



OFFICE OF INSPECTOR GENERAL
City of Albuquerque

Melissa Santistevan
Inspector General

P.O. Box 1293, Suite 5025
Albuquerque, New Mexico 87103
Telephone: (505) 768-3150
Fax: (505) 768-3158

Investigative Report

FILE NO: 24-0060-C

SUBJECT MATTER: Allegation of non-compliance with the Military Veteran’s Initiative Administrative Instruction 7-57 when hiring for the Risk Manager Position 2400557.

STATUS: Final

INVESTIGATOR: M. Santistevan

DocuSigned by:
Melissa R. Santistevan
303279FCC7574DA...

MELISSA SANTISTEVAN
INSPECTOR GENERAL
OFFICE OF INSPECTOR GENERAL

March 15, 2024
Date of Completion

DocuSigned by:
[Signature]
98E5D7831B5C46C...

VICTOR GRIEGO, CPA
ACCOUNTABILITY IN GOVERNMENT
OVERSIGHT COMMITTEE CHAIRPERSON

May 15, 2024
Date of Approval

DISTRIBUTION:

- Honorable Mayor**
- President City Council**
- Chief Administrative Officer**
- City Councilors**
- Director Council Services**
- City Attorney**
- Department Director**
- Members, Accountability and Government Oversight Committee**
- File**

TABLE OF CONTENTS

	Page
EXECUTIVE SUMMARY	1
ABBREVIATIONS	3
INTRODUCTION	3
SCOPE AND METHODOLOGY	5
INVESTIGATION	5
AI 7-57	Exhibit A
AI 7-68	Exhibit B

EXECUTIVE SUMMARY

The Office of Inspector General (OIG) operates in accordance with the Association of Inspectors General (AIG) standards, outlined in City Ordinance 2-17-2. These standards mandate conducting investigations, inspections, evaluations, and reviews with impartiality and objectivity, aiming to prevent and detect fraud, waste, and abuse in city activities while upholding independence.

As defined in the Inspector General Ordinance §2-17-3 fraud is the knowing misrepresentation of the truth or concealment of a material fact to induce another to act to his or her detriment. Waste is the thoughtless or careless expenditure, mismanagement, or abuse of resources to the detriment of the City. Abuse is the use of resources or exercise of authority that is contrary to rule or policy, or knowingly inconsistent with any established mission or objectives for the resource, or the position held by the person exercising the authority. Abuse does not necessarily involve fraud or illegal acts.

On March 4, 6, and 11, 2024, OIG received multiple complaints alleging non-compliance with the Military Veteran's Initiative Administrative Instruction (AI) 7-57 during the hiring process for the Risk Manager Position. Subsequently, a fact-finding investigation was initiated to assess elements of fraud, waste, or abuse.

The purpose of the investigation was to substantiate or not substantiate, through the collection of sufficient evidence, the allegations of abuse in conjunction with non-compliance with the Military Veteran's Initiative Administrative Instruction 7-57 when hiring for the Risk Manager Position.

Findings:

- The investigation found that qualified veteran applicants were inappropriately excluded from consideration for the Risk Manager Position, breaching AI 7-57.
- Violations of AI 7-68 were identified, implicating the hiring manager and the Human Resource Coordinator.

Recommendations:

1. Remedy Consideration: The responsible department should consult City Legal to explore remedies for excluded applicants under AI 7-57.
2. Review and Address Deficiencies: Human Resources should review past audits, ensuring deficiencies in hiring practices and veteran initiatives are rectified.
3. Enhanced Review Process: Implement a two-person review of applications to ensure compliance with city laws and policies before setting up interviews.
4. Internal Controls Implementation: Introduce internal controls to mitigate identified risks and vulnerabilities in hiring processes.
5. Training and Awareness: Conduct comprehensive training for managers and staff involved in hiring processes, emphasizing compliance with city laws and regulations.
6. Policy Alignment: Establish and periodically review policies to ensure alignment with federal, state, and local regulations.

The investigation confirmed sufficient evidence to substantiate the allegations of abuse and non-compliance with AI 7-57 and AI 7-68.

In conclusion, the OIG investigation highlights significant shortcomings in the hiring process, necessitating immediate corrective actions and systematic improvements to ensure compliance and fairness in city operations.

ABBREVIATIONS

CITY: City of Albuquerque

AI: Administrative Instruction

AP1: Applicant

AP2: Applicant

AP3: Applicant

AP4: Applicant

AP5: Applicant

AP6: Applicant

AP7: Applicant

AP8: Applicant

AP9: Applicant

AP10: Applicant

AP11: Applicant

AP12: Applicant

AP13: Applicant

AP14: Applicant

AP15: Applicant

AP16: Applicant

AP17: Applicant

AP18: Applicant

AP19: Applicant

AP20: Applicant

AP21: Applicant

AP22: Applicant

D1: Department Director

HRC: Department Human Resource Coordinator

HRD: Central Human Resource Department

OIG: Office of Inspector General

INTRODUCTION

The mission of the Office of Inspector General (OIG) is to promote a culture of integrity, accountability, and transparency throughout the City of Albuquerque (City) to safeguard and preserve public trust. Investigations, inspections, evaluations, and reviews are conducted following AIG Standards.

Complaint

Allegation of non-compliance with the Military Veteran's Initiative Administrative Instruction (AI) 7-57 when hiring for the Risk Manager Position.

Background

The City promulgated and signed the AI 7-57 Veterans Hiring Initiative on July 11, 2019.

“The City of Albuquerque acknowledges the people who served or are serving in the United States Armed Forces or the National Guard or Reserve and their spouses and follows specific consideration procedures within their application process for employment.

The City of Albuquerque is committed to providing ongoing outreach services to maximize opportunities for people in this demographic by offering them and their spouses employment information and consultation, program referrals, and education on City resources available for their support. This Administrative Instruction (AI) provides general guidelines when selecting applicants for interviews for posted job vacancies.

This AI provides general guidelines when selecting applicants for interviews for posted job vacancies.”

The OIG issued Investigative Report 21-0081-C on February 24, 2022, substantiating an allegation that the City violated AI 7-57. The Human Resource Department (HRD) was provided recommendations for improvement and was responsible for taking appropriate corrective action for each finding. The HRD responded to the findings of 21-0081-C stating that AI 7-57 would be revised and a new AI would be drafted to address the City's hiring process, specifically stating that the veterans' hiring preference will be included as well as a training initiative. The OIG conducted a follow-up of these open corrective actions every forty-five (45) days; however, as of March 15, 2024, the HRD has not provided adequate support reflecting corrective action taken.

In October 2023, the City posted a job opening for a Risk Manager identified as 240057 with class code U000308.

SCOPE AND METHODOLOGY

The scope of the investigation involved the performance of certain procedures to assess whether applications for the Risk Manager Position were properly evaluated and if interviews were granted to qualified Veterans per AI-7-57. The methodology consisted of:

- Review and assess the complaint
- Obtain and review AI 7-57 Military Veteran's Hiring Initiative
- Contact Human Resources to obtain all applications and support on file for the position
- Review each application to determine if supplemental questions were answered
- Review minimum qualifications for each position according to the job description
- Review the application to see if the minimum job qualifications were met
- Contact the Human Resource liaison for each department and position to obtain notes or their determination of whether the applicant met the minimum requirements or not and whether or not the applicant was contacted for an interview.

This report was developed based on information from interviews, inspections, observations, and the OIG's review of selected documentation and records available during the investigation.

INVESTIGATION

Allegation:

Allegation of non-compliance with the Military Veteran's Initiative Administrative Instruction 7-57 when hiring for the Risk Manager Position.

Authority:

Administrative Instruction 7-57 Military Hiring Initiative dated July 11, 2019

Policy:

The City of Albuquerque's Veteran and Military Hiring Initiative provides persons who served or applicants currently serving in active duty military service or the National Guard or Reserve, and their spouses the advantage of guaranteeing interview consideration for vacant advertised positions for which they apply and are qualified. In order to be eligible for the City of Albuquerque's Veteran and Military Hiring Initiative, the applicant must be qualified as per the minimum qualifications for the position of interest; the applicant must attach eligibility documentation as noted in the specified procedures below; and the applicant submits a completed application through the City's applicant tracking system. A qualified applicant under this hiring initiative will receive consideration as follows:

Procedures:

1. Interested applicants must apply by the closing date specified in the job posting.
2. For consideration under this hiring initiative, applicants must meet this hiring initiative's eligibility requirements as follows:

- a. Complete and submit an Application for employment with previous employment experience in the Applicant's own words and with dates of employment;
 - b. Answer the required Supplemental Application Questions to demonstrate his/her relevant experience for the position and eligibility for the hiring initiative;
 - c. Applicants must be a:
 - i. Veteran; *or*
 - ii. Currently serving in active duty military service, *or*
 - iii. Currently in the National Guard or Reserve, *or*
 - iv. Spouse of a 1) veteran; *or* 2) current active duty service member; *or* 3) National Guard or Reserve service member;
 - d. Must meet minimum qualifications for the position;
 - e. Must attach any of the applicable eligibility documents below to the application:
 - i DD-214; *or*
 - ii. Current orders of assignment; *or*
 - iii. For the spousal benefit: copy of 1) current marriage to a veteran, Active Service Member or National Guard or Reserve member **and** a copy of current orders of assignment or the veteran's DD-214;
 - f. Discharge from military service must be under honorable conditions; **and**
3. Upon meeting all applicable requirements above, the applicant shall be granted an interview.
 4. All other hiring processes and procedures are in effect, and the City undertakes no obligation to guarantee the applicant will be selected for the position if he or she is not the most qualified.

This AI will assist and guide Departments to follow the above initiative and procedures while recognizing our residents serving our country and their spouses.

Evidence:

Job Description of Risk Manager

AI 7-57 Veterans Hiring Initiative

AI 7-68 City of Albuquerque Hiring Process

HRD NeoGov records

Department Human Resource Coordinator (HRC) hiring packet support

PeopleSoft

Analysis of Evidence and Policies:

During the course of our investigation, the OIG considered the following facts as a basis for our analysis of the facts for each allegation.

Job description for Risk Manager

The OIG reviewed the job description for the Risk Manager position identified as 2400557, noting it was advertised as an unclassified position with a class code of U000308 and the following minimum qualifications:

Bachelor's degree from an accredited college or university in finance, accounting, insurance, public administration, or business administration; and

Eight (8) years of risk management experience; and

To include five (5) years of supervisory experience.

Possession of, or ability to obtain, a Chartered Property Casualty Underwriter (CPCU) or Associates in Risk Management (ARM) designation certification is preferred.

The OIG reviewed all of the applicants, noting of the twenty-two (22) applicants, only two (2) of the applicants had CPCU or ARM certifications.

AI 7-57 Veteran's Hiring Initiative

The OIG noted that AI 7-57 appears to apply to all posted job openings. Job posting 2400557 for a Risk Manager was posted in October 2023. The OIG reviewed AI 7-57 posted on amlegal.com, noting that AI 7-57 does not distinguish between classified or unclassified positions, implying that it applies to all positions and qualified applicants.

AI 7-57 states upon meeting all applicable requirements above, the applicant shall be granted an interview.

AI 7-68 City of Albuquerque Hiring Practices

The OIG noted that AI 7-68 states that unclassified positions may be appointed or posted. The department's Human Resource Coordinator (HRC) 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. The hiring managers will only receive applications from qualified individuals. For specialized and technical positions, the HRC shall review and confirm qualifications with the hiring manager. If a disagreement occurs between the HRC and the Department Director regarding qualification the HR Director or designee shall provide final validation. Additionally, AI 7-68 states that interviewing preference programs must be followed. Refer to AI 7-57 Military Veterans Hiring Initiative and Corporation for National and Community Services 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.

A hiring matrix shall be used for all interviews. The HM and HRC should collaborate on the creation of a hiring matrix. A template hiring matrix is available on the HR Coordinator SharePoint Site for reference. Final approval of the hiring matrix and benchmarks resides with the Department

Director or designee. All documentation created during the interviewing process should be uploaded into the ATS.

During our investigation, the OIG noted that the AI 7-68 Hiring Practices was not followed for the hiring of this position.

NeoGov records

The OIG requested the NeoGov records from HRD. The OIG reviewed the NeoGov notes for the Risk Manager position identified as 2400557 noting twenty-two (22) applicants of which nine (9) applicants did not meet the minimum requirements per the NeoGov assessment. Eleven (11) applicants met the minimum qualifications but were rejected by the HRC. Two (2) applicants were referred and an interview was scheduled.

The OIG's review of the applicants revealed the following:

Applicants not meeting the minimum qualifications

A review of AP1's application revealed that AP1 did not meet the minimum qualifications. AP1's application was rejected through the NeoGov System.

A review of AP2's application revealed that AP2 has a Master's degree in one of the identified disciplines but AP2 did not meet the minimum risk management experience qualifications. AP2 met the supervisory experience qualifications. AP2's application was rejected through the NeoGov System.

A review of AP3's application revealed that AP3 does not have a degree. AP3 met the risk management experience. AP3 met the supervisory experience requirement. AP3 indicated having the ARM certification. AP3's application was referred by NeoGov but was rejected by the HRC.

A review of AP4's application revealed that AP4 does not have a degree. AP4 met the risk management experience. AP4 met the supervisory experience requirement. AP4's application was referred by NeoGov but was rejected by the HRC.

A review of AP5's application revealed that AP5 has a Bachelor's degree but not in any of the specified disciplines. AP5 met the minimum qualification for risk management experience. AP5 met the minimum qualification for supervisory experience. AP5 did not complete the section for certifications. AP5's application was referred by NeoGov but was rejected by the HRC.

A review of AP7's application revealed that AP7 has a Juris Doctorate. AP7 met the risk management experience. AP7's application does not reflect supervisory experience therefore; the supervisory requirement was not met. AP7's application was referred by NeoGov but was rejected by the HRC.

A review of AP8's application revealed that AP8 has a Master's degree in one of the identified disciplines but AP8 did not meet the minimum risk management experience or supervisory qualifications. AP8's application was rejected through the NeoGov System.

A review of AP9's application revealed that AP9 does not have a degree. AP9 met the risk management experience and supervisory experience requirements. AP9's application was referred by NeoGov but was rejected by the HRC.

A review of AP10's application revealed that AP10 does not have a degree. AP10 did not meet the risk management experience requirement. AP10 met the supervisory experience requirements. AP10's application was referred by NeoGov but was rejected by the HRC.

A review of AP11's application revealed that AP11 has a Bachelor's degree, but not in one of the identified disciplines. AP11 did not meet the risk management experience requirement. AP11 met the supervisory experience requirements. AP11's application was referred by NeoGov but was rejected by the HRC.

A review of AP12's application revealed that AP12 has a Bachelor's degree but not in one of the identified disciplines. AP12 did not meet the minimum risk management experience or supervisory qualifications. AP12's application was rejected through the NeoGov System.

A review of AP13's application revealed that AP13 has a Bachelor's degree in one of the identified disciplines. AP13 did not meet the minimum risk management experience qualifications. AP13 did meet the supervisory experience qualifications. AP13's application was referred by NeoGov but rejected by the HRC.

A review of AP14's application revealed that AP14 has a Master's degree in one of the identified disciplines. AP14 did not meet the minimum risk management experience or supervisory qualifications. AP14's application was rejected through the NeoGov System.

A review of AP15's application revealed that AP15 has a Master's degree in one of the identified disciplines. AP15 did not meet the minimum risk management experience qualifications. AP15 did meet the supervisory experience qualifications. AP15's application was referred by NeoGov but rejected by the HRC.

A review of AP16's application revealed that AP16 does not have a Bachelor's degree or higher. AP16 did not meet the minimum risk management experience qualifications. AP16 did meet the supervisory experience qualifications. AP16's application was referred by NeoGov but rejected by the HRC.

A review of AP17's application revealed that AP17 did not meet the minimum qualifications. AP17's application was rejected through the NeoGov System.

A review of AP18's application revealed that AP18 has a Bachelor's degree but not in any of the specified disciplines. AP18 met the minimum qualification for risk management experience. AP18 met the minimum qualification for supervisory experience. AP18 indicated having a certification in ARM. AP18's application was referred by NeoGov and the HRC acknowledged it on February 15, 2024.

A review of AP19's application revealed that AP19 did not meet the minimum qualifications. AP19's application was rejected through the NeoGov System.

A review of AP20's application revealed that AP20 did not meet the minimum qualifications. AP20's application was rejected through the NeoGov System.

A review of AP21's application revealed that AP21 did not meet the minimum qualifications. AP21's application was rejected through the NeoGov System.

Applicants meeting the minimum qualifications

A review of AP6's application revealed that A6 has a Master's degree in one of the specified disciplines. AP6 met the minimum qualifications for risk management experience. AP6 met the minimum qualification for supervisory experience. AP6 was identified as a veteran and uploaded the applicable documentation as support. AP6 did not complete the section for certifications. AP6's application was referred by NeoGov but was rejected by the HRC.

A review of AP22's application revealed that AP22 has a Doctorate in one of the specified disciplines. AP22 met the minimum qualifications for risk management experience. AP22 met the minimum qualification for supervisory experience. AP22 was identified as a veteran but did not upload the applicable documentation. AP22 indicated having the CPCU or ARM certification. AP22 did not complete the section for certifications. AP22's application was referred by NeoGov and the HRC acknowledged it on February 15, 2024.

The OIG identified a statement on the supplemental questions to the application that required an acknowledgment from the applicant to the statement "I acknowledge that I am applying for an unclassified at-will position. Interviews may or may not be conducted as unclassified positions can be appointed." In considering what impact the acknowledgment statement has concerning the complaint, the OIG evaluated the language, noting that it stated that "Interviews may or may not be conducted". This statement can be interpreted to mean that a decision to not conduct interviews will result in an appointment and that conducting any interviews would result in a selection from the applicant pool for hiring. The OIG also considered the job posting, noting that the unclassified position was advertised, applications were evaluated, interviews of select applicants were conducted, and an interviewed applicant was selected. This conduct is consistent with the typical hiring process and not one where a candidate is appointed and then confirmed by the City Council. The OIG verified with HRD and D1 that this position was not an appointment.

HRC hiring packet support

On March 11, 2024, the OIG requested the HRC file for the Risk Manager position along with any notes and supporting documents. On March 14, 2024, the OIG received the following response from the HRC.

The requisition for Risk Manager closed on 11/24/2023. The requisition was also reposted and closed on 1/19/2024 and 2/14. Attached are the qualified applications that were referred to hiring manager and above. Interviews were conducted with applicants, [AP7] and [AP5]. [AP5] was offered the position.

Attached are the notices sent to applicants.

On March 14, 2024, the OIG asked if the HRC had a matrix or notes on why those who met the minimum qualifications were not selected for an interview and the HRC response was “I do not as this is an unclassified position.”

According to the HRC, the HRC is responsible for evaluating the applications and providing the qualified applicants to the hiring manager to set up interviews. The OIG inquired about who the hiring manager was and the HRC stated that it was the Department Director (D1). The following is a revised list of applicant notices provided by the HRC. The OIG did note that AP18 was identified twice in this list.

Step Name	Person ID	Notice Template	Department	Division	Job Description	Notice Sent From	Sent By	Date Generated	Requisition Number
Rejected	AP19	Qualified Interviewed Not Selected email	Finance & Admin Services	FA-Risk Administration	Risk Manager UN	OHC	HRC	03/13/2024	2400557
Rejected	AP22	Not Selected For Interview - Email	Finance & Admin Services	FA-Risk Administration	Risk Manager UN	OHC	HRC	03/13/2024	2400557
Rejected	AP18	Not Selected For Interview - Email	Finance & Admin Services	FA-Risk Administration	Risk Manager UN	OHC	HRC	03/13/2024	2400557
Rejected	AP15	Does Not Meet Mins Email	Finance & Admin Services	FA-Risk Administration	Risk Manager UN	OHC	HRC	03/13/2024	2400557
Rejected	AP13	Does Not Meet Mins Email	Finance & Admin Services	FA-Risk Administration	Risk Manager UN	OHC	HRC	03/13/2024	2400557
Rejected	AP16	Not Selected For Interview - Email	Finance & Admin Services	FA-Risk Administration	Risk Manager UN	OHC	HRC	03/13/2024	2400557
Rejected	AP11	Does Not Meet Mins Email	Finance & Admin Services	FA-Risk Administration	Risk Manager UN	OHC	HRC	03/13/2024	2400557
Rejected	AP10	Not Selected For Interview - Email	Finance & Admin Services	FA-Risk Administration	Risk Manager UN	OHC	HRC	03/13/2024	2400557
Rejected	AP9	Does Not Meet Mins Email	Finance & Admin Services	FA-Risk Administration	Risk Manager UN	OHC	HRC	03/13/2024	2400557
Rejected	AP6	Not Selected For Interview - Email	Finance & Admin Services	FA-Risk Administration	Risk Manager UN	OHC	HRC	03/13/2024	2400557
Rejected	AP4	Not Selected For Interview - Email	Finance & Admin Services	FA-Risk Administration	Risk Manager UN	OHC	HRC	03/13/2024	2400557
Rejected	AP18	Not Selected For Interview - Email	Finance & Admin Services	FA-Risk Administration	Risk Manager UN	OHC	HRC	03/13/2024	2400557
Rejected	AP3	Not Selected For Interview - Email	Finance & Admin Services	FA-Risk Administration	Risk Manager UN	OHC	HRC	03/13/2024	2400557

The OIG inquired with the HRC if AP6 and AP22, both of whom met the minimum requirements and are veterans, were not offered or given interviews. According to the HRC, neither AP6 nor AP22 were offered interviews. The HRC advised the OIG that AP6 did include the DD-214 to prove veteran status while AP22 did not include verification of veteran status.

Review of PeopleSoft data

On March 14, 2024, the OIG reviewed the City's PeopleSoft system's data, noting that AP5 was hired as the Risk Manager effective March 23, 2024. PeopleSoft reflected that the change to Risk Manager was a transfer with the reason listed as voluntary. The position was listed as classified but on the unclassified salary plan.

The OIG inquired with the HRC regarding the status of the position as there is a discrepancy between what is reflected in PeopleSoft and what is reflected on the job description and position posting.

Inquiry with D1, HRC, and HRD revealed that the Risk Manager Position is and will continue to be an unclassified position. An inquiry with AP5 revealed that this was what AP5 was advised and is expected.

During an interview, after being advised of the complaint, D1 stated that this was an unclassified position and was not subjected to the hiring process. The OIG advised D1 that AI 7-57 does not specify applicability to unclassified or classified positions. Before the job was posted, D1 stated that an individual had been interviewed and offered the position but the individual declined the position. Discussion revealed that if the candidate had accepted the position it would have been a Mayoral appointment. D1 then stated that the Risk Manager position was advertised and posted to both internal and external candidates. After re-posting the position three times, applicants were reviewed and selected for interviews. D1 stated they rely on the HRC to review the applications for qualifications, for compliance with laws and regulations, and to submit qualifying applications to the hiring manager. D1 was the hiring manager for the Risk Management position. D1 initially stated that interviews conducted were with the applicants forwarded from the HRC. The OIG asked D1 if they made any determination regarding whom to interview. Initially, D1 advised the OIG that they had not, but later in the interview, D1 admitted to choosing the two individuals who were interviewed. D1 stated that AP5 and AP7 were the only individuals selected for interviews based on D1's assessment of the candidate's experience and supervisory skills and fit for the department. D1 did not consider veteran status when reviewing the applicants. D1 stated that AP7 was offered the position but declined and then the position was offered to AP5.

Findings:

The OIG's investigation revealed sufficient evidence to support the allegation of abuse in conjunction with the non-compliance of AI 7-57 Military Veteran's Hiring Initiative by not granting an interview to applicants who met minimum qualifications and who provided support of veteran status. The hiring manager's determination not to interview qualified applicants resulted in qualified veterans being excluded from an opportunity for consideration for the position of Risk Manager. Additionally, the OIG's investigation revealed that both the hiring manager and the HRC did not follow all requirements of AI 7-68 resulting in violations regarding the hiring processes.

Recommendations:

The Department responsible for hiring this position should meet with City Legal to determine if there is a remedy for the applicants who are excluded from an opportunity for consideration under AI 7-57.

The Human Resources Department should review previous internal audits and investigations on hiring practices and veteran hiring initiatives and ensure any deficiencies identified have been addressed.

The Human Resources Department should implement a two-person review process for applications. The Human Resource Coordinator and an employee from the Human Resource Department should be required to review applications before interviews are set up to ensure compliance with all City laws, regulations, and policies.

The Human Resources Department should implement internal controls to mitigate the vulnerabilities and risks that have been identified with the hiring processes not being followed by Department HRCs or Department Directors.

The Human Resources Department should conduct Departmental training for managers and employees on expectations regarding the City's laws, regulations, policies, and procedures. Attendance should be required for those who have a role in the hiring process.

The City should request an internal audit of the hiring processes in the Human Resource Department and with those of the decentralized departments Human Resource Coordinators to identify and address risks and deficiencies.

City Administrators should establish and regularly review policies in alignment with federal, state, and local regulations.

Management's Response: The administration continues to object to a process whereby it is only permitted to respond to a cursory summary of the OIG's findings. As the administration has noted in the past, it is standard practice for auditors to provide a complete draft of an investigative report. This process allows those reviewing to respond to and address specific factual allegations that may underlie the findings. The administration encourages AGO to support an amendment to the Inspector General Ordinance to require the Inspector General to provide the administration with a complete draft before the administration's response is due and permit the Department Director to attend the appropriate AGO meeting.

It is also not clear why the OIG conducted an investigation into this matter. The Inspector General is charged with investigating allegations of waste, fraud or abuse. Here, the report to the Inspector General appears to have identified a single incidence in which the administration failed to follow interview procedures. As a general matter, a single policy violation does not rise to the level of waste, fraud or abuse. The OIG could have simply brought this matter to the administration's attention so that it could be addressed.

That said, the administration takes seriously its commitment to comply with the Military Veteran's Hiring Initiative. The administration will provide supplemental training to ensure all Departments are aware of their obligations.

Supplemental Information: The Administration revised AI-7-57 Military Veteran's Hiring Initiative and signed it on April 16, 2024. The revision changed the language to remove the mandatory requirement to provide an interview to qualifying veterans.

AI NO: 7-57

MILITARY VETERANS HIRING INITIATIVE

ADMINISTRATIVE INSTRUCTION NO: 7-57 (2019)

TITLE: *Military Veterans Hiring Initiative*

PRIMARY DEPARTMENT: *Human Resources*

The Effective Date:

This Administrative Instruction is effective immediately.

Background:

The City of Albuquerque acknowledges the people who served or serve in the United States Armed Forces or the National Guard or Reserve and their spouses, and follows specific consideration procedures within their application process for employment.

The City of Albuquerque is committed to provide ongoing outreach services to maximize opportunities for people in this demographic by offering them and their spouses employment information and consultation, program referrals, and education on City resources available for their support.

This Administrative Instruction provides general guidelines when selecting applicants for interviews for posted job vacancies.

Policy:


The City of Albuquerque's Veteran and Military Hiring Initiative provides persons who served or applicants currently serving in active duty military service or the National Guard or Reserve, and their spouses the advantage of guaranteeing interview consideration for vacant advertised positions for which they apply and are qualified. In order to be eligible for the City of Albuquerque's Veteran and Military Hiring Initiative, the applicant must be qualified as per the minimum qualifications for the position of interest; the applicant must attach eligibility documentation as noted in the specified procedures below; and the applicant submit a completed application through the City's applicant tracking system. A qualified applicant under this hiring initiative will receive consideration as follows:

Procedures:

1. Interested applicants must apply by the closing date specified in the job posting.
2. For consideration under this hiring initiative, applicants must meet this hiring initiative's eligibility requirements as follows:
 - a. Complete and submit an Application for employment with previous employment experience in the Applicant's own words and with dates of employment;
 - b. Answer the required Supplemental Application Questions to demonstrate his/her relevant experience for the position and eligibility for the hiring initiative;
 - c. Applicants must be a:
 - i. Veteran; or

- ii. Currently serving in active duty military service, *or*
 - iii. Currently in the National Guard or Reserve, *or*
 - iv. Spouse of a 1) veteran; *or* 2) current active duty service member; *or* 3) National Guard or Reserve service member;
 - d. Must meet minimum qualifications for the position;
 - e. Must attach any of the applicable eligibility documents below to the application:
 - i. DD-214; *or*
 - ii. Current orders of assignment; *or*
 - iii. For the spousal benefit: copy of 1) current marriage to a veteran, Active Service Member or National Guard or Reserve member **and** a copy of current orders of assignment or the veteran's DD-214;
 - f. Discharge from military service must be under honorable conditions; **and**
3. Upon meeting all applicable requirements above, the applicant shall be granted an interview.
4. All other hiring processes and procedures are in effect, and the City undertakes no obligation to guarantee the applicant will be selected for the position if he or she is not the most qualified.

This AI will assist and guide Departments to follow the above initiative and procedures while recognizing our residents serving our country and their spouses.

<p>_____</p> <p>Sarita Nair Chief Administrative Officer</p> <p>_____</p> <p>Effective Date</p>	<p style="text-align: center;"></p> <hr/> <p style="text-align: center;">Sarita Nair Chief Administrative Officer</p> <p style="text-align: center;">7/11/19</p> <hr/> <p style="text-align: center;">Effective Date</p>
---	---

[AI NO. 7-57.pdf](#)



City of Albuquerque

MAYOR/CAO OFFICE

Timothy M. Keller, Mayor

October 2022

ADMINISTRATIVE INSTRUCTION NO: 7-68 (2022)

TITLE: *City of Albuquerque – Hiring Process*

PRIMARY DEPARTMENT: *Human Resources (HR)*

OVERVIEW:

The City has established a detailed hiring process to ensure consistency and equity within our hiring practices. HR will provide guidance, support, and direction to Department HR Coordinator's (HRC) with questions related to this process. The hiring process will be utilized concurrently with any terms and conditions set forth in collective bargaining agreements. This AI does not apply to sworn police and fire positions.

JOB DESCRIPTION VALIDATION:

Hiring Managers (HM) should review job descriptions prior to posting a job. This provides the opportunity to validate the appropriate position and qualifications have been outlined. HMs should work with their HRCs on making modifications to job descriptions.

(Job Aide on Job Descriptions)

POSTING TIMEFRAME:

Absent collective bargaining agreement requirements, classified positions will be posted for a minimum of ten (10) working days. A department has the option to request a different timeframe and/or post a position "internal only." Requests outside the ten working days timeline shall be submitted to HR along with a justification for review and HR Director approval.

Unclassified positions may be appointed or posted. HR Coordinators must collaborate with HR on posting requirements.

APPLICANT REVIEW:

Department 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. 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 stage 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 repost 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.

INTERVIEW PROCESS:

Hiring committee: It is preferred that the hiring committee is comprised of a diverse panel of position stakeholders (individuals who will work directly or be supported by the individual who shall hold the position). The panel shall be made up of at least three (3) members; one panelist must be the immediate supervisor or in the chain of command if the supervisory position is vacant. The committee members must be trained regarding legally compliant interviewing techniques. The committee members should not change once the interview process has started. If such a change is unavoidable, the hiring matrix should assist with identifying the top candidate. Additional interviews may be necessary for hiring matrix scores that are the same or close, to appropriately identify candidate(s) to be hired. Department HRCs shall provide guidance to HMs on the selection of a hiring committee. Refer to AI 7-52 Hiring Procedures for Fiscal, Information Technology, Risk Management/Safety, and Human Resources positions for additional requirements.

Interviews may be conducted at any point during the posting process while maintaining consistency of the hiring committee. HMs must make sure that all qualified candidates are considered that have applied during the posting window to ensure equal employment opportunities and compliance with hiring preference AIs. Positions with two (2) or more vacancies may be submitted for hire prior to when the posting closes; at least one position must be available to fill after the posting window closes to meet applicable collective bargaining agreements

Interview questions: Interview questions shall be created by the HM and submitted to the HRC for review and approval. The Director, Associate/Deputy Director, or HM may assign the HRC to assist in the development of interview questions. Each set of interview questions shall also have a documented set of benchmarks which are described on the hiring matrix that will assist members in the scoring process and provide consistency for the hiring committee. It is recommended that HMs change/rotate interviewing questions and benchmarks.

Matrix: A hiring matrix shall be used for all interviews. The HM and HRC should collaborate on the creation of a hiring matrix. A template hiring matrix is available on the HR Coordinator SharePoint Site for reference. Final approval of the hiring matrix and benchmarks resides with the Department Director or designee.

All documentation created during the interviewing process should be uploaded into the ATS. After the documentation has been uploaded, it should be shredded. This process finalizes hiring with an open requisition. The requisition should be closed and all applicants dispositioned.

SELECTION FOR HIRE:

The hiring manager shall provide the HRC with a recommended list of candidates for hire in ranked order based on interview performance and in accordance with any collective bargaining agreement provisions, if applicable. The HRC will review and obtain Department Director approval to extend conditional offers of employment determined by hiring matrix performance and how well the individual is suited for the department and the position.

The interviewing matrix must be submitted on all previously classified “M”/“E”/“I” series positions, sworn Police/Fire positions and unclassified positions not on a pay plan to the CAO for final hire validation. Departments may be required to submit additional information to the CAO depending on their turnover/vacancy rates.

The following steps shall be completed prior to a conditional offer being extended:

Verification of Rehire Eligibility: The HRC shall email Risk and HR to verify rehire eligibility of all previously employed candidates. In addition, the HRC shall review the employee’s HR file and contact their previous manager, if available, and the Employment/Labor section in Legal if necessary. Validation of rehire eligibility should be noted under the candidate in the ATS including who the HRC spoke with. Rehires are considered external candidates.

Verification of Transfer/Promotion Eligibility: The HRC shall email Risk and HR to verify status/eligibility. Validation of transfer/promotion eligibility should be noted under the candidate in the ATS including who the HRC spoke with.

Reference Check: The HRC or HM shall conduct reference checks of the selected candidate utilizing the approved template. If issues arise, the HRC and HM will discuss and determine next steps. There is no minimum requirement as to the number of reference checks conducted on external candidates. HMs **must** conduct a reference check with the internal candidate’s immediate supervisor or the Department Director prior to conditional offer. Internal candidate reference validation must be documented under the candidate in the ATS.

Compensation Determination: Refer to Rules & Regulations, Section 700, Compensation.

JOB OFFER:

Once the Personnel Action Form (PAF) has been approved, the HM or HRC may proceed with a conditional offer and scheduling New Employee Orientation (NEO). All new hires shall attend NEO on their first day of work; an adjusted NEO date is required if the below documentation is not received.

Central HR will process all unclassified Associate/Deputy Director and Director positions as well as other appointed candidates at the direction of the Mayor’s Office. HRCs will assist with workflows as necessary.

The following steps shall be completed prior to New Employee Orientation:

Background Check: The HRC shall initiate the background check of the selected candidate. If the candidate does not pass, the HRC shall inform the HM and proceed with the second candidate. If the department does not identify a second candidate, the advertisement process shall be reinitiated. If the background results indicate “review,” the HRC shall reach out to HR for assistance. The decision to

proceed with candidates with background checks under review shall be done by the HR Director and the Department Director. If a disagreement occurs, final decision will be made by the CAO.

Verification of Education: The HRC shall obtain required documentation and validate authenticity of documents received. Documentation should be uploaded into the appropriate HR system.

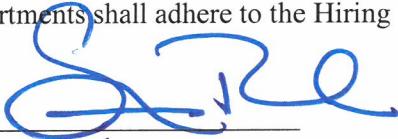
Verification of Licensure/Certificates: The HRC shall obtain required documentation and validate authenticity of documents received. Documentation should be uploaded into the appropriate HR system.

Pre-Employment Testing: The HRC shall coordinate all pre-employment testing to be conducted by the Employee Health Center. Refer to AI 7-5 Pre-Employment Medical Examinations.

Validating of documentation includes but is not limited to name, degree awarded (confer date), type of degree, educational institution name, educational institution accreditation, etc.

FINAL:

Departments shall adhere to the Hiring Policy as outlined.



Lawrence Rael,
Chief Administrative Officer



Effective Date