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OFFICE OF THE INDEPENDENT INSPECTOR GENERAL

PATRICK M. BLANCHARD

INSPECTOR GENERAL

69 West Washington  
Suite 1160  
Chicago, Illinois 60602  
TEL (312) 603-0350  
FAX (312) 603-9948

January 24, 2013

*Via Hand Delivery*

Honorable Edwin Reyes  
Chairman, Veterans Committee  
Cook County Board of Commissioners  
118 North Clark Street, Room 567  
Chicago, Illinois 60602

Re: Employment Preference for Veterans

Dear Chairman Reyes:

This letter is written to refer to the Veterans Committee an issue concerning the County's policies regarding employment preference for veterans. Our office recently received a complaint from a person alleging that he was a veteran but was not given any veteran's preference when he applied for a certain County position. In response to this complaint, our office reviewed existing laws that would require the County to award a preference to veterans applying for County employment positions.

A veterans' preference is provided by state statute in the Counties Code at 55 ILCS 5/3-14021 (attached). However, that statute is somewhat outdated in that it only applies to persons who were engaged in the military or naval service of the United States from 1898 through January 31, 1955. In addition, the only preference given under that statute is the addition of five points to any entrance examination and points that can be added for a promotional examination.

A veterans' preference is also provided by County ordinance at Cook County Code ch. 44, art. II, sec. 44-47 (Human Resource Rules) (attached). That Section provides, in part:

For all positions requiring open, competitive written examinations, qualified eligible veterans shall be entitled to receive five points added to any final adjusted passing score provided that the veteran has served in the United States Armed Forces on active duty for a period of not less than six months of continuous service, was not dishonorably discharged, and provides documentation confirming status as an eligible veteran. Five additional points shall be added to a passing score for veterans holding proof of service connected disability from the United States Veterans Administration or recipients of a purple heart decoration. Those seeking veterans' preference under this section must submit documentation confirming their eligibility to the Bureau of Human Resources within five working days of the examination.



Honorable Edwin Reyes

January 24, 2013

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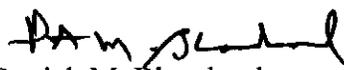
Cook County Code ch. 44, art. II, sec. 44-47(4).<sup>1</sup> Similar to the state statute referenced above, this County ordinance only provides a preference to veterans if the position for which they are applying requires open, competitive written examinations. Because the position for which our complainant applied did not require a written examination, we determined that no veterans' preference was applicable as to him and that no violation occurred. However, this case did highlight the fact that the existing veterans' preference laws relating to the County do not apply to the vast majority of County positions because most County positions do not involve a written examination in the hiring process.

The current hiring process, as outlined in the Cook County Employment Plan adopted on March 19, 2012, involves the scoring of a candidate's answers to interview questions which are then given weighted values on an Interviewer Evaluation Form (sample attached). See Cook County Employment Plan, Section V.O.3 on p. 27. Once the interview scores are calculated, a candidate ultimately receives a weighted average total score between 1 and 5, which is incorporated in the Interview Panel Ranking Form (sample attached). Under the Employment Plan, only those candidates with a combined overall average score of 3 or higher are eligible for further consideration. If County government would like to make a veterans' preference applicable to the majority of positions available within County employment, we believe that it would have to pass or amend an ordinance that would provide additional points in the context of the weighted average scores obtained in the interview process. Such an ordinance could require, for example, that a qualified veteran's combined overall average score of 3 or higher be increased by a percentage, such as 5%, or by a number, such as two tenths of a point. Amending the Employment Plan to implement a veteran's preference should also be considered. Adopting a veteran's preference, of course, would be a policy decision best reached through discussions between the Veterans Committee, the Office of the President, Bureau of Human Resources and Board of Commissioners. Our office is also prepared to assist in this process if requested.

Like our complainant, there are likely to be other veterans applying for Cook County employment who will initially be pleased to know the County has a veterans' preference policy but who will ultimately be disappointed to learn that it does not apply to the vast majority of positions available within the County. It is for this reason that we respectfully refer this issue to you for your consideration.

Thank you for your time and consideration of this issue. Should you have any questions or wish to discuss this matter further, please do not hesitate to contact me.

Very truly yours,



Patrick M. Blanchard  
Inspector General

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<sup>1</sup> This language is also found in Cook County Personnel Rule 4.033(b).

Honorable Edwin Reyes

January 24, 2013

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cc: Honorable Toni Preckwinkle  
Honorable Jeffrey R. Tobolski, Vice Chairman, Veterans Committee  
Honorable John P. Daley, Veterans Committee  
Honorable Timothy O. Schneider, Veterans Committee  
Honorable Larry Suffredin, Veterans Committee  
G.A. Finch, Chief of Staff, Office of the President  
Laura Lechowicz Felicione, Special Legal Counsel, Office of the President  
Maureen T. O'Donnell, Chief of Human Resources



1 of 1 DOCUMENT

ILLINOIS COMPILED STATUTES ANNOTATED  
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\*\*\* Statutes current through Public Acts 97-812 of the 2012 Legislative Session \*\*\*  
\*\*\* Annotations current to State Cases through July 13, 2012 \*\*\*

CHAPTER 55. COUNTIES  
COUNTIES CODE  
ARTICLE 3. OFFICERS AND EMPLOYEES  
DIVISION 3-14. OFFICERS AND EMPLOYEES IN COOK COUNTY

**GO TO THE ILLINOIS STATUTES ARCHIVE DIRECTORY**

*55 ILCS 5/3-14021 (2012)*

[Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 34, para. 3-14021]

§ 55 ILCS 5/3-14021. Preference to veterans in appointments

Sec. 3-14021. Preference to veterans in appointments. Persons who were engaged in the military or naval service of the United States during the years 1898, 1899, 1900, 1901, 1902, 1914, 1915, 1916, 1917, 1918, 1919, any time between September 16, 1940 and July 25, 1947, or any time during the national emergency between June 25, 1950 and January 31, 1955, and who were honorably discharged therefrom, and all persons who were engaged in such military or naval service during any of said years, any time between September 16, 1940 and July 25, 1947, or any time during the national emergency between June 25, 1950 and January 31, 1955, who are now or may hereafter be on inactive or reserve duty in such military or naval service, not including, however, persons who were convicted by court-martial of disobedience of orders, where such disobedience consisted in the refusal to perform military service on the ground of alleged religious or conscientious objections against war shall be preferred for appointment to civil offices, positions, and places of employment in the classified service of the county, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such office, position, or place of employment as determined by examination for original entrance.

The Civil Service Commission on certifying from any existing register of eligibles resulting from the holding of an examination for original entrance or any register of eligibles that may be hereafter created of persons who have taken and successfully passed the examinations provided for in this Division for original entrance commenced prior to September 1, 1949, shall place the name or names of such persons at the head of any existing eligible register or list of eligibles that shall be created under the provisions of this Division to be certified for appointment. The Civil Service Commission shall give preference for original appointment to persons as hereinabove designated whose names appear on any register of eligibles resulting from an examination for original entrance held under the provisions of this Division and commenced on or after September 1, 1949 by adding to the final grade average which they received or will receive as the result of any examination held for original entrance, five points. The numerical result thus attained shall be applied by the Civil Service Commission in determining the position of such persons on any eligible list which has been created as the result of any examination for original entrance commenced on or after September 1, 1949 for purposes of preference in certification and appointment from such eligible list.

Every certified Civil Service employee who was called to, or who volunteered for, the military or naval service of the United States at any time during the years specified in this Division, at any time between September 16, 1940 and July 25, 1947, or any time during the national emergency between June 25, 1950 and January 31, 1955, and who was honorably discharged therefrom, who is now or who may hereafter be on inactive or reserve duty in such military or naval service, not including, however, persons who were convicted by courtmartial of disobedience of orders where such disobedience consisted in the refusal to perform military service on the ground of alleged religious or conscientious objections against war, and whose name appears on existing promotional eligible registers or on any promotional eligible register that may hereafter be created, shall be preferred for promotional appointments to civil offices, positions, and places of employment in the classified civil service of any county coming under the provisions of this Division. The Civil Service Commission shall give preference for promotional appointment to persons as hereinabove designated whose names appear on existing promotional eligible registers or promotional eligible registers that may hereafter be created by adding to the final grade average which they received or will receive as the result of any promotional examination commencing prior to September 1, 1949 three-fourths of one point for each 6 months or fraction thereof of military or naval service not exceeding 30 months, and by adding to the final grade average which they will receive as the result of any promotional examination held commencing on or after September 1, 1949 seven-tenths of one point for each 6 months or fraction thereof of military or naval service not exceeding 30 months. The numerical results thus attained shall be applied by the Civil Service Commission in determining the position of such persons on any eligible list which has been created or will be created as the result of any promotional examination held hereunder for purposes of preference in certification and appointment from such eligible list. No person shall receive the preference for a promotional appointment granted by this Section after he has received one promotion from an eligible list on which he was allowed such preference and which was prepared as a result of an examination held on or after September 1, 1949. No person entitled to preference or credit for military or naval service hereunder shall be required to furnish evidence or record of honorable discharge from the armed forces before any examination held under the provisions of this Division but such preference shall be given after the posting or publication of the eligible list or register and before any certification or appointments are made from the eligible register.

**HISTORY:** Source: P.A. 86-962.

**NOTES:**

**NOTE.**

This section was Ill.Rev.Stat., Ch. 34, para. 3-14021.

**Sec. 44-47. - Human resource rules.**

The Chief of Human Resources shall issue rules to implement the provisions of this article. Prior to the effective date of such rules, the Chief of Human Resources shall give public notice in one or more newspapers of general circulation, and in no case shall such publication be less than ten days before the effective date of the proposed rule or amendment to the rule. Such public notice shall include information concerning where the rules can be reviewed and where comments may be directed. Nothing contained herein shall prohibit the Chief of Human Resources from giving other appropriate public notice. The rules shall provide for:

- (1) *Preparation, etc., of position classification plan.* The preparation, maintenance and revision of a position classification plan for all positions, except those exempted in Section 44-44 based upon similarity of duties performed and responsibility assigned, so that the same qualifications may reasonably be required for and the same schedule of pay may be applied equitably to all positions in the same class;
- (2) *Submission of pay plan.* The annual submission of a pay plan to the President;
- (3) *Selection of persons for career service.* The recruitment and selection of persons in the career service on the basis of their qualifications. Whenever it is appropriate in the judgment of the Chief of Human Resources a fair and open lottery procedure may be applied to develop the order of candidates to be considered for selection. Other selection procedures including, but not limited to interviews, performance tests, or medical examinations may be applied after the use of a lottery;
- (4) *Establishment of lists of eligibles for promotion in career service.* The establishment of lists of eligibles for appointment and promotion in career service, upon which lists shall be placed the names of successful candidates in order of their relative excellence in the respective examinations, where such examinations are administered. For all positions requiring open, competitive written examinations, qualified eligible veterans shall be entitled to receive five points added to any final adjusted passing score provided that the veteran has served in the United States Armed Forces on active duty for a period of not less than six months of continuous service, was not dishonorably discharged, and provides documentation confirming status as an eligible veteran. Five additional points shall be added to a passing score for veterans holding proof of service connected disability from the United States Veterans Administration or recipients of a purple heart decoration. Those seeking veterans' preference under this section must submit documentation confirming their eligibility to the Bureau of Human Resources within five working days of the examination. The Chief of Human Resources may substitute categorical rankings such as excellent, well qualified and qualified for numerical rating and establish eligible lists accordingly. Such rules may provide for lists by area or location, by department or other agency, for removal of those not available for or refusing employment, for minimum and maximum duration of such lists, for the addition of names of successful candidates to list and for such other provisions as may be necessary to provide rapid and satisfactory service to the operating agencies. The rules may authorize removal of eligibles from lists if those eligibles fail to furnish evidence of availability upon forms sent to them by the Chief of Human Resources;
- (5) *Certification of applicants.* The certification to an appointing authority of the names of a minimum of seven persons, or all applicants if less than seven apply, with the

- highest numerical ratings available on the appropriate eligible list to fill each vacancy, or from the highest ranking group if the list is by categorical rankings instead of numerical ratings;
- (6) *Promotions.* Promotions which shall give appropriate considerations to the applicant's qualifications, record of performance and ability;
  - (7) *Probationary period after original appointment.* Probationary periods after original appointment not to exceed one year. An employee who completes a probationary period shall have the status of a career service employee;
  - (8) *Probationary period after promotion.* Probationary periods after promotional appointment not to exceed one year. The rules may also provide for the restoring of an employee's career service status to the class from which a promotion was made when an employee does not successfully complete a promotional probationary period or when an employee requests a return to the next lower rank with the approval of the department head;
  - (9) *Emergency employment.* Emergency employment for not more than 60 days with the consent of the Chief of Human Resources and for provisional employment when there is no appropriate eligible list available;
  - (10) *Performance records.* Keeping records of performance of employees in the career service, which performance records shall be considered in determining salary increments or increases for meritorious services; as a factor in promotions; as a factor in reinstatements; and as a factor in discharges and transfers. Appropriate performance records will be maintained for other employees;
  - (11) *Layoffs.* Layoffs in the career service, by reason of lack of funds or work, or abolition of a position, or material change in duties or organization, and for reemployment of employees so laid off;
  - (12) *Grievance procedure.* Implementation and administration of the grievance procedure provided by this article;
  - (13) *Disciplinary measures.* The establishment of disciplinary measures such as suspension, demotion in rank or grade, or discharge where employees are subject to a collective bargaining agreement and that agreement establishes disciplinary or grievances procedures, those procedures control. For all other career service employees, such disciplinary measures shall provide for a statement of the charges on which discipline is based, together with an explanation of the evidence supporting the charges and an opportunity for the employee to respond to the charges in writing before action is taken, appeals after such disciplinary action, and a hearing on the charges upon request of the employee in case of discharge, demotion or suspension exceeding ten work days, and review of suspensions not exceeding ten work days, consistent with the requirements of due process of law. The charges and explanation of evidence need not be in any particular form, but must be sufficient to apprise the employee of the matters on which discipline may be based. The employee's response must be reviewed by the department head or designee responsible for making the decision, provided that such designee may be the person who initiated the charges against the employee. No career service employee may be discharged, demoted or suspended for more than ten work days unless the statement of charges and any matters in support are first reviewed by the Chief of Human Resources, before the employee is notified of such action;
  - (14)

*Programs to improve work effectiveness. Development and operations of programs to improve work effectiveness, including training, education, safety, health, welfare, counseling, recreation and employee relations.*

*(Ord. No. 92-O-54, § 4, 11-19-1992; Ord. No. 00-O-08, art. 1(4), 4-5-2000; Ord. No. 00-O-28, art. 1, 10-17-2000.)*



### INTERVIEWER EVALUATION FORM

**\*DOCUMENT COLLECTION NOTE:** *Please collect all required documents from candidate prior to interview. Make copies of documents: one copy for file and one for the Shakman Monitor. RETURN ORIGINALS TO CANDIDATE.*

Job Title: Accounts Payable Manager

Requisition # 00775655

Name of Candidate: Peter Payer

Date of Interview: April 15, 2012

Time: 9:00 a.m.

Name of Interviewer: Mary Fiduciary

Title: Director, Accounting

<b>Scoring Legend:</b>
1 = Unacceptable
2 = Marginally Acceptable
3 = Acceptable
4 = Very Good
5 = Excellent

<b>Weighted Value:</b> Determine the relative importance of knowledge, experience, education and training, and assign a percentage to each question based on the level of importance. The total value cannot exceed 100%.
<i>Example:</i>
Question 1 value of 25%
Question 2 value of 15%
Question 3 value of 20%
Question 4 value of 10%
Question 5 value of 30%
TOTAL VALUE OF 100%.

**Question 1**

**Value: 25%**

Ex. What was your primary responsibility in your most recent position?

Possible Answer: I was primarily responsible for accounts payable with monthly invoices totaling \$200,000 per month.

Comments: *Applicants responsibilities are greater and appear to be more demanding than those required by County position.*

Interviewer Score:    1    2    3    4

Candidate Name: Peter Payer

Job Title: Accounts Payable Manager

Question 2.

Value: 15 %

Ex. Have you supervised or managed a group of five or more professional staff employees? If yes, please describe any disciplinary problems you encountered with your staff and how you resolved them?

Possible Answer: Yes, the Accounts Payable Department consisted of me as Accounts Payable Manager and seven Accounts Payable Clerks for whom I had direct supervisory responsibility.

Comments: *Applicant was unable to clearly articulate how he resolved an attendance problem, but provided a concise and clear approach to how to handle performance problems.*

Interviewer Score:    1    2        4    5

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Question 3

Value: 20%

Ex. You stated that you have experience in Excel and Access. How long have you worked with these programs?

Possible Answer: I have worked with these programs extensively for the past ten years doing .....

Comments: *Applicant's work samples clearly support a better than average knowledge and skill in this area.*

Interviewer Score:    1    2    3        5

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Question 4

Value: 10%

Ex. Please provide an example of an invoice with problems that required you to investigate or intervene.

Possible Answer: A clerk may find he has no supporting documentation and cannot get answers from anyone for the past two months. I will step in and .....

Comments: *Clearly explained his approach to problem. Provided assistance/guidance to employee, allowing the employee to resolve initial problem and ensured that employee would be able to independently resolve this and other related problems in the future.*

Interviewer Score:    1    2    3    4   

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Candidate Name: Peter Payer

Job Title: Accounts Payable Manager

Question 5

Value: 30%

Ex. Please provide an example of a deceptive practice you have experienced in your career and how you handled it.

Possible Answer: I had an employee who created invoices from a fictitious vendor and made payments to himself. In auditing the files, I questioned some of the invoices, investigated and reported the practice to my manager immediately.

Comments: Provided a clear example. Response to a follow up question provided additional evidence that Mr. Payer has had experience handling deceptive practices of employees and knows the appropriate manner to handle them.

Interviewer Score:    1       2       3       4      

INTERVIEW SUMMARY: Peter's experience with accounts payable in another government agency as well as his above average spreadsheet skills makes him a strong applicant for consideration.

**\*\*HAVE ALL REQUIRED DOCUMENTS BEEN COLLECTED FROM THE CANDIDATE? (e.g. High School Diploma, College Transcripts/Degree, Certification or Licensure)    YES  NO**

With respect to all County jobs under the jurisdiction of the Cook County Board President that are not exempt under Shakman, I certify that I am aware that I am strictly prohibited from conditioning, basing or knowingly prejudicing or affecting any term or aspect of County employment or hiring (including the interview of the above candidate) upon or because of any political reason or factor or knowingly inducing, aiding, abetting, participating in, cooperating with or threatening any act which is proscribed above. I certify, under penalty of perjury, as provided by the law that, to the best of my knowledge, political reasons or factors did not enter into any County employment actions taken with respect to the above Applicant/Employee or the employment or hiring process. I understand that failure to comply with the above prohibitions may result in sanctions, including disciplinary action up to and including termination and may subject me to criminal prosecution.

INTERVIEWER SIGNATURE: Mary February       DATE: May 2, 2012

**FOR BUREAU OF HUMAN RESOURCES USE ONLY:**

TOTAL SCORE:

BHR ANALYST NAME: John Generalis

BHR ANALYST SIGNATURE: John Generalis       DATE: May 2, 2012

