

# CITY OF HARTFORD

## INTERDEPARTMENTAL MEMORANDUM

**Date:** March 24, 2015  
**To:** Distribution  
**From:** H. Patrick Campbell, Chief Auditor  
**Telephone:** 860.757.9951  
**Subject:** Special Review of the Hiring Practices for Certain City Employees

On November 3, 2014, we received a letter from a City of Hartford (City) resident and taxpayer requesting for the Internal Audit Department to initiate an investigation regarding certain hiring practices occurring under the prior administration of in the Department of Public Works. More specifically, the request is for the *“Chief Auditor of the City of Hartford to investigate this apparent rigging of the hiring process, both for Mr. Baptist and for Roderick Waller.”*

According to the complaint, *“The City, Directed by the management of the DPW with the blessing of the City’s top attorney, appears to have disregarded certain policies and procedures for hiring Mr. Baptist, and it appears that other candidates were not afforded the same special privileges as Mr. Baptist. The Department of Human Resources has policies in place to vet candidates. Mr. Baptist should have been vetted and disqualified for submitting an incomplete application before the deadline.”*

There is no question that Mr. Baptist did not submit a completed job application to the City of Hartford prior to the April 12, 2013 deadline noted in the Re-Issued Public Works Superintendent Job Posting dated March 22, 2013. As noted in the complaint, however, Mr. Baptist did submit a letter dated April 9, 2013 and his resume to Sandra Kee Borges, who was the Acting Director of the Department of Human Resources (HR), at the time to express his interest in and for consideration of this position. According to Sandra Kee Borges, “any letter and resume submitted by Mr. Baptist must have been delivered to the Human Resources Office or to Public Works because she never received or even saw a letter or resume from Mr. Baptist.”

According to current HR management, this type of exception to allow candidates to provide certain documentation after the noted job posting deadline was granted in certain instances in the past. More specifically, this was the case when the job was posted multiple times and the pool of applicants resulting from the postings was very limited. In this instance, HR management informed us that the two postings for the Public Works Superintendent position generated seven applications in addition to Mr. Baptist’s letter and resume. Two of the seven applicants were deemed not to be qualified. As a result of this limited pool of applicants, Mr. Baptist was allowed to complete and submit an application on May 8, 2013, after the April 12, 2013 deadline. Mr. Baptist was subsequently deemed to be the most qualified candidate for the position and hired.

HR management indicated that their objective is to hire the most qualified candidates for all available positions in accordance with applicable personnel rules and regulations. To accommodate these situations in the future, HR management has changed the language in the postings to clearly articulate existing practice. All future postings will now state that, “applications without proper

documentation may be disqualified.” The exception would be for those positions such as police officers and firemen that typically generate hundreds of applications. This of course does not address the matter regarding the hiring of Mr. Baptist.

Also noted in the complaint, *“It is of further note that Corporation Counsel Kee Borges and Rhonda Carroll, the former assistant director of the Department of Public Works, had discussed on multiple occasions hiring practices which appear to bend the rules. Upon information and belief, Arthur Moniz-Carroll was hired by the Department of Public Works, as was Roderick Waller, the son of Terry Waller, who is Sandy Kee Borges’ fiancé. Upon information and belief, Garret Borges, also related to Corporation Counsel Saundra Kee Borges, may in fact be working for DPW. It is a concern that all three may have received special consideration in their hiring processes.”* It continues, *“It strikes as unusual that Corporation Counsel would take an interest in the day-to-day dealings of the Department of Public Works, especially in regards to the hiring process of seasonal workers. Furthermore, after the discussion in July 2011 in Exhibit D and E about the concern of hiring family and friends, it seems improper for Corporation Counsel Kee Borges to have this level of involvement in the hiring process.”*

We were informed by HR management that, contrary to the complaint noted above, Roderick Waller is a nephew, not the son, of Terry Waller. These three individuals were originally hired from April 2008 to October 2012. All three are currently full time employees working in the Maintainer II Job Class in the Waste and Recycling Division of the Department of Public Works.

To determine the basis and the process used for hiring these three individuals, we requested related supporting documentation from HR. The following is a summary of our reviews of the documentation we received and discussions with HR management:

#### Garret Borges

We were provided an Employment List, established by HR on August 8, 2010, that was used in the process for hiring Garret Borges as a Maintainer I (PT Seasonal) position. Various reviews of the Employment List used in the process for hiring Garret Borges disclosed the following:

1. A total of 430 candidates applied for the Maintainer I (PT Seasonal) position. Of the 430 applicants, 22 were rejected and 408 passed. Mr. Borges’ employment application was on file for this position.
2. The average score of the 408 applicants that passed ranged from an 85 to a 70. Garrett Borges’ average score was 70.
3. It was not clearly documented what, if anything, differentiated Garrett Borges from the other 407 candidates with the same or better average score and subsequently resulted in his hiring.
4. In November 2012, Garrett Borges was hired full time as a Maintainer I. There was no separate application from Mr. Borges for this position. HR management indicated that a separate application for Mr. Borges’ transition to this position was not necessary due to an agreement with a number of unions noted below.

HR management informed us that once a candidate is placed on these Employment Lists the department head is the hiring authority and they can choose anyone from the list regardless of their respective scores. HR management also indicated that Mr. Borges worked as a seasonal employee twice effective April 28, 2008 and July 25, 2011 before being hired full time. In addition, HR

management noted that pursuant to terms and conditions of the Memorandum of Agreement Between the City of Hartford and Local 1716, Council 4, AFSCME dated September 25, 2012, effective October 1, 2012, the City was required to appoint not less than 12 seasonal maintainers who were employed at that time as permanent employees. Mr. Borges worked continuously as a part time maintainer from July 25, 2011 until November 2012 when he became permanent per the union agreement.

#### Arthur Moniz

Mr. Moniz was hired for the position of Maintainer I (PT Seasonal) on July 22, 2011. There was no documentation to support the hiring of Mr. Moniz for this position. Mr. Moniz was subsequently hired full time for the Maintainer I position on March 13, 2013. HR management provided us with a document indicating that S. K. Borges approved Mr. Moniz's appointment to the full time Maintainer I position. HR management also noted that this hiring was in accordance with previously noted Memorandum of Agreement with the unions. There was no other documentation available to support the hiring of Mr. Moniz for the Maintainer I position or if any other candidates were eligible, offered to apply or considered as part of this hiring process.

#### Roderick Waller

Mr. Waller was hired for the position of Maintainer I (PT Seasonal) on October 7, 2102. Mr. Waller was subsequently hired full time for the Maintainer I position on April 21, 2013. There was no documentation to support the hiring of Mr. Waller for either of these positions. HR management indicated that Mr. Waller was hired as a permanent employee pursuant to the previously noted Memorandum of Agreement with the unions regarding the hiring of seasonal and permanent maintainers. HR management also informed us that applicable documentation to support the hiring process for Mr. Waller should have been available in Exam Track the City's applicant tracking system. They indicated that this was not the case due to ongoing problems they have encountered with this application tracking system. As a result of these problems, HR management informed us that they will be replacing Exam Track with NeoGov.

HR management also noted that "in response to questions regarding the role of Saundra Kee Borges in the maintainer hiring process, Ms. Borges advised that beautification and maintenance of the parks was a number one Mayoral priority from 2011-2013 as evidenced by 3 separate memos of agreement with the union calling for the hiring of up to 70 seasonal employees and the hiring of permanent maintainers. Ms. Borges further explained that the Mayor requested weekly (if not daily) updates on the progress of hiring a sufficient number of individuals to work in the parks. Regular communications with Public Works and Human Resources on the hiring of individuals to fill the 70 positions was imperative. In fact, the City was initially only successful in filling 50 of the 70 positions. That number had been far less had it not been for her involvement."

#### Observations and Recommendations

While it was not readily evident from available documentation that Mr. Borges, or the other two individuals in question, "received special consideration in their hiring processes", we cannot rule out that this occurred. In addition, documentation is not available to support that all of these individuals were hired in an open and competitive process. As noted in the case of Mr. Borges, there was nothing in his recruitment documentation that clearly differentiated him from the 407 other candidates that had the same or better average score on the Employment List or why he was

hired instead of the other candidates. As previously noted, HR management indicated that once applicants are on the list, the department head is the hiring authority and can choose anyone from the list.

In addition, the communication between Saundra Kee Borges and Rhonda Carroll about the hiring of Mr. Borges and others would appear to be unusual given the position and related job level involved. Again, given the circumstances, the individuals involved and limited documentation available, it would seem more likely than not that some consideration regarding the relationships was brought into play during their respective hiring processes for Mr. Borges, Moniz and Waller. While HR management has indicated that their objective is to hire the most qualified candidates for all available positions in accordance with applicable personnel rules and regulations, as in the case of Mr. Baptist, it is not clear that this occurred in the hiring of Mr. Borges, Moniz and Waller.

In light of the above, we recommend that HR management take action to ensure that policies and procedures are adequate to prevent any actual or potential preferential treatment in the hiring process for all City employees including, but not limited to, allowing candidates to complete and submit required documentation such as applications subsequent to established deadlines or allowing for special considerations or accommodations for friends or family members of City management, administration members or elected officials. Action should also be taken to fully develop and implement the NeoGov applicant tracking system to ensure that employment documentation to support the hiring and promotion processes is maintained on file as required.

As a result of this, the Mayor has requested that the Internal Audit Department expand this review to determine whether there are any other individuals that may have not been hired strictly in accordance with our Civil Service, Open Competitive process. The purpose of this review is to identify any additional previous hiring that may have been completed in a fashion that was not compliant with our Municipal Code, so that they can put safeguards in place to prevent this from happening in the future. We were also assured that “The Mayor and HR remain committed to creating a system that provides for fair and impartial hiring practices. The Mayor does not support the hiring of family members, which is why he created the Nepotism Policy, and he finds violations of the Nepotism Policy to be objectionable.”

This request for an expanded review will be reviewed and discussed with the Internal Audit Commission at the April 2015 meeting.

Distribution:

City Council Members  
 Internal Audit Commission Members  
 H. Burgos, Director, Department of Human Resources  
 K. Chapman, Interim Director, Department of Public Works  
 A. Cloud, City Treasurer  
 D. Hill, Chief Operating Officer  
 J. Figueroa, Chief of Staff, Mayor’s Office  
 P. Segarra, Mayor