

Special Meeting of the Civil Service Board

Present: Vice-Chair Steve Sanderfer, George L. Allen, Jr., Marvin M. Lane, Jr., Pat Parrish, Joseph L. Phifer, Alicia Voltmer

Absent: F. Ray Hill

Attendees:

Michelle Frey, United Steelworkers Union
Shawn Gary, President, Dallas Black Fire Fighters Association
Mary Hasan, Dallas City Council Assistant
Jason McClain, Assistant City Attorney
Janice Moss, Senior Assistant City Attorney
Scott Newland, United Steelworkers Union
Ernesto Peña, President of the North TX Assn. of Public Employees, Div. of the United Steelworkers
Daniel Pedroza, United Steelworkers Union
Linda Perez
Roy Robinson

Civil Service Department Staff:

Michelle Hanchard, Assistant Director
Patricia Marsolais, Secretary to the Civil Service Board
Pamela McDonald, Manager – Examining and Recruitment Division
Poornima “Savina” Rikhilal, Coordinator
Martha Santos, Coordinator
Brandy Thomas, Office Assistant
Joanne Ung, Project Manager NEOGOV

The meeting was called to order at 6:30 p.m.

The Vice-Chair announced that the meeting was a continuation of the investigation begun on November 1, 2007. In response to the City Attorney’s request for the specifics of the allegations and the things the Board is concerned about, the Vice-Chair said they had already been informed. He added that the information must not have made it to anybody else because the Board has received a memorandum stating that the parties are unaware of the particular allegations.

Mr. Sanderfer discussed First Assistant City Manager Ryan Evans’ statement that the NEOGOV Workforce Management System vendor has “view/read only” capabilities. This is in direct conflict with NEOGOV Project Manager Joanne Ung’s testimony at the last meeting. After the release of this information to the press, there were changes made to the NEOGOV system. On November 8, 2007 NEOGOV issued a statement in its “bi-weekly call minutes” to customers that “read-only” is a new feature. Thus, the statement in the newspaper on November 2, 2007 is apparently not true. As a Board Member the Vice-Chair feels like he’s getting stonewalled. He said there had been no response from the City Attorney to the Board’s request for independent counsel.

Board Member Lane requested a discussion with the City Attorney about where to go from here. The Vice-Chair said for the record that he has strong concerns about getting advice from the City Attorneys because he does not believe they are present to help the Board.

The Board entered into executive session from 6:41 p.m. to 7:15 p.m. to receive legal advice from the City Attorney. There was no action taken.

The Vice-Chair began questioning NEOGOV Project Manager Joanne Ung about the “view/read-only” terminology. Ms. Ung acknowledged that the statement about “read-only” and “view” are synonymous terms in the industry. In response to a question from Mr. Sanderfer, Ms. Ung testified that NEOGOV did not have “read-only/view” capabilities on November 1, 2007. In direct conflict with a published statement made by the City’s Public Information Officer Frank Libro that 34 City users in NEOGOV had view/read only capabilities, Ms. Ung said that these individuals have all the rights to modify, change, and add information to the system.

The Vice-Chair questioned Ms. Ung on other statements made by the Public Information Officer concerning the termination of an employee’s security rights when he/she leaves City service. Ms. Ung confirmed that she was picked up by the Civil Service Department at the time of her reduction-in-force from the Human Resources Department. Civil Service Director Patricia Marsolais notified Human Resources Director David Etheridge on August 24, 2007 that Ms. Ung would move to the Civil Service Department. Ms. Ung testified that the two Civil Service Department NEOGOV administrators are not trained sufficiently yet to take her place. Her understanding is that she is still the Project Manager of the NEOGOV system.

The Vice-Chair listed questions he wants the Public Information Officer asked. They are:

1. Who at NEOGOV did he talk to when he said that he spoke with senior management at NEOGOV?
2. Who at NEOGOV did he speak to before writing the article?
3. Was any of the data verified before putting it out and who did he speak to in the City to get this information?

Board Member Parrish also wants to know if the City’s system configuration was designed to have the “view/read only” feature on or was this functionality turned on?

Ms. Ung said that all of NEOGOV’s clients use the same system. Clients see the same screens and opt to choose what to use. The “read only” feature was not on the screen on November 1, 2007.

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Board Member Parrish asked Ms. Ung if she had access to any other systems on October 4, 2007 because Mr. Libro's comments suggest it is a practice of the City to remove security rights from all employees who are no longer employees. Ms. Ung replied that she had access to the e-mail system and super user access to the payroll system. Ms. Ung said that for the last two years she has been working on projects with the Human Resources Department in their payroll system, the most recent of which was to help implement their career management module.

Ms. Ung presented a print screen of the Human Resources user setup on November 1, 2007 and a screen shot of the security change that was effective November 2, 2007 in which the new option called "read-only" shows up. NEOGOV user Ann Smith of Tarrant County was doing administrative work on their system users on November 1, 2007 and did not see the new option on the screen that day either. The Vice-Chair had the e-mail from Ms. Smith marked as an exhibit.

At the request of Board Member Parrish Ms. Ung read a statement from the "NEOGOV Insight Enterprise Bi-weekly User Call Minutes" dated November 8, 2007 which state "...the new feature, there is a read-only option now available for the Human Resource user account. This option only permits the Human Resource user to view information. It does not allow the user to take any actions. If you check this option, make sure you uncheck the options above the update/delete class specs, postings, etc." Ms. Ung explained that the Bi-weekly User Call Minutes" are distributed by NEOGOV after a user conference call, which any user can participate in to discuss new features or issues they might have regarding the system.

Ms. Ung testified that when the new option was spotted, she and a couple of Civil Service analysts began to test the "read-only" function. During the initial tests the "read-only" function didn't work at all. Through the course of the same day, November 2, 2007, they confirmed that the new function started to work in certain areas. By the end of that day and up until now, there are still areas that do not work. For example, one can still change test scores and place people on eligibility lists if they have access to that side of the system.

The Vice-Chair asked Ms. Ung how many of the people whose access the Board was concerned about have been changed to "read-only." She said none. Everybody is switched to "read-only"-no. The Vice-Chair commented that as of this meeting when the last tests were run, there is still no one looking out for the employee or applicants.

Board Member Lane stressed that since Civil Service is responsible for the testing, if non-Civil Service people have the ability to change test scores, Civil Service cannot guarantee that they have complete responsibility and that goes back to the City Charter. Mr. Lane asked Ms. Ung if anyone from the City Manager's Office had contacted her to explain what her position is. She said no.

The Board talked with Ms. Ung about additional tests she and Civil Service staff conducted on the "read only" feature. Copies of the test results and print screens were provided to the Board. The Vice-Chair entered the tests as one exhibit.

The Secretary addressed the issue of the October 23, 2007 meeting the CIS (IT) Director Worriss Levine scheduled to discuss a NEOGOV process review. Ms. Marsolais gave the Board a copy of the October 19, 2007 e-mail she sent indicating she could not attend. This is in direct conflict with the First Assistant City Manager's letter indicating that she did not inform anyone that she was not going to participate.

In response to actions taken by the Secretary after she was advised by NEOGOV Project Manager Joanne Ung that 34 additional users had been added to the Insight side of the system, she submitted copies of e-mails sent to various parties about this. The Vice-Chair had the material marked as exhibits 5 and 6. The Vice-Chair also admitted e-mail correspondence between CIS (IT) Director Worriss Levine and the Secretary as exhibit 7 to further supplement the matter of the October 23, 2007 meeting.

Having completed receiving testimony, the Vice-Chair outlined the following options on how to proceed next:

1. Per the City Charter subpoena people to appear and testify at a future meeting.
2. Compile a list of questions send them out, and when the responses are received meet and decide the next step.
3. Compile a list of questions, seek a meeting with the Mayor and Members of the City Council and the City Manager's Office and present them with the transcripts, questions, and any answers that have been received by the Board.

The Members of the Board unanimously chose the third option.

The Board entered into executive session from 8:21 p.m. to 8:27 p.m. to receive legal advice from the City Attorney. There was no action taken during the session.

After coming out of executive session, the meeting adjourned.

(A complete transcription of this meeting is available)

ATTESTED

APPROVED