidates. However, PDM stated that they cannot call in external candidates to come do job shadowing. PDM stated they believe the City should offer job shadowing. PDM believed that if a person is really interested in a position, they should have the opportunity to see what the position entails and what they are going to go through, as opposed to just reading the job duties within the job description. PDM stated that the job shadowing is only for a couple of hours.

Conclusion:

The OIG was not able to substantiate that PDM preselected E1 or promised E1 a position, and then proceeded to go through the hiring process for the perception of equal opportunity when hiring. The Parking Enforcement & Operations Supervisor position was advertised and applications were initially screened by HR. HR referred candidates to Parking, and from there five (5) candidates were selected to be interviewed. The OIG was able to substantiate that there were no interview questions related to meters. All three (3) interview panelists confirmed that there was an emphasis on management and leadership skills for this position.

Observation: There was the opportunity for the candidates to do job shadowing of the position. However, this opportunity was not offered to the external candidates. Offering job shadowing to only internal candidates or employees potentially gives an unfair advantage over external candidates.

Recommendation: Parking should consider consulting with HR to determine if job shadowing is a good practice to continue or to eliminate.

Management Response: *I have spoken to Main HR, and they advised the following. It is OK to offer anyone who wants to job shadow a person in a position they may apply for since they already see what they do daily. This type of Forward-thinking is what they hope for in finding the right career for everyone who applies. They also stated if an outside applicate wanted to job shadow, it could be an option if they signed an agreement for certain positions. They will consider making this an opportunity city-wide. Of course, there is no promise or suggestion they may be selected for the position. Most times it's an hour or two that a person job shadows when they request to at their own will.*