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September 14, 2012

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**RE: September 2012 Semi-Annual Report**

Dear President Preckwinkle, Inspector General Blanchard and Ms. Robinson:

This is the first semi-annual report issued pursuant to the Employment Plan that was filed on March 19, 2012. The report would usually include activities during the previous six months; however, I am expanding the timeframe to include auditing and monitoring activities that occurred since I began working as the Compliance Officer in October 2011. Emphasis is placed on the important transformations that have taken place with the filing of the Employment Plan that allow transparency in hiring, further strengthening the commitment to eliminate political considerations from decision-making in all employment actions for non-exempt positions. This report will be posted on the County's website as required by the Employment Plan.

Postings on Cook County's Website:

Transparency is a key principle in the Employment Plan and is shown through recent postings on Cook County's website. The Bureau of Human Resources' link has been updated to include a copy of the Employment Plan; the exempt list with the names of those employees currently holding exempt positions; and, all exempt job descriptions. In the near future, employment action reports for the first and second quarter of 2012 will be posted, reflecting the number of new hires, transfers, promotions and terminations by department. Additionally, an Employment Plan Complaint Form and Request for Documents can now be found on the website to provide a convenient way to report violations of the Employment Plan and to allow an employee or any member of the public the opportunity to request reports generated as a result of an investigation of political discrimination or noncompliance with the Employment Plan.



Training:

I view training as the single most important component to successful implementation of the Employment Plan, which is the reason face-to-face training sessions were conducted for all employees under the Offices of the President. The importance of engaging in "live" training sessions that allowed for interaction between the trainer and the audience was essential to introduce the Employment Plan to County employees. The ultimate goal in developing effective presentations was to fully explain the new proactive, transparent approach to employment-related policies, practices and procedures. The presentations included describing key principles in the Employment Plan to ensure that every employee realizes that he/she has a duty to report unlawful political discrimination, political contacts and violations of the Employment Plan. The training modules were developed in-house with much time and effort expended on each presentation. Training brought an opportunity to communicate to all employees the direction that County will be moving in the future, i.e., to eliminate political considerations in employment actions affecting non-exempt employees.

There were three training modules developed. A comprehensive, in-depth presentation for Bureau of Human Resources staff was necessary as these individuals would take the lead in providing guidance and assist to departments with general hiring and exceptions in the Employment Plan. A second module was presented to supervisors/interviewers in each department who were trained on intricacies of the new forms as well as the changing roles of the Bureau of Human Resources and the departments. The County had been utilizing a structured interview process; however, forms were revised to include the No Political Consideration Certification for each action taken from the initial step in filling a vacancy through offering employment at the County; in effect every step in the process requires an attestation that no political reasons or factors were taken into consideration. All other County employees were trained using a third module that emphasized major components of the Employment Plan. Patrick Blanchard, Independent Inspector General, and his staff were extremely supportive and presented unlawful political discrimination, political contacts and retaliation alongside Tom Conway, Training Manager, and myself. Maureen O'Donnell, Bureau Chief, and Theresa Larkin, Deputy Chief, of the Bureau of Human Resources, as well as the Mary Robinson, Compliance Administrator, and her staff assisted in countless ways with the training initiative. The message clearly conveyed was that political considerations will no longer be tolerated and the duty to report is an obligation that each employee must take seriously and must fulfill even though some employees voiced their doubts that eliminating political influence in general hiring could happen in Cook County.

I am pleased to report that almost all employees under the Offices of the President have been trained on the Employment Plan since April 24, 2012. To date 2,220 employees have been trained in 64 training sessions.

During the training sessions, we emphasized that asking questions is the best piece of advice we can provide and that it is better to err on the side of caution and make the phone call to the Independent Inspector General, to the Bureau of Human Resources or to me rather than risk not fulfilling the duty to report or proceeding with a step that is noncompliant with the Employment Plan. With that said, there



have been numerous occasions where departments have reached out to the Bureau of Human Resources and myself to ask questions. Bureau of Human Resources staff has responded to the inquiries in alignment with the Employment Plan. For example, a department requested reposting a position which was the incorrect next step in the process. A supervisor responded that a second interview list would be provided to the department. Although that was not the response the department wanted, it was the appropriate response for general hiring purposes. Recently, the Bureau of Human Resources announced that implementation of the new forms would begin on August 13, 2012. The new forms, a hiring checklist and guidelines have been posted on CCNET for departmental use. In the past month, there has been an influx of inquiries from departments, which is expected.

Meetings with Bureau of Human Resources staff responsible for filling vacancies are an additional control that has been put in place. A myriad of issues have been discussed and resolutions reached to address the "newness" of the Employment Plan and maintain a level of consistency necessary for success. Situations must be evaluated and assessed, processes understood and reviewed. In meetings, there have been discussions, for instance, on maintaining the integrity of the interview questions; being observant during interviews about items a candidate has brought to an interview. In the past, questions were given to candidates that allowed an unfair advantage during interviews and in hiring. The Bureau of Human Resources staff regularly consults with me on numerous matters, including any concerns that may need my attention, which again will allow for success of the Employment Plan.

Training is required on an annual basis and planning for the 2013 sessions has already started. Tom Conway and I are developing online training modules in consultation with Barbara Pryor, HRIS Director in the Bureau of Human Resources, and the Bureau of Technology. Questions that were posed during the training sessions will be used to formulate the modules for next year and we envision drafting FAQs on CCNET as an additional tool for departments to use. We expect this training to be an effective approach of further educating County employees on the Employment Plan.

#### Requests to Hire/Job Descriptions:

The general hiring process begins with a Request to Hire and job description submitted to the Bureau of Human Resources. I have reviewed approximately 51 Requests to Hire with minimal issues such as an inadvertent omission of a date on a Shakman certification form or the requisite step in the hiring process not checked on the form. The new hiring forms will rectify these types of omissions that the separate certification form caused. Given the importance of the certification, it was embedded before the signature line on each form to reinforce that fact that those employees who are part of the hiring process will be responsible for their actions and decisions. Every Request to Hire is reviewed to ensure the posting will appropriately reflect whether the position is covered by a collective bargaining agreement prior to posting a position online. In July, the Department of Budget and Management Services and the Bureau of Human Resources introduced a streamlined process that combined both the budget and human resource forms into one Request to Hire where electronic approvals and email notifications made the hiring process easier to navigate and monitor.



All job descriptions are being reviewed, which is an essential step in the process. Many job descriptions have not been revised in years, some dating back 10, 15 or more years. Thoroughly evaluating job descriptions will continue to assure that they accurately reflect current duties and minimum qualifications necessary to perform the job and can be used to measure productivity. I have reviewed approximately 79 job descriptions and worked with the Bureau of Human Resources as well as departments on the edits. The importance of monitoring the minimum qualifications in job descriptions cannot be emphasized enough as changing the minimum qualifications could lead to a violation of the Employment Plan where lower qualifications would allow a pre-selected candidate the opportunity to apply for a position.

Randomizations:

I have observed approximately 57 without any substantive concerns occurring and no randomizations are conducted unless I am present to monitor. There were several occasions where validation issues arose as a result of monitoring the online applications but after discussions with Bureau of Human Resources staff and the Compliance Administrator's Office, a resolution occurred and the process moved forward.

Validation of Candidates/Interview Lists:

To date, I have reviewed approximately 103 interview lists that the Bureau of Human Resources staff generated after validating candidates. Based upon my review, there have been occasions where additional discussion was necessary to ensure that the rationale for validation of a candidate was appropriate. Additionally, I have worked with the Compliance Administrator's Office on questions posed regarding their monitoring of the validation process. I have strived to quickly resolve matters, provide a recommendation or answer and address the subject at an Employment Plan meeting with staff. Considering discipline of current and former employees as a means to removing a candidate from eligibility is new to the process and this portion of the Employment Plan has been slow to implement. I am hopeful that during the next reporting period a process will be started that I can monitor.

Recommendation Letters:

Approximately 22 recommendation letters have been submitted to me and processed. All letters were compliant with the Employment Plan, as opposed to patronage recommendations, which would be investigated by the Office of the Independent Inspector General.

Interviews/Selection Meetings Monitored:

I have monitored 15 sets of interviews and 16 selection meetings. Based upon my observations during the interviews and selection meetings I attended, guidance was incorporated into the training materials. For example, at the time of interview, some candidates must produce documentation. Departments handled this step in different ways. During training, emphasis was placed on the protocol for production of an original transcript, driver's license, certifications, etc. This step should take place before the interview starts. Departments used a sign-in sheet for interviewing candidates when an interview list with candidates' names is provided to the department to schedule interviews. This step is unnecessary and was specifically addressed in training. Also, follow-up questions seemed to be a sticking point with many of the interview panels, which is counterintuitive to interviewing in general. These types of questions are a



necessary tool to use while interviewing in order to fully understand a candidate's answer and to provide an opportunity for a panel member to question an inconsistency on an application/resume. In one instance, there was a gap in the candidate's resume but no one on the panel asked follow-up questions relating to the missing timeframe. The fact was brought to my attention after the interviews were conducted and it appeared that they were hesitant because no one had explained to them at what point during a structured interview they could make such an inquiry. I have observed panel members who asked appropriate follow-up questions revealing they were fully prepared having reviewed the applications and resumes prior to the interview. There were instances where panel members asked follow-up questions, whether necessary or not, to every question posed during an interview.

Disclosure of conflicts of interest prior to the start of the interviews will occur as part of the process and was another topic discussed during training. Several departments dealt with conflicts of interest for panel members who knew the interviewee. One department substituted another panel member before the interviews began. Another department placed the candidate before a second interview panel as two panels were conducting interviews simultaneously. Both options were proper in each situation and the departments took the initiative to resolve the conflict prior to my monitoring the interviews.

At interviews, the Bureau of Human Resources staff will provide more oversight into the process and verify the documentation brought to interviews. Having such a presence to answer questions and guide the process is both necessary and important to implementation of the Employment Plan. Documentation acknowledgement is part of the Interviewer Evaluations Form and these items must be presented prior to the interview or by the end of the last candidate's interview. Issues arose in the past when required documents were not brought to interviews, with a "pass" given to politically connected individuals seeking a job or promotion. Such "exceptions" no longer fit into the hiring steps.

Scoring of candidates has varied by department, e.g., from a maximum of 250 points through a range as high as 950 points. The new Interviewer Evaluations Forms must be used by every department with scores ranging from 1 through 5. Weighted values for interview questions have been introduced to the County. For example, if experience is the most important hiring criteria, questions are designed to determine the level of each candidate's job-related experience and would be given a higher weighted value than other interview questions. Depending upon a candidate's answer to these questions, the overall scores will be reflected in a more accurate fashion for the position that is being filled. A new, uniform Interview Panel Ranking Form will be used at selection meetings instead of each department devising their own way of documenting scores and selecting the top-ranking candidate for the position. Bureau of Human Resources staff will tabulate the scores of candidates after the interviews, which will alleviate mathematical errors that have occurred in the past, whether inadvertent or intentional. Having one form will allow more efficient monitoring and reviewing of documents used in the hiring process.

A critical step at the end of the hiring process is submitting justifications on the Decision to Hire form. The department head must fully explanation why a candidate was selected or why no candidate was selected



and the reason to proceed to the next step in the hiring cycle. On occasion, the forms have been returned to departments for additional information necessary for approval.

There have been several occasions where a department has an additional vacancy to fill after the hiring process was finalized and a list of ranked validates eligible candidates existed, which can be used to fill additional vacancies that occur within 12 months. However, instead of starting the process with a Request to Hire, the department sent a Decision to Hire form to the Bureau of Human Resources. Bureau of Human Resources staff caught the misstep and sent emails explaining the correct process. Situations such as this should be rectified once transition to the new forms is complete and the steps in the Employment Plan become more familiar and routine. These instances show that Bureau of Human Resources staff is fully capable of providing guidance to the departments.

Examples of Inquiries from Departments, Issues, Resolutions and Recommendations:

One department selected a candidate for a higher-level, supervisory position. During training sessions, an explanation of the criteria to remove the name of a current County employee from consideration for filling a vacancy was explained. The removal of internal candidates for discipline, in the form of a suspension, received within 12 months of the date an application is submitted disqualifies a candidate from being interviewed. The candidate had been suspended during the twelve months prior to applying for the position. The department contacted me and asked for guidance. Since there was a ranked eligibility list, I advised them that they can make an offer of employment to the next ranked candidate.

On a few occasions, departments did not provide notice of interviews to the Bureau of Human Resources analyst and me; however, due to incremental changes that were being implemented prior to the filing of the Employment Plan, a phone conversation rectified the situation and notices are being sent. This fact came to my attention through a supervisor in the Bureau of Human Resources.

One department sent an email asking for all candidates for a specific posting, which would violate the Employment Plan. I sent an email stating that an interview list with the requisite number of candidates to interview would be sent to the department. The department conducted interviews of those candidates provided on the interview list.

Numerous departments asked whether postings could be linked to external websites, which the Bureau of Human Resources facilitates on a regular basis to obtain more applicants.

I received an inquiry from a department asking whether an interview could be conducted with one panel member. Even though the subject was addressed in training, the department requested guidance. My response cautioned that moving forward with one interviewer would violate the Employment Plan and the department later conducted the interviews with two panel members. If departments continue to ask questions, implementation will become second nature and the process easier to administer.



Application Tracking and Application System:

Barbara Pryor, Director of HRIS, was hired in June and has, within several months, forged in a positive direction with the Application Tracking and Application System (also known as "Taleo"). Not only has she immersed herself in the issues and challenges that the County faced with the online application system and the vendor, but has begun initiating user group meetings with representatives for each elected official and entity using the online system. The meetings have started a unified approach to tackle issues, to discuss best practices and to exchange ideas to improve the system and its functionality. I participated in the user group meetings and will continue to do so.

Employment Actions:

Monthly reports, reflecting employment actions, have been sent to the Compliance Administrator's Office and the Office of the Independent Inspector General through May 2012. The monthly reports for June and July are under review and will be sent shortly. In addition, employment action reports for the first and second quarter of 2012 should be posted online within the next several weeks. The quarterly reports will include the number of new hires, promotions, transfers and terminations categorized by department, effective date, job title, posting online or an emergency hire.

Complaints:

On June 25, 2012, the first Employment Plan Complaint was filed and the investigation has been completed. The allegations were unfounded. A second complaint was recently filed and is currently under investigation. I received several phone calls from employees, inquiring whether they could file a complaint with my office; however, the allegations were from several years ago prior to the filing of the Employment Plan. As there have been no violations of the Employment Plan, this report does not contain any remedial action or corrective action taken.

Exempt Appointments:

As opposed to what occurred years ago with filling exempt positions, the County agreed to a more transparent process to fill exempt positions. A certification process per the Employment Plan has been established and is being followed. The exempt list has been updated several times since it was first posted on the County's website on May 17, 2012. A paper copy is conveniently displayed in the Bureau of Human Resources main office.

Direct Appointments for Public Defender's Office:

Direct appointments for the Public Defender's Office have been negotiated as part of the Employment Plan. Ten direct appointments were recently made and those employees who did not currently hold the positions designated as direct appointments submitted applications and resumes. Prior to the paperwork being submitted, the Bureau of Human Resources and I met with the Public Defender's Office to ensure that the steps were clearly communicated and understood. Each candidate was validated and hiring documentation submitted. The hiring packets were sent to the Compliance Administrator's Office, Office of the Independent Inspector General and me. My review lead to the conclusion that the direct appointments were compliant the process established in the Employment Plan.



Interns/Externs:

At the beginning of 2012, Maureen O'Donnell issued a memo to all departments, requesting that they contact me with any questions regarding volunteers or the hiring process for paid and unpaid interns. Interns have been hired through the general hiring process and as an exception to the Employment Plan. I have closely monitored both means of hiring. I received twelve inquiries from departments for guidance. An additional requirement was implemented where the exception was being utilized; namely, a memo must be submitted to the Bureau of Human Resources with detailed information regarding the candidate, start date, name of academic institution, etc. Under the exception, there have been eight occasions where the interns were placed at the County and, in each instance, the academic institution or non-political organization has been fully compliant with all steps in the process. My review included verification that the department did not conduct interviews nor had any input into the decision-making process for the candidate selected. No Political Consideration Certifications were executed and submitted with the memo sent to the Bureau of Human Resources.

Executive Assistant:

The Office of the Chief Procurement Officer submitted documentation to the Bureau of Human Resources to hire two Executive Assistants. Again, prior to the first-time use of this exception, the Bureau of Human Resources and myself met with the Chief Procurement Officer to ensure that she understood the process and to provide answers to questions posed. My review of the steps taken to hire the two Executive Assistants revealed that the process complied with the Employment Plan and the candidates were qualified for the positions.

Layoff List:

In late 2011, these lists were provided to the Compliance Administrator's Office, Office of the Independent Inspector General and me as part of transparency and to monitor. After obtaining this information, I reviewed several hiring packets where interviewing procedures were not followed and employees who were being laid off were given preferential treatment to fill a non-union vacancy. My recommendation was to repost the vacancy.

A Few Observations:

I have access to all Bureau of Human Resources files, including a large volume of computerized data. Additionally, I have not met with resistance when requesting documentation from departments. Such continued cooperation will ensure successful monitoring activities.

The Employment Plan vision to hire the best qualified candidate will materialize once preferred qualifications become an integral part of hiring. During training, many attendees voiced their concern with randomizing applicants who meet the minimum qualifications for a position. At this time, the Employment Plan mandates randomization. We will be working on improving the Taleo online application system to capture an applicant's preferred qualifications in the future.



Conclusion:

The strides gained over the eleven months since I began working as Compliance Officer are extensive but there is considerable work necessary to reach and to maintain the goal of substantial compliance with the requirements of the Supplemental Relief Order.

Many departments pose questions on a regular basis which shows the willingness to embrace the cultural change in Cook County and the overwhelming majority of employees want to follow the procedures, policies and rules. However, after departments becoming acclimated to the new steps and forms, employees involved in hiring and/or employment actions will be responsible and accountable for their actions and decisions. With training of nearly all County employees completed, my commitment is to increase oversight and accountability to ensure that compliance with the Employment Plan continues to be a top priority.

Sincerely yours,

  
Letitia Dominici

cc: Maureen T. O'Donnell, Bureau of Human Resources  
Laura Lechowicz Felicione, Office of the President

