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LETTER TO COMMISSION

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RECEIVED

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: October 2, 2008

SUBJECT: Response to the Communications Workers of America (CWA) Concerns Regarding the Recruitment and Selection of Parking Operations Supervisors in the Parking Department

This Letter to the Commission (LTC) is in response to several issues raised by the Communications Workers of America (CWA) at the August 21, 2008 Finance and Citywide Projects Committee meeting regarding the recruitment and selection of five (5) recently hired Parking Operations Supervisors in the Parking Department. This issue was discussed as part of the discussion regarding the contracting of parking enforcement services.

There are currently thirteen (13) budgeted Parking Operations Supervisor positions in the Parking Department. Of the thirteen (13) current positions, six (6) are occupied by internal candidates whose positions were either reclassified or who may have been promoted into the position. There are five (5) external candidates who were hired in June 2008 and there are currently two (2) vacant Parking Operations Supervisor positions. This shows that the majority of employees in this classification are employees who were already City employees before they moved into the Parking Operation Supervisor position.

By way of background on how these positions were filled, the Human Resources Department (HR) received a Request to Fill (RTF) on October 5, 2007 for five (5) newly budgeted positions of Parking Operations Supervisor that had been approved as part of the budget process that fiscal year. At the time, the Parking Department was unable to proceed with the recruitment, as some existing employees were to be reclassified from Parking Facilities Supervisors to Parking Operations Supervisors, and the job description had to be modified for the Parking Operations Supervisor classification before these employees could be reclassified and any other candidate hired into this classification.

A job audit was performed, and a revised job description (attached) for the Parking Operations Supervisor position was presented to the Personnel Board for approval as is required. Upon the approval of the modified Parking Operations Supervisor job description by the Personnel Board on March 28, 2008, HR proceeded with the recruitment for the vacant positions. The vacancies existed in the following divisions of the Parking Department: Meter Shop (1 vacancy), Sign Shop (1 vacancy) and Enforcement (4 vacancies).

The recruitment was opened on April 14, 2008 with the closing date of May 1, 2008. During the course of the recruitment, 38 applications were received. It was determined that 18 applicants met the minimum requirements for the position. These applicants' names were placed on the eligibility list, and their applications were forwarded to the Parking Department for consideration.

The Parking Department offered interviews to all 18 eligible applicants. One external applicant declined the interview, as he had obtained other employment. The Parking Department proceeded to interview the remaining 17 eligible applicants between May 21 and May 29, 2008. Of the 17 applicants interviewed, nine (9) were internal candidates. Of the nine (9) internal candidates, two (2) were already Parking Operations Supervisors, but were interested in competing for assignments to the vacant positions in divisions other than where they were assigned at the time. Of the remaining seven (7) internal candidates, three (3) were Parking Enforcement Specialist II's, three (3) were Parking Enforcement Specialist I's, and one was a Parking Meter Technician II.

The function and nature of work as described in the job description for the Parking Operations Supervisor is to provide:

"Effective supervision in planning, designing, installation, maintenance and/or enforcement of on-street and off-street parking regulations as well as maintaining excellent customer relations with the public, City departments, and other agencies. Work also includes office and field duties as well as the supervision of day-to-day activities within the various disciplines associated with municipal parking operations."

The interviews conducted by the Parking Department were tailored to the supervisory aspect of the candidates' prior experience, as that is the primary job function of this position. The interview panel consisted of the Parking Department's three (3) Parking Operations Managers (who supervise the Parking Operations Supervisors) and the Parking Department Senior Administrative Manager (who is responsible for coordinating all personnel related activities for the department).

Based on the scores of the interview panel, two (2) internal candidates (the same two (2) who already held the position) were offered assignments to different divisions within the Parking Department. Although one of the internal candidates turned down the offer, as they were no longer interested in the division assignment that was being offered, that employee maintained her assignment as a Parking Operations Supervisor in the division she was already in.

On June 17, 2008, HR received a Selection Memo for six (6) candidates to fill the vacancies. The other internal candidate who was already a Parking Operations Supervisor was selected for reassignment to a new division, and thus the Selection Memo for him was processed as a departmental lateral transfer.

The City's standard practice with regard to interview scores is to "band" the scores of applicants together in groups of 100 points. Any candidate within 100 points of the top interview score can be selected for the position. Based on the interview scores, the highest ranked candidate had an average score of 746, meaning that the Parking Department could select any candidate with a score of 646 or higher. There were five (5) other candidates with scores of 646 or higher, all who happened to be external candidates. These five (5) candidates were selected to fill the remaining vacancies. The next ranked internal candidate had a score of 573.50, which is 212.50 points lower than the highest score.

On June 19, 2008, a conditional offer of employment was extended to all of the selected candidates. The offer was contingent upon successfully passing all of the background investigations and medical examinations. The background investigation for all of the candidates consisted of a criminal history check, which is supplied by Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigations (FBI), drivers license record check, credit history report, and previous employment verification.

When HR finds information during the background investigation phase that may cause concern, they reach out to the hiring department to find out more about the functions of the position and how they relate to the area of concern from the background. There must be a direct relationship between the two in order to disqualify a candidate from further consideration. In this instance, the information derived from the background investigations for each of these candidates did not raise any considerable concerns, with the exception of one candidate who had a credit history that raised some concern for HR.

HR will raise an issue regarding a candidate's credit history if the position that particular candidate is selected for has direct access to any of the following:

- Handling money, such as a Revenue Processor in the Parking Department or a Cashier in the Parking, Parks and Recreation or Finance Departments;
- Ordering or keeping inventory, such as Storekeeper I's and/or II's in the Public Works and Parks and Recreation Departments or a Fleet Service Representative in Fleet Management;
- Credit card, bank account and other financial information, such as Financial Analyst I's and/or II's and Financial Specialists I's and/or II's in the Finance Department;
- If the position is considered a regulatory type position, such as Inspectors in the Building Department; Code Compliance Officers, and Police Officers.

This particular candidate who had the issue with the credit history was selected to work in a division of the Parking Department that does not have direct access to money, inventory any type of financial information and is not considered a regulatory type position. As a Supervisor, the candidate would not be able to enforce parking regulations through ticketing a vehicle. Other actions, such as bagging a meter or distributing a parking decal, are handled through other areas of the Parking Department, so the credit concerns raised regarding this particular candidate were not directly related to the work the candidate would be doing. Therefore, through discussions and communication with the Parking Department, a joint decision was made between the Parking and HR to hire the candidate. It appears as if this series of discussions and communication may have been misinterpreted to state that there was a corruption investigation involving this candidate, when that was not the case. At no time during the background investigation did the City learn of any such investigation involving this or any other candidate for the Parking Operations Supervisor position.

Another concern that has been raised by the CWA about another candidate who was hired is an alleged termination of that candidate from the City of Miami Parking Authority. This particular candidate was not terminated from the City of Miami but rather resigned to take a position in the private sector. Prior to this candidate being hired by the City of Miami Beach, the Parking Department called Art Noriega, the Executive Director of the Miami Parking Authority, who provided a positive reference for this candidate. Furthermore, the Parking Department also contacted Fred Bredemeyer, the Deputy Executive Director of the Miami Parking Authority, after the rumors starting circulating about this candidate's termination, and both the Executive Director and Deputy Executive Director have confirmed that the candidate in question was not terminated, but rather resigned and that this candidate was never under any sort of investigation by the City of Miami whatsoever.

It is important to note that all the Parking Operations Supervisors who were recently hired have a six (6) month probationary period, so if any of them are not performing at the desired level for any reason, they can be terminated from the City during that probationary period for any reason.

If you have any questions, or need any additional information, please feel free to contact me.



PARKING OPERATIONS SUPERVISOR

Job Code: 1803
EEO Class Code: Skilled Craft
Union Status: GSA
FLSA Code: Non - Exempt
Salary Grade: 0512

NATURE OF WORK

This is highly responsible supervisory and administrative work within the City of Miami Beach's Parking Department. Work requires effective supervision of parking operations within the following Divisions: On-Street; including Metered Parking, Regulatory Signage, and Parking Enforcement programs; Off-Street: including Parking Facilities and Special Events programs. Work includes effective supervision in planning, designing, installation, maintenance and/or enforcement of on-street and off-street parking regulations as well as maintaining excellent customer relations with the public, City departments, and other agencies. Work also includes office and field duties as well as the supervision of day-to-day activities within the various disciplines associated with municipal parking operations.

ILLUSTRATIVE EXAMPLES OF ESSENTIAL DUTIES

- Coordinates operational activities with Parking Department Personnel and with other City departments as needed.
- May supervise any of the following areas: pavement markings, sign making and installation, meter maintenance, facilities maintenance, and enforcement revenue control functions, as applicable.
- Inspects work sites, to ensure successful completion of work assignments within each area of responsibility.
- Responds to requests for services and other assistance from supervisors, staff and members of the public.
- Assures excellent customer relations with the public, City departments, and other agencies through delivery of quality service, prompt handling of special requests and satisfactory resolution of complaints.
- Orders adequate materials and supplies to ensure work proceeds without unnecessary interruptions.
- Prepares and maintains records and reports.
- Provides recommendations on various staff matters including hiring, disciplinary actions and evaluations.
- Supervises, trains, assigns, and evaluates performance of operational staff including but not limited to: Municipal Services Workers, Meter Repair Technicians, Painters, Parking Dispatchers, Parking Enforcement Specialists and Sign Makers.
- Instructs and directs personnel in the proper methods and techniques for accomplishing assigned tasks.
- Conducts training on methods and on new equipment and enforces safety standards and safe operations.
- Evaluates performance of equipment and operations.
- Schedules and assigns daily work activities to subordinate personnel.
- Assigns routes, zones, work orders, and tasks; and ensures timely completion.
- Performs related work as required.

KNOWLEDGE, SKILLS AND ABILITIES

- Extensive knowledge of, skill and ability in parking operations related to the following disciplines: On-Street Parking Operations: including Metered Parking, Regulatory Signage, and Parking Enforcement programs; and/or, the Off-Street Parking Operations including: Parking Facilities and Special Events programs.
- Considerable knowledge of State Statutes, County Ordinances, and City Codes related to parking operations and knowledge of all relevant City rules, regulations, policies and procedures.
- Ability to establish and enforce safety standards and/or safe operating procedures.
- Ability to plan, supervise and coordinate the work of staff engaged in municipal parking operations.

- Ability to keep records and prepare reports.
- Ability to effectively instruct and supervise personnel.
- Ability to evaluate performance of employees, equipment, and operations.
- Ability to evaluate traffic flow and parking within the City and prepare comprehensive reports related thereto.
- Ability to establish and maintain effective working relationships with employees, other agencies, and the public.
- Ability to communicate both orally and in writing.

MINIMUM REQUIREMENTS

On-Street Operations

- High School graduate with six (6) months experience in: On-Street Operations including: Metered Parking, Regulatory Signage, and Parking Enforcement programs; and/or, the Off-Street Operations: Parking Facilities and Special Events programs.
One (1) year of full-time supervisory experience
- Valid Florida Driver's license, with acceptable driving record.

Off-Street Operations:

- High School graduate with six (6) months experience in Off-Street operations including Parking Facilities and Special Events programs.
- One (1) year of full-time supervisory experience.
- Valid Florida Driver's License, with acceptable driving record.

PHYSICAL REQUIREMENTS

- Must have the use of sensory skills in order to effectively communicate and interact with other employees and the public through the use of the telephone and personal contact.
- Physical capability to effectively use and operate various items of office related equipment, such as, but not limited to, Computer, calculator, copier, and fax machine.
- Significant standing, walking, moving, climbing, carrying, bending, kneeling, some crawling, reaching, and handling, sitting, pushing, and pulling.

SUPERVISION RECEIVED

- General and specific assignments are received and work is performed with wide latitude for the use of independent judgment in the selection of work methods and procedures, and is subject to review for compliance with departmental objectives and standards.

SUPERVISION EXERCISED

- Plans, assigns, and supervises the work of employees engaged in the Parking Department's On-Street and Off-Street Divisions depending upon assigned area of responsibility.