

# COOK COUNTY HEALTH & HOSPITALS SYSTEM

**Toni Preckwinkle**

President

Cook County Board of Commissioners

**John Jay Shannon, MD**

Chief Executive Officer

Cook County Health & Hospitals System



COOK COUNTY HEALTH  
& HOSPITALS SYSTEM  
**CCHHS**

**Cook County Health & Hospitals System  
Board Members**

**M. Hill Hammock • Chairman**

**Commissioner Jerry Butler • Vice Chairman**

Lewis Collens

Ric Estrada

Ada Mary Gugenheim

Emilie N. Junge

Wayne M. Lerner, DPH, FACHE

Erica E. Marsh, MD, MSCI

Mary B. Richardson-Lowry

Carmen Velasquez

Dorene P. Wiese, EdD

March 16, 2016

Dr. John Jay Shannon

Chief Executive Officer

Cook County Health & Hospitals System

1900 W. Polk Street, Suite 220

Chicago, Illinois 60612

Mr. Patrick M. Blanchard

Independent Inspector General

69 W. Washington

Suite 1160

Chicago, Illinois 60602

Ms. Mary T. Robinson

Compliance Administrator

69 W. Washington, Suite 840

Chicago, Illinois 60602

## **3<sup>rd</sup> Semi-Annual Report March 2016**

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

This is the third semi-annual report issued pursuant to Section IV.C.2. of the Employment Plan (Plan). This report will cover the six (6) month period from September 1, 2015, through February 29, 2016, describing monitoring and auditing activities, investigations, violations of the Plan, recommended remedial actions and corrective action by Cook County Health and Hospitals System (CCHHS) when necessary and as appropriate.

### TRAINING

As described in my last report, most of my efforts were focused on training the over 6,200 employees at CCHHS on the Plan and its requirements. During the last six months, the focus has shifted from training all current staff, to training all new hires within 90 days of their first day of employment. Each month, we hold several training sessions from which managers and employees can choose to send new staff at all three main campus as well as Cermak Health Services. After a bumpy start of approximately 60% of employees compliant with receiving the required training in their first 90 days at CCHHS, the percentage has increased as management has gotten used to sending their staff to training. As of last month, we were at 80% compliance for the new hires. Based on the inquiries my office has fielded in the last few weeks, management has become accustomed to scheduling new staff for training within the timeframe proscribed by the Plan.

Despite the increase in compliance, we are currently working on making the training session for all staff an online course which will need to be completed within the first 45 days of employment. The training will be provided on the CCHHS Learning Management System (LMS) which houses most of our online compliance training courses. Utilizing the LMS will allow for better reporting and tracking by supervisors and managers of their staff's compliance, as well as allow for quick and easy access to the training course. All CCHHS employees need to have this training annually, so this online course will roll out to all staff during the 2016 annual online education initiative.

Managers, supervisors and Human Resource (HR) staff also need to receive Plan training annually. Managers and supervisors will complete an online refresher course during 2016 annual education this fall after they complete the all staff training course. We are currently drafting the online training content. HR, however, will receive their annual training during a live, face to face, session with me starting at the end of this month. To date, all HR staff are compliant with their training requirements, and over 100 additional managers and interviewers have received their training during this last six months.

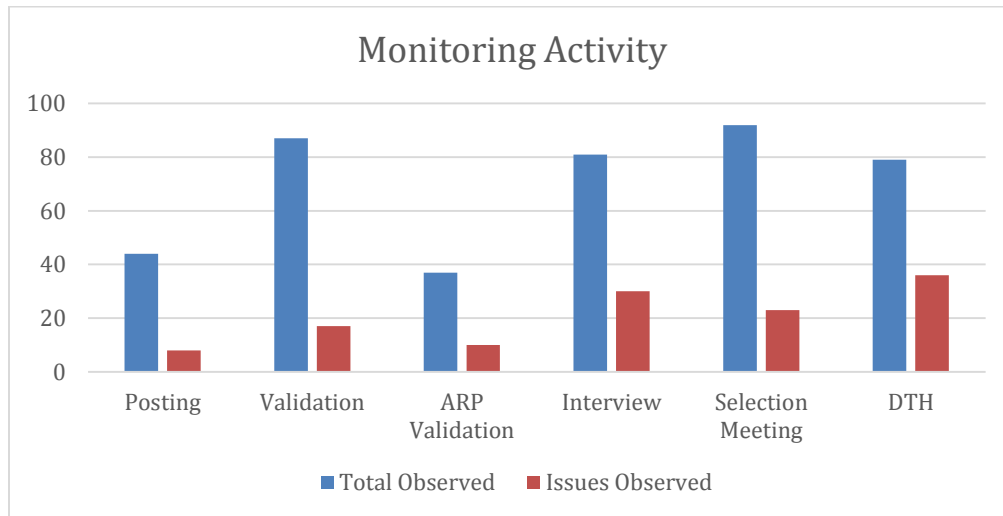
### MONITORING ACTIVITY

In my last report, I had identified a few of the Plan provisions which had not been implemented as of the date of the report. For several provisions, that is still the case. As of today, we have not implemented the following provisions of the Hiring Process in the Plan: (1) Internal Candidate Preference for non-union positions; (2) discipline review for current and former employees during the applicant review process (validation); (3) applying the Ineligible for Rehire list of CCHHS (currently under development) or any other agency's public Ineligible for Hire list to the validation process; and (4) reference checks or employment verification by HR prior to making an offer to any external candidate. Although those provisions of the Plan have not been implemented yet, HR has been developing the necessary internal infrastructure during the last six months in order to implement them efficiently and consistently. My next report will focus on those efforts.

During the current reporting period, my office has monitored various hiring processes for 179 active requisitions in HR. My office was contacted about or observed issues and concerns regarding various processes for 72 of those requisitions though various and multiple processes may have been monitored for any given requisition. A total of 247 processes were monitored either in person or through document review. Of the 247 processes monitored, my office identified concerns, issues or violations with 108 of those processes. Please keep in mind this data reflects many processes that were specifically reviewed or monitored as a result of concerns brought to my attention in advance. This somewhat skews the data, because the monitoring was not strictly random. However, the ability to attend or monitor at risk processes allowed my office to work with the relevant departments to correct those issues and work toward eradicating them from future processes. This method appeared to have merit, as rarely did the same panel have the same or similar mistakes with future hiring processes.

The graph, below, depicts the monitoring activity of my office during this six month reporting period. Compared to the information provided in the September 2015 EPO report, there has been a significant increase in the monitoring of various processes. Although we decreased the monitoring of the posting process, we increased monitoring of the interview and selection processes by approximately 25% and increased monitoring of the validation and Decision to Hire (DTH) processes by approximately 50%. Despite this increase in monitoring, we actually saw some decreases in errors or violations of the Plan. For instance, there was a decrease in the percentage of issues identified in the validation process (which in this report is identified separately as "validation" and "ARP validation") and the DTHs submitted by HR to my office.

I believe this trend is a result of the familiarity HR<sup>3</sup> has gained with the Plan processes and procedures in conjunction with general increased awareness of the correct employment practices throughout CCHHS.



In preparing the information for this report, I decided to separate out the traditional validation process (conducted by the HR department) from the Application Review Panel (ARP) validation process, which is conducted by the hiring department after appropriate training is provided. The significance in segregating these two types of validation was to determine if there were any significant differences in compliance and if there was value in having the department create their own interview lists. Based on monitoring observations, not only did the ARP process work efficiently and as intended, but it also provided a platform for increased communication between the departments and HR throughout the hiring process which in turn decreased the number of errors that occurred in the interview process. Many of the interview processes monitored were directly tied to the Actively Recruited position process, a new process for most of the CCHHS departments which was rolled out in full last August, yet there was not a spike in identified concerns or errors. On the contrary, the percentage of identified errors decreased from the prior reporting period.

The increased monitoring activity has demonstrated that in general both HR and the departments are implementing the Plan without a problem. This may be due to the increased attendance of the HR recruitment team and my staff at interviews and selection meetings to assist the hiring managers and decision makers whenever possible. Although HR, like my office, cannot attend everything, we assist the panels and decision makers in completing the processes according to the Plan before any errors or violations surface.

Upon review of the concerns my office identified or became aware of during this reporting period, it became apparent that the same issues identified in my September report are still the common errors currently found. Many of these were technical violations of the Plan that continue to plague the interview and selection processes. By far, the most common issue is failure of the department to notify my office of pending interviews or selection meetings, and failure of the panels to sufficiently create notes during the selection meeting. Both of these issues continue to steadily decline as the individual hiring departments develop the habit of executing these two functions and with increased guidance from HR and my staff.

## When Violations or Errors occur

The standard method of communicating issues, concerns, or recommendations for change outlined by the Plan is the incident investigation and reporting process. That process is useful for identifying serious or persistent violations of the Plan and Personnel Rules, but it is not practical for providing constructive feedback regarding minor or technical violations of the Plan identified through the monitoring efforts of my office, HR, or the CA. There are several mechanisms at my disposal for communicating with staff about concerns or errors including real time feedback while monitoring or follow up telephone calls to discuss concerning observations. However, when feedback or corrective action is given verbally, it can be forgotten quickly or incorrectly recalled at a future date. To combat that effect, my office now issues letters to the hiring manager and department head regarding the technical violations or errors with reminders and recommendations for corrective measures. Typical technical violations that are subjects of these letters are: failure to provide my office notice of interviews or selection meetings; failure to request additional time to hold the selection meeting if it cannot be done within the time required by the Plan (within three business days from the last interview); forgetting to complete evaluation forms or decision paperwork as directed and/or required; changing the interview questions during the process without approval from HR; and not utilizing the appropriate forms as provided by HR. For these types of errors or violations of the Plan, a detailed investigation is not necessary, but it is still important to share the information my office gathers through monitoring and auditing activities so CCHHS can continue to improve its execution of the Plan.

During this reporting period, I issued 10 letters to various department decision makers and hiring managers, and one to an applicant. The most common issue was lack of notice of interviews, selection meeting, or application review meeting to my office in the time proscribed by CCHHS policy. This is likely due to the past practice of HR providing that notice to my office. This changed when the Plan was implemented last spring, because the Plan requires that the hiring manager provide that notice to my office. As hiring managers utilize the new procedures, they appropriately focus more on the new paperwork than making sure my office was added to the notice provided to HR. In most cases, once the hiring manager is reminded of this requirement, it is corrected immediately.

The other frequent error centers around creating selection meeting notes and submitting them to HR with the decision packet. Based on my monitoring efforts, this failure to create selection notes appears to stem from forgetfulness. The panel is usually focused on filling out the evaluations and the DTH form accurately all while having a robust conversation about the candidates. Often, the lead panelist merely forgets to continue summarizing the discussion after the first few thoughts are documented. With each of the departments that received one of these letters, the errors were swiftly corrected and did not recur.

The one letter issued to an applicant (an employee who had received Employment Plan Training as required) stemmed from that applicant's outreach to the hiring manager and HR requesting reconsideration for a position to which she was denied an interview for failing to meet a minimum job qualification. Instead of reaching out to HR to review her application and explain whether or not she could be considered, this applicant discussed her qualifications with the hiring manager at length in her request. This is considered an unauthorized contact in the Plan, because all applications for a general hiring process position need to be filed through Taleo and follow the validation protocols set up through the Plan. By reaching out to the hiring manager about her qualifications directly, she attempted to circumvent CCHHS policy which requires HR to conduct the review of the applicant's qualifications.

## Preventative Measures

Last summer, HR management and I began meeting monthly to collaborate on common concerns or issues that we are identifying in order to ensure the Plan is implemented completely and consistently throughout CCHHS. The Deputy Chief of HR and I will also meet weekly as projects or concerns require, but these monthly meetings provide time for HR and my office to focus on process improvement, Plan implementation projects, and issue troubleshooting. These meetings have been very productive, leading to a few recent initiatives to more swiftly implement Plan provisions such as the Ineligible for Rehire list. These meetings also keep us on track with projects or process improvements that might otherwise be stalled by other pressing initiatives that filter into our offices daily.

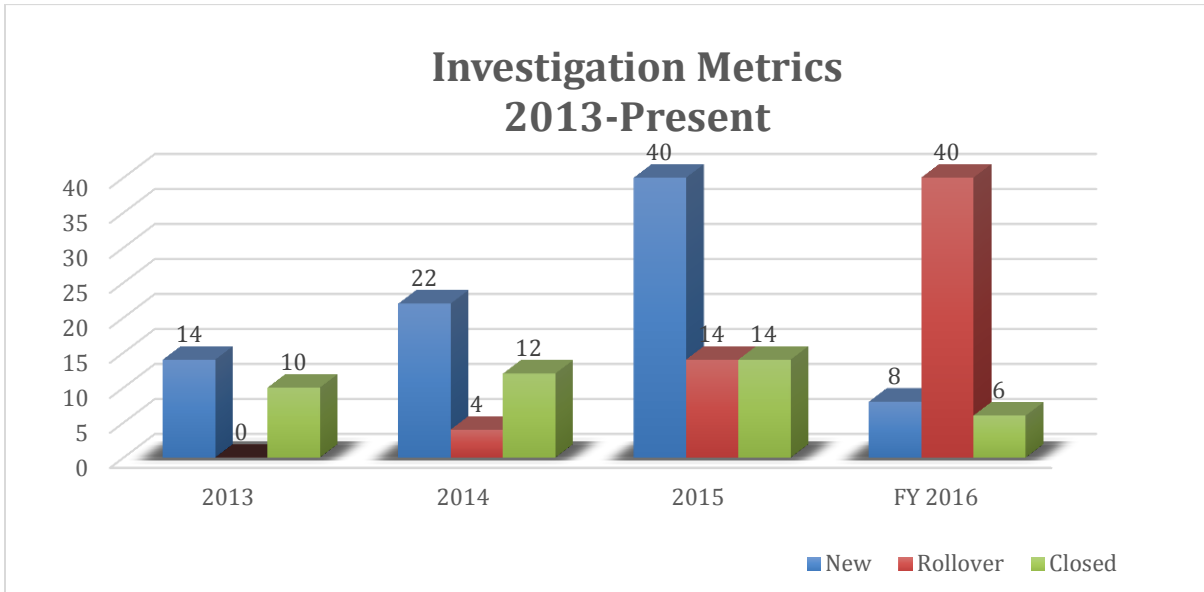
## AUDIT ACTIVITY

My office has two pending audits pursuant to the Plan. The first is a joint audit with the Compliance Administrator's Office (CA) of the discipline procedures currently in use at CCHHS. A sample of seven departments were chosen for the audit which consists of reviewing each department's discipline files from July 1, 2015 through December 31, 2015. We began gathering and reviewing the files in early February and anticipate completing the audit in early April. This audit should provide some insight as to how much of a change the new discipline policy currently under development will be and where to focus the training to ensure a smooth transition to the new policy and procedures. A more comprehensive review of the audit will be in my next report; with a follow up audit to be conducted six months after implementation of the new discipline policy.

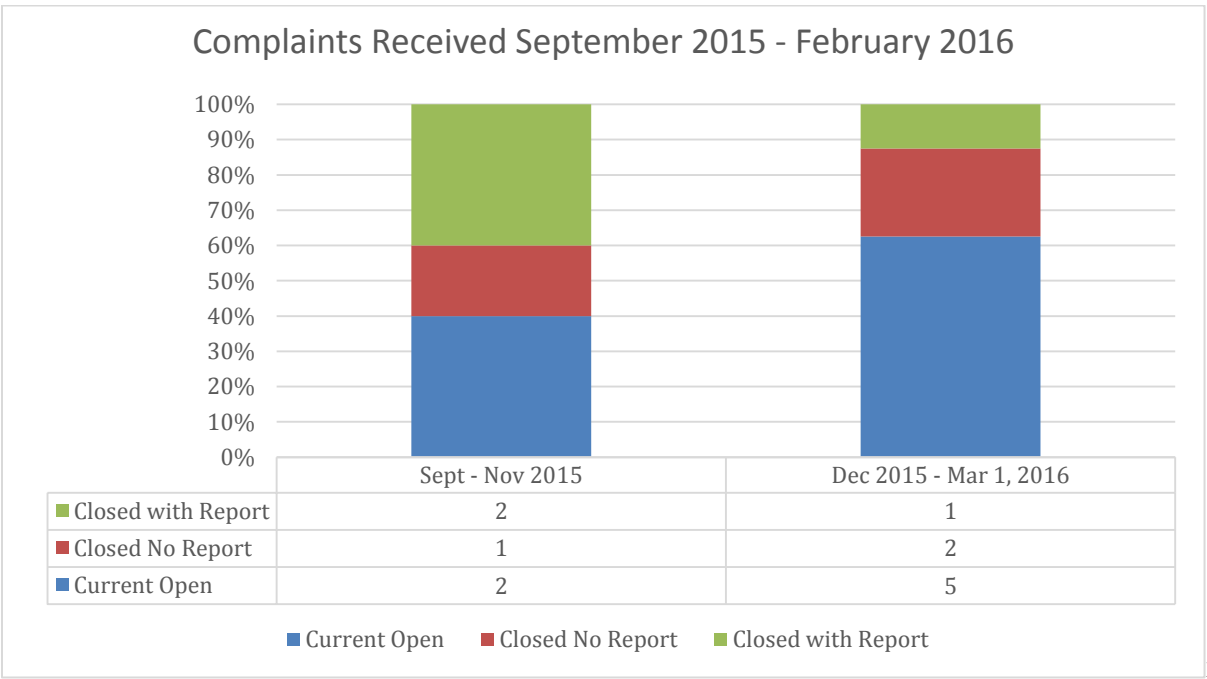
The second audit is a collaboration with HR in an effort to create and implement Section IV.P of the Plan. This provision outlines the process for creating a list of former employees, applicants and candidates that will be ineligible for hire for a period of five years. We have constructed a preliminary list based upon a review of personnel files of terminated employees from the last year to determine which, if any, fit the criteria. In order to have a name added to the list, the individual has to have violated one of several listed CCHHS Personnel Rules (Personnel Rules), the Cook County Code of Ordinances Section 44-54 & 44-56 to include termination or separation from CCHHS based on a finding related to unlawful political discrimination or prohibited political activity. A preliminary list has been developed, but additional files and information must be reviewed before it can be completed. Once this list has been fully evaluated, CCHHS will implement the list in accordance with Section V.J.3(c) of the Plan.

## INVESTIGATIONS

Over the last few years, my office has received many complaints or allegations of violations of the HR hiring and promotion processes, and more recently, violations of the Plan and Personnel Rules. These complaints stem from observations made during monitoring by my office of the CA, concerns or issues identified by HR, or employees and applicants. Since June 2013, I have received 84 complaints, 44 of which have been closed. The files were closed for various reasons; some were forwarded to the OIIG due to allegations of unlawful political discrimination, others to the CA. Several files were closed because the complainant did not wish to proceed further or failed to provide further information from which an investigation could proceed. For the remaining files now closed, an Incident Report was issued pursuant to Section IV.L of the Plan. The graph below outlines the status of investigation files from year to year. There is a little bit of a discrepancy in how I have narrated the files for this reporting period, as it does not coincide with the Fiscal Year (how data will be reported for 2016) or the prior calendar years (data from 2013 – 2015). Moving forward, the graph will show data from the current reporting period only.



During the last six months, my office has received 12 complaints or concerns associated with the implementation of the Plan and Personnel Rules; three of those files have been closed without an investigation, and three required conducting an investigation and issuing an Incident Report based on the findings of those investigations. However, we were able to close out nine older files as well during the last six months.



X

A breakdown of the 13 Incident Reports issued during the last six months is as follows:

**13-014** This complaint was filed on December 10, 2013, by a an employee who alleged that an interview panelist asked the employee to come into his office and demanded the employee “back off” from pursuing a supervisor position for which interviews had just completed. During the conversation, the panelist shared that he could not support this Complainant’s promotion. The Complainant felt he was the most qualified for this position based on his training and experience, therefore the panel and hiring manager inappropriately did not select him for the position. After a thorough investigation, my office concluded that although the panelist did violate CCHHS policy by speaking with the Complainant about the interview process before HR had a chance to reach out to the Complainant, there was insufficient evidence that the panelist requested the Complainant withdraw his application. Furthermore, there was no evidence that the hiring manager or panel violated the hiring process when Complainant was not selected for the position. Retraining on the employment policies was provided to the panelist at issue (in fact, to the whole department) twice, once before implementation of the Employment Plan, and again afterward to train the department on the new policies and procedures for hiring. My office, in conjunction with HR, will continue to monitor this panel for a period of six months to ensure compliance with CCHHS hiring policies and practices.

**14-018** This complaint was filed on October 31, 2014, by an employee who had two concerns. First, that a position for which she interviewed at the time was “given” to another employee who did not apply to the position or interview through the standard hiring process. Second, this employee had applied to numerous positions at CCHHS but failed to receive more than a limited number of interviews despite her status as an internal CCHHS employee. After a thorough investigation into all of the positions to which this employee applied, it was determined that for the first allegation, the employee who filled the vacancy was placed there due through the grievance process which does not violate the Plan. After an extensive review of the employee’s numerous applications, it was determined that the employee was proceeding through the hiring process for each as required by the Plan and CCHHS policies. For many of the applications, the employee did not have internal candidate preference because she did not belong to the union to which priority preference was given. I did not make any recommendations regarding these allegations.

**15-005** This complaint was filed on February 5, 2015, by a candidate that was interviewed for a position here at CCHHS. The Complainant alleged that during the interview, she was told she was interviewing for a position that was different from that to which she applied. This interview process and this candidate’s interview was monitored by my office. After further investigation into the position, job description and posting information, I found that the panel did not interview the Complainant for the wrong position or provide the wrong job description to her during the interview. This case highlighted that some of our outdated job descriptions can be confusing when compared to the budgeted titles. However, there was no violation of the Plan; therefore, no recommendations were made in this case.

**15-008** Filed by a former employee on March 11, 2015, this Complainant alleged that she was suffering retaliation for having reached out to an outside agency for guidance and was placed on a Performance Improvement Plan (PIP), relocated to another work location, and her interim pay was stopped after the Director position for her department was filled. She also feared that because some of her job duties were reassigned elsewhere, the department was preparing to fire her. After extensive interviews and review of documents, my office identified that no policies of the Plan or Personnel Rules were violated. The Complainant admitted that the behavior identified on the PIP was accurate, and the interim pay policy was followed. I did not make any recommendations as there were no violations of the Plan or other CCHHS policies.

**15-011** This investigation started on March 26, 2015, when an employee alleged that a history of harassment at CCHHS is impacting her ability to promote into another position at CCHHS. She had applied to over 50 positions in the last several years but had only received one interview and was not ultimately selected for the position. After a detailed review of all of the Complainant's applications and the hiring processes for these vacancies, along with Complainant's interview, it was determined that the alleged harassment occurred during her previous employment at CCHHS (prior to a layoff in 2011). After her recall to CCHHS pursuant to her collective bargaining agreement (CBA), she did not suffer the same retaliation and those who had harassed her no longer worked at CCHHS. In addition, the CA had investigated her claims of harassment in a Pre-SRO Complaint filed with the CA in 2007. The evidence did not demonstrate there was any harassment by CCHHS that was impacting her ability to transfer or promote into another position. The employees alleged to have harassed the Complainant were not involved in any of the hiring for the positions to which she applied. Although an error was found in one of the many application processes of which Complainant was an applicant; this error impacted approximately thirty applicants and was not an intentional violation of the Plan. In this case, a group of applicants who applied to the internal posting of the position but who did not belong to the requisite union were not correctly moved into the external applicant pool upon reposting of the vacancy. This requisition is no longer active, the error occurred when HR was transitioning to a new policy and procedure, and HR has created a process for staff to ensure this error does not occur again in the future.

**15-015** On April 21, 2015, this Complainant, an employee, alleged that her failure to attain a position after applying to multiple postings of the same position was due to her union activity, and that because she was the most senior qualified applicant, she should receive the position. My office monitored various hiring processes for these positions, including the Complainant's interview. After a complete audit of the hiring process for which Complainant interviewed, I was unable to identify any violation of the Plan or CCHHS policy. No recommendations were made.

**15-016** This investigation, filed on April 17, 2015, stems from several different allegations by a current employee. Complainant alleged (1) that he applied to many positions but never received an interview; (2) that after he interviewed for one position, he never received notification from HR that he did not receive the position before HR opened the requisition to outside candidates; and (3) that although he exceeded the qualifications for another position for which he interviewed, he was not offered the position. After a thorough investigation, my office found that HR and the hiring departments followed all of the policies and procedures outlined in the Plan when handling the Complainant's applications with the exception of one. The issue identified in case 15-011 applied to this Complainant as well. Although I did not identify any violations of the Plan or policies, I did make two recommendations: (1) that if the requisition/applicant pool with the randomization error is used to fill further vacancies of the same position, that this Complainant and the other affected applicants properly be incorporate into the validation review; and (2) that HR ensure all applicants not selected to fill a position be notified through TALEO (our applicant tracking system) as is the current practice. These recommendations were issued to the CEO and Chief of HR pursuant to Section IV.L.4 of the Plan on March 1, 2016. The Chief of HR has until April 1, 2016, to respond to my recommendations or request a thirty day extension to respond to the recommendations.

**15-026** This investigation stems from allegations made on July 1, 2015, that a newly hired employee was selected over more qualified applicants because of his personal, familial-like relationship with one of the interview panelists. The Complainant alleged that due to this relationship, the newly hired employee had advance access to the interview questions in order to prepare for the interview in violation of the Plan which requires that all interview questions be kept confidential. This complaint bridged violations of the Plan with violations of Cook County's prohibition of nepotism in employment



decisions, so this investigation was jointly conducted with the OIIG. The OIIG issued its report in December of 2015, and my office issued a report of our findings and recommendations on January 14, 2016. My office found that there was evidence that the newly hired employee falsified his employment application, and that the interview panelist violated our CCHHS Conflict of Interest policy as well as the Conflict of Interest provision in the Plan. Based on these findings, I recommended (1) that CCHHS terminate the employee and place this individual on the Ineligible for Rehire list once established, (2) that HR implement Section V.P.2 of the Plan (which requires at least one professional reference check occur for any external applicants that are hired); (3) that the panelist that had the conflict meet with the Department Head to review the CCHHS Conflict of Interest policy and meet with me to review the Conflict of Interest provision in the Plan before participating in any additional hiring processes; and (4) that the panelist's direct supervisor or Department Head implement appropriate disciplinary action for failing to follow multiple CCHHS policies consistent with past discipline for this type of major cause infraction. HR requested an extension to respond to these recommendations; the extension was granted.

**15-032** On August 12, 2015, an employee filed a complaint with my office alleging that HR did not appropriately execute the Veteran's Preference provision of the Plan when reviewing his applications. After a review of the Complainant's various applications, it was determined that there was no violation of the Veteran's Preference policy. The Plan requires applicants to identify as a military veteran on their application(s) as well as submit a copy of their DD214 or equivalent proof of veteran status when the application is submitted during the posting period. In this case, the applicant did not submit the relevant information to be granted Veteran's Preference, thus no violation of the Plan occurred. No recommendations were made to CCHHS regarding this case.

**15-034** This investigation file was opened on July 15, 2015, after my office monitored the interview and selection process for an administrative position in CCHHS. In this case, the hiring manager deviated from the approved interview questions for 2 out of the 3 candidates interviewed, wished to select a candidate that scored less than the required average score of 3.0 to fill the vacancy and requested an exception be made in this case; and when the exception was not granted, requested that the other panelist change her interview scores to increase the desired candidate's average score. After a detailed audit of the file, I found there were various violations of the Plan as observed by my office, including not utilizing the pre-approved interview questions as required by the Plan. My recommendations for the various violations of the Plan included reposting the position, having another panelist be the lead interviewer in the next round of eligible candidates, and that HR and I work to ensure this hiring manager's hiring processes are actively monitored by one of our offices for the next 12 months. HR agreed with all of the recommendations and modified the monitoring recommendation to commence when the hiring manager's next vacancy was posted. As a follow up, my office has monitored all hiring activities of this hiring manager since July 15, 2015, and has not identified any additional concerns with how this hiring manager implements the Plan.

**15-037** (Filed during this reporting period.) This was another investigation which stemmed from monitoring efforts by my staff. On September 25, 2015, one of my staff monitored interviews for a level two, promotional position at CCHHS. Several issues plagued this interview process, including the following: having an unauthorized employee sit in on interviews, recording interviews in violation of CCHHS policy, failure of a panelist to exclusively use pre-approved interview questions, and failure to work with HR on conducting pre-employment testing of the candidates for a required skill for the position. The department head conducted an investigation into what occurred once she learned of the violations of CCHHS policy and the Plan. Using that information, along with the observations of my staff of what occurred, I determined there was very little discrepancy in the facts. However, the interview panel did not realize at the time that the supervisor that sat in on the interviews was not

authorized to do so, and that HR had to oversee the pre-employment skills testing to ensure compliance with the Plan. The panel was under the mistaken belief that the interviews could be recorded as long as they received permission from the candidates (which was obtained), and the panel did not realize they had significantly deviated from the approved interview questions. I issued my recommendations on October 6, 2015, almost all of which have been accepted by HR. I recommended that the lead panelist not participate any further in hiring processes, but that if such was necessary or her employment status changed, she would need to go through Employment Plan Training again prior to participating in the hiring process; that the candidates be re-interviewed with a new panel using new, approved interview questions and not utilizing the interview notes from the original interviews; and finally that the recordings of the interviews be destroyed (which they were by HR in the presence of one of my staff). Finally, I recommended that HR and my office coordinate monitoring any hiring processes for this department over the next six months to assist in implementing the Plan, with an additional six months of monitoring to ensure that the provisions of the Plan are understood.

**15-039** (Filed during this reporting period.) On November 2, 2015, one of the recruitment staff in HR advised me that there may have been an unreported conflict of interest impacting the vacancy she was processing. There was documentation in the packet received from the hiring manager that indicated one of the candidates had access to the interview list and the candidates prior to the interviews. After conducting several interviews, I determined that the hiring manager utilized one of her contracted staff to assist in scheduling the interviews for this vacancy after she learned the contractor was a candidate who was to be interviewed. The contractor/candidate was given explicit instructions on who to contact, when to schedule the candidates, and was only provided the phone number and email of the candidates. All additional candidate information remained with the hiring manager and the contractor/candidate did not have access to any other documentation, including the interview questions and final selection. Based on this, I found that there was a violation of the Prohibited Contacts provision of the Plan, which prevents any unauthorized individual from having access to or impacting the hiring process. As the effect was *de minimus*, I recommended that HR proceed with the position without delay, but that the hiring manager meet with me, HR and her department head to review the findings to ensure this does not occur again. I also recommended that the hiring managers in this department handle all aspects of the hiring process until sufficient administrative staff is hired to support the team. HR concurred with the recommendations, and the department requested an additional Employment Plan Training session for its management staff to ensure no further issues occurred. This training session took place on January 25, 2016; subsequent monitoring of these panelists and hiring managers did not identify any further concerns.

**16-002** (Filed during this reporting period.) On December 14, 2015, the Chief of HR forwarded an anonymous complaint she received regarding the recent hiring a director. This hiring process was monitored by my office, and no concerns were identified at the time of the interviews and selection. A review of the applicant pool demonstrated that the person named as the selected employee hired in violation of the Plan did not apply for the position, nor was she interviewed by the staff or selected to fill the position outside of the hiring process. A review of our payroll system showed that the named person is not an employee of CCHHS. Based on these findings, the case was closed and no recommendations were made.

Overall, the observed violations of the Plan overwhelming involve the interview and selection process (including the Conflict of Interest violations) which is processed mostly by the departments. Tracking this assists me in focusing my training sessions on those areas that seem to be most difficult to follow: creating and asking interview questions, coordinating pre-employment testing with HR, ensuring confidentiality of the process, and appropriate, authorized contact with the applicants and candidates.

The supervisors and managers have been very receptive to additional training or coaching during the monitoring process by my staff to ensure understanding and correct implementation of the Plan.

### Open Files

The five remaining complaints provided to my office during this reporting period are still pending investigation. Two additional complaints are under review and may develop into active investigations if there is sufficient information to warrant such. The topics of these files range from violations of the Plan General Hiring Process provisions (validation, interview and selection procedures) to CCHHS classification policies. Some of these remaining complaints received this reporting period were forwarded to us by HR, though most came from employees and applicants. An update will be provided regarding these and the other pending investigations in my September report.

### CCHHS Response to Recommendations

As you can see, just over half of the Incident Reports issued provided recommendations for corrective or pre-emptive action by CCHHS (seven of the thirteen). The Plan requires that once I have issued my report and recommendations to the CEO of CCHHS and the Chief of HR, they are to collaborate with the relevant Department Head after which HR will prepare a response to my recommendations. To date, HR has been relatively timely with responding to my recommendations. More importantly, the response to my recommendations has been positive. On the few occasions where one of my recommendations was not fully embraced, HR provided a reasonable alternative approach to correcting the issue or concern. I believe the reason for this positive response is due to the constant collaboration that my office has with HR regarding implementation of the Plan and any issues that arise through observation by my staff or HR staff.

### PENDING ACTIVITY

In order to achieve substantial compliance with the Supplemental Relief Order entered by the Federal District Court on February 2, 2007, there are a few more steps CCHHS will need to complete. Currently, we are developing the supplemental Policies and Procedures Manual (Manual) outlined in the Plan which will cover a host of employment action policies such as discipline, reclassification, overtime distribution, training opportunities, layoff and recalls, and interim assignments just to name a few. Once this Manual is completed, I will need to train HR and all supervisors and managers on these new policies before we begin implementing them. I anticipate my September report will show significant progress on this front.

In addition to the Manual, we need to implement some of the provisions in the Plan already developed, as describe above in the monitoring section. We have begun to establish the process for implementing the discipline and ineligible for rehire list review required by the hiring provisions in the plan, as well as internal candidate preference process and HR conducting reference checks prior to making offers to external candidates. Each of these topics will require my staff to train not only HR staff, but also any supervisors, managers and interviewers who would implement these policies.

### SUMMARY

Despite several Incident Reports issued which highlight a few concerns about the implementation of the Plan, overall the checks and balances required in the Plan appear to be working. HR has been doing a great job of overseeing the screening process completed by the departments for the Actively Recruited

process and reaching out to the departments throughout the hiring process to ensure they understand the required steps. Although it will take time for new habits to form around the Plan processes which have been in effect throughout CCHHS since April of last year, in general we are seeing consistent effort to following through on the proper procedures. Many of the technical violations of the Plan such as remembering to provide notice of interviews to my office when HR is notified, remembering to request additional time to complete the selection process when warranted, and providing missing information from the voluminous documents associated with each process simply take practice. The hiring managers that frequently utilize the hiring processes have not had any significant issues with filling a vacancy, and I expect that will be true for most of CCHHS as more managers utilize the new procedures. Practice makes perfect.

Sincerely,



Carrie L. Pramuk-Volk  
Employment Plan Officer

cc: Mr. Jeffrey McCutchan, Interim General Counsel for CCHHS  
Ms. Gladys Lopez, Chief of Human Resources for CCHHS  
Ms. Barbara Pryor, Deputy Chief of Human Resources for CCHHS