

OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY
EMPLOYMENT PLAN

Effective July 16, 2019; Amended March 31, 2020; November 24, 2020; March 18, 2021; April 29, 2022; September 7, 2022;
April 4, 2023; July 11, 2023

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I. INTRODUCTION

This is the current Employment Plan submitted by the Office of the Clerk of the Circuit Court of Cook County (Clerk's Office). The original Employment Plan was prepared with the assistance of Plaintiffs' Counsel, the Clerk of the Circuit Court of Cook County's Compliance Administrator (CCCA) and the Clerk of the Circuit Court's Director of Compliance (DOC), as required by the Supplemental Relief Order, entered on August 10, 2018 (SRO). This Employment Plan sets forth the general principles that shall govern the hiring and employment policies and procedures of the Clerk's Office. This Employment Plan applies to all Employees of the Clerk's Office as well as all Applicants and Candidates for Positions within the Clerk's Office. The DOC has the right to monitor any and all aspects of the Employment Plan to assess the Clerk's Office's compliance with the Supplemental Relief Order and its progress toward substantial compliance with the Supplemental Relief Order. This shall include, but not be limited to, the right to monitor any and all Employment Actions involving both union and non-union Employees whether in Exempt Positions or in Non-Exempt Positions to the extent delineated herein. All capitalized terms shall have the meanings given such terms in Section II below.

II. DEFINITIONS

The following definitions apply to specific words and terms used in this Employment Plan:

Actively Recruited Position: Actively Recruited Positions are Non-Exempt managers or technical/professional related Positions for which discretion and flexibility in hiring are necessary, appropriate and justifiable, and the Candidate's academic credentials or accumulated experience is an important determinant for the differentiation among Candidates. Actively Recruited Positions are (1) not Exempt Positions; (2) not covered by a CBA; and (3) at-will. Actively Recruited Positions (1) have Minimum Qualifications requiring a Bachelor's degree or higher or a cyber-security, information technology, networking, or programming certification; and (2) are responsible for (a) the day-to-day performance of a high-level technical/professional function; or (b) the day-to-day supervision of at least three Employees.

Actively Recruited Positions List: The list of all Actively Recruited Positions attached as EXHIBIT A, which may be amended from time to time in accordance with Section IX.V.

Applicant: A person who has submitted an application for a Position pursuant to the terms set forth herein.

Application Review Panel: The group of individuals selected to review the Validated Eligibility List pursuant to Section IX.J.

Bureau: An organizational unit in the Clerk's Office comprised of departments, divisions and/or districts.

Candidate: An Applicant, who after review and validation of his/her application materials, has been found to possess the Minimum Qualifications required by the Position Description.

Clerk of the Circuit Court of Cook County's Compliance Administrator (CCCA): The Compliance Administrator for the Clerk of the Circuit Court of Cook County appointed by the U.S. District Court for the Northern District of Illinois pursuant to Section I of the Supplemental Relief Order.

Chief of Staff (COS): The Chief of Staff for the Office of the Clerk of the Circuit Court of Cook County.

Chief Human Resources Officer (CHRO): The Chief Human Resources Officer for the Office of the Clerk of the Circuit Court of Cook County.

Clerk: The Clerk of the Circuit Court of Cook County.

Clerk's Office (CO): The Office of the Clerk of the Circuit Court of Cook County.

Clerk's Report: The report issued by the Clerk or Designee in response to a DOC Investigation Report, pursuant to Section V.F.5. The Clerk or Designee shall submit a copy of the Clerk's Report to the DOC within 30 days of receipt of the DOC's Investigation Report.

Clerk's Website: The Clerk's Office website which provides information regarding the Clerk's Office on a public online format and includes, among other things, access to the Clerk's Employment Plan, Actively Recruited Positions List, Exempt List, Notices of Job Opportunities, quarterly reports and the DOC's semi-annual reports.

Collective Bargaining Agreement (CBA): The applicable collective bargaining agreement between the Clerk's Office and any legally recognized collective bargaining representative of Employees.

Collective Bargaining Unit Employees (CBU): The Clerk's Office Employees who are represented by a union in collective bargaining and other dealings with management.

Collective Bargaining Unit (CBU) Position: A Position that is covered by the applicable CBA.

Conditional Offer of Employment: A job offer that is based upon the Candidate meeting certain conditions or requirements, such as passing a background check or verification of employment.

Conflict of Interest: A situation in which impartiality and judgment may be compromised or may appear to be compromised because of an actual or potential inconsistency between a person's self-interest and his/her professional or public interest.

Consent Decrees: The 1972 Consent Decrees and subsequent orders entered between Plaintiffs and the Clerk in *Shakman et al. v. Democratic Organization of Cook County, et al., United States District Court for the Northern District of Illinois, Eastern Division*, Court Number 69 C 2145.

Contact Log: The log maintained by Human Resources that records all contacts with Applicants or Candidates for a Posting.

Designee: An Employee selected and assigned to perform duties set forth in this Employment Plan on behalf of another Employee, typically subordinate to and in the same Bureau.

Director of Compliance (DOC): The Director of Compliance for the Clerk's Office is in charge of compliance and performs the tasks and responsibilities described in Section V.A of this Employment Plan and the DOC Position Description and performs other tasks and responsibilities consistent with the Employment Plan and DOC Position Description.

Director of Compliance (DOC) Investigation Report: The report prepared by the DOC upon completion of his/her investigation pursuant to Section V.F.4.

Discipline: An action taken by the Clerk's Office in response to an Employee's conduct or performance including, but not limited to, verbal or written reprimands, suspensions, or terminations.

Disqualifying Question: A question included on the employment application for a Position that is designed to identify whether an Applicant possesses a specific Minimum Qualification contained in the Position Description.

Electronic Application System (EAS): Any electronic employment or tracking system used by the Clerk's Office in the selection of Employees.

Emergency: A situation which has been certified pursuant to Section XIV.A involving a significant threat to public safety or health (e.g., a natural disaster, a weather-related event, a terrorist attack or similar event), but not including budgetary or financially-caused situations (e.g., a hiring freeze, grant application deadline or similar event).

Employee: An individual employed by the Clerk's Office.

Employment Action: Any action (positive or negative) related to any aspect of employment, including, but not limited to, hiring, Promotion, Training, Interim Assignment, Temporary Assignment, Transfer, Reclassification, Compassionate Transfer, Layoff, assignment of Overtime (and other benefits of employment), Discipline and Termination.

Employment Plan: This Employment Plan, including any amendments thereto, required pursuant to Section II.C of the Supplemental Relief Order.

Essential Duties: The typical duties and responsibilities of a Position as defined in the Position Description.

Executive Assistant Position: A Position that reports directly to an Executive Assistant Supervisor, the primary duties of whom include the performance of executive-level secretarial services to the Executive Assistant Supervisor. Executive Assistant Positions are: (1) not covered by a collective bargaining agreement; (2) at-will; and (3) not Exempt Positions.

Executive Assistant Supervisor: An Executive Clerk, Associate Clerk, or Chief Deputy Clerk.

Executive Order: The Order signed by the Clerk on August 10, 2018, and any subsequent orders executed by the Clerk of the Circuit Court, prohibiting Political Discrimination.

Exempt List: The list of all Exempt Positions attached as EXHIBIT B, which may be amended from time to time in accordance with Section XII.B.

Exempt Position: A Position that is included on the Exempt List because it involves policy making to an extent, or is confidential in such a way, that political party affiliation is an appropriate requirement for the effective performance of the job.

External Applicant: An Applicant who applies for a Position and is not an Employee of the Clerk's Office at the time of application.

General Counsel: The Chief Legal Officer for the Office of the Clerk of the Circuit Court.

General Hiring Process: The hiring process described in Section VI.

Grant of Authority: The form, attached as EXHIBIT C, which may be amended from time to time, used to grant HR the authority to make an offer of employment to a Candidate selected for hire.

Hiring Bureau: The Bureau to which a Candidate who is hired will be assigned to work.

Human Resources (HR): The Human Resources Bureau, managed by the CHRO.

Ineligible for Hire/Rehire List: A list maintained by the CHRO or Designee, in the form attached as EXHIBIT D, which may be amended from time to time, of individuals who applied for employment or previously were employed by the Clerk's Office who are ineligible for employment with the Clerk's Office.

Internal Applicant: An Applicant who is employed by the Clerk's Office at the time of application.

Internal Candidate Preference: A Position for which qualified Internal Applicants for a Position will be placed higher on the Interview List than qualified External Candidates because of the advantages of employing internally experienced Applicants in carrying out the duties and responsibilities of the Position being posted.

Internal Candidate Preference List: The list of Positions that have been designated for Internal Candidate Preference and is maintained by the CHRO or Designee pursuant to Section VI.D.3.

Interview File: A subset of the Posting File that includes the Interview List, the interview questions, license and certification documentation, Interviewer Evaluation Forms, the Scored Interview List (if applicable), notes from the Ranking Meeting of the Interview Panel, the Interview Panel Ranking List, permitted Recommendations and any other documentation regarding the selection for interviewing and conducting of interviews, as reflected on the Posting File/Interview File Checklist for a job posting.

Interview List: The list of Candidates to be interviewed for a Position.

Interview Panel: The group of three or more Employees, selected to interview Candidates, pursuant to Sections VI.P.2 and IX.L.1, at least two of whom must attend all interviews, barring exigent circumstances.

Interview Panel Ranking List: The list created by the Interview Panel after all interviews are conducted, in the form attached as

EXHIBIT E, which may be amended from time to time, of those Candidates who are deemed eligible for hire, in order of preference.

Interviewer Evaluation Form: The form, attached as EXHIBIT F, which may be amended from time to time, used by each interviewer on the Interview Panel to document interviews and score Candidates for Positions.

Job Code: A numeric code assigned to each job title.

Justification to Hire: The form, attached as EXHIBIT G, which may be amended from time to time, completed by the Clerk or Designee upon completion of the Candidate selection process and setting forth the objective basis or bases for hiring the selected Candidate. This form shall include a No Political Consideration Certification signed by the Clerk or Designee.

Lateral Bid Booklet: The documents created for Vacancies subject to the Lateral Transfer process, which shall be comprised of the posting book cover; instruction memorandum to all Bargaining Unit Employees; Lateral bid description key; and Lateral Bid request form.

Lateral Transfer: The filling of a Vacancy for a Bargaining Unit Position by a member of the Bargaining Unit who holds the same Bargaining Unit Position in another location in the Clerk's Office.

Layoff: The involuntary, temporary or permanent separation of one or more Employees from employment with the Clerk's Office due to a reduction in the work force.

Minimum Qualifications: The objectively ascertainable minimum requirements listed on the Position Description that an Applicant must possess to be considered for employment in that Position.

No Political Consideration Certification (NPCC): The certification that, to the signor's knowledge and agreement, no Political Reasons or Factors have been or will be taken into consideration or will influence the Employment Action involved. The certification language, in the form attached as EXHIBIT H, as may be amended from time to time, must accompany or be included in all forms relating to any Employment Action.

Non-Exempt Position: Any Position that is not included on the Exempt List. It does not involve policy making to an extent, and is not confidential in such a way, such that political party affiliation is not an appropriate requirement for the effective performance of the job.

Notice of Job Opportunity: The publicly available notice of a Position opening on Electronic Employment Application System used by the Clerk's Office or posted in any other location.

Office of the Inspector General (OIG): The Office of the Inspector General for the Office of the Clerk of the Circuit Court.

Overtime: Time worked by an Employee in excess of the 40-hour work week for which Employees shall be awarded compensatory time or paid time pursuant to any applicable CBA, the Supplemental Policies Manual or applicable federal, state, and/or local laws.

Paid Extern: A person who participates in a paid Externship at the Clerk's Office.

Paid Externship: A training program, offered to an Extern who is paid by and works for the Clerk's Office, as part of a course of study run by an academic institution.

Paid Intern: A person who participates in a paid Internship at the Clerk's Office.

Paid Internship: A training program, offered to an Intern, who is paid by and works for the Clerk's Office, for the purpose of gaining supervised practical experience.

Probationary Performance Evaluation: A formal written review of a probationary Employee's job-related performance.

Personnel File: The physical and/or electronic file maintained by the Human Resources Bureau for each Employee including personal information and information about the Employee's work history, which includes, but is not limited to, the Employee's application, resume, licenses, recommendations, disciplinary history, training, rate of pay, salary history and benefits.

Plaintiffs' Counsel: The legal counsel to Plaintiffs in the *Shakman* Case.

Political Contact: Any contact of any kind whatsoever (oral or written, direct or indirect) from any Politically-Related Person or Organization to an Employee regarding an Employment Action relating to any person likely known to be an Applicant, Candidate or Employee holding or applying for a Non-Exempt Position.

Political Contact Log: The log maintained by the DOC recording all Political Contacts from a Politically Related Person or Organization regarding a person known likely to be an Applicant, Candidate or Employee holding or applying for a Non-Exempt Position.

Political Contact Log Reporting Form: The form, attached as EXHIBIT I, which may be amended from time to time, used to report to the DOC a Political Contact from a Politically-Related Person or Organization regarding an Employment Action related to a Non-Exempt Position.

Political Reasons or Factors: Any reasons or factors relating to political matters in connection with any Employment Action including, but not limited to:

- (1) Any recommendation for or against the hiring, Transfer, or the taking of any other Employment Action with respect to any person from any Politically-Related Person or Organization that is not based on personal knowledge of the person's work skills, work experience, or other job-related qualifications;
- (2) The fact that the person works or worked for a Politically-Related Person or Organization or on a political campaign or belongs to a political organization or political party, or the

fact that the person chose not to work on a political campaign or to belong to a political organization or a political party; unless related to a recommendation based on the person's skills, work experience, or other job related qualifications;

- (3) The fact that any person is or was, or is not or was not a member of any political party or Politically Related Organization;
- (4) The fact that the person contributed money, raised money, or provided something else of value to a Politically Related Person or Organization, or refrained from doing so;
- (5) The fact that a person is a Democrat or Republican or a member of any other political party or group, or the fact that the person is not a member; or
- (6) The fact that the person expressed views or beliefs on political matters.

Politically-Related Person or Organization: Any elected or appointed public official, any person acting as an agent of or representing any elected or appointed public official, or any person employed by, acting as an agent of, or representing any political organization or politically-affiliated group.

Position: Any probationary, temporary, part-time, full-time, intern or extern or any other category of employment with the Clerk's Office.

Position Description: A detailed written description of a Position's Essential Duties and responsibilities, Minimum Qualifications, Preferred Qualifications (if applicable), the knowledge, skills, and abilities needed to perform those responsibilities, and any pre-employment testing protocols (if applicable). A copy of the current position description format, which may be amended from time to time, is attached as

EXHIBIT J.

Position Identification Number: The unique number assigned to each Position by the Cook County Bureau of Human Resources.

Posting File: A file containing a copy of all documents related to a job posting or the filling of a Vacancy including, but not limited to, the Request to Hire, current Position Description, Notice of Job Opportunity, Preliminary Eligibility List, Randomized Preliminary Eligibility List, Sorted Randomized Preliminary Eligibility List, Validated Eligibility List, Interview File, the results of pre-employment testing (if any), documented Conflicts of Interest, Justification to Hire, NPCCs, Contact Log and methods of posting, as reflected on the Posting File/Interview File Checklist.

Posting File/Interview File Checklist: The checklist used by Human Resources to memorialize the items collected in the Interview File and Posting File during the hiring process for a Position. A copy of the format for the Posting File/Interview File Checklist, which may be amended from time to time, is in the form attached hereto as EXHIBIT K.

Potential Applicant: A person who has not submitted an application for a Position with the Clerk's Office, but may submit an application, pursuant to the terms set forth herein.

Preferred Qualifications: The objectively ascertainable criteria listed in the Position Description that are preferred, but not required, in an Applicant for a Position.

Preliminary Eligibility List: The list of Applicants who have submitted complete applications for a Position through EAS and whose responses to the Disqualifying Questions indicate they meet the Minimum Qualifications of the Position.

Prescreening Question: A question included on the employment application for a Position that is designed to identify whether an Applicant possesses specific Preferred Qualifications contained in the Position Description.

Promotion: The filling of a Vacancy for a Bargaining Unit Position by a member of the Bargaining Unit who holds a Bargaining Unit Position with a lower grade.

Prohibited Political Activity: Activities performed during any compensated time (other than vacation, personal, or compensatory time off), including, but not limited to:

- i. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- ii. Soliciting contributions, including, but not limited to, the purchase of, selling, distributing, or receiving payment for tickets for any political fund-raiser, political meeting, or other political event.
- iii. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.

- iv. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- v. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- vi. Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.
- vii. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum questions or helping in an effort to get voters to the polls.
- viii. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- ix. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- x. Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or on behalf of a political organization for political purposes.
- xi. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- xii. Campaigning for any elective office or for or against any referendum question.
- xiii. Managing or working on a campaign for elective office or for or against any referendum question.
- xiv. Serving as a delegate, alternate, or proxy to a political party convention.
- xv. Participating in any recount or challenge to the outcome of any election.

Randomized Preliminary Eligibility List: A computer-based randomized list that assigns a random number to each Applicant on the Preliminary Eligibility list, pursuant to Section VI.K.

Ranking Meeting: The meeting at which the Interview Panel creates the Interview Panel Ranking List.

Recall: The process by which a laid off Employee is offered reemployment subsequent to a Layoff.

Reclassification: The process by which a Position's Job Code/Title and/or pay grade is changed.

Recommendation: A written opinion, personal or professional, submitted in connection with an Employment Action.

Request To Hire (RTH): A formal request to recruit and hire to fill a Vacancy. A copy of the Request to Hire form, which may be amended from time to time, is attached as EXHIBIT L.

Request for Intern/Extern Form: The form completed by the Clerk's Office to request an Intern or Extern for a Department, Division or District. A copy of the form, which may be amended from time to time, is attached as EXHIBIT M.

Scored Interview List: A list of interviewees, listed in descending order based on their average interview scores, from the completed and scored Interviewer Evaluation Forms. A copy of the form, which may be amended from time to time, is attached as EXHIBIT N.

Seniority List: A list of the name, number, address, classification, work location and last hiring date for all Bargaining Unit Employees in the Clerk's Office.

Shakman Case: *Shakman et al. v. Democratic Organization of Cook County, et al.*, United States District Court for the Northern District of Illinois, Eastern Division, Court Number 69 C 2145.

Sorted Randomized Preliminary Eligibility List: The list created by Human Resources, pursuant to Section VI.L.

Supervisor: Any Employee in the Clerk's Office who, among other supervisory duties, has the authority to authorize, execute, or recommend any Employment Action.

Supplemental Relief Order (SRO): The Order for the Clerk's Office agreed to by the Clerk and Plaintiffs, and approved on August 10, 2018, in *Shakman et al. v. Democratic Organization of Cook County, et al.*, United States District Court for the Northern District of Illinois, Eastern Division, Court Number 69 C 2145, as amended on June 19, 2019.

Supplemental Policies Manual: The collection of the Clerk's Office's employment policies and procedures, including any and all amendments and addendums thereto, with which all employees are required to comply.

Temporary Assignment: The assignment for a limited time of an Employee to a different Position or work location from which he or she is permanently assigned based on the Clerk's Office's operational needs.

Temporary Hardship Transfer: A temporary transfer based on documentation provided by an Employee to establish the existence of an extraordinary hardship arising out of an emergency or medical situation or other unusual circumstance, where the transfer can reasonably be expected to eliminate or alleviate that hardship, in compliance with the CBA and the Supplemental Policies Manual with respect to Temporary Hardship Transfers.

Termination: The involuntary separation of an Employee from employment with the Clerk's Office.

Training: Teaching an Employee to perform the functions of his/her Position and/or some or all of the skills required to perform a different Position.

Transfer: The movement of an Employee or Position in one work location to another work location within the Clerk's Office without changing the payroll designation (*i.e.*, step, grade, or compensation) for the Position held by the Employee.

Unlawful Political Contact: Any contact of any kind whatsoever (oral or written, direct or indirect) from any Politically-Related Person or Organization that is intended to affect or influence, based on Political Reasons or Factors, any Employment Action involving an Applicant, potential Applicant, Candidate, or Employee applying for, being considered for, or holding a Non-Exempt Position.

Unlawful Political Discrimination: Any positive or negative Employment Action involving an Applicant, potential Applicant, Candidate, or Employee who is applying for, being considered for, or holding a Non-Exempt Position that is based on any Political Reasons or Factors.

Unpaid Extern: A person who participates in an unpaid Externship at the Clerk's Office.

Unpaid Externship: A training program, offered to an unpaid Extern who works for the Clerk's Office as part of a course of study run by an academic institution.

Unpaid Intern: A person who participates in an unpaid Internship at the Clerk's Office.

Unpaid Internship: A training program, offered to an Intern, who is unpaid and works for the Clerk's Office for the purpose of gaining supervised practical experience.

Vacancy: An unfilled Position.

Validated Eligibility List: A list of Candidates whose application materials and responses to the Disqualifying Questions and Prescreening Questions have been verified by Human Resources and support the Candidate's claim to possess the Minimum Qualifications and, if applicable, Preferred Qualifications of the applied-for Position.

Veteran: A person who has served in the United States military, naval or air service on active duty for a period of more than 180 consecutive days and who was discharged or released therefrom under conditions other than dishonorable discharge.

Veterans' Preference: The preference given to Veterans who apply for a position in the Clerk's Office who: (1) meet the Minimum Qualifications for the Position; (2) identify themselves as a Veteran on EAS; and (3) submit a copy of their most recent DD 214, DD 215 or NGB 22 (notice of separation) on EAS at the time of application.

Vetting Panel: The group of individuals selected to review applications for the DOC Position in accordance with Section X.B.

Written or in writing: Any communication in hard copy, electronic or digital form, unless otherwise indicated.

III. GENERAL PRINCIPLES AND COMMITMENTS APPLICABLE TO CLERK'S OFFICE EMPLOYMENT ACTIONS

The Clerk's Office shall adhere to the following general employment-related policies, practices, and procedures with respect to any employment relationship that constitutes employment at

common law (whether probationary, full-time or part-time, permanent or temporary) by or for the Clerk's Office:

A. Commitment

The Clerk's Office shall implement pro-active and transparent employment-related policies, practices, and procedures to prevent and remedy the negative effects of any alleged Unlawful Political Contacts and Unlawful Political Discrimination as required by this Employment Plan, the Supplemental Relief Order, Executive Order, and Consent Decree. No CBA or other agreement between the Clerk's Office and any other individual or entity shall provide otherwise.

B. No Employment Actions Influenced by Political Reasons or Factors

No Employment Action affecting an Employee holding a Non-Exempt Position shall be influenced by any Political Reasons or Factors.

C. Notice of Exemption

The CHRO or Designee shall provide an Employee holding a non-union, Non-Exempt Position that is to become an Exempt Position a minimum of 30 days' advance notice of such change. The affected Employee shall be given the opportunity to Transfer to any available funded non-union, Non-Exempt Position for which he/she is qualified in lieu of remaining in his/her Position and holding an Exempt Position. The CHRO or Designee shall copy the DOC on this communication.

D. Recommendations

The following shall apply to the submission and consideration of certain Recommendations related to Employment Actions for any Non-Exempt Position:

1. Unlawful Political Contacts

Except as provided in Section III.D.2, no Politically Related Person or Organization may contact an Employee involved in an Employment Action to influence the Employment Action. Employees shall report all such contacts to the DOC immediately.

2. Permitted Recommendations

The prohibitions of Section III.D.1 do not limit the right of any person, including any Politically-Related Person or Organization or any Employee, to submit a written Recommendation where such Recommendation is not based on Political Reasons or Factors and where such Recommendation is based on such person's personal knowledge of the Applicant's or Employee's work, skill, experience, or other job-related qualifications, provided the following procedures are followed:

a. All written Recommendations for any Applicant or Employee shall be reviewed by the CHRO or Designee and the DOC for compliance with this Section.

b. The DOC shall immediately forward to the CHRO or Designee a Political Contact Log Reporting Form and copies of all written Recommendations made by any Politically Related Person or Organization. For employment recommendations, the CHRO or Designee shall exclude such recommendations from the Interview File until such time as

set forth in sub clause e, below. The hiring processes set forth in this Employment Plan may continue during the course of the DOC's review of any such recommendations.

c. The DOC shall review Recommendations from the Politically Related Persons or Organizations and conduct any additional investigation the DOC deems necessary to determine whether the Recommendations comply with this Section. In accordance with the DOC's investigation process and procedures, the DOC shall document the reasons for his/her determination of whether a Political Contact is an Unlawful Political Contact or a Permitted Recommendation. A copy of the DOC's determination shall be provided promptly to the CHRO or Designee. If the DOC determines that a Recommendation is an Unlawful Political Contact, in violation of this Section, the DOC shall also provide written notification of its finding to the Politically-Related Person or Organization and the Clerk.

d. If the DOC determines there is cause to believe that a Recommendation constitutes an Unlawful Political Contact, the DOC shall take appropriate action in accordance with the DOC's procedures, in accordance with Section V.A. and the Recommendation shall not be considered nor included in the Interview File or the Employee's Personnel File, as applicable.

e. Only Recommendations that the DOC determines are not based on Political Reasons or Factors shall be included in the Applicant's Interview File or Employee's Personnel File, as applicable.

E. Unlawful Political Discrimination Reporting

Any Employee of the Clerk's Office who learns of or has a reasonable belief that Unlawful Political Discrimination has occurred or is occurring, is required to promptly report such matter to the DOC on an anonymous or credited basis, in person, by phone, or in writing. The DOC shall investigate all such matters reported to the DOC. All Employees and agents of the Clerk's Office are required to cooperate fully in any investigation of such matter. An Employee who fails to report a Political Contact or Unlawful Political Discrimination and/or cooperate in an investigation as required shall be subject to disciplinary action, up to and including Termination; however, no person shall be compelled to respond to any request for information in violation of her/his constitutional rights.

F. Political Contact Reporting

An Employee who receives or has reason to believe a Political Contact has occurred or is occurring is required to promptly report such matter to the DOC; the report may be made on an anonymous or credited basis, in person, by phone or in writing. The DOC shall investigate all such reported matters. All Employees and agents of the Clerk's Office are required to cooperate fully in any investigation of such matter. An Employee who fails to report a Political Contact and/or cooperate in an investigation as required shall be subject to disciplinary action, up to and including Termination; however, employees shall not be compelled to respond to a request for information in violation of his/her constitutional rights. Nothing in this Section shall affect an Employee's obligation to report Unlawful Political Discrimination.

G. Contact by Employees Who Are Politically Related Persons

The Clerk and other Employees who hold political positions or elected political office are authorized to engage in departmental or Employee reviews and inquiries that may be required in conjunction with their respective general management duties and/or concern the normal day-to-day operations of the Clerk's Office. Employees are not required to report such reviews and inquiries as Political Contacts, provided that nothing in this Section affects an Employee's obligation to report Unlawful Political Discrimination.

H. No Retaliation

The Clerk shall prohibit retaliation, punishment, or penalty for reporting a Political Contact, Unlawful Political Discrimination or violation of the Employment Plan; initiating or investigating a complaint related to any alleged Unlawful Political Contact or Unlawful Political Discrimination; or cooperating with or assisting the DOC, the CHRO or Designee or any other person or authority in connection with any such report, complaint or investigation.

I. HR Staff

The Clerk shall maintain an HR staff of experienced and knowledgeable professionals who meet the Minimum Qualifications contained in the relevant Position Descriptions. Such persons shall be responsible for fulfilling the obligations of the Clerk's Office under this Employment Plan and the Supplemental Policies Manual.

J. Union Relations

The Clerk respects the relationships with the Employees' legally recognized collective bargaining representatives and the provisions of a CBA negotiated with such representatives. Those relationships are governed by the Illinois Public Labor Relations Act, 5 ILCS 315, *et seq.*, as amended. Any other applicable law, the CBA, the Employment Plan and the Supplemental Policies Manual shall be construed and administered consistently with that Act and the CBA to the extent that the construction or administration does not conflict with the United States Constitution or federal civil rights laws. If the language in this Employment Plan or the Supplemental Policies Manual conflicts with a CBA provision, the language in the CBA shall govern, provided the CBA does not permit or involve the use of any Unlawful Political Contact or Unlawful Political Discrimination or does not violate any other applicable federal, state and/or local law. The CHRO or Designee and DOC shall be given prompt notice of an Employment Action based on a conflicting CBA provision. If a CBA provision allows for management discretion involving an Employment Action, such management discretion must be exercised subject to the Clerk's Executive Order Prohibiting Political Discrimination, the Supplemental Relief Order, the Employment Plan and the Supplemental Policies Manual. If the CBA does not contain a specific procedure or is otherwise silent, the relevant policies and procedures in this Employment Plan and the Supplemental Policies Manual must be followed.

K. NPCC

Employees shall sign an NPCC whenever they are involved in the determination of an Employment Action. Such NPCC shall be incorporated into all applicable forms and EAS as described in this Employment Plan and the Employee shall indicate an intent to authenticate such form with either a written signature or electronic signature.

L. Interpretation of the Employment Plan

All portions and provisions of this Employment Plan shall be interpreted as being in furtherance of the above principles and commitments, as well as the Consent Decree, Supplemental Relief Order and Executive Order.

IV. **GENERAL PRINCIPLES AND RESPONSIBILITIES RELATED TO THE HUMAN RESOURCES BUREAU**

HR shall be responsible for initiating, directing, coordinating, and overseeing the human resources processes, policies, and procedures of the Clerk's Office relating to all Employment Actions. The following shall apply to HR's activities:

A. Clerk's Website

Information regarding the Clerk's compliance with the Supplemental Relief Order shall be conspicuously placed on the Clerk's Website.

B. Supplemental Policies Manual

The Clerk's Office shall maintain an up-to-date Supplemental Policies Manual that shall be distributed to all Employees. The Supplemental Policies Manual shall be consistent, in compliance with, and effectuate this Employment Plan. The Supplemental Policies Manual may be amended from time to time, provided that the proposed revision or update is sent to the DOC for comment. If no comment is received within 14 calendar days, the revised Supplemental Policies Manual may be distributed to the Employees. If comments are received, the Clerk's Office shall review and discuss these comments with the DOC prior to distributing the revision to the Employees. The CHRO or Designee shall maintain proof that the Supplemental Policies Manual was distributed to every Employee.

C. Quarterly Report

The CHRO or Designee shall post on the Clerk's Website quarterly reports of the total number of Hires, Transfers, Terminations, Reclassifications, Layoffs, Resignations, Promotions and Lateral Transfers by Bureau during the preceding three-month period, including: (1) the number and type of each such Employment Action; (2) the date of each Employment Action; and (3) the title of the Position. The CHRO or Designee shall post the quarterly report on the Clerk's Website by the 1st of the second month following the preceding quarter.

D. Notification of Employment Actions

As expressly provided in this Employment Plan, the CHRO or Designee shall provide the DOC within five business days, written or electronic notice of all Employment Actions and specified steps within Employment Actions, except in those limited emergency circumstances outside of the control of the Clerk's Office that preclude advance notice, to allow the DOC a reasonable opportunity to monitor all Employment Actions.

E. HR Employee Training

1. Employment Plan/Supplemental Policies Manual Training

The CHRO or Designee, in conjunction with the DOC, shall provide comprehensive mandatory training programs for all Employees within HR to ensure that they are aware of, knowledgeable about, able to administer and able to answer questions they receive about this Employment Plan and the Supplemental Policies Manual.

2. Frequency of Employment Plan/Supplemental Policies Manual Training

The training described in Section IV.E.1 shall be conducted at least once a year and no later than 30 days after an individual becomes an Employee in HR. The CHRO or Designee, in conjunction with the DOC, may train HR Employees on changes to this Employment Plan and the Supplemental Policies Manual as necessary between annual training sessions.

3. Validation Training

The CHRO or Designee, in conjunction with the DOC, shall conduct mandatory comprehensive training of all HR Employees who will review and validate applications for a Position before they conduct such review and validation. Such training shall include, but is not limited to, information concerning proper validation and review protocols and the EAS training required in Section IV.R.1. This training shall be provided no later than 30 days after an individual becomes an Employee in HR.

4. Certification of Training

The CHRO or Designee shall certify the receipt of all training in writing. The certification shall be placed in the Employee's Personnel File and/or maintained by the CHRO or Designee and shall be made available to the DOC on request.

5. Notice of Training to DOC

The CHRO or Designee shall provide the DOC with at least two business days' advance notice of any training conducted under this Section.

F. Supervisor Training

1. Employment Plan/Supplemental Policies Manual Training

The CHRO or Designee, in conjunction with the DOC, shall provide comprehensive mandatory training to Supervisors to ensure they are aware of and knowledgeable about this Employment Plan and the Supplemental Policies Manual.

2. Frequency of Employment Plan/Supplemental Policies Manual Training

The training described in Section IV.F.1 shall be conducted no later than 60 days following the Employee's appointment as a Supervisor and at least annually thereafter. HR, in conjunction with the DOC, may train HR Employees on changes to this Employment Plan and the Supplemental Policies Manual as necessary between annual training sessions.

3. Certification of Training

The CHRO or Designee shall certify the receipt of all training in writing. The certification shall be placed in the Employee's Personnel File and/or maintained by the CHRO or Designee and shall be made available to the DOC on request.

4. Notice of Training to DOC

The CHRO or Designee shall provide the DOC with at least two business days' advance notice of any training conducted under this Section.

G. Employee Training

1. Documents Provided

The CHRO or Designee shall provide new Employees with copies of this Employment Plan and the Supplemental Policies Manual within 10 business days of employment.

2. Employment Plan/Supplemental Policies Manual Training

The CHRO or Designee, in conjunction with the DOC, shall provide comprehensive mandatory training to Employees to ensure they are aware of and knowledgeable about this Employment Plan, the Supplemental Policies Manual, and Unlawful Political Discrimination.

3. Frequency of Employment Plan/Supplemental Policies Manual Training

The training described in Section IV.G.2 shall be conducted no later than 60 days following the beginning of employment and at least annually thereafter. The CHRO or Designee, in conjunction with the DOC, may train Employees on changes to this Employment Plan and the Supplemental Policies Manual as necessary between annual training sessions.

4. Certification of Training

The CHRO or Designee shall certify the receipt of all training in writing. The certification shall be placed in the Employee's Personnel File and/or maintained by the CHRO or Designee and shall be available to the DOC on request.

5. Notice of Training to DOC

The CHRO or Designee shall provide the DOC with at least two business days' advance notice of any training conducted under this Section.

H. Training on Amendments to Employment Plan or Supplemental Policies Manual

Amendment(s) to the Employment Plan and/or Supplemental Policies Manual do not require immediate re-training of Employees but such re-training may be undertaken. In the absence of re-training, the CHRO or Designee shall provide Employees with written notice of the amendment(s) and allow a reasonable period of time to address any questions prior to implementing and enforcing the amendment(s) and shall copy the DOC on such correspondence. The CHRO or Designee shall maintain proof that amendments were distributed to all Employees.

I. Interviewer Training

1. Training Required

The CHRO or Designee, in conjunction with the DOC, shall provide mandatory comprehensive training of all Employees who are eligible to interview Candidates for any Position regarding proper interviewing conduct, techniques, and requirements, as well as the prohibition of Unlawful Political Contacts and Unlawful Political Discrimination. Employees may not participate on an Interview Panel unless they have received Interviewer Training. The CHRO or Designee shall maintain a list of all Employees who have been certified as completing such training and consult the list when an Interview Panel is assembled.

2. Certification of Training

Receipt of such training shall be certified in writing by the CHRO or Designee. The certification shall be placed in the Employee's Personnel File and/or maintained by the CHRO or Designee and shall be available to the DOC on request.

3. Notice to DOC

The CHRO or Designee shall provide the DOC notice of such training at least two business days in advance of the training. The CHRO or Designee shall provide a copy of the list of Employees who have received Interviewer Training to the DOC.

J. Access to Information Regarding Applicants

The CHRO or Designee and DOC shall take steps to ensure that information about an Applicant or Candidate is not available to or shared with any individual or entity that is not authorized to receive such information. The CHRO or Designee, with written notice to the DOC, shall identify HR Employees who shall be authorized to access and input Applicant and Candidate information from or on EAS. An HR Employee may not receive such authority unless and until he/she receives training by the CHRO or Designee in the appropriate use of EAS under this Employment Plan and the Supplemental Policies Manual.

K. Review of Position Descriptions

1. Position Description Requirements

All Position Descriptions must include: (a) a list of all Essential Duties; (b) a list of Minimum Qualifications; (c) a list of any Preferred Qualifications; (d) a list of the knowledge, skills and abilities expected of the Employee to perform the Position's essential duties; and (e) a list of pre-employment testing protocols, if applicable. Position Descriptions must be accurate and up-to-date and readily available to the public. The Position Description shall be in the format attached as

EXHIBIT J.

2. Position Description Review Process Prior to Posting

To ensure that a Position Description is accurate and up-to-date prior to posting, the CHRO or Designee shall:

- a. Consult with the head of the Hiring Bureau and appropriate staff, if necessary, and evaluate the Position Description for each Position, to ensure that the Position Description is accurate and reflects the actual duties and Minimum Qualifications and Preferred Qualifications, if any, for the job;
- b. Update and revise any Position Description that is not accurate; and
- c. Provide the updated or revised Position Description and the previous Position Description, if applicable, to the DOC for review and comment.

3. Ongoing Position Description Review

The CHRO or Designee shall review and update Position Descriptions, in conjunction with the heads of the Hiring Bureaus, to keep them accurate and up-to-date, regardless of whether there is an anticipated posting. The heads of the Hiring Bureaus shall promptly report change(s) to the duties, responsibilities, Minimum Qualifications or Preferred Qualifications of a Position to the CHRO or Designee, who shall report these changes to the DOC within two business days of receipt, consistent with Section IV.K.2.

L. Forms

The CHRO or Designee is responsible for creating and maintaining all forms required under this Employment Plan and the Supplemental Policies Manual. The CHRO or Designee, in conjunction with the DOC, shall create any standard form to be used in connection with Employment Actions. If the CHRO or Designee determines that a form should be amended, the CHRO or Designee shall review the form and propose amendments to the DOC, which, before being finalized, shall be subject to the DOC's review and comment.

M. Cooperation with the DOC

All HR staff shall cooperate fully at all times with the DOC by assisting the DOC in carrying out his/her duties under this Employment Plan including, but not limited to, immediately reporting any allegations of Unlawful Political Discrimination or Political Contacts, providing documents and information regarding any allegation or investigation, and assisting in any investigation or DOC inquiry unless specifically prohibited by applicable law.

N. DOC Contact Information

The CHRO or Designee shall post contact information for the DOC at all places where individuals apply for employment with the Clerk's Office, on its bulletin boards, and on the Clerk's Office's Website. Individuals may contact the DOC on an anonymous or credited basis.

O. Forwarding of Complaints

The CHRO or Designee shall immediately forward to the DOC for investigation pursuant to Section V: (1) all calls and information alleging or reporting Unlawful Political Discrimination or a Political Contact (or a written transcript of such a message); and (2) any other violation of this Employment Plan or any section of the Supplemental Policies Manual referenced herein that does not qualify as an alleged Unlawful Political Discrimination or a Political Contact.

P. Recordkeeping

HR shall keep Posting Files, including Interview Files, for a minimum of three years following the date of Notice of Job Opportunity posting, unless longer retention is required by applicable law. HR shall also keep Personnel Files for Employees for a minimum of three years after the date the Employee is no longer employed by the Clerk's Office, or longer, if required by law or under a CBA. Such files may be maintained in electronic format.

Q. General Principles and Responsibilities Related to EAS

The implementation and use of an EAS shall be in compliance with the Clerk's Office's commitments and obligations pursuant to this Employment Plan, as well as the Executive Order, the Consent Decree, and the Supplemental Relief Order as follows:

1. EAS Training

The CHRO or Designee, in consultation with the DOC and other Employees of the Clerk's Office, if necessary, shall develop and conduct a training for all Employees who are authorized to use and will have access to the Clerk's Office's EAS and will provide expertise to respond to questions as needed. No Employee shall access the Clerk's Office's EAS or use the EAS prior to receipt of EAS training unless for the sole purpose of submitting an employment application.

2. Monitoring of EAS Activities

The DOC shall have full and continual access to review all hiring activities and Employment Actions using EAS to assure that the Clerk's Office's policies and procedures are being followed and to assist in any investigation of violations or potential violations. This includes providing access to the system for the purpose of auditing its function and internal processes.

R. Ineligible for Hire/Rehire

1. Ineligible for Hire/Rehire List

The CHRO or Designee shall maintain a list in the form attached as EXHIBIT D, which may be amended from time to time, of individuals who applied for employment or previously were employed by the Clerk's Office who shall be ineligible for employment with the Clerk's Office for five years because the individual was terminated, resigned or retired *in lieu* of termination, resigned or retired while knowingly under inquiry, or has been otherwise disqualified for consideration for employment as a result of:

- a. A finding by the DOC that the individual engaged in Unlawful Political Discrimination or engaged in Prohibited Political Activity; or

- b. A finding by the DOC that the individual intentionally provided materially false information during an investigation by the DOC or otherwise obstructed or refused to cooperate with an investigation of the DOC; or
- c. A finding by the DOC that the individual intentionally provided materially false information to the DOC; or
- d. A finding by the DOC that the individual falsified a Clerk's Office document concerning any Employment Action; or
- e. A finding by the DOC, the CHRO or Designee, General Counsel or Designee, or OIG that the individual, while an Employee and in the normal performance of official duties, engaged in misconduct egregious enough to warrant termination;
- f. A finding by the CHRO or Designee, General Counsel or Designee, or OIG that the individual, while an Employee, engaged in unethical conduct or conduct unbecoming; or
- g. A finding by the DOC, CHRO or Designee, General Counsel or Designee, or OIG that the Applicant or Candidate for employment provided misleading or incorrect information, excluding minor discrepancies, on the employment application, resume, or other hiring documents.

2. Notice of Inclusion on List

The CHRO or Designee shall give written notice to any individual before he/she is added to the Ineligible for Hire/Rehire List. This notice shall include the basis for the decision, a copy of any applicable policies or procedures, and instructions on how to appeal the decision. The CHRO or Designee shall copy the DOC on this notice.

3. Appeals

a. An individual who wishes to appeal the decision to be added to the Ineligible for Hire/Rehire List must request a hearing in writing to the COS within 30 days of the date of the notice. Employees who are bargaining unit members also may challenge their inclusion on the Ineligible for Hire/Rehire List in accordance with the terms of an applicable CBA, if any. The COS or Designee shall provide a copy of the appeal to the CHRO and DOC. The hearing can be in person, telephonic, or virtual/remote based on operational need.

b. If an appeal is not received within 30 days of the date of the notice, the individual shall have waived his/her right to appeal the decision. The DOC shall review available documentation and shall make a written recommendation to the COS within 60 days of the date of the notice as to whether the individual should be included on the Ineligible for Hire/Rehire List. The COS shall make the final determination and provide written notice to the CHRO, DOC, and the individual within 10 business days of receipt.

4. Hearings/Decisions

Within 30 days of receipt of a timely appeal, the CHRO or Designee shall acknowledge receipt of the appeal and use best efforts to schedule a hearing by sending written notice to the individual, which must include a 30-day deadline to respond, consequences for not responding, and the ability for one reschedule. The DOC shall conduct the hearing to determine whether an individual should be included on the Ineligible for Hire/Rehire List, except if the individual's inclusion is based on

a finding by the DOC, in which case the General Counsel or Designee shall conduct the hearing. Within 30 days of a hearing, the DOC or General Counsel, as applicable, shall make a written recommendation to the COS as to whether the individual should be included on the Ineligible for Hire/Rehire List. In the event that an individual fails to respond to the written notice by the listed deadline, fails to reschedule, or fails to appear for a scheduled hearing, the individual shall have waived his/her right to appeal the decision, and Section R.3.b shall apply. The COS shall make the final determination and provide written notice to the CHRO, DOC or General Counsel, and the individual within 10 business days of receipt. Unless reversed after a hearing or pursuant to Section R.3.b, individuals shall remain ineligible for hire/rehire with the Clerk's Office for five years.

5. Contents of List

The Ineligible for Hire/Rehire List shall include: (a) the name of the former Employee or Applicant; (b) the title of last Position Held or applied for; (c) the reason for placement on the Ineligible for Hire/Rehire List (*e.g.*, termination, resignation or retirement *in lieu* of termination; resignation or retirement while under inquiry); and (d) the date of removal from the Ineligible for Hire/Rehire List.

6. Maintenance of the List

The Ineligible for Hire/Rehire List shall be maintained by the CHRO or Designee, who shall promptly provide copies of the Ineligible for Hire/Rehire List and any revisions thereto to the DOC. A proper copy of the Ineligible for Hire/Rehire List shall be maintained by the CHRO or Designee to be made available pursuant to the Freedom of Information Act.

7. Use of List by HR During Validation Process

Before HR deems an Applicant ineligible for consideration for a Clerk's Office hiring process based on the Applicant's inclusion on the Ineligible for Hire/Rehire List, the CHRO or Designee or DOC shall confirm this ineligibility in writing. The basis for ineligibility shall be documented on the Clerk's Office's EAS. The CHRO or Designee or DOC's failure to confirm or document ineligibility shall not bar later action to remove an ineligible individual if hired in violation of this Section.

8. Removal from List

The DOC shall be notified in writing at least five business days before an individual is removed from the Ineligible for Hire/Rehire List to allow the DOC to consult with the CHRO or Designee to determine whether the five-year time period for ineligibility has expired.

V. GENERAL PRINCIPLES AND DUTIES RELATED TO THE DOC

HR shall recruit and the Clerk's Office shall hire a DOC pursuant to the process set forth in Section X. The DOC will be an Employee of the Clerk's Office.

A. Responsibilities

The DOC functions as the Employment Plan compliance officer for the Clerk's Office by assuming responsibilities related to the monitoring, investigating, and auditing of Employment Actions to ensure compliance with the Employment Plan, policies in the Supplemental Policies Manual and

instances of Unlawful Political Contacts and Unlawful Political Discrimination. The DOC shall conduct his/her responsibilities in a manner that minimizes interference with or hindrance of operations. In furtherance of that goal, the DOC's primary responsibilities shall include, but not be limited to:

1. Understanding the Clerk's Office's organization, its business and operational objectives and needs and its staffing needs;
2. Overseeing compliance with this Employment Plan;
3. Overseeing compliance with the policies in the Supplemental Policies Manual;
4. Monitoring the maintenance and posting of the Exempt List;
5. Reviewing and conferring with the CHRO or Designee to amend this Employment Plan and any related policies and procedures;
6. Reviewing and conferring with the CHRO or Designee in developing compliance strategies for this Employment Plan as well as any related policies and procedures to ensure compliance with the Employment Plan;
7. Accepting, investigating, and reporting on complaints related to this Employment Plan, policies in the Supplemental Policies Manual and Unlawful Political Discrimination in Employment Actions or Unlawful Political Contacts;
8. Making recommendations to the Clerk and the COS on how to eliminate and/or remedy any instances of noncompliance with the Employment Plan, policies in the Supplemental Policies Manual and Unlawful Political Discrimination or Unlawful Political Contacts;
9. Working with HR to implement training programs, prepare training materials and conduct training for all non-Supervisory Employees on compliance with the Employment Plan, policies in the Supplemental Policies Manual and Unlawful Political Discrimination or Unlawful Political Contacts;
10. Working with HR to implement training programs, prepare training materials, and conduct training for Supervisors, staff in Exempt Positions and HR on compliance with the Employment Plan, policies in the Supplemental Policies Manual and Unlawful Political Discrimination or Unlawful Political Contacts;
11. Reviewing Position Descriptions and Notices of Job Opportunity and taking appropriate steps to ensure their accuracy;
12. Monitoring all facets of the General Hiring Process and Actively Recruited Hiring Process including, but not limited to, participation as required or as appropriate in validation, interviews and Candidate selection meetings, to identify and assess potential and existing problems, discrepancies and violations and reporting such results to the Clerk and COS;
13. Monitoring all facets of the Entry-Level Bargaining Unit Position Hiring process, including, but not limited to, participation as required or as appropriate in validation and selection to identify and assess potential and existing problems, discrepancies and violations and reporting such results to the Clerk and COS;
14. Monitoring all facets of the Lateral Transfer and Promotion processes including, but not limited to, participation as required or as appropriate in validation and selection to identify and assess potential and existing problems, discrepancies and violations and reporting such results to the Clerk and COS;
15. Monitoring all aspects of the Exempt hiring process, Executive Assistant hiring process, and Intern/Extern hiring process including, but not limited to, Position Description evaluation and Minimum Qualification review;

16. Auditing employment actions to ensure compliance with this Employment Plan as well as any necessary policies and procedures to ensure compliance with the Employment Plan;
17. Receiving and maintaining reports and logs of Political Contacts from Employees and periodically distributing summaries of such logs to the COS;
18. Providing first-hand information, observations, assessments, and recommendations on the development, revisions and implementation of the employment policies and practices of the Clerk's Office, noting any irregularities which may compromise compliance with the Employment Plan, policies in the Supplemental Policies Manual, Shakman Decree, the SRO and other court-ordered directives;
19. Preparing periodic reports and issue-specific reports to the Clerk concerning the DOC's duties and responsibilities as delineated in this Employment Plan and the Executive Order;
20. Other related duties consistent with the DOC Position Description, the Employment Plan, policies in the Supplemental Policies Manual, and the prohibition of Unlawful Political Reasons or Factors in Employment Actions, including those that may be assigned by the Clerk or COS from time to time.

B. Semi-Annual Reports

The DOC shall issue a semi-annual report every January 15 and July 15 to the Clerk, COS, CHRO or Designee, General Counsel, and the Clerk's Office's OIG, which describes the DOC's activities during the prior six months including, but not limited to: (1) auditing activities as required by this Employment Plan; (2) discovered violations of this Employment Plan or policies in the Supplemental Policies Manual, and instances of Unlawful Political Discrimination or Political Contacts; (3) remedial actions recommended; and (4) corrective actions taken by the Clerk's Office to address the violations. The DOC's semi-annual reports shall be posted on the Clerk's Office website.

C. Monitoring of Employment Actions

The DOC shall have full and continual access to review all Employment Actions to ensure policies and procedures are being followed pursuant to the Employment Plan, the Supplemental Relief Order and the policies in the Supplemental Policies Manual and to investigate any alleged violations. As expressly provided in this Employment Plan and the Supplemental Policies Manual, the Clerk's Office shall provide the DOC with advance written notice of all Employment Actions and steps within an Employment Action, except in the limited emergency circumstances outside of the control of the Clerk's Office including, but not limited to, hiring, Promotions, Temporary Hardship Transfers, Training, Interim Assignment, Temporary Assignment, Transfer, Reclassification, Layoff, assignment of Overtime (and other benefits of employment), Discipline and Termination.

D. Reporting

The DOC shall be a Non-Exempt Position reporting to the Chief of Staff. The DOC shall operate with the requisite independence and specific responsibilities set forth in the Position Description and in accordance with this Employment Plan.

E. Termination

The Clerk shall have the right to terminate the employment of the DOC subject to 90 days' prior written notice of termination or 90 days' salary continuation in the event of involuntary

Termination for other than cause and subject further to the Clerk sending written advance notice to the OIG describing the reasons for Termination. The OIG shall review the Termination to determine if it is based on Political Reasons and Factors. If the OIG concludes that the Termination was based on Political Reasons or Factors or violated the spirit of this Plan, the OIG will memorialize its findings and provide the same to the Clerk and post its written findings on the Clerk's Office's website within 21 days of the DOC's Termination.

F. Alleged Violations of the Employment Plan, Certain Policies in the Supplemental Policies Manual, or Unlawful Political Discrimination or Political Contacts

If an Employee becomes aware of or receives a complaint that involves an allegation of a violation of this Employment Plan, a section of the Supplemental Policies Manual, a Political Contact or Unlawful Political Discrimination, the Employee shall refer the complaint to the DOC. Upon receipt of a complaint, the DOC shall do the following:

1. DOC Investigation

The DOC shall investigate alleged violations of this Employment Plan, alleged violations of any section of the Supplemental Policies Manual and allegations of Unlawful Political Discrimination and Political Contacts. The DOC's investigation shall include, but not be limited to, a review of all relevant documents and interviews with witnesses. The DOC may coordinate with the CHRO or Designee and/or the Clerk's Office's OIG or Designee, on further investigation of the alleged violation. Except as necessary to conduct an investigation and issue a report, the DOC shall not disclose the identity of any complainant to anyone. The DOC shall use normal investigative processes and procedures for any investigation into alleged violations of this Employment Plan or sections of the Supplemental Policies Manual.

2. Cooperation with the DOC

The Clerk and all Employees and agents shall fully cooperate with the DOC investigations by, among other things, promptly providing all requested non-privileged documents and information to the DOC in a manner that will preserve the confidentiality of the investigation. No person shall be compelled to respond to any request for information in violation of her or his constitutional or statutory rights.

3. Privileged Materials

If any privileged materials are provided to the DOC, such materials shall be marked as privileged.

4. DOC Investigation Report

At the conclusion of the investigation, the DOC shall prepare a DOC Investigation Report and provide copies to the Clerk, COS, CHRO or Designee, and Clerk's Office's OIG, which shall include the following:

- a. A description of the allegations and other information pertinent to the investigation, including a list of the documents reviewed and individuals interviewed;
- b. A description of his/her findings, including any violation regarding the provisions of this Employment Plan, the Supplemental Policies Manual, Unlawful Political Discrimination or Political Contacts or a confirmation that no non-compliance was discovered;

- c. Regardless of a positive or negative finding, a recommendation that either no action be taken or that a specific corrective or preventative action be taken, and a full explanation of the basis for such recommendation; and
- d. Such other information as the DOC may deem relevant to the investigation or resulting recommendations.

The DOC shall maintain a copy of the DOC Investigation Report in his/her files. The DOC shall redact the DOC Investigation Report for all personally identifiable information pursuant to Section V.H and provide a copy to the complainant, if any, regardless of whether the DOC Investigation Report found a violation of the Employment Plan or Supplemental Policies Manual or Unlawful Political Discrimination or Political Contacts. Nothing in this section shall prohibit the DOC from meeting with a complainant to discuss the DOC Investigation Report's findings.

5. Clerk's Report

- a. The Clerk or Designee shall review the DOC Investigation Report and may follow-up with the DOC and/or conduct a follow-up investigation of the alleged violations found in the DOC Investigation to determine whether to accept, reject or offer alternative proposals to the DOC's recommendations.
- b. If the DOC Investigation Report contains a finding of a violation of or non-compliance with this Employment Plan or the Supplemental Policies Manual, or Unlawful Political Discrimination or Political Contacts, or recommends that corrective or preventative action(s) be taken, the Clerk or Designee shall prepare a Clerk's Report. If there is no finding of a violation or no corrective or preventative measure is recommended, a Clerk's Report is not required.
- c. The Clerk's Report shall include the following:
 - i. A copy of the DOC Investigation Report;
 - ii. A description of the Clerk's follow-up investigation, including any findings made by the Clerk or Designee;
 - iii. Such other information as the Clerk may deem relevant to the DOC's investigation or resulting recommendations; and
 - iv. For each recommendation made by the DOC, a statement confirming implementation of the DOC's recommended action or explaining why the recommended action was not implemented and describing any alternative action taken by the Clerk and the specific reasons for such alternative action.
- d. The Clerk or Designee shall submit a copy of the Clerk's Report to the DOC within 30 days of receipt of the DOC's Investigation Report. The Clerk or Designee may extend the deadline by an additional 30 days by providing written notice to the DOC.

G. Suspending or Terminating Employment Actions

The Clerk, COS or the CHRO or Designee may suspend or terminate the Employment Action (if applicable) that is the subject of the DOC Investigation Report and may impose other remedial actions upon receipt of the DOC Investigation Report and pending the issuance of the Clerk's Report.

H. Availability of Reports

A redacted DOC Investigation Report and the redacted Clerk's Report shall be made available to the public upon request. Prior to disclosing any DOC Investigation Report and/or Clerk's Report to the public, the DOC shall redact the names and identifying information of any informants, complainants, witnesses, and persons investigated. The DOC or Clerk or Designee also shall redact all information that is protected by statute or other applicable law or privilege (*e.g.*, Health Insurance Portability and Accountability Act of 1996; law enforcement privilege) from the DOC Investigation Report and the Clerk's Report. The DOC shall provide the requested redacted Clerk's Report in the same manner as requested within seven days of the request. The Clerk's Office shall place notice of such availability and the procedure for requesting reports on its website.

I. Union Disputes or Claims of Discrimination Other Than Unlawful Political Discrimination

Any complaints received by the DOC involving union disputes or claims based on discrimination that are unrelated to the Employment Plan or the Supplemental Policies Manual and do not implicate or suggest Unlawful Political Discrimination or Political Contacts (*e.g.*, race, gender, age, national origin, sexual orientation, etc.) shall be referred to the Clerk's Office's OIG and CHRO or Designee for investigation. These matters fall outside the scope of this Employment Plan.

VI. GENERAL HIRING PROCESS

The specific elements of the General Hiring Process, which apply equally to External Applicants and Internal Applicants, are described in detail below. Except as specifically provided in this Employment Plan, all Applicants shall be required to go through the General Hiring Process.

A. Review by DOC

The DOC along with HR shall have full access at all times to all documents and all aspects of the General Hiring Process for each posting and may review them on an ongoing basis. If the DOC concludes that a material error was made at any point during the hiring process, the DOC shall provide immediate notice to the CHRO or Designee, along with a request to take appropriate steps to resolve the error. The DOC may suspend a hiring process until the CHRO or Designee and the DOC have met and conferred about the error. If the CHRO or Designee disagrees with the DOC and moves forward with the hiring process, the CHRO or Designee shall provide a written response documenting the reasons for the decision. If the DOC concludes that a non-material error was made during the hiring process, the DOC will provide the CHRO or Designee notice of the error in due course.

B. Recruitment

HR shall take steps to ensure that all employee recruitment efforts are conducted in a manner that maximizes the pool of Applicants and avoids any Unlawful Political Contacts or Unlawful Political Discrimination including, but not limited to, providing the Employee Recruitment and Hiring-

Related Outreach Training described in Section IV.J. Employees involved in employee recruiting may participate in a variety of events including, but not limited to, job fairs, school sponsored campus recruitment events, and community-based employment and outreach program forums. The Clerk's Office shall provide prominent written notice at any such event to attendees that the Clerk's Office does not hire or accept recommendations for Non-Exempt Positions based on Political Reasons or Factors. The CHRO or Designee shall document all employee recruitment and hiring-related outreach events attended by representatives of the Clerk's Office. All such documentation shall be provided to the DOC.

C. Job Postings

All Non-Exempt Positions which the Clerk's Office is seeking to fill shall be posted on the Clerk's Office's EAS and prominently on the Clerk's Website. To generate a large pool of qualified Applicants, Positions also may be posted at locations required by any CBA, and with schools, professional organizations, labor organizations, professional publications, online job posting sites, and other appropriate locations. HR shall provide the DOC a list of additional posting locations, prior to posting. The methods of posting as well as posting locations shall be documented in the Posting File.

D. Requests to Hire

All hiring for Positions shall be initiated by submission of a RTH in accordance with the following:

1. Submission of RTH

The RTH, including a copy of the current Position Description, shall be completed and signed by the head of the Hiring Bureau and submitted to the CHRO or Designee. On the RTH, the head of the Hiring Bureau must receive written approval to fill the Position from the CHRO or Designee. The CHRO or Designee shall provide a copy of the RTH to the DOC at the same time the approval or denial is sent to the head of the Hiring Bureau. If the RTH is approved, the remainder of this Section VI shall apply.

2. Current Position Description

Pursuant to Section IV.L, the CHRO or Designee shall review with the head of the Hiring Bureau, the current Position Description's (a) Minimum Qualifications; (b) Preferred Qualifications, if applicable; and (c) a description of the knowledge, skills, and abilities relating to the Position. The CHRO or Designee and the head of the Hiring Bureau shall confirm that the Minimum Qualifications, Preferred Qualifications, and knowledge, skills and abilities are related to and accurate for the Position's requirements. If no Position Description exists or the head of the Hiring Bureau states that the current Position Description is inaccurate, the head of the Hiring Bureau and the CHRO or Designee shall draft a new or update the current Position Description to accurately reflect the requirements of the Position in compliance with Section IV. Before the Position may be posted, a draft of the new or updated Position Description and the previous Position Description, if applicable, shall be given to the DOC for review and comment pursuant to Section IV.L.

3. Internal Candidate Preference

The CHRO or Designee working with Bureau heads, as appropriate, and the DOC, shall create and maintain an Internal Candidate Preference List. For those Positions not already on the Internal Candidate Preference List, the head of the Hiring Bureau may request in the RTH that the CHRO

or Designee designate a Position as eligible for an Internal Candidate Preference. Such request shall include a description of the specific basis or bases for the requested designation. The CHRO or Designee and the DOC shall review all requests that a Position be designated as eligible for an Internal Candidate Preference and shall evaluate whether the request is appropriate based on the head of the Hiring Bureau's justification; the nature and level of the Position; and the likelihood that the experience of a current Employee seeking to fill the Position in the Hiring Bureau or related Bureau will be beneficial in carrying out the duties and responsibilities of the Position being posted. The CHRO or Designee may request in writing that the head of the Hiring Bureau provide additional information. If the CHRO or Designee determines the Position is not appropriate for an Internal Candidate Preference, the head of the Hiring Bureau's request shall be denied. If the CHRO or Designee determines that the Position qualifies for an Internal Candidate Preference, the Position shall be added to the Internal Candidate Preference List. The CHRO or Designee shall notify the head of the Hiring Bureau of the decision and send a copy to the DOC. That a Position is designated "Internal Candidate Preference" in no way precludes External Applicants from applying, and the Position shall be filled in accordance with applicable federal, state, and/or local law and this Section VI. That a Position has been denied for eligibility for an Internal Candidate Preference should in no way discourage or preclude an Internal Applicant from applying; all Applicants shall be evaluated in accordance with submitted materials.

E. Preparation of Notice of Job Opportunity

HR shall prepare the Notice of Job Opportunity in accordance with the following:

1. Confirmation of Accuracy

HR shall take steps to ensure that all information including, but not limited to, the Minimum Qualifications and Preferred Qualifications, if applicable, included in the Notice of Job Opportunity are accurate and relate to the duties of the Position as described in the Position Description.

2. Contents of Notice of Job Opportunity

The Notice of Job Opportunity shall be prepared based on information contained in the RTH and applicable Position Description. The Notice of Job Opportunity shall include, but not be limited to: (a) the job title and Job Code; (b) the deadline for applying; (c) the Position Description, including the Minimum Qualifications and Preferred Qualifications, if applicable; (d) whether the Position is designated as an Internal Candidate Preference; (e) the amount or range of compensation; (f) directions on how and where to apply; (g) a list of all certifications, licenses and documents required to be submitted to be considered eligible for the Position and the time period for producing this information; (h) a description of any testing protocols that will be administered for an Applicant to be considered eligible for the Position, (i) for Bargaining Unit Positions, a statement that the Bargaining Unit Position is represented by the applicable bargaining unit, followed by the Local Union number, (j) a nondiscrimination clause; (k) a statement that the Clerk's Office does not hire for Non-Exempt Positions based on Political Reasons or Factors, and (l) a statement that any Applicant who fails to comply with any of the requirements of the Notice of Job Opportunity will not be considered eligible for the Position.

F. Posting of Notice of Job Opportunity

All Notices of Job Opportunity shall be posted in compliance with the following:

1. Posting Locations

All Notices of Job Opportunity shall be posted as described in Section VI.C.

2. Union Postings

The Notice of Job Opportunity for a Bargaining Unit Position shall be posted pursuant to any applicable provisions of the CBA.

3. Posting Period

All Notices of Job Opportunity shall be posted in EAS for a minimum of 14 days. HR shall provide the DOC with notice once a Notice of Job Opportunity is posted in EAS. If HR decides to extend the final date for posting, a notice of such extension shall promptly be added to the Notice of Job Opportunity posted on EAS. Notice of the extension and the reason for the extension shall immediately be given to the DOC.

G. Submission of Applications

All applications and required application materials must be submitted to HR through the Clerk's Office's EAS. Any Applicant who does not complete the online application for the Position through the EAS shall not be considered eligible for the Position and his or her name shall not be included on the Preliminary Eligibility List.

H. Permitted Contacts from Applicants

Applicants may contact HR with questions about the application process. Any contact with an Applicant shall be memorialized in writing by the Employee who had the contact and entered on a Contact Log maintained by HR for each job posting. The Contact Log shall be included in the Posting File for the job posting. Applicants with disabilities may contact HR to request an accommodation during the application process.

I. Conflicts of Interest

If at any time an Employee who is involved in any way with a hiring process discovers that the Employee, himself or herself, or any other Employee has had, or currently has, a personal or professional relationship with an Applicant or Candidate, the Employee who has or discovered the relationship must disclose immediately in writing the details of that relationship to HR. HR shall promptly notify the DOC of such potential Conflict of Interest. The CHRO or Designee shall determine whether the reported relationship rises to the level of a Conflict of Interest; if a determination is made that it does, the Employee shall be barred from continued involvement with the hiring process. The CHRO or Designee shall provide the DOC written notice of his/her decision. All documentation concerning the disclosure and HR's decision shall be placed in the Posting File.

J. Creation of Preliminary Eligibility List

After the final posting closing date, HR shall create a Preliminary Eligibility List for the Position posted containing the names of the Applicants who completed the application process in EAS and who indicated that they possess all Minimum Qualifications for the Position. If no Applicant is

eligible for inclusion on the Preliminary Eligibility List, the Position may be reposted. HR will group Applicants on the Preliminary Eligibility List into categories in the following priority:

1. Internal Applicants who indicate that they possess all Minimum Qualifications, if the Position is on the Internal Candidate Preference List.
2. Applicants who (1) indicate they are Veterans and (2) indicate that they possess all Minimum Qualifications for the Position. Before being afforded the Veterans' Preference, HR shall verify that the Applicant is a Veteran and meets the requirements of the Veterans' Preference. HR's findings shall be noted on the Sorted Randomized Preliminary Eligibility List.
3. All other Applicants.

K. Randomization of Preliminary Eligibility List

Using a computer-based randomization program (in EAS or another computer program), HR shall create the Randomized Preliminary Eligibility List using the Applicant Group from Section VI.J.3 and provide it to the DOC. HR shall provide notice to the DOC of the time and place for the randomization at least two business days in advance.

L. Sorting of Randomized Preliminary Eligibility List

HR shall create the Sorted Randomized Preliminary Eligibility List in the order described below:

1. Ineligible for Hire/Rehire

First, HR shall compare the Applicants on the Randomized Preliminary Eligibility List to the Ineligible for Hire/Rehire List and remove from consideration any Applicant appearing on the Ineligible for Hire/Rehire List. The reason for the ineligibility shall be noted on the Sorted Randomized Preliminary Eligibility List.

2. Internal Candidate Preference

Second, if the Position is on the Internal Candidate Preference List, HR shall place all Applicants from Section VI.J.1 at the top of the Sorted Randomized Preliminary Eligibility List. Internal Applicants will not be subject to the computer-based randomization program from Section VI.K.

3. Veterans' Preference

Third, HR shall place all Applicants from Section VI.J.2 on the Sorted Randomized Preliminary Eligibility List. Veteran Applicants will not be subject to the computer-based randomization program from Section VI.K.

4. Preferred Qualifications

Fourth, if the Position Description includes Preferred Qualifications, HR shall sort the Applicants from Section VI.J.3 who indicated that they possess one or more Preferred Qualifications into groups based on the number of Preferred Qualifications (*e.g.*, 4 of 4 Preferred Qualifications, 3 of 4, *etc.*). HR shall put the Applicants in each Preferred Qualification group on the Sorted Randomized Preliminary Eligibility List in the order of each Applicant's randomly assigned number created in Section VI.K.

5. All Other Applicants

Finally, HR shall add all other Applicants from Section VI.J.3 on the Sorted Randomized Preliminary Eligibility List based on their randomly assigned number created in Section VI.K and shall provide a copy of the Sorted Randomized Preliminary Eligibility List to the DOC.

M. Creation of Validated Eligibility List

HR shall create a Validated Eligibility List to determine which Candidate(s) may be placed on the Interview List.

1. Validation of Applicants

HR shall validate the Applicants in the order in which they appear on the Sorted Randomized Preliminary Eligibility List, starting with (a) Internal Applicants (if the Position is an Internal Candidate Preference Position), then (b) Applicants who meet the requirements of the Veterans' Preference pursuant to Section VI.L.3, then (c) Applicants with Preferred Qualifications within the group designated pursuant to Section VI.L.4, and finally (c) Applicants who indicate they meet only the Minimum Qualifications of the Position. HR shall validate all Internal Applicants and Applicants who meet the requirements of the Veterans' Preference. HR shall continue validating Applicants in the order in which they appear on the Sorted Randomized Preliminary Eligibility List until there are at least 25 eligible Applicants for a single Vacancy or at least 15 eligible Applicants per Vacancy for multiple Vacancies. If less than 25 Applicants apply for a single Vacancy (or 15 per Vacancy for multiple Vacancies), all Applicants shall be validated. Validation of additional Applicants is allowed and may be required for purposes of creating the Interview List pursuant to Section VI.N or for future use of the Validated Eligibility List pursuant to Section VI.O.

2. Validation of Experience/Education

HR shall validate the information in the employment application materials concerning the Applicant's work experience, education, and skills and compare it with the Minimum Qualifications and the Preferred Qualifications, if applicable, to determine whether the application materials show on their face that the Applicant meets the Minimum Qualifications and the Preferred Qualifications, if applicable. If necessary, HR may consult with individuals with specific knowledge of the qualifications for the Position during the validation process to assist in the determination of whether an Applicant possesses a Minimum Qualification or a Preferred Qualification that is technical in nature. In the event the information does not support the Applicant's claim to possess the Minimum Qualifications of the Position, the Applicant shall be considered ineligible for the Position, his or her name shall be not placed on the Validated Eligibility List, and the reason for ineligibility shall be noted on the Sorted Randomized Preliminary Eligibility List. HR shall place Applicants in the appropriate Preferred Qualification group on the Validated Eligibility List according to the number of validated Preferred Qualifications and in the order consistent with the Applicant's randomly assigned number created in Section VI.K. If none of the Applicants possess the Minimum Qualifications for the Position, the Position shall be reposted. In the case of reposting, HR, in consultation with the CHRO or Designee and the head of the Hiring Bureau, may review the Minimum Qualifications in the Position Description to determine if any changes are appropriate. Any changes or updates to the Position Description shall be provided to the DOC pursuant to Section IV.L.

3. Validation of Disciplinary History for Internal Applicants or Former Employees

Following the validation procedure described in Section VI.M, HR shall conduct the following additional review for (a) Internal Applicants and (b) External Applicants who indicated on their applications that they were employed by the Clerk at any time during the 24 months preceding the Applicant's application for hire:

a. Internal Applicant's Disciplinary History Validation

Any Internal Applicant who was suspended for misconduct for 3 days or less while working for the Clerk's Office during the 6-month period prior to the Internal Applicant's application for a Position shall not be considered eligible for the Position, and his or her name shall be removed from the Validated Eligibility List, subject to the terms of any applicable CBA. Any such ineligibility shall be documented on the Sorted Randomized Preliminary Eligibility List. Any Internal Applicant who was suspended for misconduct for 4 or more days while working for the Clerk's Office during the 12-month period prior to the Internal Applicant's application for a Position shall not be considered eligible for the Position, and his or her name shall be removed from the Validated Eligibility List, subject to the terms of any applicable CBA. Any such ineligibility shall be documented on the Sorted Randomized Preliminary Eligibility List.

b. Former Employee's Disciplinary History Validation

Any External Applicant employed by the Clerk within the 24 months preceding the date he or she submitted his or her application who was terminated, or who resigned or retired while under investigation for misconduct or in lieu of termination, during the last 24 months of his or her employment by the Clerk shall not be considered eligible for the Position, and his or her name shall be removed from the Validated Eligibility List. A Former Employee's disciplinary history validation, where a suspension was involved, shall be handled pursuant to VI.M.3.a. Any such ineligibility shall be noted on the Sorted Randomized Preliminary Eligibility List.

c. Record of Determinations

HR shall record the specific reason for any decision to exclude any Internal Applicant's or Former Applicant's name from the Validated Eligibility List on the Sorted Randomized Preliminary Eligibility List.

4. Notification of Completion of Validation

HR shall provide the results of the validation process to the DOC for each posting within five business days of completion of the Validated Eligibility List.

5. Review of Determinations by DOC

The DOC shall have access to the Applicants' application materials on EAS. The DOC may object to the inclusion or exclusion of any Applicant on the Validated Eligibility List based on their validation of each Applicant's Minimum Qualifications and, if applicable, Preferred Qualifications. The CHRO or Designee and the DOC shall meet and confer in an effort to reach agreement on any disputed Applicant. Disputes regarding whether an Applicant meets a Minimum Qualification shall be resolved in favor of meeting the Minimum Qualification, to result in the broadest applicant pool. Disputes regarding whether an Applicant meets a Preferred Qualification

shall be resolved against meeting the Preferred Qualification so as not to provide any advantage based on a disputed qualification. If the CHRO or Designee and the DOC are unable to reach agreement, the COS shall make the final determination of whether the Applicant should be included on the Validated Eligibility List and memorialize his/her decision by a written explanation of the disagreement and how it was resolved, which shall be included in the Posting File. Any changes regarding the validation of an Applicant based on the COS's decision shall be documented on the Validated Eligibility List. Following the meet and confer and after all decisions are made on disputed Applicants, HR shall resort the Validated Eligibility List as specified in Section VI.L.

6. Pre-Employment Testing

Pre-employment tests may be administered to Candidates appearing on the Validated Eligibility List confirmed by HR and the DOC. The pre-employment test shall be based on the specific requirements of the Position for which the Candidates are applying and as described in the Notice of Job Opportunity. Each pre-employment test shall be administered, scored, considered, and weighted on a consistent basis for each Candidate. HR shall provide the results of the pre-employment test to the DOC within three business days of completing the testing. The CHRO or Designee shall meet and confer with the DOC regarding the results of the pre-employment test. The Validated Eligibility List shall be updated to reflect those Candidates who passed the pre-employment test and were confirmed by HR and the DOC.

N. Creation of the Interview List

HR shall create the Interview List containing the names of the Candidates to be interviewed as follows:

1. Entry-Level Bargaining Unit Positions do not require an interview and shall be filled pursuant to Section VII.
2. If the Position is on the Internal Candidate Preference List, HR shall add all of the Internal Candidates from the Validated Eligibility List to the Interview List.
3. HR shall add all Candidates eligible for the Veterans' Preference from the Validated Eligibility List to the Interview List.
4. If the Position is not a Bargaining Unit Position or on the Internal Candidate Preference List, or if there are less than 10 Internal Candidates and Veterans' Preference Candidates for a single Vacancy or less than 5 Internal Candidates and Veterans' Preference Candidates per Vacancy for multiple Vacancies, HR shall add Candidates to the Interview List in the order they appear on the Validated Eligibility List until there are 10 Candidates for a single Vacancy or 5 Candidates per Vacancy for multiple Vacancies. If there are less than 10 Candidates on the Validated Eligibility List, the Validated Eligibility List may serve as the Interview List.

O. Use of Validated Eligibility List and Sorted Randomized Preliminary Eligibility List

The Validated Eligibility List and the Sorted Randomized Preliminary Eligibility List shall be valid and may be used for purposes of filling Vacancies for the posted Position for a period of 12

months from the date created. The CHRO or Designee, in consultation with head of the Hiring Bureau, shall decide if an existing Validated Eligibility List or Sorted Randomized Preliminary Eligibility List will be used to fill a Vacancy or if the Vacancy will be posted. If a Validated Eligibility List or Sorted Randomized Preliminary Eligibility List is used, HR shall proceed with the hiring process as set forth in this Section. Written notice of the decision to use or not use an existing Validated Eligibility List or Sorted Randomized Preliminary Eligibility List shall be provided to the DOC before a List is used or the Position is posted. Additional validations may be necessary to reach the number of Applicants on the Validated Eligibility List pursuant to Section VI.M.

P. Interview Preparation

1. Interview Scheduling

HR shall schedule interviews of all Candidates on the Interview List and the corresponding Ranking Meeting and provide the schedule to the DOC at least two business days prior to the date of the first interview. If one or more Candidates on the Interview List is unavailable, the next eligible Candidate or Candidates on the Validated Eligibility List shall be moved to the Interview List and be contacted for an interview until there are 10 Candidates for a single Vacancy or 5 Candidates per Vacancy for multiple Vacancies until the Validated Eligibility List is exhausted. If fewer than 10 Candidates are available for interview, HR may choose to proceed with the hiring process. If a Candidate whose interview has already been scheduled cancels the interview, HR may select a replacement from the Validated Eligibility List or decide to proceed with the hiring process.

2. Interview Panel Selection

The CHRO or Designee, in consultation with the head of the Hiring Bureau or Designee, shall select the Interview Panel consisting of (a) the head of the Hiring Bureau or Designee; and (b) at least two management-level Employees with knowledge of the skills and abilities sought in the Position to be filled; and (c) at least one Employee meeting the qualifications set forth in subsection (b) to serve as an alternate member of the Interview Panel. At least one Interview Panel member must have first-hand knowledge of the job duties and Minimum Qualifications of the Position. HR shall send a list with the names of the Employees who will serve as members of the Interview Panel to the DOC at least two business days prior to the interviews for review and comment. No Employee may serve on an Interview Panel without first receiving the Interviewer Training and certification described in Section IV.I. No Employee, including the head of the Hiring Bureau, may interview a Candidate on the Interview List if a Conflict of Interest has been determined to exist pursuant to Section VI.Q.2.c.

3. Interview Questions

The head of the Hiring Bureau or Designee shall prepare a list of a minimum of 10 interview questions relating to the Position. The interview questions shall establish, at a minimum, the Candidate's: (a) willingness and ability to do the job; (b) prior job performance; (c) knowledge and understanding of the responsibility of the Position; and (d) relative qualifications for the Position. The head of the Hiring Bureau or Designee shall send the list of interview questions, including proposed assigned weights for each question, to the CHRO or Designee. The CHRO or Designee, in conjunction with the head of the Hiring Bureau or Designee, shall amend or approve the questions and the proposed assigned weights. The General Counsel or Designee shall verify

that the questions asked will not violate any employment/labor laws or regulations, including those laws or regulations pertaining to employment discrimination. The head of the Hiring Bureau or Designee, in conjunction with the CHRO or Designee, shall select five or more questions from the 10 previously approved questions to be used for interviews for that posting and determine final scoring weights for each question. The CHRO or Designee shall send the final list of questions to the DOC at least three business days prior to the interview for review and comment. All questions shall be considered and treated as confidential and may not be disclosed to anyone other than the CHRO or Designee, the head of the Hiring Bureau or Designee, the General Counsel or Designee, and the DOC prior to the interviews. The interview questions developed for a particular Position may be used for subsequent Vacancies for that Position, provided appropriate precautions are taken to prevent advance dissemination of the questions or answers to Candidates and provided the questions remain related to the duties of the Position.

4. License and Certification Verification

All Candidates shall be required to produce required documentation (*e.g.*, current driver's license, diploma, school transcript, certifications) listed on the Notice of Job Opportunity within the time period set forth in the Notice of Job Opportunity. Copies of such documents shall be included in the Interview File. Candidates who do not produce the required documentation within the time period set forth in the Notice of Job Opportunity shall not be considered eligible for further consideration. Any such ineligibility shall be noted on the Interview List.

Q. Interview of Candidates

The following shall apply to the interview of Candidates:

1. Notification

HR shall notify the DOC in writing of the time and place of each interview at least two business days prior to the interview. An HR representative shall facilitate all interviews; the DOC may monitor any interview.

2. The Interview Process

The Interview Panel shall interview each Candidate on the Interview List in accordance with the following:

a. HR shall facilitate the conducting of interviews by informing the Interview Panel of the interview process, being present while interviews are being conducted to answer any questions from the Interview Panel and Candidates, requesting that any applicable forms be completed, picking up completed forms and other required documentation at the conclusion of each interview, and reviewing forms for completeness.

b. At least two business days prior to the first interview, HR shall circulate to the Interview Panel the list of Candidate names and application materials to review and determine whether a Conflict of Interest exists, as outlined in Section VI.Q.2.c. In the event a panel member determines that a Conflict of Interest exists prior to an interview, the panel member shall promptly notify the CHRO or Designee of the Conflict of Interest.

c. The CHRO or Designee shall promptly notify the DOC of any Conflict of Interest and the selection of an alternate Interview Panel member as set forth below. The conflicted

panel member shall not participate in the interview or selection process for that Candidate. In the event a panel member determines that a Conflict of Interest exists during the interview, the panel member shall notify HR that an alternate member of the Interview Panel is needed. The panel member shall leave the room and an alternate panel member shall assume the conflicted panel member's duties (asking questions, completing the Interviewer Evaluation Form, etc.). If a panel member determines that a Conflict of Interest exists after an interview, the panel member shall notify HR promptly and the CHRO or Designee shall promptly notify the DOC. The DOC shall make the determination of whether a second Interview Panel must be convened. Any Conflict of Interest disclosed by a panel member prior to, during, or after an interview shall be documented by HR and included in the Interview File. If the CHRO or Designee or DOC at any time determines that a Conflict of Interest exists or existed, the DOC shall determine what remedial action should be taken; this action shall be documented by HR and included in the Interview File.

d. If a member of the Interview Panel becomes unavailable to conduct an interview of a Candidate scheduled by HR pursuant to Section VI.P.1, the panel member shall notify HR as soon as possible prior to the interview. The CHRO or Designee shall notify the previously selected alternate Interview Panel member to conduct the interview. The CHRO or Designee shall promptly notify the DOC of the replacement.

e. The interview questions selected in accordance with Section VI.P.3 shall be used to interview and evaluate Candidates and to complete the Interviewer Evaluation Form.

f. All Candidates interviewed for the same Position must be asked to respond to the same pre-approved interview questions. Follow-up questions by the panel members are permitted and encouraged, provided they are related to a determination of the Candidate's suitability for the Position. The Interview Panel shall consider all responses provided by a Candidate, including responses to follow-up questions.

g. Candidates who fail to appear for their interview within 15 minutes after the scheduled interview start time may not be interviewed, unless such delay is based on an unforeseen exigent circumstance at the discretion of the CHRO or Designee. Any such Candidate shall not be considered for the Position during the current posting cycle. Also, any Candidate who cancels an interview less than two business days prior to the scheduled time slot may not receive further consideration for the Position during the current posting cycle, unless the cancelation is based on an unforeseen exigent circumstance at the discretion of the CHRO or Designee. The Interview Panel may make a notation on the Interviewer Evaluation Form for any Candidate that is late for his or her scheduled interview but arrives before 15 minutes has elapsed.

3. Interviewer Evaluation Form

Each Interview Panel member shall independently and personally complete, sign and score each Candidate on an Interviewer Evaluation Form at the conclusion of each interview and complete an NPCC. Each Interview Panel member shall score each Interview Question answered by each Candidate as 1 (unacceptable), 2 (marginally acceptable), 3 (acceptable), 4 (very good), or 5 (excellent) on the Interviewer Evaluation Form. The basis of any score of 5 or 1 must be explained

by the Interview Panel member on the Interviewer Evaluation Form; the basis for other scores also may be explained. No person may alter, add to, or delete from any Interviewer Evaluation Form other than the Interview Panel member who completes and signs the Form. Any alteration to a score on the Interviewer Evaluation Form must be initialed by the Interview Panel member. The Interview Panel members shall submit the original completed Interviewer Evaluation Forms to HR for review for accuracy and completion.

4. Scored Interview List

HR shall average the scores given by each Interview Panel member for each Candidate. HR shall create the Scored Interview List to include the grand total average score for each Candidate listed in descending order according to the grand total average score for each Candidate. Any Candidate who receives a grand total average score of less than 3.0 from the Interview Panel shall not be eligible for further consideration. The CHRO or Designee shall provide the Scored Interview List to the DOC at least one business day prior to the Ranking Meeting. The DOC shall verify the tabulated scores prior to the Ranking Meeting.

R. Candidate Ranking Procedure

Following completion of interviews with all eligible Candidates on the Interview List, the final Candidate shall be selected in accordance with the following:

1. Ranking Meeting

When possible, the Ranking Meeting shall be conducted within three business days of the final Candidate Interview, provided that the Ranking Meeting shall not be conducted more than seven business days of the final Candidate Interview. All Interview Panel members (including any alternate Interview Panel members who conducted an interview) must be present at the Ranking Meeting. Each Interview Panel member shall be given an opportunity to freely, and without fear of retaliation, express his or her opinion regarding those Candidates on the Scored Interview List who received a total average score of 3.0 or higher. The Interview Panel shall be provided with a copy of the Scored Interview List and shall discuss those Candidates in the order they appear on the Scored Interview List. An HR representative shall be present in the Ranking Meeting to provide advice and expertise. The DOC shall be given two business days' notice of the Ranking Meeting and may attend the Ranking Meeting. Members of the Interview Panel may not discuss Candidates prior to the Ranking Meeting.

2. Documentation of Ranking Meeting

An HR representative shall attend and take notes at the Ranking Meeting, which notes may be handwritten or typed. The notes shall include: (a) the title of the Position being discussed in the Ranking Meeting; (b) the date of the Ranking Meeting; (c) the name of the HR representative facilitating the Ranking Meeting; (d) the names of each Interview Panel member present; (e) a description of why, how and by whom each Candidate was ranked; and (f) the order each Candidate was ranked by each member of the Interview Panel. The notes shall also indicate the objective basis or bases on which any Candidate was or was not ranked by the panel.

3. Interview Panel Ranking List

The Interview Panel shall create an Interview Panel Ranking List by ranking each Candidate eligible for ranking by a majority vote of the Interview Panel and complete an NPCC.

4. Review of the Interview File

The Ranking Meeting notes, the Interviewer Evaluation Forms and the Interview Panel Ranking List shall be included in the Interview File. The CHRO or Designee and the DOC shall review the Interview File and verify that the Candidate ranked highest on the Interview Panel Ranking Form and recommended by the Interview Panel for selection is in compliance with the requirements of this Employment Plan. If either the CHRO or Designee or the DOC determines that the selection of a Candidate or Candidates listed on the Interview Panel Ranking Form was not in compliance with this Employment Plan, the process shall be suspended until the issue is resolved in accordance with Section VI.A.

5. Use of Interview Panel Ranking List for Subsequent Vacancy

The Interview Panel Ranking List shall be valid and may be used for purposes of filling vacancies for the posted Position for a period of 12 months from the date created. The CHRO or Designee, in consultation with the head of the Hiring Bureau, shall decide if a subsequent Vacancy will be filled using the Interview Panel Ranking List or if the subsequent Vacancy will be posted. The decision shall be documented and placed in the Posting File for the additional Vacancy and provided to the DOC before an Interview Panel Ranking List is used or the Position is posted.

S. Final Selection and Justification to Hire

The Clerk or Designee shall review the Interview file, including the Interview Panel Ranking List and Ranking Meeting notes, and select the final Candidate, or Candidates if multiple Vacancies. The Clerk or Designee shall submit a Justification to Hire and NPCC to the CHRO or Designee setting forth the objective basis or bases for the hiring with an explanation of the justification for the selection. If the Candidate(s) selected is other than the Candidate(s) ranked highest by the Interview Panel, the Justification to Hire shall include the basis or bases on which the selection was made. The Clerk or Designee shall provide the Justification to Hire and NPCC and Interview Panel Ranking List to the DOC along with any other documents from the Interview File not previously provided.

T. Grant of Authority

The CHRO or Designee shall prepare the Grant of Authority, which shall include the name(s) of the selected Candidate(s) and the proposed salary, and provide it, along with the Interview Panel Ranking List and Justification to Hire, to the Clerk or Designee for review. The Clerk or Designee shall authorize the hiring of the selected Candidate, or Candidates if multiple Vacancies, by signing the Grant of Authority and NPCC. The CHRO or Designee shall provide the Grant of Authority and NPCC to the DOC for review.

U. Documentation Review

The CHRO or Designee shall review the Interview File to ensure that it contains all required documentation relating to the posting before approving HR to extend a conditional offer of employment to any selected Candidate. No conditional offer shall be extended before the CHRO or Designee provides all documents in the Interview File not previously provided to the DOC.

V. Conditional Offers of Employment

The CHRO or Designee shall extend conditional offers of employment in accordance with the following:

1. Extension of Conditional Offer

After completing the Grant of Authority, the CHRO or Designee shall extend a written conditional offer of employment to the selected Candidate, conditioned on verification of the Candidate's past employment and other required pre-employment processes. All conditional offers of employment shall be made by a verbal conditional offer and in writing; and copies of the written conditional offer shall be included in the Posting File and each Candidate's Personnel File. The CHRO or Designee shall notify the Clerk, COS, Deputy of the Hiring Department and DOC whether the conditional offer was accepted.

2. Verification of Past Employment

HR shall attempt to verify the employment history by contacting employers provided by the Candidate until such list is exhausted (including if an employer does not respond). Any Candidate who has provided misleading or incorrect information, excluding minor discrepancies, on his/her employment application or resume shall not be considered eligible, and the conditional offer shall be rescinded. The CHRO or Designee shall document for the Posting File the basis or bases for the finding of ineligibility, sign an NPCC, and notify the Clerk or Designee, the head of the Hiring Bureau and DOC that the selected Candidate is ineligible.

3. Other Pre-Employment Processes

The Candidate shall be required to successfully complete/pass any other pre-employment processes deemed necessary by HR. Any Candidate who does not successfully complete/pass a pre-employment process shall not be considered eligible, and the conditional offer shall be rescinded. The CHRO or Designee shall document for the Posting File the basis or bases for the finding of ineligibility, sign an NPCC, and notify the Clerk or Designee, the head of the Hiring Bureau and DOC that the selected Candidate is ineligible.

4. Unaccepted Conditional Offer

If the selected Candidate does not accept the conditional offer of employment, the Clerk or Designee shall make a further selection pursuant to Section VI.S and the Candidate screened pursuant to Section VI.V. The Grant of Authority shall be completed pursuant to Section VI.T and conditional offer made pursuant to this Section. Any communication from a Candidate declining a conditional offer of employment, whether written or verbal, shall be included in the Posting File.

5. No Additional Candidates

If no Candidate on the Interview Panel Ranking List is eligible and accepts the conditional offer of employment, the CHRO or Designee shall create a new Interview List from the Candidates on the Validated Eligibility List in accordance with Section VI.N. Such Candidates shall be interviewed, scored, ranked, and considered pursuant to Sections VI.Q-R and a Candidate shall be selected pursuant to Sections VI.S-V. If the Validated Eligibility List and Sorted Randomized Preliminary Eligibility List is exhausted and no Candidate accepted a conditional offer, the Position may be reposted after the CHRO or Designee and the head of the Hiring Bureau have conferred about revisions to the Position Description. If the Position Description is updated after

such consultation, the CHRO or Designee shall send the updated Position Description to the DOC for comment pursuant to Section IV.L.

W. Posting File

HR shall maintain the full Posting File. Copies of the Posting File, Interview File, and all such documentation shall be made available to the DOC within five business days of the final selection of the Candidate, if not previously provided. The Posting File shall contain an NPCC signed by all HR employees who participated in any step of the process.

VII. ENTRY-LEVEL BARGAINING UNIT POSITION HIRING PROCESS

A. Process

Entry-Level Bargaining Unit Positions do not require interviews prior to hire. All hiring for entry-level Bargaining Unit Positions shall follow Sections VI.A–VI.M and Section VI.T, except that Section VI.V.2 shall be completed prior to any conditional offers being made under Section VII.C. The Validated Eligibility List and the Sorted Randomized Preliminary Eligibility List for Entry-Level Bargaining Unit Positions shall be valid and may be used to fill Vacancies for the posted Entry-Level Position for a period of 12 months from the date created.

B. License and Certification Verification

Candidates shall be required to produce required documentation (*e.g.*, current driver's license, diploma, school transcript, certifications) listed on the Notice of Job Opportunity within the time period set forth in the Notice of Job Opportunity. Copies of such documents shall be included in the Posting File. Candidates who do not produce the required documents within the time period set forth in the Notice of Job Opportunity shall not be eligible for the Position and such ineligibility shall be noted in EAS and on the Validated Eligibility List.

C. Conditional Offers of a Position

HR shall extend conditional offers of an entry-level Bargaining Unit Position to eligible Candidates in the order that they appear on the Validated Eligibility List. Conditional offers may be made verbally and confirmed in writing. If a Candidate is deemed ineligible to receive a conditional offer of employment based on the result of the confirmation of past employment and/or background check, the CHRO or Designee shall document the basis of ineligibility in the Posting File and sign a corresponding NPCC, and the ineligibility shall be noted on the Validated Eligibility List. If the first Candidate on the Validated Eligibility List does not accept, the next Candidate on the Validated Eligibility List shall be offered the Position until the Validated Eligibility List is exhausted. If no Candidates are eligible or accept the conditional offer of employment, the Position shall be reposted. In that event, the DOC may review the Position Description to determine if any changes are appropriate.

D. Posting File

HR shall maintain the full Posting File. Copies of the Posting File shall be made available to the DOC upon request. The Posting File shall contain an NPCC signed by all HR employees who participated in any step of the process.

VIII. BARGAINING UNIT POSITION PROMOTION AND TRANSFER PROCESSES

The Clerk's Office shall follow the applicable CBA for Promotions and Lateral Transfers of Collective Bargaining Unit (CBU) Employees. If the CBA does not contain a specific procedure or is otherwise silent, the relevant procedure in this Section VIII shall be followed.

A. No Political Reasons or Factors

No Employment Action covering the Promotion or Lateral Transfer of a Bargaining Unit Employee may be based on Political Reasons or Factors.

B. Lateral Transfers for Bargaining Unit Positions

Before filling a Bargaining Unit Position Vacancy, the Clerk's Office shall attempt to fill the Vacancy through the Lateral Transfer process in accordance with the CBA and/or other written agreement with the Union.

1. Notice of the Lateral Transfer Bidding Process

a. The Clerk's Office shall post a notice of all Vacancies subject to the Lateral Transfer process in the EAS and as required by the CBA.

b. Each Vacancy subject to the Lateral Transfer process shall be assigned a unique posting number.

c. The term of the posting period for the Lateral Transfer Bidding process shall be specified, not to exceed 21 days.

d. The term of the Lateral Transfer process shall be specified, not to exceed 90 days.

e. HR shall create a Lateral Bid Booklet for all Vacancies subject to the Lateral Transfer process; this booklet shall be electronically communicated with all employees and shall be available in hard copy in each Clerk's Office of each division/department/district, including the branch courts, and on the Clerk's Office intranet.

f. The Lateral Bid Booklet shall specify the number of Vacancies for each Position title, specifying the location and, where applicable, shift of each Position Vacancy for which lateral bids will be accepted during the posting period. The Clerk's Office may modify the number and/or location and/or shift of Vacancies in the Lateral Bid Booklet based on operational needs in writing, prior to beginning the selection process specified in this Section.

g. At least two business days before the posting of Vacancies subject to the Lateral Transfer process, the Clerk's Office shall provide (1) a copy of the Lateral Bid Booklet for all Vacancies subject to the Lateral Transfer process with corresponding unique posting number in electronic form to the DOC for review and comment; and (2) Position Descriptions for each said Vacancy.

2. Bidding Process

- a. CBU Employees, including those on approved leaves of absence, may submit a bid for any available Vacancy subject to the Lateral Transfer process during the posting period so long as the CBU Employee holds the same Position title in another location of the Clerk's Office.
- b. The CBU Employee must submit the bid through the EAS in compliance with the requirements set forth in the Lateral Bid Booklet.
- c. Copies of all bids shall be made available to the DOC within two business days after the close of the posting period and maintained in the Posting File.
- d. A bid shall be considered deficient if: (1) it fails to bid for a posted Position; or (2) it is incomplete. Upon receipt of a deficient bid, HR shall inform the Applicant in writing of the nature of the deficiency prior to the closing of the posting period to allow the Applicant an opportunity to correct the deficient bid, and maintain a copy of such notice in the Posting File. Employees shall not be provided with the opportunity to correct a deficient bid after the posting period closes. A bid shall be considered invalid if: (1) it is submitted after the posting period closes; (2) it is submitted by an employee who does not hold the Position title listed in the Lateral Bid Booklet; or (3) it is submitted by an employee who is serving a probationary period. Upon receipt of an invalid bid, HR shall inform the Applicant in writing of the nature of the invalidity and maintain a copy of such notice in the Posting File. Invalid bids shall not be considered and shall not be included on the List of Received Bids Form.
- e. Within two business days after the close of the posting period, HR shall create a List of Received Bids Form, EXHIBIT O, for each Position title with the Applicants' names and send to the Chief Deputy Clerk of each division/department/district or Designee who will post the List. A copy of all bids and the List of Received Bids Form shall be made available to the DOC and be maintained in the Posting File.
- f. The List of Received Bids Form shall remain posted for three business days. If during that time an Applicant or other CBU Employee claims there is an error on the List of Received Bids Form, the Chief Deputy Clerk or HR shall memorialize the claim in writing. The employee shall be given the opportunity to submit supporting documentation of a bid submitted pursuant to the requirements of Section VIII.B.2. HR shall review the supporting documentation and determine in writing whether or not the bid was submitted pursuant to the requirements of Section VIII.B.2. The Chief Deputy Clerk or HR shall amend the List of Received Bids Form, as appropriate. The Chief Deputy Clerk or HR shall provide a copy of the claim(s); supporting documentation for the amendment(s) or refusal to amend; and the amended List of Received Bids Form to the CHRO or Designee, who shall forward a copy to the DOC within two business days after close of the posting of the List of Received Bids Form and HR shall maintain such documents in the Posting File.

3. Selection Process

- a. HR shall provide the DOC, at least two business days in advance of making offers to eligible employees, with: (i) the identity of all CBU Employees who submitted a bid for Lateral Transfer, in seniority order for each Position title; (ii) a current Seniority List; (iii) disciplinary histories of all CBU Employees deemed ineligible for Lateral Transfer; (iv) attendance reports for all CBU Employees deemed ineligible for Lateral Transfer; and (v) a Validated Eligibility List specifying all bids and the disposition of each bid including, but not limited to, all offers to be made, deficient bids and whether or not they were corrected, employees deemed ineligible based on their disciplinary record or any other specified reason, and a written explanation as to employees who submitted bids but will not receive offers. All such related or relevant documentation shall be maintained in the Posting File.
- b. If HR determines that the most senior Bargaining Unit Employee is ineligible for a Lateral Transfer based on his/her disciplinary record consistent with Section VI.M.3, attendance record in accordance with the CBA and/or agreement with the Union, or any other reason, HR shall memorialize this decision in writing, including the basis or bases for the decision, on the Validated Eligibility List. If the most senior Bargaining Unit Employee is deemed ineligible for a Lateral Transfer based on his/her disciplinary record, the second most senior Bargaining Unit Employee shall be selected to fill the Position and HR shall memorialize this decision in writing on the Validated Eligibility List. This process shall continue as described herein until CBU Employees have been selected to fill all of the Vacancies for the Position title. All decisions of eligibility and ineligibility shall be provided to the DOC at least two business days prior to making the offer to fill the Vacancy and shall be maintained in the Posting File.
- c. Where an Employee in a Bargaining Unit Position submits a bid for a Lateral Transfer and he/she subsequently declines an offer to transfer, the relevant provisions of the CBA shall apply.
- d. All offers and declinations of Lateral Transfers shall be memorialized by HR in writing. All acceptances or declinations of such offers shall be in writing, signed by the Employee, written or electronically, maintained in the Posting File.
- e. HR shall notify in writing all employees who submitted a bid or bids but were not offered a Lateral Transfer of the basis or bases for not extending an offer prior to the close of the Lateral Transfer process.
- f. All CCCO and HR actions related to the Lateral Transfer process are subject to monitoring by the DOC.
- g. HR shall maintain the full Posting File. The Posting File shall contain an NPCC signed by all HR employees who participated in any step of the Lateral Transfer process. Copies of the Posting File shall be made available to the DOC.

h. HR shall review the full Posting File to ensure that it contains all required documentation relating to the posting. The Posting File shall contain documentation memorializing all lateral bids submitted and the disposition of each bid.

4. Probationary Period

Bargaining Unit Employees who are transferred through the Lateral Transfer process are subject to a probationary period in accordance with the CBA. Consistent with applicable policies, the Bargaining Unit Employee shall receive a Probationary Performance Evaluation. If the Bargaining Unit Employee receives a score of less than 2.0 on the Probationary Performance Evaluation, he/she shall be returned to his/her former Position and work location, if that Position is available. If the former Position is unavailable, the Bargaining Unit Employee shall be returned to his/her former grade and work location but not necessarily to his/her former Position.

C. Promotions for Bargaining Unit Positions

Vacancies in the Bargaining Unit Positions identified in Appendix B to the CBA, other than entry level positions, shall be filled through the Promotion process in accordance with the CBA and/or other written agreement with the Union.

1. Notification of Promotion Vacancies

HR shall notify the DOC of all Vacancies to be filled through the Promotion process at least two business days in advance of any action to fill the Vacancy.

2. Posting of Promotion Vacancies

All Promotion Vacancies shall be posted in the EAS by Position title. If multiple Vacancies in the same job title are available, the posting shall indicate the total number of Vacancies, and include the location and/or shift of each Vacancy, if applicable.

3. Application for Promotion

All applications for Promotion and required application materials must be submitted to HR through the EAS. Any Applicant who does not complete the online application for the Promotion through the EAS shall not be considered eligible for the Promotion. HR shall disqualify Applicants who (1) submit an application after the posting period closes or (2) submit an application while serving a new hire, rehire, or reinstatement probationary period. HR shall inform the Applicant in writing of the nature of their disqualification.

4. Creation of Preliminary Eligibility List

After the final posting closing date, HR shall create a Preliminary Eligibility List containing the names of Applicants who completed the application process in EAS and indicated they possess all Minimum Qualifications for each Position title. The Preliminary Eligibility List shall be maintained in the Posting File.

5. Validation Process

HR shall validate all Applicants on the Preliminary Eligibility List by comparing the information provided in the employment application materials concerning the Applicant's work experience, education, and skill with the Minimum Qualifications of the Position to determine whether the applications materials show on their face that the Applicant meets the Minimum Qualifications. In

the event the employment application materials do not establish that the Applicant possesses the Minimum Qualifications of the Position, the Applicant shall be ineligible for the Promotion and the reason for ineligibility shall be noted on the Preliminary Eligibility List. HR shall provide the results of the validation process to the DOC within five business days of completion. HR's validation results shall be maintained in the Posting File.

6. Review of Determinations by DOC

The DOC shall have access to Applicants' employment application materials on EAS. The DOC may object to HR's eligibility determinations of an Applicant based on the DOC's validation of the Applicant's Minimum Qualifications. The CHRO or Designee and DOC shall meet and confer in an effort to reach agreement on Applicant eligibility determinations. Disputes regarding whether an Applicant meets a Minimum Qualification shall be resolved in favor of meeting the Minimum Qualification, to result in the broadest applicant pool. If the CHRO or Designee and DOC are unable to reach agreement, the COS shall make the final determination and memorialize the decision as to whether the Applicant is eligible in writing, including an explanation of the disagreement and the basis for resolution. The COS' decision shall be maintained in the Posting File. All Applicants deemed eligible shall be added to the Validated Eligibility List in order of seniority. The Validated Eligibility List shall be maintained in the Posting File.

7. Selection Process

a. HR shall provide notice to the DOC at least two business days in advance of starting the offer process with (i) the Validated Eligibility List for each Promotion title, in seniority order; and (ii) all documentation related or relevant to the employees including, but not limited to, a current Seniority List; disciplinary histories; attendance reports; and all documentation created by HR to track the Promotion Process. All such documentation shall be maintained in the Posting File.

b. HR shall validate the disciplinary history in accordance with Section VI.M.3 and/or time and attendance record in accordance with the CBA and/or written agreement with the Union of Applicants on the Validated Eligibility List. If HR determines that the most senior employee is ineligible for the Promotion based on the employee's disciplinary record consistent with Section VI.M.3 or attendance record in accordance with the CBA and/or written agreement with the Union, HR shall memorialize this decision in writing on the Validated Eligibility List and move to the next most senior CBU Employee. HR shall continue to validate the disciplinary history and/or time and attendance record of Applicants on the Validated Eligibility List until HR arrives at an eligible CBU Employee for each Promotion Vacancy. All decisions of eligibility shall be provided to the DOC at least two business days prior to making the offer to fill the Promotion Vacancy and shall be maintained in the Posting File. If no CBU Employee who completed an application for the Promotion pursuant to this Section is deemed eligible, the Vacancy shall be filled through the General Hiring Process.

c. HR shall notify in writing all employees who submitted a bid but were not offered a Promotion of the basis for not extending an offer prior to the close of the Promotion process.

d. All offers of a Promotion through the Promotion process shall be made by HR in writing and maintained in the Posting File. All acceptances or declinations of such offers shall be in writing, signed by the Employee, maintained in the Posting File.

e. All CCCO and HR actions related to the Promotion process are subject to monitoring by the DOC.

f. HR shall maintain the full Posting File. The Posting File shall contain an NPCC signed by all HR employees who participated in any step of the Promotion process. Copies of the Posting File shall be made available to the DOC within five business days of the final selection of the Bargaining Unit Employee selected for the Promotion, if not previously provided.

g. HR shall review the full Posting File to ensure that it contains all required documentation relating to the posting before notifying the CHRO or Designee of the approval to extend an offer of employment to any selected Applicant. No employee shall be moved into the Promotion Vacancy before HR provides all documents in the Posting File not previously provided to the DOC.

8. Probationary Period

Bargaining Unit Employees who are promoted through the Promotion process are subject to a probationary period in accordance with the CBA. Consistent with applicable policies, the Bargaining Unit Employee shall receive a Probationary Performance Evaluation. If the Bargaining Unit Employee receives a score of less than 2.0 on the Probationary Performance Evaluation, he/she shall be returned to his/her former grade, Position, and/or work location, pursuant to the CBA.

IX. ACTIVELY RECRUITED POSITION HIRING PROCESS

The Clerk's Office may use the following process for hiring individuals to fill Actively Recruited Positions. If the Clerk's Office elects not to follow these procedures, it shall follow the procedures in Section VI.

A. No Political Reasons or Factors

No Employment Action covering an Actively Recruited Position may be based on any Political Reasons or Factors.

B. Requests to Hire

All hiring for Actively Recruited Positions shall be initiated by submission of an RTH in accordance with Section VI.D.1 and review the Position Description in accordance with Section VI.D.2.

C. Creation and Posting of Notice of Job Opportunity

All Notices of Job Opportunity shall be created in accordance with Section VI.E and posted in accordance with Section VI.C and VI.F.

D. Submission of Applications

All applications must be submitted to HR through EAS. Any Applicant who does not complete the online application for the Actively Recruited Position through EAS shall not be considered eligible for the Actively Recruited Position.

E. Application Screening

Each Applicant shall be required to answer Disqualifying Questions and any applicable Prescreening Questions in EAS. Applicants whose answers indicate they do not have all of the Minimum Qualifications of the Actively Recruited Position shall not be eligible. The same Disqualifying Questions and Prescreening Questions shall be asked of all Applicants applying for the same Actively Recruited Position.

F. Creation of Preliminary Eligibility List

After the posting closing date, HR shall create a Preliminary Eligibility List for the Position posted containing the names of all Applicants who completed the application process in EAS and who indicated in EAS that they possess all Minimum Qualifications for the Position. If no Applicant is eligible for inclusion on the Preliminary Eligibility List, the Position may be reposted.

G. Creation of Validated Eligibility List

HR shall create a Validated Eligibility List to determine which Candidate(s) may be placed on the Interview List.

1. Validation of Experience/Education

HR shall validate the information in the employment application materials of all Applicants on the Preliminary Eligibility List concerning the Applicant's work experience, education, and skills and compare it with the Minimum Qualifications and the Preferred Qualifications, if applicable, to determine whether the application materials show on their face that the Applicant meets the Minimum Qualifications and Preferred Qualifications, if applicable. If necessary, HR may consult with individuals with specific knowledge of the qualifications for the Position during the validation process to assist in the determination of whether an Applicant possesses a Minimum Qualification or Preferred Qualification that is technical in nature. In the event the information does not support the Applicant's claim to possess the Minimum Qualifications of the Position, the Applicant shall be considered ineligible for the Position, his or her name shall be not placed on the Validated Eligibility List, and the reason for ineligibility will be noted on the Preliminary Eligibility List. If none of the Applicants possess all the Minimum Qualifications for the Position, the Position shall be reposted. The CHRO or Designee, in consultation with and the head of the Hiring Bureau, may review the Minimum Qualifications in the Position Description to determine if any changes are appropriate. Any changes or updates to the Position Description shall be provided to the DOC pursuant to Section IV.L.

2. Validation of Disciplinary History for Internal Applicants or Former Employees

The CHRO or Designee shall review the disciplinary history of all Internal Applicants and Former Employees in accordance with Section VI.M.3.

3. Notification of Completion of Validation

HR shall provide the results of the validation process to the DOC for each posting within five business days of completion of the Validated Eligibility List.

4. Use of Validated Eligibility List

The Validated Eligibility List shall be valid and may be used for purposes of filling vacancies for the posted Actively Recruited Position for a period of 12 months from the date created. If a Validated Eligibility List is used, HR shall proceed with the hiring process as set forth in this Section IX.

H. Review of Determinations for DOC

The CHRO or Designee shall send its proposed Validated Eligibility List to the DOC for review in accordance with Section VI.M.5.

I. Pre-Employment Testing

Additional pre-employment tests may be administered to Candidates appearing on the Validated Eligibility List confirmed by HR and the DOC. The pre-employment test shall be based on the specific requirements of the Position for which the Candidates are applying and as described in the Notice of Job Opportunity. Each pre-employment test shall be administered, scored, considered, and weighted on a consistent basis for each Candidate. HR shall provide the results of the pre-employment test to the DOC within three business days of completing the testing. The CHRO or Designee shall meet and confer with the DOC regarding the results of the pre-employment test in accordance with the review and determination process set forth above. The Validated Eligibility List shall be updated to reflect those Candidates who passed the pre-employment test and were confirmed by HR and the DOC in accordance with the process set forth above.

J. Appointment of an Application Review Panel

HR, in consultation with the CHRO or Designee and the Deputy of the Hiring Department or Designee, shall appoint an Application Review Panel consisting of (a) the Deputy of the Hiring Department or Designee; (b) at least two other Supervisors with first-hand knowledge of the duties and responsibilities of the Position; and (c) at least one Employee meeting the qualifications set forth in subsection (b) to serve as an alternate member of the Application Review Panel. The Supervisor(s) may come from outside the Hiring Department. HR shall schedule a meeting of the Application Review Panel and shall distribute the Validated Eligibility List, Position Description for the Actively Recruited Position and the applications and resumes of all Candidates on the Validated Eligibility List to the Application Review Panel. The CHRO or Designee shall notify the DOC of the Application Review Panel meeting at least two business days prior to the meeting. No Employee, including the head of the Hiring Bureau, may serve on an Application Review Panel if a Conflict of Interest has been determined to exist pursuant to Section VI.Q.2.c.

K. Creation of Interview List

Upon receipt of the Validated Eligibility List and Position Description from HR, the Application Review Panel shall review the applications and resumes of all Candidates on the Validated Eligibility List and select at least three Candidates for the Interview List based on the extent to which each Candidate meets the stated Preferred Qualifications, if any, and has the work-related

experience, education, knowledge, skills, and abilities needed for the Actively Recruited Position. If fewer than three Candidates are on the Validated Eligibility List, the Application Review Panel may proceed to interview or may ask HR to repost the Position.

L. Interview Preparation

1. Appointment of an Interview Panel

The CHRO or Designee, in consultation with the head of the Hiring Bureau, shall appoint an Interview Panel consisting of the (a) Deputy of the Hiring Department or Designee; (b) at least two Supervisors with first-hand knowledge of the duties and responsibilities of the Position; and (c) at least one Employee with the qualifications set forth in clause (b) above to serve as an alternate panel member. The Supervisors may come from outside the Hiring Department. The CHRO or Designee, in consultation with the head of the Hiring Bureau, may appoint the same panelists for the Interview Panel as appointed for the Application Review Panel. No Employee may be assigned to an Interview Panel without first receiving the Interviewer Training and certification described in Section IV.I. No Employee, including the head of the Hiring Bureau, may interview a Candidate on the Interview List if a Conflict of Interest has been determined to exist pursuant to Section VI.Q.2.c.

2. Interview Scheduling

HR shall schedule interviews of all Candidates listed on the Interview List as well as the corresponding Interview Panel Meeting and provide the schedule to the Interview Panel at least two business days prior to the date of the first interview. HR shall provide the list of panelists and interview schedule to the DOC at least two business days prior to the first scheduled interview.

3. Interview Questions

The head of the Hiring Bureau or Designee shall create a minimum of 10 interview questions. The interview questions shall establish, at a minimum, the Candidate's: (a) willingness and ability to do the job; (b) prior job performance; (c) knowledge and understanding of the responsibility of the Position; and (d) relative qualifications for the Position. The head of the Hiring Bureau shall send the interview questions to the CHRO or Designee. The CHRO or Designee, in conjunction with the head of the Hiring Bureau or Designee, shall amend or approve the questions. The General Counsel or Designee shall verify that the questions asked will not violate any employment/labor laws or regulations, including those laws or regulations pertaining to employment discrimination. The head of the Hiring Bureau or Designee shall select five or more questions, from the 10 previously approved questions, to be used for interviews for that Position and determine final scoring weights for each question. All interview questions shall be considered and treated as confidential. HR shall send the list of interview questions to the DOC at least three business days prior to the interview for review and comment. The interview questions developed for a particular Actively Recruited Position may be used for subsequent vacancies for that Actively Recruited Position, provided appropriate precautions are taken to prevent advance dissemination of the questions or answers and provided the questions remain related to the duties of the Actively Recruited Position.

M. License and Certification Verification

All Candidates shall be required to produce required documentation (*e.g.*, current driver's license, diploma, school transcript, certifications) listed on the Notice of Job Opportunity within the time period set forth in the Notice of Job Opportunity. Copies of such documents shall be included in the Interview File. Candidates who do not produce the required documentation within the time period set forth in the Notice of Job Opportunity shall not be eligible for further consideration. Any such ineligibility shall be noted on the Interview List.

N. Interview of Candidates

The following shall apply to the interview of Candidates:

1. Notification

HR shall notify the DOC in writing of the time and place of each interview at least two business days prior to the interview. The DOC may monitor any interview.

2. Conducting the Interview

The Interview Panel shall interview each Candidate on the Interview List in accordance with the procedures in Section VI.Q. An HR representative shall be present while interviews are being conducted.

3. Interviewer Evaluation Form

Each interviewer shall independently and personally complete, sign, and score an Interviewer Evaluation Form in accordance with Section VI.Q.3 and complete an NPCC.

O. Candidate Ranking Procedure

Following completion of interviews with all Candidates on the Interview List, the final Candidate shall be selected in accordance with the following:

1. Ranking Meeting

When possible, the Ranking Meeting shall be conducted within three business days of the final Candidate Interview, provided that the Ranking Meeting shall not be conducted more than seven business days of the final Candidate Interview. Members of the Interview Panel may not discuss Candidates prior to the Ranking Meeting. All Interview Panel Members (including any alternate Interview Panel members who conducted an interview) must be present at the Ranking Meeting. Each Interview Panel Member has an opportunity to freely and without fear of retaliation express his or her opinion regarding the Candidates. The Interview Panel shall discuss the Candidates interviewed. An HR representative shall be present and take notes at the Ranking Meeting and will be available to the Interview Panel to provide advice and expertise. The notes may be handwritten or typed, and shall include (a) the title of the Position being discussed in the Interview Panel meeting; (b) the date of the meeting; (c) the name of the HR representative facilitating the meeting; (d) the names of each interviewer present at the meeting; (e) a description of why, how and by whom each Candidate was ranked; and (f) the order each Candidate was ranked by each member of the Interview Panel. The notes shall also indicate the objective basis or bases on which any Candidate was or was not ranked by the Interview Panel.

2. Notification

The DOC may monitor the Ranking Meeting. HR shall provide the DOC with notice of the Ranking Meeting at least two business days in advance.

3. Interview Panel Ranking List

The Interview Panel shall create an Interview Panel Ranking List by ranking Candidates by a majority vote of the Interview Panel and complete an NPCC.

4. Review of the Interview File

The notes, the Interviewer Evaluation Forms, and the Interview Panel Ranking List shall be included in the Interview File. The CHRO or Designee and the DOC shall review the Interview File and verify that the Candidate ranked highest on the Interview Panel Ranking Form and recommended by the Interview Panel for selection is in compliance with the requirements of this Employment Plan. If either the CHRO or Designee or the DOC determines that the selection of a Candidate or Candidates listed on the Interview Panel Ranking Form was not in compliance with this Employment Plan, the process shall be suspended until the issue is resolved to the satisfaction of the CHRO or Designee and the DOC.

P. Candidate Selection Procedure

Candidates shall be selected pursuant to Section VI.S.

Q. Future Vacancies

The Clerk or Designee may select Candidates from the Interview Panel Ranking List for subsequent vacancies for the same Actively Recruited Position for a period of 12 months from the date the Interview Panel Ranking List was created.

R. Grant of Authority

The CHRO or Designee shall prepare the Grant of Authority pursuant to Section VI.T.

S. Documentation Review

The CHRO or Designee shall review the Interview File to ensure that it contains all required documentation relating to the posting before approving HR to extend a conditional offer of employment to any selected Candidate. No conditional offer shall be extended before the CHRO or Designee provides all documents in the Interview File not previously provided to the DOC.

T. Conditional Offers of Employment

HR shall extend conditional offers of employment in accordance with the following:

1. Extension of Conditional Offer

After the DOC have completed their review of the Interview Panel Ranking List and the Justification to Hire for the Actively Recruited Position, the CHRO or Designee shall extend a written conditional offer of employment to the selected Candidate(s), conditioned on verification of past employment and other required pre-employment processes. All conditional offers of employment shall be made by a verbal conditional offer and in writing; and copies of the written conditional offer shall be included in the Posting File and each Candidate's Personnel File. The

CHRO or Designee shall notify the Clerk, COS, head of the Hiring Bureau and DOC whether the conditional offer was accepted.

2. Verification of Past Employment

HR shall attempt to verify the employment history by contacting employers provided by the Candidate until such list is exhausted (including if an employer does not respond). Any Candidate who has provided misleading or incorrect information, excluding minor discrepancies, on his/her employment application or resume shall not be considered eligible, and the conditional offer shall be rescinded. The CHRO or Designee shall document for the Posting File the basis or bases for the finding of ineligibility, sign an NPCC, and notify the Clerk or Designee, the head of the Hiring Bureau and DOC that the selected Candidate is ineligible.

3. Other Pre-Employment Processes

The Candidate shall be required to successfully complete/pass any other pre-employment processes deemed necessary by HR. Any Candidate who does not successfully complete/pass a pre-employment process shall not be considered eligible, and the conditional offer shall be rescinded. The CHRO or Designee shall document for the Posting File the basis or bases for the finding of ineligibility, sign an NPCC, and notify the Clerk or Designee, the head of the Hiring Bureau and DOC that the selected Candidate is ineligible.

4. Unaccepted Conditional Offer

If a Candidate does not accept the conditional offer of employment, the Clerk or Designee shall make a further selection pursuant to Section VI.S. Any communication from a Candidate declining a conditional offer of employment, whether written or verbal, shall be included in the Posting File, and timely communicated to the DOC.

5. No Additional Candidates

If no Candidate on the Interview Panel Ranking List is eligible and accepts the conditional offer of employment, the Position may be reposted after the CHRO or Designee and the head of the Hiring Bureau confer about revisions to the Position Description. If the Position Description is updated after such consultation, the CHRO or Designee shall send the updated Position Description to the DOC for review and comment pursuant to Section IV.L.

U. Posting File

HR shall maintain the full Posting File. Copies of the Posting File, Interview File, and all such documentation shall be made available to the DOC within five business days of the final selection of the Candidate, if not previously provided. The Posting File shall contain an NPCC signed by all HR employees who participated in any step of the process.

V. Changes to and Posting of Actively Recruited Positions Lists

Changes to the Actively Recruited Positions List shall be made using the same procedures provided for in Section XII.B governing changes to Exempt Positions.

W. Union Membership

If an Actively Recruited Position becomes covered under a CBA, the Actively Recruited Position shall automatically be removed from the Actively Recruited Positions List, and any vacancy for such Actively Recruited Position shall be subject to Section VI, VII or VIII, as applicable and the Collective Bargaining Agreement.

X. **DIRECTOR OF COMPLIANCE (DOC) HIRING PROCESS**

The Clerk's Office shall hire the DOC in accordance with the following process:

A. Applications

1. The CHRO or Designee shall prepare the Notice of Job Opportunity, Position Description, rating and ranking criteria, and interview questions for the DOC Position. The CHRO or Designee shall circulate the documents for review and comments to the OIG before being finalized by the Clerk's Office.

2. The employment application for the DOC Position shall include the following questions:

a. Whether, at the time of the application, the Applicant knows of any current Clerk Employee with whom the Applicant has or has had a familial, business, and/or professional relationship. The applications shall also include a section allowing the Applicant to describe the extent of any such relationship. The Vetting Panel shall jointly evaluate whether the relationship or affiliation gives the appearance of impropriety and, therefore, disqualifies the Applicant.

b. Whether the Applicant has ever served as a candidate, officer, employee, or consultant of any partisan political organization or partisan politically affiliated group. If so, the Applicant MUST submit a list of all such instances. The Vetting Panel shall jointly evaluate whether any such instances present an actual or the appearance of political influence which may cloud objectivity of the Applicant and, therefore, disqualifies the Applicant.

c. Whether the Applicant has worked on behalf of any party, entity, or individual in connection with the Shakman litigation at any point and, if so, the Applicant MUST identify the entity or person the Applicant worked for and describe the work performed. The Vetting Panel shall jointly evaluate whether any such work may cloud the objectivity of the Applicant and, therefore, disqualifies the Applicant.

3. The position shall be posted on EAS for a minimum of 14 days in accordance with Section VI.F.3. The position also shall be publicized on the Clerk's Office's website, on Indeed.com, with professional organizations such as the Society for Human Resources Management, Illinois State Bar Association Career Center, other local bar associations and at least two websites focused on compliance positions.

4. All applications must be submitted to HR through EAS. Any Applicant who does not complete the online application for the DOC Position through EAS shall not be eligible for the Position.

5. After the closing date, HR shall review all applications in EAS to eliminate the applications of Applicants who did not complete the application process as specified in the Position Description, including providing all required documentation. The eliminated applications and reasons for elimination shall be explained in EAS.

B. The Vetting Panel

1. A Vetting Panel shall be created consisting of a designee of the CHRO, two Clerk's counsel (at least one of which shall be in-house counsel) and the OIG. The Vetting Panel shall evaluate and assess the applications and qualifications of Applicants for the DOC Position.

2. The applications for Candidates found eligible for the Position shall be made available via EAS or distributed to each member of the Vetting Panel and treated as confidential. Each member of the Vetting Panel shall evaluate and rank each Candidate using the Position Description and the answers to the questions in X.A.2 as a guide for evaluation.

3. The Vetting Panel shall meet at a mutually convenient time to discuss and agree upon a ranking of Candidates using whatever procedures and objective evaluation approaches it deems advisable. The numeric rankings of each Candidate shall be treated as confidential.

4. The Vetting Panel shall forward the names of the four highest ranked Candidates (without designation of any numeric ranking) to the CHRO or Designee. If there are less than four ranked Candidates, the Vetting Panel may advance the ranked Candidates to interview or recommend to the Clerk that the Position be reposted.

C. The Interview Panel

1. HR shall invite all ranked Candidates referred by the Vetting Panel to interview with the Interview Panel.

2. The Interview Panel shall consist of three or four Employees selected by the Clerk to interview Candidates. Members of the Vetting Panel may not serve on the Interview Panel, with the exception of the General Counsel or Designee. All members of the Interview Panel must have completed the Interviewer Training and certification described in Section IV.I. An HR representative shall facilitate the conducting of interviews by: (a) informing the Interview Panel of the interview process; (b) being available while interviews are being conducted to answer any questions from the Interview Panel and Candidates; (c) requesting that any applicable forms be completed; (d) picking up completed forms at the completion of each interview; and (e) reviewing such forms for accuracy and completeness. The HR representative shall be present while interviews are being conducted.

3. At least two business days prior to the first interview, HR shall send the interview questions to the OIG for review and comment. HR shall also circulate to the Interview Panel and the OIG the list of Candidate names to be interviewed and application materials to review to determine whether a Conflict of Interest exists.

4. If a Conflict of Interest is discovered prior to or during any interview, the Interview Panel member shall notify the CHRO or Designee that a Conflict of Interest exists and that an alternate member of the Interview Panel is needed. The CHRO or Designee shall promptly notify the OIG in writing of the Conflict of Interest and identify the replacement panelist. To the extent the CHRO or Designee determines that a Conflict of Interest exists, the Interview Panel member shall not participate in the interview or the selection process for that Candidate. The alternate Interview Panel member shall assume the Interview Panel member's duties (asking questions, completing the Interviewer Evaluation Form, etc.). If a Conflict of Interest is discovered after an interview, the Interview Panel member must promptly notify the CHRO or Designee; the CHRO or Designee shall determine whether a second Interview Panel must be convened. The CHRO or Designee shall promptly notify the OIG of any Conflict of Interest and the selection of an alternate Interview Panel member. A Conflict of Interest discovered prior to, during, or after an interview shall be documented by the CHRO or Designee and included in the Interview File.

5. If a member of the Interview Panel becomes unavailable to conduct an interview of a Candidate, such panel member shall notify the CHRO or Designee as soon as possible prior to the interview. The Clerk or Designee shall select another Clerk's Office employee to serve on the Interview Panel to conduct the interview. The CHRO or Designee shall promptly notify the OIG of such replacement.

6. Each Interview Panel member shall independently and personally complete, sign and score each Candidate using an Interviewer Evaluation Form at the conclusion of each interview and complete an NPCC. The Interviewer Evaluation Form shall be completed pursuant to the requirements set forth in Section VI.Q.3. Copies of all Interviewer Evaluation Forms shall be maintained by HR for OIG audit.

7. All Candidates interviewed for the DOC Position shall be asked the same interview questions agreed to by the CHRO or Designee and OIG. Additional and follow-up questions by the Interview Panel members are permitted and encouraged, provided they are related to a determination of the Candidate's suitability for the DOC Position. All responses provided by a Candidate, including responses to follow-up questions, are to be considered by the Interview Panel.

8. All interviews may be monitored by the OIG.

D. Ranking the Candidates

1. The Interview Panel shall evaluate the Candidates using the answers to the approved interview questions and relevant follow-up questions, ranking criteria, and whatever further procedures and objective evaluation approaches the Interview Panel deems advisable.

2. The Ranking Meeting shall be conducted within three business days of the final Candidate's interview. All Interview Panel members (including any alternate Interview Panel members who conducted the interviews) must be present at the Ranking Meeting. Each Interview Panel member shall be given an opportunity to freely and without fear of retaliation express his or her opinion regarding the interviewed Candidates who received a total average score of 3.0 or higher. The Interview Panel members shall be provided with a copy of their own completed Interviewer Evaluation Forms for use during the Ranking Meeting to discuss the interviewed Candidates. The OIG may monitor the meeting and shall be provided notice at least three business days in advance. The Interview Panel shall create an Interview Panel Ranking List by ranking their top Candidates in order of preference and complete an NPCC, both of which shall be forwarded by the CHRO or Designee to the Clerk and the OIG.

3. An HR representative shall take notes at the Ranking Meeting, which notes may be handwritten or typed. The notes shall include: (a) the title of the DOC Position being discussed; (b) the date of the Ranking Meeting; (c) the name of the HR representative facilitating the Ranking Meeting and taking notes; (d) the names of each Interview Panel member present; (e) a description of why, how and by whom each Candidate was ranked; and (f) the order each Candidate was ranked by each member of the Interview Panel. The notes shall also indicate the objective basis or bases on which any Candidate was or was not ranked by the panel.

4. Any questions concerning the process shall be addressed jointly by conference call or email to the CHRO or Designee and the OIG.

E. Selecting the DOC

1. The Interviewer Evaluation Forms, Interview Panel Ranking List, Ranking Meeting notes and other documents in the Interview File shall be provided to the Clerk for review. The Clerk shall determine the best qualified Candidate for the DOC Position based on his/her review of such documents. If the Clerk does not accept the first-ranked Candidate on the Interview Panel Ranking List, the Clerk shall explain the reasons for the Clerk's alternative selection in writing and sign an NPCC, both of which shall be delivered to the CHRO or Designee and the OIG. If none of the individuals on the Interview Panel Ranking List is acceptable to the Clerk, he/she shall explain the reasons why in writing and sign an NPCC, both of which shall be delivered to the CHRO or Designee and the OIG. In that event, the Vetting Panel shall forward the names of the next four highest ranked Candidates to the Interview Panel, the Clerk, and the OIG for interview, evaluation, and ranking. If the Vetting Panel does not deem any additional Candidates as appropriate for interview, the DOC Position shall be reposted in accordance with Section X.A.3.

2. The Clerk or Designee shall forward the name of the selected Candidate and complete a Justification to Hire and NPCC in accordance with Section VI.S.

3. HR shall follow the hiring procedure in accordance with Sections VI.T–VI.V.

4. Notification of the selection shall be forwarded by the CHRO or Designee to the Vetting Panel, Interview Panel members and the OIG.

5. A conditional offer of employment shall be extended to the selected Candidate in accordance with Section VI.V.

6. No Employment Action covering the DOC may be based on any Political Reasons or Factors.

XI. INTERN/EXTERN HIRING PROCESS

The Clerk's Office shall use the following processes for selecting paid and unpaid Interns and Externs. Unpaid Internships/Externships include Internships/Externships unpaid by the Clerk's Office but may be paid by other organizations.

A. Unpaid or Paid Intern/Extern Placed by Academic Institutions or Non-Political Organizations

1. When the Unpaid or Paid Intern/Extern is placed directly by an academic institution or other non-political organization with an internship/externship program, the Clerk's Office shall have no discretion or input in recommending or selecting the Unpaid or Paid Intern/Extern and the Clerk's Office shall follow the placement procedures of the academic institution or other non-political organization with an internship/externship program.

2. HR shall send a Position Description of an Unpaid or Paid Internship/Externship to the academic institutions and other non-political organizations, which shall describe the position, the background/skills sought, term, expected duties, anticipated hourly/weekly time commitment, and other material aspects of the Unpaid or Paid Internship/Externship. The Position Description shall include a statement that any political contact on behalf of an Unpaid or Paid Intern/Extern shall result in the disqualification of the Unpaid or Paid Intern/Extern from consideration for the Unpaid or Paid Internship/Externship. The Clerk's Office shall follow the placement procedures of the academic institution or other non-political organization with an internship/externship program. The academic institution or other non-political organization shall determine whether or not the internship/externship will be paid and be responsible for such payment.

3. Prior to commencing the Unpaid or Paid Internship/Externship, the Clerk's Office shall obtain a NPCC completed by individuals from the academic institution or other non-political organization making the Unpaid or Paid Intern/Extern selection.

4. The CHRO or Designee shall provide a Notice of Employment Action detailing the Unpaid or Paid Intern/Extern retention and the completed NPCC to the DOC no later than five (5) business days after the Unpaid or Paid Intern/Extern's start date.

B. Direct Placement of Intern/Extern

When an Intern/Extern from an academic institution, other nonpolitical organization, or from a personal request of an Applicant, is selected by the Clerk's Office, not pursuant to Section XI.A, the following process shall be used:

1. Request for Paid Intern/Extern

Bureau heads interested in having Paid Interns/Externs in their Bureaus shall submit a Request for Paid Intern/Extern Form, as described in EXHIBIT M, which shall be amended from time to time, setting forth the number of Paid Interns/Externs requested, the background/skills sought, and the scope of duties to be performed by each. The Clerk or Designee shall determine the scope and number of Paid Internships/Externships based on the operational needs and budget of the Clerk's Office. The approved number of Paid Interns/Externs and the scope of duties to be performed shall be documented on the Request for Paid Intern/Extern Form. Because of the changing operational needs, the determination of the scope will be made as close to the starting time of the potential Paid Internship/Externship as possible. (*i.e.*, by the end of April for a Paid Internship/Externship commencing in June). The determination of scope will be made prior to the review of any Paid Intern/Extern application for direct placement (Section XI.B).

2. Notice of Availability

The CHRO or Designee shall send a Notice of Availability of a Paid Internship/Externship to academic institutions and other non-political organizations primarily within Cook County, and also post the Notice in accordance with Section VI.C. The Notice of Availability shall describe the position, the background/skills sought, term, expected duties, hourly/weekly time commitment, hourly rate of pay, and other material aspects of the position. The Notice of Availability shall include a statement that any political contact on behalf of an Applicant shall result in the disqualification of the Applicant from consideration for a Paid Internship/Externship. The Notice of Availability shall also include the deadline for applying, an application form, and the directions on how and where to apply. Applications must be submitted in EAS. A copy of the Notice of Availability shall be provided to the DOC for review and comment prior to sending to academic institutions, other non-political organizations, and posting.

3. Validation and Conditional Offers

HR shall review the Paid Intern/Extern applications to determine whether each Applicant's background and area of study, where required, matches the scope of the posted Paid Internship/Externship. If an Applicant's background and area of study, where required, do not match the scope of the Paid Internship/Externship, the Applicant shall be removed from further consideration. HR shall document the results of the review in the Posting File and attach the notes to the application materials. If there are enough Paid Internship/Externship opportunities for all qualified Applicants, HR shall extend conditional offers based on how Applicants match the Paid Internships/Externships. If there are more qualified Applicants than there are available Paid Internships/Externships, HR shall randomize the qualified Applicants for each of the Paid Internships/Externships using a computer-based randomization program and complete an NPCC. HR shall offer the Paid Internships/Externships to qualified Applicants in the order the Applicants appear on the randomized list for each Paid Internship/Externship.

4. No Political Reasons or Factors

Any Employee involved in the selection or hiring of Paid Interns/Externs shall not consider any Political Reasons or Factors in evaluating any Applicant for a Paid Internship/Externship and shall complete an NPCC for each Direct Placement of Intern/Extern process.

5. Review by the DOC

The Clerk's Office shall provide written notice to the DOC of all actions taken regarding the hiring of paid or unpaid Interns or Externs.

XII. EXEMPT POSITION HIRING PROCESS

To assist the Clerk in hiring and retaining staff in Exempt Positions who possess the Minimum Qualifications for the Exempt Positions in which they are being placed, the Clerk's Office shall use the following process for hiring Candidates to fill Exempt Positions.

A. Posting of Exempt List

The Clerk's Office shall post and maintain the current Exempt List in HR and on the Clerk's Office Website. The posting shall include (1) the name of the area to which the Exempt Position is assigned; (2) the job title; (3) the grade level; and (4) the date the Exempt List was approved. The Clerk's Office shall post the Exempt List within five business days of any changes being made pursuant to Section XII.B.

B. Changes to Exempt List

The Clerk's Office may from time to time update the Exempt List by adding or deleting Exempt Positions or amending the titles of Exempt Positions.

1. Request to Change by Clerk

The Clerk or Designee shall send written notice to the DOC along with supporting documentation including, (i) a copy of the Position Description and (ii) a description of the basis on which the change is proposed. The DOC shall provide a written approval or objection to the proposed change within five business days of receipt. If the DOC provides an objection to a proposed change, the Clerk or Designee and the DOC shall meet to discuss the matter within three business days from the objection. If the DOC does not rescind the objection following such discussion, the proposed change and all supporting documentation, along with the DOC's objection, shall be sent to the OIG. The Clerk or Designee, DOC, and OIG shall meet to discuss the matter within three business days from OIG receipt. If the OIG agrees with the proposed change, such change will be implemented, and the DOC's objection shall be addressed in the DOC's semi-annual report and posted to the Clerk's Office's website. If the OIG objects to the proposed change, it shall not be implemented unless otherwise approved by a court of competent jurisdiction. If the Clerk proceeds with implementing the proposed change over the DOC's and OIG's objections, such implementation shall be considered a violation of this Employment Plan and shall be addressed in the DOC's semi-annual report and posted to the Clerk's Office's website. Nothing herein shall be deemed to be an abdication or transfer of authority from the Clerk to the DOC.

2. Request to Change by DOC

The DOC shall send written notice to the Clerk or Designee of any proposed change to the Exempt List due to the Position Description not meeting proper Exempt designation or if the person in the position is not consistently performing the duties of the Exempt Position in a meaningful manner as provided in the Position Description. The DOC shall provide supporting information including, (i) the identity of the Exempt Position and a copy of the Position Description, and (ii) a description of the basis on which the change is proposed. The Clerk or Designee shall provide a written approval or objection to the proposed change within five business days of receipt. If the Clerk or

Designee provides an objection to a proposed change, the Clerk or Designee and the DOC shall meet to discuss the matter and the Clerk or Designee shall be permitted to seek modifications to the Position Description to ensure that the person in the Exempt Position is performing the Exempt duties as provided in the Position Description. If the Clerk or Designee does not rescind the objection following such discussion, the proposed change and supporting information, along with the Clerk's objection, shall be sent to the OIG. The Clerk or Designee, DOC, and OIG shall meet to discuss the matter within three business days from OIG receipt. If the OIG agrees with the proposed change, such change will be implemented. If the OIG objects to the proposed change, it shall not be implemented unless otherwise approved by a court of competent jurisdiction. The CCCO bears the burden of demonstrating that party affiliation is an appropriate requirement for the effective performance of the Exempt position. Both the DOC's proposal and the Clerk or Designee's objection shall be posted to the Clerk's Office's website.

C. Hiring Process

To document that all persons employed in Exempt Positions possess the Minimum Qualifications for the Exempt Position in which they are being placed, the following process shall apply to the hiring of all individuals in Exempt Positions.

1. Position Description

HR shall create, revise and maintain a current and accurate Position Description for each Exempt Position pursuant to Section IV.L. Exempt Position Descriptions must contain the Minimum Qualifications for the Position. HR shall also review the Position Description of a vacant Exempt Position prior to seeking to fill that Position and make changes, if applicable, in accordance with Section IV.L. HR shall maintain the Exempt List and shall post the Exempt List and all Position Descriptions for Exempt Positions and all Position Descriptions for Exempt Positions on the Clerk's Office Website.

2. Review of Exempt Position Descriptions by DOC

If the CHRO or Designee proposes a change to an Exempt Position Description in any way from the prior approved Exempt Position Description, the Exempt Position Description cannot be considered final until subject to review and comment by the DOC.

3. Identification of Applicant

If the Clerk has identified an Applicant for the position, the Clerk or Designee shall prepare and send the completed RTH, which shall include the Justification to Hire, including that the person meets the Minimum Qualifications; the Position Description; the Applicant's resume; and any applicable required license or certification for the Exempt Position to the CHRO or Designee for review. The CHRO or Designee shall place the Position Description, the Applicant's resume, any applicable required license or certification for the Exempt Position and any other application materials in EAS. Current employees holding Exempt Positions who are transferred to a different Exempt Position containing identical Minimum Qualifications shall not be subject to the screening process of this Section. The Clerk or Designee shall provide notice of the transfer to the DOC at least two business days before the appointment.

4. Screening and Verification of Application

The CHRO or Designee and the DOC shall review the documentation received and conduct a validation to confirm that the selected Applicant possesses the Minimum Qualifications and any applicable required license or certification for the Exempt Position. If the DOC or CHRO or Designee determines that the Applicant does not possess the Minimum Qualifications or any applicable required license or certification for the Exempt Position, the DOC and CHRO or Designee shall meet and confer. If after meeting, the DOC or CHRO or Designee still does not believe that the Applicant possesses the Minimum Qualifications or any applicable required license or certification, the objector shall state his/her objections in writing. If the DOC or CHRO or Designee does not concur, the DOC or CHRO or Designee shall provide a written response to the Clerk. If the Clerk still maintains that the individual possesses the Minimum Qualifications and any applicable required license or certifications, the Clerk shall provide a written explanation to the DOC of why he or she believes the individual possesses the Minimum Qualifications, and, if applicable, any licenses or certifications, required for the Exempt Position and commence the hiring. The DOC shall include this objection in the DOC's semi-annual reports to be posted on the Clerk's Office's website.

5. Filling of Chief Human Resources Officer Position

If the Exempt Position that is subject to this hiring process is the Chief Human Resources Officer Position, the duties generally assigned to the CHRO or Designee pursuant to this Section shall be performed by the COS or Designee.

6. Conditional Offer of Employment

Once the CHRO or Designee has received documentation from the DOC in accordance with this Section and any written explanations from the Clerk relevant to this Section, the CHRO or Designee shall extend a written conditional offer of employment to the selected Candidate.

D. No Other Specific Selection Process Required

Except as specifically provided in this Section, the Clerk and HR are not required to follow any other selection process in filling an Exempt Position and may consider any factor in making a decision, so long as it is not an illegal factor.

E. Removal

An Employee holding an Exempt Position may be terminated for any reason, or subject to any action covered by this Employment Plan, with or without cause, so long as it is not an illegal reason.

F. Maintenance of Exempt Position Status

Any Employee who is appointed to an Exempt Position shall continue to be considered Exempt, even if subsequently placed into a Non-Exempt Position; the Employee's status as an Employee in an Exempt Position shall not change unless the Employee is subsequently hired into a Non-Exempt Position that is filled through one of the hiring processes set forth in the sections for the hiring of Non-Exempt Positions or as otherwise required by applicable federal, state, or local law.

XIII. EXECUTIVE ASSISTANT HIRING PROCESS

To assist certain members of the Clerk's senior management team in retaining direct-report clerical and secretarial assistants whom the Executive Assistant Supervisors know possess the experience, skills and competence needed to perform their jobs effectively, each Executive Assistant Supervisor may use the following procedure for hiring individuals to fill an Executive Assistant Position.

A. No Political Reasons or Factors

No Employment Action covering an Executive Assistant may be based on any Political Reasons or Factors.

B. Applicability of Specific Portions of the General Hiring Process

All provisions of Section VI shall apply to the recruiting, screening, interviewing and hiring of Executive Assistants except as specifically provided in this Section.

C. Submission of RTH

The Executive Assistant Supervisor must submit a RTH to the CHRO or his/her designee. The Executive Assistant Supervisor must receive written approval to fill the Position from the CHRO. The CHRO or his/her designee shall provide a copy of the RTH to the DOC.

D. Identification and Selection of Candidate

The Executive Assistant Supervisor shall send a written notification with the RTH to the CHRO or his/her designee. The CHRO or his/her designee shall submit a copy of the written notification with the RTH to the DOC. Such notification shall include: (1) the name of the individual he or she has selected to perform services as his or her Executive Assistant; (2) a description of the basis on which the Executive Assistant Supervisor has selected the individual (*e.g.*, past knowledge of his or her employment history, past working relationship, etc.); (3) copies of any licenses or certification required; and (4) a NPCC signed by the Executive Assistant Supervisor.

E. Hiring Process

The following hiring process shall apply for Executive Assistant Positions to document that all persons employed in Executive Assistant Positions possess the Minimum Qualifications for the Position:

1. Position Description

The CHRO or designee and the Executive Assistant Supervisor shall create a current and accurate Position Description for each Executive Assistant Position, which meets the definition of Executive Assistant contained in this Employment Plan. A copy of the Position Description shall be provided to the DOC for review, comment and approval.

2. Entry of Position Description on EAS

The Clerk's Office shall enter the Executive Assistant Job Description on EAS and create a Notice of Job Opportunity for all Executive Assistant Positions on EAS. Entry on EAS of the Position does not require public posting.

3. Submission, Screening and Verification of Application

The individual selected by the Executive Assistant Supervisor to fill the Executive Assistant Position shall complete an employment application on EAS. The CHRO or designee shall validate the application and verify that the individual selected by the Executive Assistant Supervisor: (a) possesses the Minimum Qualifications and, if applicable, Preferred Qualifications of the Executive Assistant Position; (b) has provided any licenses and certifications required; and (c) if previously employed by the Clerk's Office, was not terminated for cause during the previous five years. If the CHRO or designee concludes that the selected individual does not meet any one of the three criteria, the CHRO shall advise the Executive Assistant Supervisor that the selected individual is ineligible and will not be offered employment as an Executive Assistant. If the CHRO or designee determines that the individual selected by the Executive Assistant Supervisor is eligible, he or she shall record this on EAS, execute a NPCC and submit a copy of all information and the determination to the DOC.

F. Hiring

Upon completion of the verification of the application, the CHRO shall complete the hiring process and send written notice (including a copy of all the required documents) to the DOC.

G. Termination

Executive Assistants are at-will Employees, and can be terminated at any time, with or without cause, and with or without notice. Because an Executive Assistant is hired to work with a specific Executive Assistant Supervisor, the primary duties of the Executive Assistant include the performance of executive-level clerical or secretarial services to that Executive Assistant Supervisor. An Executive Assistant is not covered by a CBA, is an at-will Employee, and may be terminated from employment when the respective Executive Assistant Supervisor that the Executive Assistant was hired to work with is separated from employment. Such Termination of the Executive Assistant does not give rise to a claim of political discrimination unless the Termination was based on Political Reasons or Factors directed at the Executive Assistant separate and apart from the Executive Assistant Supervisor for whom the Executive Assistant was hired to work. For purposes of this Section, however, the Termination of an Executive Assistant in connection with, or as a result of, the departure or Termination of the Executive Assistant Supervisor for whom the Executive Assistant was hired to work, shall not be deemed an Employment Action based upon Political Reasons or Factors.

XIV. EXCEPTIONS TO THE GENERAL HIRING PROCESS

The following limited exceptions apply to Section VI General Hiring Process or portions thereof. The general principles set forth in Sections III-V apply to the exceptions in this Section XIV. No exception described in this Section XIV shall be interpreted to permit any Employment Action covering Non-Exempt Positions to be based on any Political Reasons or Factors.

A. Emergencies

The Clerk is not required to comply with the General Hiring Process in the event of an Emergency and upon the prior written certification of the Clerk. Such certification will include, but not be limited to, statements to the effect that: (1) there is a need for such hiring based on an Emergency (including a description of the specific emergency); (2) the approximate number of individuals

required to be hired during the Emergency; and (3) the estimated duration of the Emergency (which may be no longer than six (6) months or 180 calendar days). The Clerk must file such certification with the CHRO or Designee and the DOC. Upon receipt and approval of such certification by both the CHRO or Designee and the DOC, the Clerk may hire employees to deal with the Emergency which, when added to the number of other hires by the Clerk based on an Emergency during the calendar year, does not exceed 25 unless otherwise pre-authorized. If the Hiring Department determines that the duration of the Emergency will exceed six (6) months or 180 days, it may request a three (3) month extension by contacting the CHRO or Designee and the DOC for approval. The Hiring Department may request multiple three month extensions. If during the initial emergency, extension period, if applicable, or within 12 months after the emergency assignment ends, the current or former emergency hire, may receive Internal Candidate Preference if a permanent position becomes available. No individual hired as a result of an Emergency may be hired based on any Political Reasons or Factors, and a NPCC shall be completed as otherwise required by the General Hiring Process. Individuals hired on an emergency basis may neither be moved to any other non-emergency Position via Transfer, Temporary Assignment or any other available Employment Action.

B. Training

Training shall be conducted in accordance with the applicable provisions of the CBA and the Supplemental Policies Manual.

C. Layoffs

The Clerk shall follow the applicable provisions of the CBA and the Supplemental Policies Manual and applicable federal, state, and local laws with respect to Layoffs.

D. Recall

The Clerk shall follow the applicable provisions of the CBA and the Supplemental Policies Manual with respect to Recalls.

E. Reclassifications

Reclassifications of Employees shall be decided based on the operational and business needs and goals of the Clerk's Office in accordance with the applicable provisions of the CBA and the Supplemental Policies Manual and applicable federal, state, and local laws.

F. Temporary Assignments

The Clerk shall follow the applicable provisions of the CBA and the Supplemental Policies Manual with respect to Temporary Assignments.

G. Transfers

The Clerk shall follow the applicable provisions in the CBA and the Supplemental Policies Manual with respect to Transfers.

H. Temporary Hardship Transfers

The Clerk shall follow the applicable provisions in the CBA and the Supplemental Policies Manual with respect to Temporary Hardship Transfers.

I. Overtime (and other benefits of employment)

The Clerk shall follow the applicable provisions in the CBA and the Supplemental Policies Manual with respect to Overtime and other benefits of employment.

J. Discipline

The Clerk shall follow the applicable provisions in the CBA and the Supplemental Policies Manual with respect to Discipline.

K. Termination

The Clerk shall follow the applicable provisions in the CBA and the Supplemental Policies Manual with respect to Termination.

L. Settlements and Awards

The Clerk may comply with any judgment, court order, negotiated settlement of a claim, complaint or arbitration award that requires the Clerk to take an Employment Action with respect to a specific individual or individuals which would otherwise be contrary to the requirements of this Employment Plan.

M. Merit Salary Increase

The Clerk may institute a policy governing merit salary increases for Non-Exempt employees.

XV. EMPLOYMENT PLAN AMENDMENTS

The CHRO or Designee shall send any proposed change(s) to the Employment Plan in writing to the DOC and OIG. If the DOC or OIG objects to the proposed change(s), the DOC or OIG must submit written objection(s) to the CHRO or Designee within ten business days of being given notice of the proposed change(s). The CHRO or Designee and the DOC and OIG shall meet within five business days thereafter to discuss the DOC's or OIG's objections in a good faith effort to reach agreement. If agreement cannot be reached, the Clerk's decision shall be final. The DOC may include the nature and outcome of any such disagreement in the DOC's semi-annual reports. Proposed change(s) to the Employment Plan shall not be implemented until at least ten business days after the date of the meeting to discuss the proposed changes or the date of the Clerk's decision resolving any objections to the proposed changes, whichever is later.

XVI. CONCLUSION

The Clerk's Office is committed to continuing its practices of being an equal opportunity employer, hiring qualified Candidates and prohibiting Unlawful Political Discrimination with respect to all Employment Actions. This Employment Plan is intended to create transparent and workable processes and procedures that meet the business needs of the Clerk's Office and comply with legal requirements. It is not possible to anticipate and address every situation that may give rise to Unlawful Political Contacts or Unlawful Political Discrimination. The Clerk is prepared to comply with the spirit of the law to meet those situations in the future.

XVII. INTERPRETATION OF THE EMPLOYMENT PLAN

All portions and provisions of this Employment Plan shall be interpreted as being in furtherance of the above principles and commitments, as well as the Consent Decree, Supplemental Relief Order and Executive Order.

EXHIBIT A

ACTIVELY RECRUITED POSITIONS LIST



CLERK OF THE CIRCUIT COURT OF COOK COUNTY

ACTIVELY RECRUITED POSITIONS LIST

(as of 10/6/2022)

Position

Senior SQL Database Administrator
Senior Accountant
Senior Workforce Strategy Analyst
Leave Manager
Senior Application Developer

Department

MIS
Finance
Human Resources
Human Resources
MIS

EXHIBIT B

EXEMPT LIST

Most recent Exempt List can be found here:

<https://www.cookcountyclerkofcourt.org/shakman-compliance>

EXHIBIT C

GRANT OF AUTHORITY

OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY

GRANT OF AUTHORITY

Position Title: _____

Department: _____

Selected Candidate: _____

Proposed Salary: _____

Date: _____

With respect to all jobs under the jurisdiction of the Clerk of the Circuit Court of Cook County ("Clerk's Office") that are not identified as Exempt on the Clerk's Office Exempt Positions List, as amended and as filed with the court, I certify that I am aware that I am strictly prohibited from conditioning, basing, or knowingly prejudicing or affecting any term or aspect of Clerk's Office employment or hiring 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 the decision to take this or any other Employment Action with respect to the above Candidate(s)/Employee(s) or the employment or hiring process. By signing below, I acknowledge 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.

Printed Name: _____ Title: _____

Signature: _____ Date: _____

EXHIBIT D

INELIGIBLE FOR HIRE/REHIRE LIST

Please reach out to the DOC to request this List.

EXHIBIT E

INTERVIEWER PANEL RANKING LIST

**CLERK OF THE CIRCUIT COURT OF COOK COUNTY
INTERVIEW PANEL RANKING LIST**

Position Title:	No. of Positions:	Date of Ranking Meeting:
Interview Panel Members:		

Rank

Candidate Name

With respect to all County jobs under the jurisdiction of the Cook County Clerk of the Circuit Court 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.

Name: _____ Date: _____

Signature: _____

Name: _____ Date: _____

Signature: _____

Name: _____ Date: _____

Signature: _____

Name: _____ Date: _____

Signature: _____

EXHIBIT F

INTERVIEWER EVALUATION FORM

**CLERK OF THE CIRCUIT COURT OF COOK COUNTY
INTERVIEWER EVALUATION FORM**

Name of Candidate:	
Name of Interviewer:	
Position of Interviewer:	
Date & Time of Interview:	

Question: (TO BE ADDED BY HR)

Answer:

Comments:

Score (circle one): 1-Unacceptable 2-Marginally Acceptable 3-Acceptable
 4-Very Good 5-Excellent

Question: (TO BE ADDED BY HR)

Answer:

Comments:

Score (circle one): 1-Unacceptable 2-Marginally Acceptable 3-Acceptable
 4-Very Good 5-Excellent

Question: (TO BE ADDED BY HR)

Answer:

Comments:

Score (circle one): 1-Unacceptable 2-Marginally Acceptable 3-Acceptable
 4-Very Good 5-Excellent

INTERVIEW SUMMARY:

With respect to all County jobs under the jurisdiction of the Cook County Clerk of the Circuit Court 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: _____ DATE: _____

EXHIBIT G

JUSTIFICATION TO HIRE

OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY

JUSTIFICATION TO HIRE

Position Title: _____

Selected Candidate: _____

Date: _____

Justification for Decision:

(Note how many Candidates were referred, the number of positions being filled, the justification for selecting the successful Candidate, and how the selected Candidate's experience meets the criteria for the Position. If you choose a Candidate(s) other than the top ranked Candidate by the Interview Panel, explain the reason for that choice.)

With respect to all jobs under the jurisdiction of the Clerk of the Circuit Court of Cook County ("Clerk's Office") that are not identified as Exempt on the Clerk's Office Exempt Positions List, as amended and as filed with the court, I certify that I am aware that I am strictly prohibited from conditioning, basing, or knowingly prejudicing or affecting any term or aspect of Clerk's Office employment or hiring 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 the decision to take this or any other Employment Action with respect to the above Candidate(s)/Employee(s) or the employment or hiring process. By signing below, I acknowledge 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.

Printed Name: _____ Title: _____

Signature: _____ Date: _____

For HR Use Only

The selection process of Selected Candidate complies with all Employment Plan requirements:

Yes ☐ No ☐

Based on Employment Verification and Reference Checks, Selected Candidate is:

Eligible ☐ Ineligible ☐

Basis for Ineligibility (if applicable):

With respect to all jobs under the jurisdiction of the Clerk of the Circuit Court of Cook County ("Clerk's Office") that are not identified as Exempt on the Clerk's Office Exempt Positions List, as amended and as filed with the court, I certify that I am aware that I am strictly prohibited from conditioning, basing, or knowingly prejudicing or affecting any term or aspect of Clerk's Office employment or hiring 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 the decision to take this or any other Employment Action with respect to the above Candidate(s)/Employee(s) or the employment or hiring process. By signing below, I acknowledge 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.

CHRO Signature: _____ Date: _____

EXHIBIT H

NPCC

With respect to all jobs under the jurisdiction of the Clerk of the Circuit Court of Cook County ("Clerk's Office") that are not identified as Exempt on the Clerk's Office Exempt Positions List, as amended and as filed with the court, I certify that I am aware that I am strictly prohibited from conditioning, basing, or knowingly prejudicing or affecting any term or aspect of Clerk's Office employment or hiring 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 the decision to take this or any other Employment Action with respect to the above Candidate(s)/Employee(s) or the employment or hiring process. By signing below, I acknowledge 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.

EXHIBIT I

POLITICAL CONTACT LOG REPORTING FORM



OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY

Confidential Political Contact Log Reporting Form

It is prohibited by law and the Policies of the Office of the Clerk of the Circuit Court of Cook County for any employment action to be taken regarding any position based on political reasons or factors or considerations unless the position is considered by court order to be "Exempt" under the Shakman doctrine, decrees and the Clerk of the Circuit Court Employment Plan. Examples of employment actions include hiring, promotion, demotion, transfer, termination, imposing discipline or not imposing discipline, or awarding overtime.

In order to ensure that the law and policies are followed, *all* employees, regardless of whether they hold exempt or non-exempt positions, have a duty to report *any* contact they have with any politically related person or organization - or with any individual acting on behalf of such person or organization - if that contact involves an attempt to inquire about or to affect an employment action involving an employee who holds a non-exempt position or is an applicant applying for such a position.

This form serves as notification and an official record of any contact you may have received from a politically related person or organization. **If you are contacted or know about such a contact, you are required to immediately complete the form and return it directly to:**

Director of Compliance
Office of the Clerk of the Circuit Court, 69 West Washington Street, Suite 2500
Chicago, Illinois 60602
Email: doc@cookcountycourt.com

You are not required to determine whether a contact is illegal. You are only required to report the occurrence. Please provide all of the information requested on this form. If you have any questions, please *contact the Director of Compliance and/ or your supervisor.*

Name of Person Making Contact:	Title/Assignment/Affiliation:
Address:	Phone:

Method of Contact: (Written, Telephone, Personal, Other) Please specify:	
Name of Political/ Other Organization:	
Name of Employee or Applicant Referenced:	
Position Applied for and Department Referenced:	
Employment Action Referenced:	
Please describe contact in detail (all information received and given)	
Attach a copy of letter, memo, email etc.	
Date of Log Entry:	

Print Your Name:	Title:
Sign Your Name:	Telephone:

* A "Politically-related Person or Organization" is defined as an elected or appointed public official or any person employed by, acting as an agent of, affiliated with, promoting or representing any elected or appointed public official or any political organization or politically-affiliated group.

** Employment Action: Any change (positive or negative) related to the terms or conditions of employment including, but not limited to, recruitment, determination of eligibility, interviewing, pay, benefits, selection, hiring, transfer, demotion, promotion, detail, termination, discipline, recall, reemployment, reclassification, granting overtime or other job benefit, changing a job assignment, withholding any job benefit, imposition of any employment sanction or detriment.

EXHIBIT J

POSITION DESCRIPTION

[Position Title]

Job Summary

The [Position Title] reports to [Position Title's supervisor]. The [Position Title] [description of general duties and responsibilities of position].

Typical Duties

The [Position Title] [description of specific duties and responsibilities of position].

The duties listed are not set forth for purposes of limiting the assignment of work. They are not to be construed as a complete list of the many duties normally to be performed under a job title or those to be performed temporarily outside an employee's normal line of work.

Minimum Qualifications

Minimum Qualification 1.
Minimum Qualification 2.
Minimum Qualification 3.
Minimum Qualification 4.

Preferred Qualifications

Preferred Qualification 1.
Preferred Qualification 2.
Preferred Qualification 3.

Knowledge, Skills, Abilities and Other Characteristics

Knowledge expected for position.
Knowledge expected for position.
Knowledge expected for position.
Skill expected for position.
Skill expected for position.
Ability expected for position.
Ability expected for position.

Physical Requirements

Physical requirement 1.
Physical requirement 2.
Physical requirement 3.

EXHIBIT K

POSTING FILE/INTERVIEW FILE CHECKLIST

Position Title: _____ Grade: _____
 Department: _____ Job Code: _____
 Date of Posting: _____

POSTING FILE CHECKLIST	Completed	Date	Scanned
Request to Hire			
Current Position Description			
Notice of Job Opportunity			
Method and Location of Posting			
List of Completed Applications			
Applications			
Preliminary Eligibility List			
Randomization Documentation			
Randomized Preliminary Eligibility List			
Sorted Preliminary Eligibility List			
Validated Eligibility List			
Pre-Screening Testing, if required			
INTERVIEW FILE CHECKLIST			
Interview List			
Interview Questions			
Interview Panel Selection			
Pre-Interview Licenses and Certifications			
Conflict of Interest Disclosure			
Interviewer Evaluation Forms			
Interview Scoring Sheet			
Scored Interview List			
Interview Panel Ranking List			
Ranking Meeting Notes			
Permitted Recommendations			
Contact Log			
Final Screening			
Justification to Hire			
Grant of Authority			
Offer Letter			
Offer Accepted or Declined			
NPCC Completed by Selected Candidate			

NO POLITICAL CONSIDERATION CERTIFICATION (NPCC)

With respect to all jobs under the jurisdiction of the Clerk of the Circuit Court of Cook County ("Clerk's Office") that are not identified as exempt on the Clerk's Office List of Exempt Positions, as amended and as filed with the court, I certify that I am aware that I am strictly prohibited from conditioning, basing or knowingly prejudicing or affecting any term or aspect of Clerk's Office employment or hiring 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 this decision to take this or any other Employment Action with respect to the above Posting. By signing below I acknowledge that 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.

Participating HR Staff

Name: _____

Title: _____

Signature: _____

Date: _____

Participating HR Staff

Name: _____

Title: _____

Signature: _____

Date: _____

Participating HR Staff

Name: _____

Title: _____

Signature: _____

Date: _____

Participating HR Staff

Name: _____

Title: _____

Signature: _____

Date: _____

Participating HR Staff

Name: _____

Title: _____

Signature: _____

Date: _____

Participating HR Staff

Name: _____

Title: _____

Signature: _____

Date: _____

Certified: _____

CHRO Signature

Date: _____

Reviewed: _____

Director of Compliance Signature

Date: _____

EXHIBIT L

REQUEST TO HIRE

OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY

REQUEST TO HIRE FORM

Date: _____

Department: _____

Requesting Deputy/Director: _____

Job Title to be Posted: _____

Justification for Request to Hire:

With respect to all jobs under the jurisdiction of the Clerk of the Circuit Court of Cook County ("Clerk's Office") that are not identified as Exempt on the Clerk's Office Exempt Positions List, as amended and as filed with the court, I certify that I am aware that I am strictly prohibited from conditioning, basing, or knowingly prejudicing or affecting any term or aspect of Clerk's Office employment or hiring 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 the decision to take this or any other Employment Action with respect to the above Candidate(s)/Employee(s) or the employment or hiring process. By signing below, I acknowledge 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.

Head of Hiring Bureau Signature: _____ Date: _____

Human Resources Approval

Is this a Collective Bargaining Agreement Position? Yes ☐ No ☐

Is this a *Shakman* Exempt Position? Yes ☐ No ☐

Is the Position Description accurate and does it reflect the actual duties and Qualifications of the Position? Yes ☐ No ☐

Date of Position Description _____

Is this Position on the Internal Candidate Preference List? Yes ☐ No ☐

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Chief Human Resources Officer Signature: _____

Date: _____

REQUEST FOR INTERN/EXTERN FORM

REQUEST FOR INTERN/EXTERN FORM

Number of Interns/Externs Requested: _____

Background/Skills Sought:

Scope of Duties to be Performed:

With respect to all jobs under the jurisdiction of the Clerk of the Circuit Court of Cook County (“Clerk’s Office”) that are not identified as Exempt on the Clerk’s Office Exempt Positions List, as amended and as filed with the court, I certify that I am aware that I am strictly prohibited from conditioning, basing, or knowingly prejudicing or affecting any term or aspect of Clerk’s Office employment or hiring 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 the decision to take this or any other Employment Action with respect to the above Candidate(s)/Employee(s) or the employment or hiring process. By signing below, I acknowledge 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.

Printed Name: _____ Title: _____

Signature: _____ Date: _____

Approval	
Number of Interns Approved:	Yes <input type="checkbox"/> No <input type="checkbox"/>
Scope of Duties Approved:	Yes <input type="checkbox"/> No <input type="checkbox"/>
<p>With respect to all jobs under the jurisdiction of the Clerk of the Circuit Court of Cook County (“Clerk’s Office”) that are not identified as Exempt on the Clerk’s Office Exempt Positions List, as amended and as filed with the court, I certify that I am aware that I am strictly prohibited from conditioning, basing, or knowingly prejudicing or affecting any term or aspect of Clerk’s Office employment or hiring 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 the decision to take this or any other Employment Action with respect to the above Candidate(s)/Employee(s) or the employment or hiring process. By signing below, I acknowledge 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.</p>	
<p>Clerk or Designee Signature: _____ Date: _____</p>	

EXHIBIT N

SCORED INTERVIEW LIST

**OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY
SCORED INTERVIEW LIST
(HR Use Only)**

Position Title:	Hiring Department:
HR Representative:	Date of Interview:

ELIGIBLE CANDIDATES IN RANKED ORDER (with scores above 3.0):

CANDIDATE NAME	OVERALL AVERAGE SCORE

INELIGIBLE CANDIDATES (with scores below 3.0):

CANDIDATE NAME	OVERALL AVERAGE SCORE

With respect to all jobs under the jurisdiction of the Clerk of the Circuit Court of Cook County ("Clerk's Office") that are not identified as Exempt on the Clerk's Office Exempt Positions List, as amended and as filed with the court, I certify that I am aware that I am strictly prohibited from conditioning, basing, or knowingly prejudicing or affecting any term or aspect of Clerk's Office employment or hiring 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 the decision to take this or any other Employment Action with respect to the above Candidate(s)/Employee(s) or the employment or hiring process. By signing below, I acknowledge 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.

HR REPRESENTATIVE SIGNATURE: _____

PRINTED NAME: _____ DATE: _____

EXHIBIT O

LIST OF RECEIVED BIDS FORM

Office of the Clerk of the Circuit Court of Cook County
_____ Division/Department/District, _____ Bureau

List of Bids Received Form

The Human Resources Bureau has received bids for the Lateral Bid Posting ____ from the employees listed below.

To be valid, the applicant had to be ____ and the bid needed to be submitted by ____.

Each collective bargaining employee is required to review this list. If you submitted a bid during the above bid period and your name is not listed below, please alert your Chief Deputy Clerk or HR immediately and produce a copy of your bid before ____.

Name of Employee	Date Received