



TO: Iris Martinez, Clerk of the Circuit Court of Cook County
Tiffany Brooks, Chief of Staff
Mary Anne Spillane, Chief Human Resources Officer (CHRO)
Alvin Portis, General Counsel
Anthony Nguyen, Inspector General

FROM: Jennifer Lin, Director of Compliance (DOC)

RE: DOC Second Semi-Annual Report 2023

DATE: July 19, 2023

In accordance with Article V, Section B of the Employment Plan (EP) of the Clerk of the Circuit Court of Cook County (Clerk's Office), the following is the DOC's Second Semi-Annual Report (Report) for 2023.

Since this is the DOC's last report prior to departure from the Clerk's Office, this Report summarizes DOC activity between March 15, 2023 and July 14, 2023. The next DOC's Semi-Annual Report should be issued on January 15, 2024 for activity between the DOC's time of hire to December 31, 2023. The Inspector General is acting as interim DOC while the Office posts the DOC position and seeks to fill it in compliance with the EP.

The DOC believes that sustainable processes have been implemented to ensure continued compliance with the EP and knows that Clerk Martinez and her staff will remain committed to the spirit of Shakman. Clerk Martinez has consistently demonstrated and communicated her desire for transparency and fairness in employment decisions for her Office.

The DOC hopes that the CHRO will allow her team to work more collaboratively and autonomously with the interim DOC and the new DOC. The DOC should be seen as a resource and a tool to ensure compliance with the EP; the DOC's role is to guide, teach, and support. The DOC should not be excluded from discussions on policy development or brought in at the very end of important processes, especially if they require final DOC input or approval. This approach breeds distrust and lack of teamwork, wastes valuable time, and creates unnecessary inefficiencies. With more input and cooperation at the early stages, HR can work more efficiently and successfully with the DOC to effectuate and maintain EP compliance. The DOC appreciates and recognizes HR's diligence and hard work. The DOC is confident that HR is cognizant of the importance of maintaining compliance with the EP and will ensure that EP requirements are met in the hiring process and with other employment actions. HR has recently hired additional staff to support HR functions and will benefit from this additional assistance.

Violations of EP

Violations of the EP were reported or discovered during this time period. They will be addressed specifically below. Repeated violations of the EP have not resulted in unlawful political discrimination but can be easily avoided with increased collaboration, attention to detail, and organization from HR. Recent additional HR staff will help with this endeavor.

Unlawful Political Discrimination (UPD)

No complaints of UPD were filed or reported.

Political Contacts

One political contact was reported to the DOC regarding an email that was sent by a Cook County Circuit Court Judge on behalf of a Circuit Court Clerk. The political contact was not an unlawful political contact and was more akin to a recommendation letter which spoke to the employee's skills, experience, and abilities.

Employment Plan Training

7 Employment Plan training sessions were performed in person by the DOC with new employees during New Hire Orientation. 87 employees were trained.

Other Training

Additional supervisors received Supervisor and Interviewer Training and Probationary Performance Evaluation Training required by the EP. Newly hired HR staff also received required training as required by the EP.

Policies

Since the Clerk's Office's dismissal from Shakman in November, 2022, and despite the DOC's urging to prioritize the Handbook and associated policies, nothing was finalized and the delay was unnecessary. At the DOC's recommendation and consistent with other Shakman-covered County agencies, HR agreed to create a Supplemental Policies Manual containing all EP-related policies and a separate Employee Handbook containing all personnel policies. The DOC volunteered to compile a Supplemental Policies Manual and to draft a Reclassification policy, as well as propose revisions to the Telework Policy. In the last few weeks, the DOC began conferring with Labor to finalize a Supplemental Policies Manual. A new Supplemental Policies Manual was finally approved on July 14, 2023.

As a reminder, this distinction between a Supplemental Policies Manual and an Employee Handbook required an amendment to the EP, which was completed. The EP requires Office-wide training on the Supplemental Policies Manual, which has been pending since before dismissal from Shakman. Supervisors and HR did receive training on 3 policies in the Supplemental Policies Manual in October, 2022, but the EP-required training needs to be completed and should be a top priority.

Meanwhile, HR has also discussed the need for updated personnel policies. Other than these EP-related policies, no revised personnel policies have been finalized by the Office since Clerk Martinez's administration. The DOC has reviewed a draft of the Employee Handbook and some associated policies and has advised that there are many more that need to be included. The DOC strongly urges HR to prioritize revised personnel policies for the Office.

Employment Plan

Proposed amendments to the EP were proposed to replace the references from the Employee Handbook to the Supplemental Policies Manual. Consistent with the EP, revisions were provided to the DOC with no objections from the DOC or Inspector General. A revised EP became effective on July 11, 2023.

Posted Positions

The Clerk's Office has continued its aggressive hiring and posted 16 positions during this reporting period. They will be addressed individually below.

Assistant Bond Manager

The position was properly posted with 1 vacancy under the General Hiring Process. The DOC reviewed and verified randomization and sorting and validated 39 applications and came to agreement with HR on its validating resulting in 15 eligible candidates. The interview process occurred without issue with the DOC monitoring 8 interviews. During the Ranking Meeting, the Interview Panel ranked 2 candidates. This sequence should be addressed further in the next DOC's Report.

Assistant Operations Manager

The position was requested and approved to be included on the Internal Candidate Preference List. The position was properly posted with 29 vacancies under the General Hiring Process. This sequence should be addressed further in the next DOC's Report.

Desktop Support Analyst

The position was properly posted with 4 vacancies under the General Hiring Process. The DOC reviewed and verified randomization and sorting and validated 87 applications and came to agreement with HR on its validation resulting in 34 eligible candidates. The interview process occurred without issue with the DOC monitoring 13 interviews and the Ranking Meeting, where the Interview Panel ranked 4 candidates. The top ranked candidate declined the position, and the remaining three candidates accepted the position. No issues were identified with this sequence.

Desktop Support Technician

The position was properly posted with 3 vacancies under the General Hiring Process. The DOC reviewed and verified randomization and sorting and validated 86 applications and came to agreement with HR on its validation resulting in 35 eligible candidates. The interview process occurred without issue with the DOC monitoring 10 interviews and the Ranking Meeting, where the Interview Panel ranked 7 candidates. The top 3 ranked candidates accepted the position. During the review of the posting file, it was discovered that a document supporting the preferred qualification for this position were missing for one of the ranked candidates. **In violation of the EP, HR did not obtain a copy of the certification or failed to maintain a copy of the certification. If the candidate failed to provide proof of the certification, he should not have been interviewed. This candidate was one of the ranked candidates and should he be offered the position at some point in the future, HR will need to verify that he possesses the certification.** No other issues were identified with this sequence.

Director of Compliance

The position was properly posted with 1 vacancy under the Director of Compliance Hiring Process.

Financial Clerk

The position was properly posted with 14 vacancies under the Entry Level Bargaining Unit Process. The DOC reviewed and verified randomization and sorting and validated 265 applications and came to agreement with HR on its validation resulting in 81 eligible candidates. Conditional offers of employment will be made directly from the Validated Eligibility List. Any issues with the remainder of this sequence should be addressed further in the next DOC's Report.

HR Coordinator

The position was properly posted with 4 vacancies under the General Hiring Process. The DOC reviewed and verified randomization and sorting and validated 60 applications and came to agreement with HR on its validation resulting in 38 eligible candidates. The interview process

occurred without issue with the DOC monitoring 15 interviews and the Ranking Meeting, where the Interview Panel ranked 7 candidates. The top ranking 4 candidates have accepted the position. No issues were identified with this sequence.

IT Data Analyst

The position was properly posted with 1 vacancy under the General Hiring Process. The DOC reviewed and verified randomization and sorting and validated 22 applications and came to agreement with HR on its validation resulting in 8 eligible candidates. The interview process occurred without issue with the DOC monitoring 5 interviews and the Ranking Meeting, where the Interview Panel ranked 4 candidates. The top ranking candidate accepted the position. No issues were identified with this sequence.

IT Operations Manager

The position was properly posted with 1 vacancy under the General Hiring Process. **In violation of the EP, HR did not provide notice to the DOC of the randomization and sorting of applicants prior to validation.** The DOC reviewed and verified randomization and sorting and validated 40 applications and came to agreement with HR on its validation resulting in 19 eligible candidates. Interviews have been scheduled. This sequence should be addressed further in the next DOC's Report.

IT Security Analyst

The position was properly posted with 1 vacancy under the General Hiring Process. The DOC reviewed and verified randomization and sorting and validated 18 applications and came to agreement with HR on its validating resulting in 8 eligible candidates. The interview process occurred without issue with the DOC monitoring 4 interviews and the Ranking Meeting, where the Interview Panel ranked 2 candidates. The top ranking candidate accepted the position. No issues were identified with this sequence.

MIS Project Manager

The position was properly posted with 2 vacancies under the General Hiring Process. The DOC reviewed and verified randomization and sorting and validated 39 applications and came to agreement with HR on its validation resulting in 19 eligible candidates. The interview process occurred without issue with the DOC monitoring 10 interviews and the Ranking Meeting, where the Interview Panel ranked 6 candidates. The top 2 ranked candidates accepted the position. No issues were identified with this sequence.

Office Clerk (Record Center)

The position was properly posted with 9 vacancies under the Entry Level Bargaining Unit Process. The DOC reviewed and verified randomization and sorting and validated 98 applications and came to agreement with HR on its validation resulting in 43 eligible candidates. Conditional offers of employment will be made directly from the Validated Eligibility List. Any issues with the remainder of this sequence should be addressed further in the next DOC's Report.

Paralegal

The position was properly posted with 1 vacancy under the General Hiring Process. This sequence should be further addressed in the next DOC's report.

Senior Procurement Analyst

The position was posted with properly posted with 2 vacancies under the General Hiring Process. The DOC reviewed and verified randomization and sorting and validated 43 applications and came to agreement with HR on its validation resulting in 19 eligible candidates. The interview

process occurred without issue with the DOC monitoring 9 interviews and the Ranking Meeting, where the Interview Panel ranked 4 candidates. The 1st and 3rd ranked candidates accepted the position; the 2nd ranked candidate declined the offer. No issues were identified with this sequence.

Senior Security Investigator

The position was discussed in the last Report. During a review of the posting file, it was discovered that proof of education was missing from a candidate who interviewed. **In violation of the EP, HR did not obtain a copy of the education or failed to maintain a copy of the education. If the candidate failed to provide proof of education, he should not have been allowed to interview.** This candidate was not ranked.

SQL Database Administrator

The position was properly posted with 1 vacancy under the General Hiring Process. The DOC reviewed and verified randomization and sorting and validated 11 applications and came to an agreement with HR on its validation, resulting in 5 eligible candidates. The interview process occurred without issue with the DOC monitoring 2 interviews and the Ranking Meeting, where the Interview Panel declined to rank any candidates. The position was properly reposted. The DOC reviewed and verified randomization and sorting and validated 38 applications and came to an agreement with HR on its validation, resulting in 7 eligible candidates. This hiring sequence should be discussed further in the next DOC's Report.

Training Coordinator

The position was properly posted with one vacancy under the General Hiring Process. The DOC reviewed and verified randomization and sorting and validated 54 applications and came to an agreement with HR on its validation, resulting in 34 eligible candidates. The interview process occurred without issue with the DOC monitoring 7 interviews and the Ranking Meeting, where the Interview Panel ranked 2 candidates. The top ranking candidate accepted the position. No issues were identified with this sequence.

Workforce Strategy Analyst

This position was discussed in the last Report. During a review of the posting file, it was discovered that one of the candidates who interviewed was validated with the preferred qualification of having an HR certification. **In violation of the EP, HR did not obtain a copy of the certification prior to this candidate's interview. HR should have verified that this candidate possessed the HR certification and if not, she should not have been allowed to interview. This candidate was one of the ranked candidates and should she be offered the position at some point in the future, HR will need to verify that she possesses the HR certification.** No other issues were identified with this sequence.

Lateral Transfers

Two lateral transfer opportunities were posted for Circuit Court Clerk (2023-L2) and Office and Financial Clerk (2023-L3).

Update on 2023-L1 Financial and Office Clerk. As mentioned in the last Report, the posting file was incomplete and was missing documents. **As of the date of this Report, the posting file is still missing documents.**

2023-L2 Circuit Court Clerk. 51 applications were submitted, 2 of which were duplicates, 7 of which were submitted by employees who did not hold the correct title, and 3 of which were submitted by probationary employees, resulting in 38 eligible candidates. 38 eligible candidates

were offered the lateral transfer, solely based on seniority, with 21 employees accepting offers. **The DOC has reached out to HR for missing posting file documents but has not received a response.** This should be addressed further in the next DOC's Report.

2023-L3 Financial and Office Clerk. 8 applications were submitted, 1 of which was submitted by a probationary employee, resulting in 7 eligible candidates. All 7 candidates were offered the lateral transfer, solely based on seniority, with 2 employees accepting offers. No issues were identified with this sequence, and the posting file is complete.

Promotions

No new promotional opportunities were posted.

2022-P5 Circuit Court Clerk. This sequence was addressed in the last Report and as of the date of that Report, there were missing items from the posting file. To date, these items remain missing. In particular, two employees were promoted but their confirmation forms are not in the posting file. **In violation of the EP, there is no written documentation of their accepted promotional offers.**

Update on 2023-P1 Circuit Court Clerk. 80 applications were submitted, 6 of which were duplicates, and 18 of which did not meet minimum qualifications for the position, resulting in 56 eligible candidates. 53 candidates were offered the promotion, solely based on seniority, with 40 employees accepting offers. **The DOC has reached out to HR for missing posting file documents but has not received a response.** This should be addressed further in the next DOC's Report.

Compliance Recommendations for Lateral Transfers and Promotions: HR has become very competent in handling lateral transfers and promotions but continues to have problems with posting file documents, most of them being confirmation forms. The DOC has recommended an email confirmation as opposed to a form being sent to applicants. This would allow employees to more easily communicate the confirmation of their acceptances and declinations which should greatly assist in document compliance.

Exempt List

The following changes were proposed by the Clerk's Office to be made to the Exempt List, all of them being the retitling of existing Shakman Exempt positions:

<u>Former Title</u>	<u>New Title</u>
Chief Deputy Clerk, Budget	Director of Budget
Chief Deputy Clerk, Procurement	Director of Procurement
Chief Deputy Clerk, Accounting/Auditing	Director of Accounting & Auditing
Chief Deputy Clerk, Payroll	Director of Payroll & Compensation Services
Assistant Chief Deputy Clerk, Payroll	Deputy Director of Payroll & Compensation Services
Assistant Chief Deputy Clerk, Budget & Procurement	Deputy Director of Budget & Procurement
Assistant Chief Deputy Clerk, Public Information to	Deputy Public Information Officer
Chief Deputy Clerk, Network	Director of Infrastructure Services
Chief Deputy Clerk, Web Services	Director of Program Management
Chief Deputy Clerk, Systems & Application Services to	Director of Systems Integration
Associate Clerk Deputy CIO Infrastructure	Deputy CIO

Consistent with the EP, the Clerk's Office provided notice to the DOC with the required rationale and position descriptions. After review and comment, the DOC raised no objection to these changes.

Exempt Hiring

Seven Shakman Exempt employees were appointed during this time period, including Chief of Staff, Deputy General Counsel, General Counsel, Executive Clerk External Affairs, Chief Deputy Clerk Intergovernmental Affairs Officer, Deputy Inspector General, and Senior Labor Relations Manager. Consistent with the EP, the Clerk's Office properly notified the DOC of the applicants to be appointed and provided their applications and resumes. The DOC confirmed that all applicants met the minimum qualifications required of their respective positions.

Executive Assistant Hiring

One Executive Assistant was appointed during this time period under the Executive Assistant Hiring Process. Consistent with the EP, the CHRO properly notified the DOC of the applicant to be selected and provided her application and resume. The DOC confirmed that the applicant met the minimum qualifications required of the Executive Assistant position.

Ineligible for Hire/Rehire List

On May 17, 2023, HR updated its Ineligible for Hire/Rehire List and sent out notifications to 24 impacted individuals. As of the date of this Report, 17 appeals were received and one hearing has taken place. This should be addressed further in the next DOC's Report.

Probationary Performance Evaluations

The Clerk's Office's last several rounds of probationary performance evaluations have continued to be untimely. As a reminder of the policy, evaluation meetings must take place with employees at least 10 days prior to the end of the probationary period. Drafts of the evaluations are required to be sent to the DOC for review at least 2 days before the evaluation meeting with the employee.

For probationary periods ending March 27, 2023, HR sent the reminder to supervisors on March 10, 2023. The majority of employees were not timely evaluated 10 days prior to the end of their probationary periods. HR did not adequately follow up on missing evaluations, and 7 evaluations took place after probationary periods ended.

For probationary periods ending April 10, 2023, HR sent the reminder to supervisors on March 14, 2023. All employees were timely evaluated pursuant to policy.

For probationary periods ending May 8, 2023, HR sent the reminder to supervisors on April 14, 2023. The majority of employees were not timely evaluated 10 days prior to the end of their probationary periods. HR did not adequately follow up on missing evaluations, and 2 evaluations took place after probationary periods ended.

For probationary periods ending May 22, 2023, HR sent the reminder to supervisors on May 5, 2023. Many employees were not timely evaluated 10 days prior to the end of their probationary periods. HR did not adequately follow up on missing evaluations, and 6 evaluations took place after probationary periods ended. As of the date of this Report, 7 evaluations remain outstanding.

For probationary periods ending June 12, 2023, HR sent the reminder to supervisors on May 25, 2023. The majority of employees were timely evaluated. HR did not adequately follow up on missing evaluations. Three evaluations took place after probationary periods ended.

For the probationary period ending June 19, 2023, HR was delayed in sending out the reminder. The employee was not timely evaluated pursuant to policy. The employee was evaluated a week after her probationary period ended.

While HR has done a better job of sending out timely reminders to supervisors to complete evaluations for their probationary employees, HR needs to follow up on missing evaluations sooner and to demand more supervisor compliance with the policy. Some supervisors are completely missing the deadlines and fail to complete evaluations in a timely manner. As a result, employees are not being evaluated in accordance with the policy and some employees are being evaluated after their probationary periods end. To ensure better compliance, the DOC recommends refresher training to HR and supervisors about the policy and its requirements and discipline for supervisors who continue to mismanage these evaluations.

Reclassification

The Clerk's Office underwent a significant number of reclassifications. Initially, department heads sent spreadsheets with lists of employees, their proposed new titles, salaries, and grades. After some consternation, the DOC recommended that the Clerk's Office mirror the reclassification process used by Cook County's Bureau of Human Resources since it did not currently have a reclassification policy. Reclassification memoranda were eventually submitted by Court Operations, Finance, MIS, General Counsel, External Affairs, and the Executive Office. All reclassification requests were submitted with rationales and explanations, including revised position descriptions and organizational charts. Some of the reclassification requests were questioned by the DOC as being inappropriate and unreasonable; other requests made operational sense and were all outdated positions performed by employees handling much more complex and technical duties. All memoranda were reviewed and justified requests were ultimately approved by the CHRO and the DOC.

The Supplemental Policies Manual now includes a reclassification policy which can be used on a moving forward basis.

Notices of Employment Action

While most NEAs are being sent to the DOC in a timely manner, there are others which are delayed by months. **The DOC recommends that HR remind supervisors that NEAs must be submitted to HR on a timely basis in accordance with the EP and that discipline be imposed on supervisors who continue to miss deadlines.**

Other Recommendations

- HR needs to familiarize themselves – and constantly remind themselves – of the EP requirements regarding notice and process. Proper and timely notice needs to take place for all steps of all the different hiring processes, be it randomization, application review panel meetings, interviews, ranking meetings, postings for lateral transfers and promotions, selection, etc. Post-dismissal from Shakman, the DOC has taken a more relaxed approach to notice requirements, but HR should not take this approach as permission to completely ignore the notice requirements. HR should provide proper notice to the interim and new DOC.

- HR needs to be more organized when it comes to gathering required documentation from candidates prior to interviews. As noted in this Report, candidates who have failed to provide documents should not have been interviewed. It is HR's responsibility to ensure that candidates

provide required documentation to support their possession of minimum and preferred qualifications before being allowed to interview. If documents were properly received, HR needs to do a better job of maintaining them.

- HR needs to spend more time getting organized. Posting files are missing documents and are non-compliant. Additional HR staff will greatly assist in this endeavor. HR needs to manage the performance evaluation process better and do a better job of demanding supervisor compliance with the policy and following up on missing evaluations.

- HR needs to conduct refresher training for supervisors and HR on EP requirements.