

Investigative Report

Basis/Issues: Allegations of Corrupt Hiring Practices

Complainant: Rita Lipof, Community Library Manager
Library Division

Respondent: Mary McDonald, Interim Director Human Resources
Finance and Administrative Services Department
Human Resources Division

Date of Report: March 26, 2018

I. ALLEGATIONS (verbatim)

- A. February 14: "Corrupt change of Job Description Set by MAG Study that costs \$250,000 to Hire a Sirisdynx Salesperson as a Library Regional Manager".
- B. February 14, 2018 Library Director Kelvin Watson "shilling for a library vendor" *
- C. February 14: "Corrupt Rating Process: Kelvin Watson improperly interfered with the rating scores of Libraries HRO Kim Butler, and Acting Assistant Director Carol Russo in the rating process for Library Regional Manager".
- D. February 14, 2018: "Corrupt Compensable Factor Form for a salary of \$109,356 instead of the minimum \$86,229".
- E. February 15, 2018: Falsified work history "including where she stated she had 5 years of experience in community engagement and outreach".
- F. February 23, 2018 Library Director Kelvin Watson did not disclose compensated outside employment with Sirsidynix.
- G. February 23: Library Director Kelvin Watson violation of FL Statute 112*
- H. February 14, 2018 Library Director Kelvin Watson "violated Broward County policies, procedures and standards in Ethics, Human Resources, Procurement, signed paperwork he knew to be false and undermined the Classification and Compensation restructuring that Broward County has recently spent millions of dollars implementing".*

** Complainant was referred to Professional Standards as this allegation is outside the scope and authority of this investigation*

II. BACKGROUND AND SUMMARY

On August 11, 2017 the position of Library Regional Manager - Community Engagement was advertised. While there are 5 other Library Regional Manager positions in the County, this particular position with a focus on Community Outreach is unique, requiring strong library sales and marketing experience. 15 applicants responded to this advertisement and were processed through the online recruitment system's automated screening process. Two applicants did not meet the requirements, Roslyn Dean and Emma Martin. Director Watson was familiar with

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Ms. Dean's work history and questioned why her application was screened out. Upon review of the posted requirements, it was determined that existing requirements were restrictive and did not adequately reflect the needed skill set to attract the right candidate pool. The recruitment was subsequently canceled and the requirements were revised. Candidates were notified by email that minimum requirements had changed and a second recruitment would be posted.

The **first** recruitment required a Master's Degree in Library Science or Library Information Science, or "closely related field" and 5 years library experience, including 4 years managing a branch. In the **second recruitment**, educational requirements were revised from "closely related field" to "or field relevant to area of assignment". Experience requirements were broadened from "5 years of professional library experience" to include "5 years of professional library experience or experience relevant to area of assignment". The revised language referencing "area of assignment" was designed to capture the marketing aspect of the position. Supervisory requirements did not change (4 years of relevant supervisory experience). 15 applicants responded, 12 passed the filter questions and moved to the scoring/rating phase. Scores ranged from a low of 73.3 to a high score of 87.3. A rating score of 80 was established as the "cut off" to be referred for an interview. 3 of the 12 eligible applicants scored 80 or above. The highest scoring applicant (87.3) removed himself from consideration, Roslyn Dean (85.7) and Fannie Cox (80) were the remaining candidates being considered. Roslyn was selected.

Beginning January 3, 2018, Complainant initiated a series of Public Records Requests for documents pertaining to the job posting of Library Regional Manager/Community Outreach. In February and subsequent to the receipt of the requested documents, Complainant sent a series of emails to Human Resources (Mary McDonald) and County Administration (Bertha Henry, Monica Cepero, Daphne Sewell) alleging various forms of corruption by Library Director Kelvin Watson.

Complainant believes Library Director Kelvin Watson directed staff to revise the Library Regional Manager job classification to accommodate a particular individual who Complainant believes to be unqualified. Further, Complainant alleges the compensable factor form used to determine the starting salary of the selected candidate was "corrupt".

III. INVESTIGATIVE PROCESS

Mary McDonald, Acting Human Resource Director, conducted Interviews with:

- Natasha Terrell, Human Resources Staffing Services
- Kim Butler, Human Resource Officer Library Division
- Carol Russo; Acting Assistant Library Director
- Kelvin Watson, Director Library Division
- Mary Cuervo, Human Resource Manager, Compensation

Mary McDonald, Acting Human Resource Director reviewed

- Documents submitted by Complainant

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- Documents provided to Complainant in response to Complainant's Public Records Requests pertaining to the hiring process of the Regional Library Manager/Community Outreach

IV. FINDINGS

- A. ALLEGATION: February 14: "Corrupt change of Job Description Set by MAG Study that costs \$250,000 to Hire a Sirisdynx Salesperson as a Library Regional Manager"
FINDING: Unsubstantiated. The job description was changed according to procedure, requiring oversight from Human Resource/Compensation staff. Job classifications are "living" documents subject to change as needs change.
- B. ALLEGATION: February 14, 2018 Library Director Kelvin Watson "shilling for a library vendor".
FINDING: Outside the scope and authority of this investigation. Complainant referred to Professional Standards.
- C. ALLEGATION: February 14: "Corrupt Rating Process: Kelvin Watson improperly interfered with the rating scores of Libraries HRO Kim Butler, and Acting Assistant Director Carol Russo in the rating process for Library Regional Manager".
FINDING: Unsubstantiated. Both employees were questioned and responded that at no time did Director Watson suggest, demand, or in any other manner influence their individual scoring of applicants.
- D. ALLEGATION: February 14, 2018: "Corrupt Compensable Factor Form for a salary of \$109,356 instead of the minimum \$86,229".
FINDING: Unsubstantiated. The Compensable Factor Form ("CFF") is used to determine an employee's starting salary. Compensable factors are identified and weighted at the time of the job posting, and later applied to the selected candidate. The candidate's education, prior work experience and critical unique skills are evaluated by the hiring manager and HR/Compensation staff and scored within the CFF to determine a new hire's penetration into their pay range. The procedure was appropriately followed.
- E. ALLEGATION: February 15, 2018: Roslyn Dean falsified her work history "including where she stated she had 5 years of experience in community engagement and outreach".
FINDING: Unsubstantiated. While Ms. Dean's experience reflects well over 5 years of community engagement and outreach, the statement Complainant alleges was made by Ms. Dean regarding her experience does not appear on her application or resume.
- F. ALLEGATION: February 23, 2018 Library's Director Kelvin Watson did not disclose compensated outside employment with Sirsidynix.

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FINDING: Unsubstantiated. The Outside Employment Request form was submitted January 2, 2018 and approved by County Administration January 12, 2018. The outside employment occurred January 31, 2018.

- G. ALLEGATION: February 23: Library Director Kelvin Watson violation of FL Statute 112.
FINDING: Unsubstantiated. Complainant's allegations are broad and non-specific. Outside the scope and authority of this investigation.
- H. ALLEGATION :February 14, 2018 Library Director Kelvin Watson "violated Broward County policies, procedures and standards in Ethics, Human Resources, Procurement, signed paperwork he knew to be false and undermined the Classification and Compensation restructuring that Broward County has recently spent millions of dollars implementing".
FINDING: Unsubstantiated. Complainant's allegations are broad and non-specific. Outside scope and authority of this investigation.

V. CONCLUSION AND RECOMMENDATION

Director Watson confirms knowing applicant Roslyn Dean through professional networking prior to this recruitment. It is not uncommon for hiring managers to have prior knowledge of applicants, and it is an advantage to have professional experience with a candidate when determining "best fit". However, this does not rise to the level of "corruption" in a recruitment. Complainant is not the hiring manager and was not a subject matter expert in this recruitment. Complainant's allegations that the selected candidate "is not qualified" and that the approved compensation is inappropriate is unfounded and based on Complainant's perception of which skills and experience should be considered in both rating applicants and in determining compensation.

All procedures were followed and subsequent approvals from both the hiring manager and Human Resources were done in accordance with these procedures.

It should be noted that Complainant did not apply for this position.

There are no recommended actions for the Finance and Administrative Services Department/Human Resources Division.