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February 22, 2017

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5TH SEMI-ANNUAL REPORT *(revised)*
February 2017

Dear Dr. Shannon, Inspector General Blanchard, and Ms. Robinson:

This is my fifth semi-annual report issued pursuant to Section IV.C.2 of the Employment Plan (Plan). My prior reports covered a six-month reporting period; however, this report will only cover a 4.5-month reporting period due to a change in the CCHHS Board Human Resources Committee meeting schedule. Based on the change, I will report this information to the CCHHS Board in February, so this report is slightly truncated covering my office's training, monitoring, auditing, and investigative activities from September 1, 2016, through January 15, 2017. The next reporting period will revert back to a six-month timeframe.

CCHHS implemented many new policies related to the Plan during or just prior to this reporting period. In September, Human Resources (HR) more completely implemented the new Advanced Clinical Positions (ACP) hiring process; in November, HR implemented the Supplemental Policies and Procedures (Supplemental Policies) which includes the new Discipline Policy; and as of December 1, 2016, there was a displacement of many of our union employees into new positions at CCHHS. In spite of this infusion of change into CCHHS, we were able to either maintain our level of compliance with the Plan or actually increase our effectiveness in successful compliance with the Plan. We accomplished this by providing ongoing face to face trainings in addition to the online course that all staff were required to complete, and a concerted communication effort by HR and my office, with the assistance of the Communication Department, to provide reminders and alert management to changes on a regular basis.

The information provided below is the result of some random and some targeted monitoring and auditing efforts by my office. I expect that as CCHHS completes the implementation of all Plan and Supplemental Policy provisions, we will begin a more random audit of the policies.

TRAINING

Employment Plan Training is an ongoing endeavor; however, we did not roll out any new training initiatives during the autumn or winter of 2016. During this reporting period, we continued to hold regular training sessions on the interviewing process (Interviewer Training) and the Supplemental Policies. The Interviewer Training is held monthly (sometimes more often) as new managers are hired so that they may begin contributing to the selection of new employees into their respective departments as soon as possible. Each new manager and supervisor is also required to complete Supplemental Policy training which covers the non-hiring employment processes such as discipline, reclassification, and overtime.

In my Fourth Semi-Annual Report, I indicated that we began training supervisors and managers on the new Supplemental Policies prior to implementing the new policies. With the exception of approximately 10 supervisors, all of our supervisors and managers have completed the training. My office is working directly with the supervisors who still require training to ensure they understand and can execute the new policies. As indicated above, we also have regular monthly training sessions available to new supervisors and managers to complete within the first 90 days of employment.

Annual Training

The Plan requires that all staff receive annual training on the Plan, and managers and supervisors receive annual Interviewer Training. This past autumn, we rolled out our online Employment Plan Training course through the CCHHS Learning Management System (LMS) during CCHHS' annual education period. All current and new employees received the online course with a 98% completion rate as of January 6, 2017.¹ We are beginning to work with individual departments to make sure that any employee who did not complete the course during annual education works to complete it now. Our newly hired employees receive a link to the LMS upon starting at CCHHS which requires them to complete the Employment Plan Training course, among other required courses, within 45 days.

In addition to the Employment Plan Training course that all staff must complete annually, the Plan requires that supervisors and managers eligible to make employment decisions must receive annual Interviewer and Supplemental Policies trainings. We have created an online course for the Interviewer Training which will roll out in February, following the approval of the CCHHS Plan amendments. We missed our initial goal (the end of 2016) due to a delay in getting the Plan amendments approved. We will have a report on the success of that endeavor in

¹ This number includes employees who were recently hired in November and December of 2016. The Plan requires that the training be completed in the first 90 days of employment, and this number represents employees who may still be in compliance with the Plan but still did not complete the training as of the date the report generated.

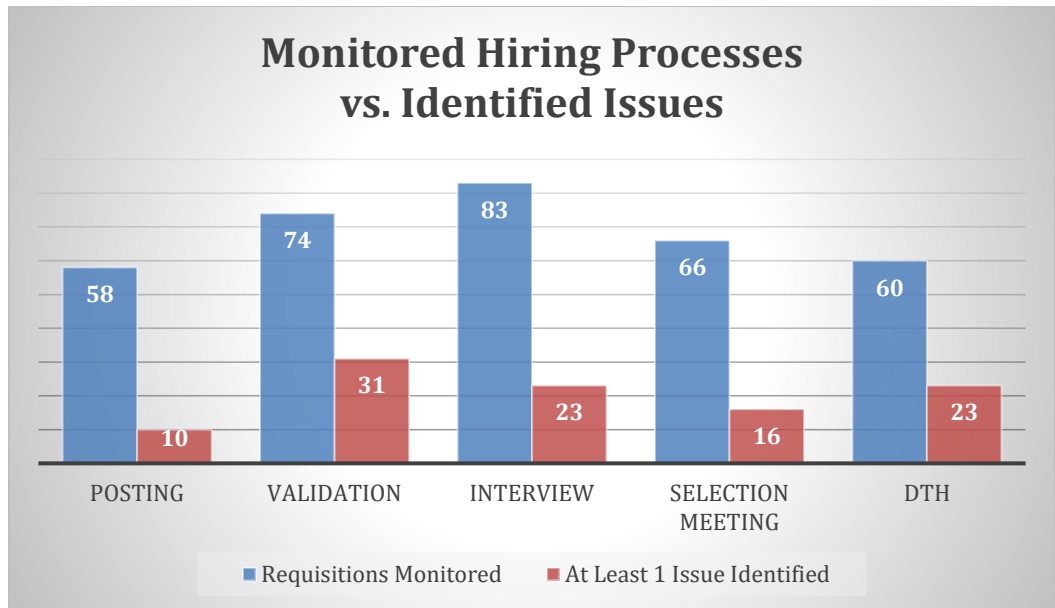
my August report. As for Supplemental Policies training, we have not reached the point where annual training needs to roll out. However, in anticipate of that, we will begin to work on updating the online training courses to include this information as well.

MONITORING ACTIVITY

Despite the shorter reporting period, my office was able to monitor over 400 hiring processes over the last 4.5 months. This is due to having a full staff to execute monitoring functions. As with other reports, I will provide overall monitoring information, and also highlight some of the progress as well as problems that have been observed during this reporting period.

Based on our records, Human Resources (HR) posted approximately 235 requisitions which represented over 600 vacancies during this reporting period. Of the 235 requisitions posted, my office monitored the following number of requisitions (by process or phase): 57 requisitions during the posting period; 74 requisitions during the validation phase; 83 requisitions during the interview phase; 66 requisitions during the selection meeting phase; and 60 requisitions during the Decision to Hire (DTH) phase. Some of the requisitions noted above may have been monitored during all of the phases, but some requisitions were only monitored for the hiring phase noted (examples: validation and DTH; validation, interview, selection meeting, and DTH; or just interviews). The number of requisitions monitored is not cumulative. We may have monitored one requisition across all phases of the hiring process, but some requisitions we may have only monitored one or two phases.

The chart, below, identifies the number of errors or concerns that we observed while monitoring. I have not separated out the Advanced Clinical Positions process information in this chart, but I will discuss that process separately later in the report. Therefore, it is important to note that many of the errors noted, particularly in the DTH phase, may stem from the ACP implementation. This chart depicts the number of issues or concerns that we identified during our monitoring activities compared to the number of requisitions (not processes) monitored for that phase. The charted issues indicate that at least one concern was identified at that stage for a requisition (it does not record multiple issues identified in the same stage for the same requisition).



As the chart illustrates, an issue or error was identified in approximately 25% of the monitored activity which needed to be corrected prior to making offers to any selected candidates. In each case, the issue or concern was corrected before a final candidate selection was made or an offer was extended by HR. This monitoring period had significantly fewer requisitions monitored, but we were still able to monitor over 400 processes (compared to over 550 monitored last reporting period).

In the posting phase of the hiring process, we identified concerns with 10 different requisitions. These issues identified were: (1) a failure to accurately list the job description minimum qualifications, or (2) the prescreening questions answered by the applicant did not always match the minimum qualifications noted. In all of these cases, the requisition creator failed to make a correction from a prior requisition which had been used as a template. Each of these issues was communicated to HR and was either corrected immediately or will be corrected if the position needs to be posted again. More importantly, if the applicant pool was impacted by the error, HR took remedial action such as notification to the applicant pool or cancelation of the posted requisition in order to ensure potential applicants and candidates were not impacted.

The validation phase still is the most troublesome for us. This, in part, is due to the increased use of the Actively Recruited and ACP processes which moves validation from the HR Recruitment Team to the hiring department. In these cases, the department may interpret the screening qualifications differently than stated on the job description or apply the wrong standard. For ACP, this is of very little consequence, because of the discretion afforded the department to pursue only the strongest candidates. For the Actively Recruited process, it highlights the importance of HR in carefully verifying the candidates on the Interview List and

sometimes those not on the Interview List. In general, HR is very good at catching mistakes to the Interview List and communicating that to the Department, especially over the last two months after the HR Recruitment Team modified their internal process to more effectively catch any mistakes at this stage.

My last report identified a validation error rate (for monitored processes) at 56%. As of this report, that has decreased to 42%.² HR has fine-tuned their internal review process and communication with the departments and my office to reduce the number of errors. In general, my office gives discretion to the HR Recruitment Team on the interpretation of a minimum qualification. However, sometimes the way a minimum qualification is written on the job description requires me to recommend modifications to the Interview List. In several of these instances, when it was not a simple oversight (missing an applicant on the list or recording the status in our applicant tracking system incorrectly), my modification of the List initiated a conversation with HR and the Department about the job description. From that discussion, the job description was modified pursuant to the Plan in order to clarify the requirements needed or in response to a failure to attract the right applicants. With the increased refinement of the screening process in HR, along with the increased communication with my office and the departments during this phase, I expect this error rate to continue to decrease.

There continues to be a significant improvement by the departments of the interview and selection phases of the hiring process. Based on the issues observed, most are attributable to the addition of the ACP process into the mix of available interviewing processes (which led to some confusion among panelists about what is required), and the increase in newly hired managers participating on interview panels. The most common issue is rephrasing interview questions or failing to ask the entire HR-approved question to the candidate(s). Correctly completing the forms in the required time frame and providing accurate interview notice are the other common errors. However, these errors continue to become less frequent.

The most notable issue during the selection meeting process is confusion, and then misapplication, of how to document the meeting (through Selection Meeting Notes). However, HR has taken proactive action to combat this confusion by having HR Recruitment Leadership (the Talent Business Partner (TBP)) attend some of the selection meetings with departments that have struggled in this area, in addition to my team attending such meetings. The TBP is then able to guide the panel through the correct procedure at the time of the meeting leading to more successful meetings in the future. The HR Recruitment Team is also aware that

² It is important to note that monitoring of this phase is not random. Currently, the CA reviews all validations, and often my office will get involved if the CA identifies a concerns. Some of the time the CA's concerns do not lead to a needed correction, but other times it does – which is when my office gets involved. Therefore, the 42% might be much lower if we accounted for all of the requisitions that the CA monitored and did not find a concern or issue. Unfortunately, I do not track all of that data. This 42% simply reflects our review process, which in this case is often informed by the CA's monitoring efforts.

this is a common issue and frequently provides reminders about this in order to avoid delays once a selection has been made.

Reviewing the DTH packet is akin to a final audit of the entire process. We receive the DTH packet from the Recruitment Team after they vet the packet and forwarded it to us for review. There has been a dramatic improvement in HR catching not only the big errors (which they have always done), but also the smaller errors which may hold up a hiring process while we work to correct the issue.

Many of the DTH issues noted in the graph stem from the increased use and review of the ACP process. CCHHS implemented ACP in July, but the process did not become widely used by all of the departments to which it is available until late autumn. As with any new process, there were a number of changes to incorporate. Half of the reported errors in this phase stemmed from ACP DTH packets. My team and the HR Recruitment Team have made a concerted effort to clarify the requirements of ACP to the department. Over the last few weeks, my team has seen a significant improvement, either because the Hiring Managers are more familiar with this process or because HR is catching the errors first. Either way, this demonstrates marked improvement in the process.

Although this reporting period started off with significant policy and employment changes at CCHHS (implementing the ACP process, the Supplemental Policies, and the displacement of many employees), my office has noted continued success with the Plan and more outreach from the departments to both HR and my office for assistance in the execution of the Plan.

Advanced Clinical Positions

Last summer, CCHHS began utilizing the ACP hiring process for our credentialed positions (physicians, psychologists, advance practice nurses, and physician assistants). This new hiring process is one of the recent amendments to the Plan which should be provided to the Court soon. As noted in my last report, we piloted this new process at Cermak Health Services in October of 2015 through June of 2016, and then we began using this new process throughout all of CCHHS on July 11, 2016.

As with the introduction of any new process, there were some hiccups and missteps along the way as the hiring departments became familiar with the ACP process. This process allows for more discretion in candidate selection, making it significantly different from our other hiring processes. One of the biggest differences is the requirement for the Hiring Manager to keep an Activity Log of all recruitment activity for the vacancy to be filled. This has been a challenge, because it is a contemporaneous accounting of activity which most managers are not accustomed to tracking. However, with guidance from the HR Recruitment

Team and my office, we have seen a significant improvement in the logs that are kept for each requisition.

During this reporting period, the Compliance Administrator's Office (CA) has been tracking all of the ACP processes and attending most interviews in order to determine the success of the process and the training on that process. Therefore, my office has not been as focused on sending a monitor to the interviews, but we have monitored over 19 requisitions and over 30 processes. Of the processes monitored, less than half had an error or issue that needed to be corrected. As indicated above, an incomplete Activity Log was the most identified issue; the logs needed to be revised in order to proceed with the selected candidate. The other frequent issue was the absence of proper notification for monitoring purposes. As more departments use the process, we are seeing fewer errors. This is likely attributed to HR's increased use and familiarity with ACP. During the last few weeks of this reporting period, the Recruitment Team has refined its own process of handling ACP requisitions and preemptively reaches out to the department with gentle reminders on what to provide.

Plan Violations

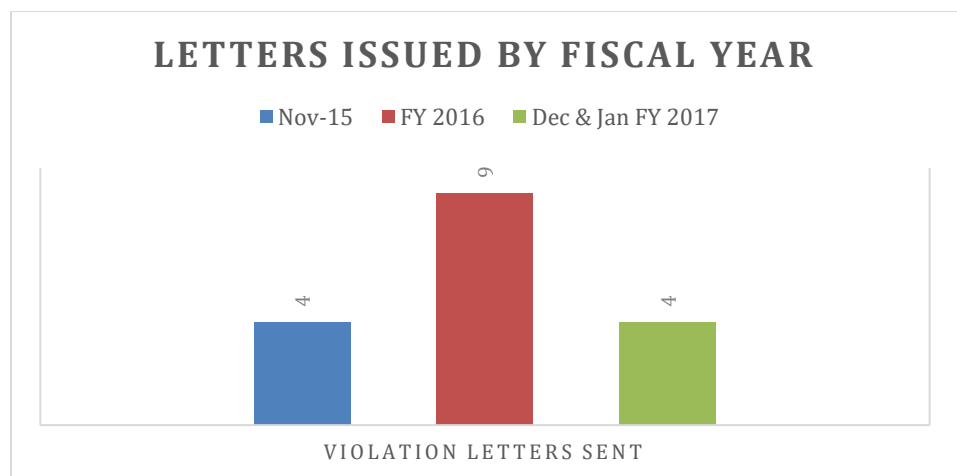
For the past year, my office has separated out Plan violations that are identified through the monitoring efforts of the CA, my office, and HR. These are technical violations for which no investigation is necessary, such as failure to provide proper interview notice, failure to complete a process or procedure as required, or some other misstep. When these occur, my office is notified, we review the Plan provision in question, then issue an EPO Letter of Plan Violation to the Hiring Manager and Department Head. For the most part, these are a reminder to them of the policy and how to properly implement it. However, in several cases, retraining was recommended and completed.

Since the inception of this practice in November of 2015, I issued 17 EPO Letters informing management of a violation of the Plan, five of which were issued during this reporting period. In each of the violations during this reporting period, the violation occurred during the interview phase of the process. Each led to a complete audit of the process and no significant impact to the final result was identified. Below is a breakdown of the letters issued this reporting period:

1. Interview panel did not faithfully use the HR-approved interview questions, did not evaluate the candidates interviewed following the interview, discussed the candidates before the selection meeting, and failed to make a final selection before sending the information to the Hiring Manager. It was identified that both panelists were new employees trained on the Plan and processes close in time to when the interviews took place. A meeting was held with the Department Head, panelists, and me to review the errors. My recommendation to conduct a new round of interviews and selection meeting with a different panel

was accepted by the Hiring Manager and completed without further problems. Further monitoring of these panelists demonstrated that they were able to implement the Plan successfully after this incident.

2. Interview panel failed to ask all of the HR-approved interview questions. This was corrected with a second interview of the one candidate that was interviewed. No further issues were identified at subsequent interviews conducted by this panel.
3. Department used the wrong interview questions; they had not been approved by HR. Upon review, HR determined that they would have approved the questions (and had for other positions), so no remedial action was required.
4. Department scheduled interviews with applicants on the Interview List for an Actively Recruited Position prior to HR verifying eligibility. Reminder of the process was sent; no remedial action was necessary other than to reschedule the interviews after HR completed its review.
5. Department conducted interviews for a position without notifying HR and my office of the scheduled interviews. This oversight was due to a miscommunication within the department. No remedial action was necessary; an audit of the process demonstrated there were no further issues.



In general, all of the violation notices that are sent out have involved the interview and selection process, except one which involved a prohibited contact by an applicant to a panel member and Hiring Manager. In almost all of these cases, once a letter had been issued, the concern was addressed immediately and was not repeated. Although not a popular letter to receive, it is effective in correcting errors that could easily be repeated leading to systemic violations of the Plan.

AUDITS

In my last report, I noted that the initial discipline audit conducted by my office with the CA's office was almost complete. The audit, which reviewed discipline files from seven departments, was conducted in two phases. The first phase consisted of reviewing the department files. During that first phase, we found that not all of the documents provided through our initial request were kept in the department files, and not all "attachments" noted on the forms were found in those files. The second phase consisted of reviewing the personnel files of the staff identified during phase one of the audit to determine how much, if any, of the disciplinary documents made it into the HR files. For this phase, we decided to narrow the field and only requested files for employees from two of the seven departments.

After a review of HR's files, we noted that in many cases, there was very old discipline and sometimes the most recent discipline. However, very rarely did the personnel file match the department's file. Overall, this audit was simply a tool for us to gauge what to expect and how to train management on the new discipline policy that went into effect on November 1, 2016. A follow up audit will occur sometime this spring or early summer, to determine whether the new discipline policy and procedure will correct this issue.

SUPPLEMENTAL POLICIES AND PROCEDURES

HR and the CA spent a significant amount of time last year developing the final Plan policies which cover non-hiring employment processes. Those policies are: Reclassification, Desk Audit, Training Opportunities, Overtime, Interim Assignment, Discipline, Demotion, Layoff and Recall, Transfers, and Third Party Providers. Training began in July of 2016 and continues to the present day. These Supplemental Policies went into effect on November 1, 2016.

Discipline

The most significant of the Supplemental Policies is the discipline policy, because it is the most widely and frequently used policy. The new policy not only requires that the departments provide documentation to HR every time an employee is disciplined; it also provides a mechanism for HR to capture that information into a single repository to which my office also has access. Department Heads and Supervisors now complete a single form for any and all types of discipline, and when the discipline has been issued, the form and supporting documents are sent to HR and my office through a designated email account. Although it was a slow start (just a handful of disciplinary actions sent on the correct form to the designated email account in November), after the holidays we have noted a significant increase in discipline notifications. As those discipline forms come in, HR is able to vet those documents immediately and request any needed corrections.

In the limited time this policy has been in effect, the most prevalent error that has been identified is a missing signature. The procedure requires both the Supervisor and Department Head to sign the discipline form in two distinct areas. In cases of a suspension or termination, someone from the Labor Team (for suspension) or the Chief of HR (for suspensions exceeding 10 days and terminations) must also sign the documentation. Often, we find that someone forgot to sign in one of the two places. HR reviews the discipline received, sends incomplete forms back to the department for correction, and usually gets the corrected documents within that same week.

It is unclear whether all departments are complying with the new discipline policy consistently, but an audit will be conducted in the spring or early summer to determine the level of compliance with this policy.³ In the meantime, monthly reminders have been issued to managers and Department Heads about this policy, including a specific Dos and Don'ts check list recently distributed to curb some of the common issues observed so that other departments do not make those same mistakes. Overall, I believe there has been a good response to following the new policy.

Training Opportunities and Overtime

These two Supplemental Policies, Training Opportunities and Overtime, do not require any specific documentation. Each policy requires the supervisor or manager to keep records in the department of opportunities that arise, how they selected the employees to participate, and track attendance. These records can be the subject of an audit by me or the CA in order to ensure compliance with the policies.

However, these two policies also require a unique way of capturing No Political Consideration Certifications (NPCCs), because there is not a specific document that is signed by a supervisor or Department Head each time the policy is utilized. In order to capture the NPCCs for these employment actions, the policies require that every six months the Department Heads execute an NPCC for the Training Opportunities policy and the Overtime policy. This is to occur every June and December. This week, we issued the first NPCCs related to these two policies for the Department Heads to sign. They have been given 30 days to complete the forms. I chose to provide thirty days to complete the NPCCs, because the Training Opportunities NPCC requires the Department Head to log all trainings which triggered the policy during the preceding six-month time period. As this is a new process, I anticipate that it may take time to gather the required data from their respective managers for the NPCC.

³ The CA is currently conducting such an audit with several of our departments for any discipline issued since the implementation of the new discipline policy on November 1, 2016.

As for the other Supplemental Policies, I will monitor them as opportunities become available. To date, there have not been many opportunities to monitor or audit.

INVESTIGATIONS

During this reporting period, my office received 15 complaints of potential violations of the Plan, Personnel Rules, or Supplemental Policies. Not all of the complaints have progressed into a full investigation. As described in my last report, Incident Reports will be issued for those complaints that transition to a full investigation. However, below is a synopsis of what has been received with a status of the complaint:

New Complaints

EPO2016-23: Employee filed a complaint alleging that the department changed a position title to a Supervisor position after an unqualified employee was selected for the position. A preliminary review of the position and selected candidate demonstrated that all minimum qualifications were met by the selected candidate and the position title did not change. An investigation was not opened. **Closed.**

EPO2016-24: Employee filed complaint that generally he has not been offered the opportunity to interview for various positions to which he applied. My office is conducting an audit of his applications to determine if there may have been any issues to the various position to which he applied. *Pending.*

EPO2016-25/Inv. 16-013: See summary of the allegations, below, in the *Completed Investigations* section. **Closed.**

EPO2016-26: Employee filed a complaint with the Chief of HR alleging pay issues and discrimination during the hiring process. The complaint was forwarded to me, and the Employee was interviewed for further information. The Employee was unable to identify any potential Plan violations or discriminatory action related to position for which he applied. **Closed.**

EPO2016-27/Inv. 16-014: See summary of the allegations, below, in the *Completed Investigations* section. **Closed.**

EPO2016-28: Employee complaint forwarded by his supervisor regarding unfair treatment during the recent displacement process. Preliminary work to determine if investigation is warranted still underway. *Pending.*

EPO2016-29: Employee filed complaint alleging that a Department Head is using the discipline process inconsistently based on recent disciplinary

proceedings. We are currently evaluating the recent discipline to determine if investigation is warranted. *Pending.*

EPO2016-30: Selected Candidate for a position filed a complaint stating that her offer was unfairly rescinded. My office is currently reviewing requested documentation to determine if further investigation is warranted. *Pending*

EPO2016-31: An anonymous complaint was filed with the Chief of HR and my office alleging various EEO, labor and mismanagement allegations. My office is currently evaluating the allegations to see if there is any connection to potential Plan violations. *Pending.*

EPO2016-32: HR employee forwarded information that a Department Head may have improperly promoted someone in violation of the Plan or Supplemental Policies. File under review to determine if investigation is warranted. *Pending.*

EPO2017-1: Complaint forwarded from Corporate Compliance Hotline alleging that qualified candidates are passed over for a management position in order to hold the spot for an unqualified internal employee. The hiring process for the position is currently underway and is monitored at each step. Will evaluate whether any further investigation is necessary at the conclusion of the hiring process. *Pending.*

EPO2017-2: An Employee filed allegations that Employee 2, in a different department, was rude and inconsiderate during a training. Allegations were forwarded to the appropriate department head for evaluation and further action. **Closed.**

EPO2017-3/Inv. 17-001: HR employee learned that a department was potentially violating the Plan when they brought on volunteers or interns into the department. Initial evaluation completed; we are conducting the last interviews and hope to issue a report in the near future. *Pending.*

EPO2017-4: Employee filed a complaint alleging that she was wrongfully disqualified during the hiring process for a position, and also that she was not placed in the promised position during the recent displacement process. After discussion with the HR Labor Team about what information was provided to the employees impacted by the displacement process, it was determined that based on Employee's own admissions, the allegations are unfounded and no investigation is warranted. **Closed.**

EPO2017-5: Employee filed a complaint alleging (1) improper transfer and reclassification; (2) improper disqualification during recent hiring process; and (3) not working within her job classification. My office met with Employee to get further details about her allegations. At present, there is insufficient

information to warrant further investigation; however, Employee was going to send additional information to support allegation number three. *Pending.*

Still Pending

My Fourth Semi-Annual Report discussed several complaints and investigations that had recently been received by my office. The following is a list of the complaints received during that reporting period which are still pending: Investigation 16-005; EPO2016-11; Investigation 16-008; Investigation16-009; EPO2016-18; Investigation 16-010; EPO2016-22 now Investigation 16-012. Investigations are either pending or completed with reports pending.⁴

There was also a complaint filed during the last reporting period that has since been closed:

EPO2016-19: HR referred an applicant profile to my attention indicating that it is possible the applicant is falsifying her applications. After review of the applicant's profile and applications, it was determined that the applicant did not falsify her application materials. **Closed.**

Completed Investigations

I have issued Incident Reports for nine (9) files during this last reporting period. Two were identified with the new cases, above, but will be discussed below.

13-011: An anonymous complaint was sent to the Chief Executive Officer for CCHHS alleging that a Department Head specifically designed a job description for a particular employee in order to promote the employee to Manager; that the selected candidate for this Manager position did not meet the minimum qualifications for the position; and that qualified applicants that met the minimum requirements were denied the opportunity to interview of the Manager position. After an audit of each hiring process involved with filling this position and a series of interviews, the allegations were **not sustained**.

14-014: A Department Head forwarded the complaint of an Employee who alleged that he was not fairly considered for the position. He alleged that a Panelist told him he received the same interview score as Employee 2, but that the job would be offered to that employee based on seniority. Employee alleged that Employee 2 was not equally qualified for the position, and also that Department Head tailored the job description specifically for Employee 2. At the conclusion of the investigation, I found that the position was not tailored for Employee 2, because she did not even meet the minimum qualifications for the position. The chosen candidate was selected following our policies and procedures; therefore, the allegations were **not sustained**.

⁴ This is not a definitive list of all pending files and investigations. Those will be addressed in my August 2017 report.

15-024: An Employee filed a complaint with my office when her offer for another position within CCHHS was rescinded, but she did not receive a rescission letter. In addition, she was not considered for the position once it was reposted. The Employee believed this was a violation of CCHHS policy and was retaliation for complaining about the rescinded offer. After conducting a thorough audit of the positions and interviewing many witnesses about the HR policies, it was determined that the offer was rescinded due to a well-known (though not documented at CCHHS) County policy which prohibits an employee from transferring or applying for a position while on a leave of absence. Employee was on a leave of absence at the time of the interview and offer, so the rescission was in accordance with our standard practice. It does appear the rescission letter was never sent out, though everyone agreed that Employee was aware the offer was rescinded. Moreover, when the position was reposted, Employee failed to provide sufficient information on her application and resume to demonstrate eligibility for the position. The allegations were **not sustained**; however, I did make the following recommendations in my report:

- 1) HR should review the current Leave of Absence practice as it is used in the hiring process to determine if it is still appropriate; if so, HR should craft a policy or amend the Personnel Rules or Plan in order to memorialize the policy.
- 2) HR should send out rescission letters when necessary and craft a policy which can then be applied consistently. This is in line with a previous recommendation for Incident Report 15-011.

HR Response: The Plan requires that HR provide a written response to my recommendations outline in an Incident Report. The Chief of HR has requested an extension to issuing the report, which is permitted by the Plan. The response is due on February 27, 2017.

15-025: An Employee alleged that she had been offered a position which transferred her to another department in CCHHS, but that when she arrived at her work location, the Director told her she would not have the Monday through Friday position in one area, but instead would be placed in another area that had variable hours and included a Saturday rotation. Employee alleged the Monday through Friday position was given to another employee instead. After conducting several interviews with department employees and HR staff, we found that Employee had applied to and was selected for a position which included variable shifts including Saturday hours. The allegation was **not sustained**.

15-035: An Employee filed a complaint alleging the following: (1) Employee was given a lower salary than Employee 2 who was within the same job classification; (2) that her current title did not have a classification or current job description; (3) her current job classification was treated as a Direct Appointment position despite not meeting the definition stated in the Plan; (4) numerous Grade

24 positions were treated as “Exempt” or Direct Appointment positions “illegally;” and (5) her various complaints about Plan and Personnel Rule violations have not been investigated per the Plan requirements. After numerous interviews, reviewing personnel files, and reviewing the Personnel Rules and Cook County HR Ordinance Section 44-47, I concluded that many of her allegations **could not be sustained** (either because Employee was simply confused about the facts or the OIIG had already issued findings in OIIG Report 14-0497). Further, allegation number five (no investigation per Plan requirement) **could not be sustained**, because this investigation and report are issued pursuant to the Plan requirements; previous complaints were not filed pursuant to the Plan. However, the investigation into Employee’s allegations identified that CCHHS was not adhering to Personnel Rule 2.03 and the Cook County HR Ordinance which requires that all Employees who are not Exempt under the Personnel Rules have a set salary schedule. CCHHS Grade 24 employees do not have a set salary schedule or written policy about how the salaries will be determined. Based on that finding, I **sustained the allegations in part** and recommended that CCHHS HR develop a robust written policy and procedure regarding compensation and salary increases for Grade 24 employees not Exempt under the CCHHS Personnel Rules.

HR Response: On January 18, 2017, HR issued its Response Report to address my recommendation noted above. The response indicated, without expressly stating so, that CCHHS was going to develop a Classification and Compensation Policy which would (impliedly) include Grade 24 positions. However, there was no indication that this would be done soon or within any given timeframe, despite the recommendation a policy needs to be created as soon as possible to come into compliance with the Personnel Rules and HR Ordinance.

The report explains that the Grade 24 designation does not have steps, because it was meant to be flexible for a wide-range of positions and skill sets that are above a Grade 23 classification. The Response further identifies that the very wide-ranging types of positions would make a “step” system unmanageable. In addition, the Response addresses Employee’s allegation that she did not make the same salary as Employee 2 in the same job classification by explaining that the distinctions between the two job may have warranted the difference in pay.

Although each of the statements are true, they do not address the lack of policy required by the Personnel Rules. I do not believe there is any one way to come into compliance with Personnel Rule 2.03; CCHHS simply needs to find the best way to correct the deficiency while maintaining compliance with its other policies and rules. CCHHS HR already has a practice in place, as described by various employees during the investigation, which needs to be further developed into a policy.

16-003: An HR employee referred Applicant’s resume for investigation; it was alleged that the applicant, a former employee, may have falsified her

applications to various positions at CHHHS. A thorough review and audit of the Applicant's profile and applications identified that she had not falsified her applications; the allegation was **not sustained**.

16-007: An Employee alleged that a new position had been created at her work location, but the position had not been properly posted. Instead, she alleged that her Manager and Director were simply placing employees into the position without allowing her the opportunity to have that placement. After a thorough investigation, it was identified that a new work assignment had been created, not a new position. Department Heads have discretion in work assignment distribution, therefore the Plan and Personnel Rules were not violated; the allegation was **not sustained**.

16-013: An HR employee reached out to me about concerns with a hiring processes. The Hiring Manager had called to provide information on the status of the process, but then later provided documentation which contradicted the initial information. This led the HR employee to suspect that the Hiring Manager did not adhere to the hiring procedures as required by the Plan. After a thorough review of the Decision to Hire (DTH) packet and interviews with the panelists, it was determined that the Hiring Manager violated Plan Sections V.M 3-4 and O.1. I recommended the following:

- 1) The Hiring Manager and her team (that is authorized to conduct interviews) should be retrained on the Plan's hiring processes.
- 2) Hiring Manager's supervisor meet with the Hiring Manager in order to convey the importance of following the Plan provisions.
- 3) HR or the EPO to monitor all interview and selection processes for this department following the retraining of Hiring Manager and her team.

Sustained.

HR Response: HR requested an extension to issue the report. The response is due on February 27, 2017.

16-014: This investigation stems from a concern about a Hiring Manager utilizing the ACP process to fill a vacancy. Notice was provided that an interview would take place at a specific time, but by the time the CA's monitor called into the teleconference, the interview was already underway and almost completed. Upon interviewing the Hiring Manager, it was identified that Hiring Manager was already very familiar with this candidate's qualifications; the interview was understandably short due to that fact. Additionally, it appears although the interview did start early, it was not significantly early to warrant a finding that the policy was violated. I did not find that Hiring Manager violated the ACP policy; allegations **not sustained**.

Investigation Summary

Of the nine (9) Incident Reports issued this reporting period, I found violations of the Plan in one (16-013), and I sustained in part the allegations of 15-035 regarding a Personnel Rule violation. There were three (3) reports which I included recommendations to create or memorialize policy based on the findings of the investigation in order to ensure clear communication about CCHHS practice to all staff as well as ensure consistent application of those practices. The most significant finding was related to Investigation 15-035 which led to the recommendation that CCHHS revise its Compensation Plan to include a more defined standard for Grade 24 employees in compliance with CCHHS Personnel Rule 2.03. A more robust comparison of our investigations and reports that have been completed since the inception of this office will be provided in the August 2017 report. However, it is notable that most of our investigations identify that no violation of the Plan or Personnel Rules have occurred.

UPDATE: IMPLEMENTATION OF PLAN PROVISIONS

Section IV. P and V.J.3c: Ineligible for Hire/Rehire List

One of the few Plan provisions that CCHHS has yet to implement is the Ineligible for Hire/Rehire list. The Plan allows CCHHS to remove applicants from consideration for a position if the applicant's name appear on this list. Currently, we have just completed putting the list together after reviewing all of the files of former employees who may have been eligible for placement on the list. It took a significant amount of time to find the information necessary to make the proper determination. Now that we have a list put together, HR leadership is developing the appropriate internal process to ensure appropriate use of the list during the screening process for all applications. We expect to begin utilizing this list after all of the notification steps have been completed per the Plan with an expected start date of March 1, 2017.

Section V.J.3: Discipline Review during Validation

As my audit of CCHHS discipline files identified, prior to the implementation of our new Discipline Policy, HR was not consistently receiving the necessary information for them to effectively implement this section of the Plan. This provision of the Plan requires HR to review the preceding 12-month discipline history of any employee or former employee (recently separated) to ensure that an applicant that has been suspended during the last 12 months is removed from that process. With the implementation of the new procedure for departments to collect and submit disciplinary action information, HR now can track suspensions more consistently and accurately.

At present, there is only about three months of data for HR to use for this process, so I have not had a chance to monitor whether it is implemented fully. However,

my office is working with HR leadership to ensure that the appropriate internal review process is in place when the opportunity presents itself to implement this provision. I will provide an update on this process in my next report.

Section V.I.2: Internal Candidate Preference During Validation

This provision of the Plan will allow Hiring Managers to request that applicants whom are employees of that particular department receive an interview if all of the minimum qualifications have been met. The delay in implementation of this provision stems from difficulty in identifying which applicants are internal to the department. A list of departments has been created specifically for this provision of the Plan and will be published with the next Plan amendment. In the meantime, HR has communicated with management the implementation of this provision will begin with new Request to Hire packets received after February 13, 2017.

SUMMARY

With each report that I issue, I am pleased at the improvements made in implementing a complex Plan effectively. The decrease in issues identified during the interviewing and selection meeting phases of the hiring process demonstrates increased familiarity with the Plan and improved communication between the hiring departments and HR. In particular, the HR Recruitment Team has spent significant time refining their own processes and outreach in order to increase the efficiency and success of these processes. This was achieved through their internal department meetings, as well as regular meetings with me and my staff. In fact, the regularity with which my staff and the HR Recruitment Team or Recruitment Leadership meet has provided the opportunity for us to correct issues that are developing (that we may see and they do not, or vice versa) and come up with ways to more efficiently execute the Plan.

The Supplemental Policies, on the other hand, are too new to identify if implementation has been successful. Nonetheless, the minimal information we do have, particularly relating to discipline, is encouraging. Centralizing discipline documentation and standardizing the process for such a large and complex organization is not an easy task, but I am confident that HR and I are tackling that difficulty head on with continual and immediate outreach to the departments about the process which will soon become habit.

Sincerely,

A handwritten signature in black ink, appearing to read "Carrie L. Pramuk-Volk". The signature is fluid and cursive, with the first name "Carrie" being the most prominent.

Carrie L. Pramuk-Volk
Employment Plan Officer

cc: Mr. Jeffrey McCutchan, Interim General Counsel for CCHHS
Mr. Doug Elwell, Deputy Chief Executive Officer for CCHHS
Ms. Gladys Lopez, Chief of Human Resources for CCHHS
Ms. Barbara Pryor, Deputy Chief of Human Resources for CCHHS
Mr. Brian Hays, Locke Lord LLP