



BUREAU OF HUMAN RESOURCES

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COMPLIANCE OFFICER

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September 15, 2016

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Office of the Compliance Administrator
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RE: September 2016 Semi-Annual Report

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

This is the ninth semi-annual report issued pursuant to the Employment Plan that was filed in March 2012 and includes monitoring activities during the past six months. The compliance program has been in effect over four years and the controls that have been implemented continue to ensure that non-exempt hiring and other employment actions are transparent and free from political influence. This report will be posted on the County's website as required by the Employment Plan.

Supplemental Policies:

In previous reports, I noted that a second disciplinary review of all Departments under the Offices of the President for discipline issued per the Supplemental Policies during calendar year 2015 was conducted and a summary report was issued on February 5, 2016. Recommendations included additional training of supervisors in discipline and the grievance process. A disciplinary checklist was finalized and distributed to Departments on June 20, 2016 with an announcement that mandatory supervisory training on Progressive Discipline would begin on July 12, 2016 through October 6, 2016. The Progressive Discipline training session I attended provided guidance and strategies to improve performance-related issues and to effectively address discipline. The training module was comprehensive and substantive, providing useful tools to County supervisors when managing their teams and reinforcing policies, procedures, collective bargaining agreements and documentation requirements.

I am currently auditing additional data for discipline Facilities Management imposed in 2015 and will issue a report of my findings.

During this reporting period, Departments submitted 13 Requests for Reclassification. Eleven are pending and two were approved. Twenty-four Disciplinary Action forms were sent to the Bureau of Human Resources and me. Seven Interim Assignment Requests were processed. Five were granted, including one extension, and two were denied. Three interim assignments ended.

My Assistant and I monitored six third-step grievances conducted by Bureau of Human Resources Hearing Officers during this reporting period and will continue to monitor these hearings.

As required, documentation and forms have been forwarded to the Compliance Administrator's Office and the Office of the Independent Inspector General. I will continue to monitor implementation and perform audits of the Supplemental Policies.

Training Status:

Online training has been provided to employees on the Employment Plan, Department of Human Rights and Ethics and the Office of the Independent Inspector General. Supervisor/Interviewers are required to take an additional module in order to remain certified to conduct interviews. New employees and supervisors continue to be trained in-person and thereafter can receive annual training online. From January through August 2016, 165 new employees attended orientation and were trained on the Employment Plan. During the same time period, 64 new supervisors completed in-person supervisory training.

Annual training for the Bureau of Human Resources was conducted in May. There were four employees who were unable to attend and an additional session will be scheduled soon, including new employees who have joined the Bureau.

Noncompliance with training during calendar year 2015 will be addressed below in the Complaint portion of the report.

Postings on Cook County's Website:

Quarterly reports are regularly posted on the County website and current through the second quarter of 2016 as mandated by the Employment Plan. The exempt list has regularly been updated online with the names of employees holding exempt positions.

Requests to Hire/Job Descriptions:

The Bureau of Human Resources processed approximately 126 Request to Hire forms during the last six months, of which I reviewed 30. Additionally, I reviewed approximately 42 job descriptions.

Randomizations:

During this monitoring period, 55 randomizations occurred with no issues identified. I monitored two randomizations as I am provided the pre-randomized and randomized preliminary eligibility lists that I use to review validation steps.

Actively Recruited Positions and Assistant Public Defender Positions:

The Actively Recruited Position Hiring Process allows eligible candidates to move forward in the process without randomization and Departments convene an Application Review Panel to create interview lists. During this reporting period, I monitored three Application Review Panels from Revenue, the Office of the Chief Procurement Officer and the Public Defender's Office. This process continues to be working well as there are no issues to report. The Actively Recruited Positions list had not been amended in two years and recently there were three changes to the list. A comprehensive review of titles to be added/removed from the list has started and should be finalized during the next reporting period.

Validation of Candidates/Interview Lists:

During this reporting period, I have reviewed approximately 102 interview lists generated by the Bureau of Human Resources staff that meticulously followed the validation steps in the Employment Plan. "Dual" validation of technical minimum qualifications occurred on two occasions with assistance from the Bureau of Technology.

Recommendation Letters:

Approximately 133 recommendation letters have been submitted to me with 15 logged as political contacts and sent to the Office of the Independent Inspector General and Compliance Administrator's Office. Nineteen letters were noncompliant with the Employment Plan.

Interviews/Selection Meetings Monitored:

During this reporting period, I have monitored some or all interviews for nine job postings and attended six selection meetings. I examined 99 hiring packets to ensure that paperwork processed at the end of a hiring sequence complied with the Employment Plan.

Complaints:

Since the last report, the following five Incident Reports were issued:

Complaint # 16-002 was opened to investigate an allegation that management harassed and treated Complainant unfairly then imposed discipline. I did not receive additional documentation requested; however, I monitored the third-step hearing and decision issued. I found that the oral reprimand Complainant received did not violate Personnel Rule 8.03(c)6.

Complaint # 16-005—A Department Head received a resume from an applicant through communication with a Board Member of the Cook County Land Bank Authority. I found that there was a violation of the permitted contacts section of the Employment Plan and that the Department Head should receive additional training on the hiring steps. Additionally, I recommended that Board Members should receive training. A Bureau of Human Resources Report was issued on September 6, 2016 and an update will be provided in the next report.

Complaint # 16-006—I opened an investigation upon learning that two supervisors had not completed in-person Supervisor/Interviewer Training within 90 days of their start date and issued a finding that the Department was noncompliant with the Plan. I am awaiting the Bureau of Human Resources Report.

Complaint # 16-007—I received a Transfer Certification form from a Department Head the afternoon that the transfer took effect without prior discussion and review from the Bureau of Human Resources and me. Note that the Transfer Certification form was approved and signed after the fact. However, I found that there was a violation of the Transfer Supplemental Policy. I am awaiting the Bureau of Human Resources Report.

Complaint # 16-008—I received information that an employee was transferred without submission of a Transfer Certification form. The Department Head met with me and the form was submitted after the fact, reviewed and approved. However, I found that there was a violation of the Transfer Supplemental Policy. I am awaiting the Bureau of Human Resources Report.

A status on Incident Reports addressed in previous reports is as follows:

Complaint # 16-001 was opened as a result of noncompliance with the annual Employment Plan training requirement in 2015. In the last report, I noted that four employees did not complete the All-Employee online training, one supervisor did not complete the Supervisor/Interviewer online training and one employee failed to take both online training modules. My recommendation included in-person training and some form of discipline. Memos to the Departments have been sent regarding these employees and several have completed the face-to-face training this year. Note that one additional supervisor was identified as noncompliant in April when the Department sent an email to the Training Division to verify the panel member was certified to conduct interviews. The supervisor has taken in-person training and the control to check certification in the Employment Plan uncovered the misstep for online training.

Complaint # 13-005 resulted in a finding that a violation of the Employment Plan occurred with the Office of the Public Defender's intern/volunteer program. The Bureau of Human Resources Report was issued in December 2013. The Employment Plan was amended on July 23, 2015 to use the online application system to apply for these opportunities. Postings started in the fall of 2015 and I have monitored the progress with implementing the program. Two recent postings for fall 2016 were validated in a consistent manner and overall the program is moving in a positive direction with placing volunteers in the Office.

Please note that one Request for Documents was submitted during this reporting period.

Interns/Externs:

Intern/Extern placements outside of the general hiring process continue to be monitored. There have been 31 interns placed into positions at the County with very few issues. For example, an intern who was placed at a Commissioner's Office in reality was looking for full-time work, which was not the intent of the Commissioner's Office. The student opportunity posted at the school did not include any language to that effect. The school withdrew the placement upon learning the student's conduct at the initial meeting to discuss details of the internship.

Executive Assistant:

A total of two Executive Assistants were hired during this reporting period. One Executive Assistant I and one Executive Assistant II positions were filled in compliance with the Employment Plan.

Direct Appointments:

There were no Public Defender Direct Appointments made during this reporting period.

Ineligible for Rehire List:

The Ineligible for Rehire list was created and has been updated as necessary. The list includes former employees who are deemed disqualified or ineligible for employment due to reasons listed in the Personnel Rules, a finding related to unlawful political discrimination and/or engagement of prohibited political activity.

A Few Observations:

Departments and Commissioners' Offices consistently contact the Bureau of Human Resources staff, my Assistant and me for assistance with the hiring process, the Supplemental Policies and Personnel Rules. For example, after requesting information on an interim assignment, a Department sent the required form but it was missing the employee's signature and educational documentation needed to prove the employee met the minimum qualifications for the position. The Bureau of Human Resources sent a note identifying how to rectify the request. The Department resubmitted the request with the required documentation but the employee did not have the supervisory experience required for the interim assignment so it was denied.

Disclosing conflicts of interest has been highlighted to panel members during training and reinforced by the Bureau of Human Resources to maintain the integrity of the hiring process. Department representatives regularly contact Bureau of Human Resources staff and me to discuss conflicts of interest with panel members after an interview list has been created. The most common disclosure has been that a panel member worked with a candidate in the past but did not supervise the candidate nor kept in contact with the candidate.

On several occasions, the Bureau of Human Resources Analysts brought to my attention the fact that interview panel members did not place comments on the interview form when they scored a candidate high or low (5 or 1) and that they instructed the panel members to provide the required comments before overall scores were calculated. During Supervisor/Interviewer training, we have emphasized this step and will continue to do so to meet the requirements in the Employment Plan.

A student called my Assistant and requested a status on her internship in a Commissioner's Office. There were no records in the Bureau of Human Resources on the internship nor a contact at the school she attended. I met with the Commissioner's Deputy Chief of Staff who informed me that the student was told at a job fair that the school must establish a relationship with the County to be placed as an intern. This particular Commissioner's Office has followed the process for placement of interns. Upon speaking with the student, I learned that she misrepresented what she was told by the Commissioner's staff and admitted that she was not placed by her school.

During this reporting period, there were quite a few instances of Departments sending notices of interviews and selection meetings with less than the 48-hour minimum timeframe required in the Employment Plan. The Bureau of Human Resources staff reinforced this step by not allowing Departments to proceed and the Departments resent notices. For example, a Department contacted an Analyst and asked why she was not present for

interviews. Since notice had not been sent, the interviews could not proceed and were rescheduled. This usually occurred with Departments that do not regularly hire employees and/or have not sent administrative staff to Supervisor/Interviewer training.

There have been instances when an applicant will supplement an online application by sending a cover letter and resume via email or US mail to the County and unsolicited resumes have been sent directly to a Department or to the Bureau of Human Resources. Standard responses have been developed, explaining that the County is bound by the Employment Plan and paper documents should not be sent outside the online system. Some Departments sent the standard response via email and copied me while other Departments asked the Bureau of Human Resources or me to respond to the sender.

The Bureau of Human Resources has consistently applied the Employment Plan and Personnel Rules regarding requests for advanced step postings or a competitive salary posting as well as interim assignment and reclassification requests. There were instances when Departments requested additional compensation and the Employment Plan and Personnel Rules formed the basis for a response to the Department. Moreover, I regularly engage in discussions on matters and issues related to employment transactions with Bureau of Human Resources staff and provide input and recommendations.

Conclusion:

The County has implemented the Employment Plan for over four years striving towards substantial compliance. For the most part, Departments and Commissioners' staff contact the Bureau of Human Resources and me and the missteps described above were cured through explaining the process, providing guidance and training, which are reasonable resolutions to issues where there was not an intent to bypass the Employment Plan, policies, rules and procedures. As always, I am appreciative of the efforts of the President's Office, the entire Bureau of Human Resources staff, especially my Assistant, the Compliance Administrator's Office and the Office of the Independent Inspector General in providing assistance with my monitoring activities.

Sincerely yours,



Letitia Dominici

cc: Laura Lechowicz Felicione, Special Assistant Legal, Office of the President
Velisha L. Haddox, Bureau Chief of Human Resources