

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MICHAEL L. SHAKMAN, et al.,)	
)	
Plaintiffs,)	
)	Case No. 69 C 2145
v.)	
)	Magistrate Judge Sidney I. Schenkier
COOK COUNTY ASSESSOR’S)	
OFFICE, et al.,)	
)	
Defendants.)	

**SIXTH REPORT OF THE ASSESSOR
COMPLIANCE ADMINISTRATOR FOR THE COOK COUNTY ASSESSOR**

Susan G. Feibus, Assessor Compliance Administrator for the Cook County Assessor (“ACA”), by her attorney, Laura B. Bacon, pursuant to Section III(C) of the September 19, 2012 Agreed Order for the Cook County Assessor’s Office (“AO”), Doc. # 3007, submits the ACA’s Sixth Report to the Court as follows:

I. INTRODUCTION

On January 26, 2016, the Court appointed Susan G. Feibus the ACA, effective February 1, 2016, following the voluntary resignation/retirement of Clifford L. Meacham (the “prior ACA”). Doc. # 4464. In his final report, the prior ACA observed that to achieve Substantial Compliance with the September 19, 2012 Agreed Order for the AO (“Agreed Order”) much remained for the AO to do. Doc. # 4295 at 3. That remains true today.

Since the ACA’s appointment, while the Assessor has paid lip service to achieving Substantial Compliance his conduct has belied a genuine commitment to the process. As he repeatedly demonstrated, when the Assessor wants something to be done, it gets done. Over 20 positions have been filled since the ACA was appointed because the Assessor wanted it to

happen while priorities under the Agreed Order languished. For example, a new Employment Plan was completed – four years after the entry of the Agreed Order – only after the Court imposed deadlines for completion.

To achieve Substantial Compliance, the Agreed Order requires:

(1) a New Employment Plan, including procedures to ensure compliance with the New Employment Plan and identify instances of non-compliance;

(2) the Assessor to act in good faith to remedy instances of non-compliance that have been identified and prevent a recurrence;

(3) that the Assessor not have a policy, custom or practice of making employment decisions based on political factors except for Exempt Positions;

(4) the absence of material noncompliance which frustrates the Assessor's Consent Decrees¹ and this Agreed Order's essential purpose; and

(5) the Assessor to implement procedures that will affect long-term prevention of the use of impermissible political considerations in connection with employment with the Assessor.

Doc. #3007 at 18.

This report will describe the ACA's observations and impressions of the Assessor's commitment and actions towards achieving Substantial Compliance during the ACA's appointment to date.

¹ The "Assessor's Consent Decrees" refer to the combination of (a) a 1972 Consent Decree which, *inter alia*, prohibited the Assessor from taking any action regarding governmental employment against any governmental employee based on political reasons or factors; and (b) a 1995 Consent Decree which incorporated the 1972 Consent Decree's prohibitions and extended those prohibitions to the Assessor's hiring practices, with certain exclusions. *See* Doc. # 3007 at 5.

II. OVERVIEW OF THE ACA'S ACTIONS SINCE APPOINTMENT

A. Initial Activities

Upon appointment, the ACA's immediate focus was to become knowledgeable about the organizational structure and operations of the AO. To accomplish this the ACA, *inter alia*:

- had numerous meetings with the Assessor, the Deputy Assessor, Chief Legal Counsel and the Deputy of Human Resources and interviewed several AO Deputies and other key AO personnel;
- reviewed AO organizational charts;
- reviewed a draft Employment Plan dated July 22, 2015 ("draft Employment Plan");²
- reviewed AO policies and procedures, including an Employee Handbook dated December 17, 2012, and forms used by the AO in conjunction with these policies and procedures;
- reviewed the operative Collective Bargaining Agreement governing AO employees;
- monitored various employment actions taken by the AO;
- facilitated the entry of a Protective Order [Doc.# 4623]; and
- met and conferred with counsel for Plaintiffs.

B. Interaction with the Director of Compliance

The Agreed Order requires the hiring of Director of Compliance ("DOC"). *See* Doc. # 3007 at 6 -7. Shortly before the ACA was appointed, the AO hired Sharon Goss in that position. The processes attendant to the hiring of Ms. Goss as DOC were under the supervision of the prior ACA.³ The ACA is pleased to report that Ms. Goss appears to be doing a good job, especially in working with and guiding the AO with its hiring practices and the development of

² As described herein, on August 10, 2016, the Court approved a New Employment Plan for the AO. Prior to that approval, the AO, Plaintiffs and the ACA, with the Court's knowledge and approval, agreed to operate under the terms of the draft Employment Plan. *See* pp. 7-17 *infra*.

³ It is the ACA's understanding that in July 2013, the AO hired a prior DOC whose tenure was short-lived as the Assessor terminated her in 2014. *See* Doc. #4197 at 17 - 18 (prior ACA's Fourth Report).

Human Resources policies and procedures. The ACA is concerned, however, that Ms. Goss has been overinvolved in the AO's Human Resources function in an effort to supplement the inadequacies of the department, as addressed below, see pp. 14-18, *infra*.

C. Monitoring of AO Hiring

1. Director of Human Resources

While the hiring of a Director of Human Resources began prior to the ACA's appointment, the ACA immediately became involved. This included a review and input into potential candidates, input into interview questions and monitoring of candidate interviews. The ACA believes that the selected candidate, whose employment began in March 2016, has the requisite skills and experience to fulfill the duties and responsibilities of the position. Unfortunately, the Director of Human Resources was not given the comprehensive mandatory training on the draft Employment Plan, Employee Handbook and the review and validation of job applications as required by Section IV.D of the draft Employment Plan. *See* Exhibit C at 3. This impacted her effectiveness in the Assessor's hiring described below.

2. AO Hiring

Upon appointment, the ACA was informed that the Assessor wished to fill 34 positions. She received a list identifying the positions in groups by order of priority. Since appointment, the bulk of the ACA's efforts have been directed to monitoring the Assessor's hiring and the issues related to that hiring. This is described more fully below. *See* pp. 5-10, *infra*.

III. THE ASSESSOR'S PROGRESS TOWARDS SUBSTANTIAL COMPLIANCE

In terms of the benchmarks regarding which Substantial Compliance is assessed, on the positive side two important pieces have been accomplished since the ACA's appointment: (1)

Court approval of a New Employment Plan as of August 10, 2016; and (2) the hiring of a Director of Compliance in March 2016 (as indicated above).

On the negative side the Assessor has demonstrated a virtually singular focus on hiring – without regard to following the procedures in the draft Employment Plan governing that hiring. As a result, the Assessor’s hiring since the ACA was appointed was replete with violations of that plan. Also on the negative side, the Assessor has shown little interest in remedying major deficiencies in his office that are essential to achieving Substantial Compliance. These deficiencies include:

1. The absence of an effective, robust Human Resources function; and
2. The wholesale lack of policies and procedures to ensure compliance with the Employment Plan or that will effect long-term prevention of the use of impermissible political considerations in connection with employment in the AO.

Without a commitment to fixing these serious problems, which commitment the ACA has not seen, the Assessor will be unable to achieve Substantial Compliance.

A. The Assessor’s Non-Exempt⁴ Hiring Since the ACA’s Appointment Does Not Exhibit a Commitment to Achieving Substantial Compliance

1. Background

It is the ACA’s understanding that the Assessor’s hiring prior to her appointment had been limited because of the Assessor’s inability to finalize a new Employment Plan, as well as policies and procedures, to govern the hiring process. Upon her appointment, the ACA began discussing with the Assessor, *inter alia*, a process to begin hiring and to finalize a new Employment Plan.

⁴ References to “Non-Exempt” and “Exempt” throughout this report relate to a vacant position’s designation under the Agreed Order and Employment Plan. The use of these terms herein has no relation to any applicable collective bargaining agreement.

On March 31, 2016, the Assessor told the ACA that his budget could be frozen as a result of the State of Illinois' budget crisis. The Assessor said that he had an April 22, 2016 meeting with the President of the Cook County Board at which time she might freeze his budget. Based on this potential budget freeze, the Assessor said that he wanted to get as many positions as possible posted by April 22, 2016. The Assessor indicated that if he could not get jobs filled immediately, the operational needs of his office could suffer to the extent that property tax bills might not go out on time. When the ACA asked whether this budget freeze was speculation, the Assessor's counsel responded that it was "pretty close to reality."

The Assessor's representations about a potential budget freeze and its impact on the operational needs of his office were conveyed to Plaintiffs' counsel and the Court. Based on those representations, the Assessor began hiring on an expedited basis. Since a new Employment Plan was not completed, this hiring was to be in compliance with the draft Employment Plan. It is the ACA's understanding that no such "freeze" or other significant limitation has been imposed on the Assessor's budget.

2. The Assessor's Non-Exempt Hiring Priority Was to Promote Current Employees

While the Assessor claimed that expedited hiring was required to satisfy the operational needs of his office, an analysis of the Assessor's Non-Exempt hiring priorities shows that this hiring push largely was designed to promote current employees into newly-created or vacant positions.

Since the ACA was appointed, 21 Non-Exempt positions have been filled.⁵ See Exhibit A ("Assessor's Non-Exempt Hiring By Priority: Selected Candidates"). The priority of filling these positions was determined by the Assessor. For 13 of these 21 Non-Exempt positions

⁵ Offers extended for three additional positions were declined.

internal candidates were preferred or the posting indicated that only internal candidates could apply. When filled, 11 of the 13 Non-Exempt internal positions were promotions for current employees with an accompanying increase in salary.⁶ At the managerial level, current employees were promoted to positions that had been vacant for nearly three years or more. At the assistant manager level, employees were promoted to positions that had been vacant for over a year. The two remaining internal Non-Exempt positions were non-managerial jobs; when filled they were lateral moves for current employees.

As a result of the Assessor's Non-Exempt hiring priorities, he (1) was able to promote current employees without implementing the performance evaluation and promotion policies that the prior ACA had requested for years; *see e.g.*, Doc. #4295 at 5-8; and (2) presumably did not significantly boost his office's operational capacity. The promoted employees into newly-created or vacant jobs already were fulfilling these needs, *albeit* with a different title and lower rate of pay.

3. The Assessor's Non-Exempt Hiring was Replete with Violations of the Draft Employment Plan

The Assessor paid little heed to the draft Employment Plan in connection with his Non-Exempt hiring priorities. *See* Exhibit B ("7/22/15 Draft Employment Plan Violations: Hiring Related"). Every position filled was infected by violations of that plan. Many positions entailed multiple violations. Moreover, the same violations continued time and time again – even after the ACA alerted the Assessor, often repeatedly, to the problem.

Complicating the hiring process was that, unlike all other elected Cook County officials, the Assessor refused to use TALEO, a convenient, transparent and efficient Electronic Application System ("EAS") already in place in Cook County and used by other elected

⁶ The AO's hiring instituted over \$56,000 in raises to current employees.

officials. Rather, the Assessor has insisted on creating his own EAS. *See* Doc. # 4034 at 5 - 6 (ACA's Third Report). To date, this has not occurred. All AO hiring must be done with a significantly more burdensome and less efficient paper application system.

In summary, the Assessor's Non-Exempt Hiring included the following 34 violations of the draft Employment Plan:

1. The Request to Hire ("RTH") form was submitted without a copy of the current Position Description - violation of Section VI.E.1.⁷
2. Human Resources did not give the ACA copies of the approved RTH form at the same time it was sent to the Deputy of the Hiring Department - violation of Section VI.E.1.
3. The Deputy of the Hiring Department did not review and confirm that the current Position Description contained a list of all Minimum Qualifications and, if applicable, Preferred Qualifications, as well as a description of the "knowledge, skills, and abilities" relating to the Position - violation of Section VI.E.2.
4. The Deputy of the Hiring Department and Deputy of Human Resources did not provide notice to the ACA that they were drafting a new Position Description - violation of Section VI.E.2.
5. The Deputy of Human Resources did not take steps to ensure that all information included in the Notice of Job Opportunity was accurate - violation of Section VI.E.3.a.
6. The Notice of Job Opportunity did not include all information relevant to the compensation to be received - violation of Section VI.E.3.b.
7. The Notice of Job Opportunity did not include all certifications, licenses and documents required to be produced to be considered eligible for the Position - violation of Section VI.E.3.b.
8. The Employment Application form contained the wrong Disqualifying Question to determine if the applicant met the Minimum Qualifications of the Position - violation of Section VI.F.1.
9. Applicants who failed to submit completed applications were nonetheless screened - violation of Section VI.F.1.
10. Applicants considered even though application materials did not show requisite Minimum Qualifications for Position - violation of Section VI.F.4.

⁷ All references in this section are to the draft Employment Plan.

11. Human Resources created a Final Interview List with less than 10 Candidates where additional Candidates were eligible to be interviewed - violation of Section. VI.F.7.
12. Human Resources provided the interview schedule to the DOC and ACA less than two days prior to the first interview – violation of Section VI.H.1.
13. Human Resources provided the composition of the Interview Panel to the DOC and ACA less than two days prior to interviews - violation of Section VI.H.2.
14. The Deputy of Hiring Department was not involved in preparation of the interview questions - violation of Section VI.H.3.
15. Interview questions were heavily skewed toward internal Candidates - violation of Section VI.H.3.
16. Candidates failed to produce the required documents as listed on the Notice of Job Opportunity prior to their interview - violation of Section VI.H.4.
17. Human Resources accepted documentation from Candidates that failed to show they had the Minimum Qualifications of the Position - violation of Section VI.H.4.
18. Copies of required documents, even when obtained from Candidates, were not placed in Interview File - violation of Section VI.H.4.
19. Human Resources lacked the ability to inform the Interview Panel about the interview process - violation of Section VI.I.2.a.
20. Human Resources did not require applicable forms to be completed at the conclusion of each interview - violation of Section VI.I.2.a.
21. Selected interview questions were not accurately reflected on the completed Interviewer Evaluation Form - violation of Section VI.I.2.c.
22. Human Resources actively discouraged Interview Panel from asking follow-up questions - violation of Section VI.I.2.d.
23. Interview Panel members submitted incomplete, unsigned or altered Interview Evaluation Forms - violation of Section VI.I.3.
24. Human Resources did not use a “Scored Interview List” as required by the draft Plan; scores ranked on an “Eligibility Tabulation Form” and “Ranked Validated Eligibility List” - violation of Section VI.I.3.
25. Repeated errors made in tabulating Candidates’ scores, including an incorrect average score because the formula was erased from the Excel spreadsheet, score incorrectly

converted from column one to weighted score column, failure to correctly record the panel's scores on the tabulation form - violation of Section VI.I.3.

26. AO refused to use Scored Final Interview List to fill open position when Candidate turned down a job offer - violation of Section VI.I.3.
27. AO did not use a "Scored Final Interview List" as required by the draft plan; Interview Panel discussed Candidates in order they appeared on a "Ranked Validated Eligibility List" - violation of Section VI.J.1.
28. Interview Panel did not discuss Candidates in required order - violation of Section VI.J.1.
29. Interview Panel ranked (and included on Interview Panel Ranking Form) Candidates whom they did not recommend for employment - violation of Section VI.J.2.
30. Deputy of Human Resources, or his Designee, rather than an interview panel member, took notes at virtually every ranking meeting - violation of Section VI.J.3.
31. Notes of the Ranking Meeting did not provide the specificity required by the draft plan - violation of Section VI.J.3.
32. The Deputy of Human Resources - not the Deputy of the Hiring Department- submitted the Justification to Hire and the No Political Contact Certification ("NPCC") - violation of Section VI.J.4.
33. Deputy of Human Resources - not the Deputy of the Hiring Department - prepared a written explanation when Interview Panel selected a Candidate who did not receive the highest average interview score - violation of Section VI.J.4.
34. The Assessor did not provide documentation that selected Candidates were completing and signing NPCCs - violation of Section VI.K.5.c.

See Exhibit B.

Going forward, if the Assessor is unwilling to undertake Non-Exempt hiring in compliance with the new Employment Plan, Substantial Compliance will not be achieved.

B. The Assessor's Promotion of His Daughter, Vanessa Berrios, in Violation of the Draft Employment Plan Does Not Show a Commitment to Achieving Substantial Compliance

In April 2016, the Assessor promoted his daughter, Vanessa Berrios, to Director of

Industrial/Commercial (“I/C”) Valuations.⁸ Her current annual salary is \$107,099.22. This promotion flagrantly violated the draft Employment Plan.

1. Overview of the Vanessa Berrios Promotion

Although the Director of I/C Valuations is an Exempt Position, the draft Employment Plan mandated a specific process to be followed before an Exempt Position could be filled. Critical to this process was an updated Position Description that had to be completed before Exempt Hiring (or any hiring) could be accomplished.

The draft Employment Plan specifically required the Deputy of Human Resources to consult with the DOC about the Position Description to insure that it was up to date. In the case of the Director of I/C Valuations position, that never happened. Worse yet, the AO did not provide the ACA or Plaintiffs with the Position Description upon which Vanessa Berrios’ promotion was to be based. Rather, the AO unilaterally decided that it would ignore an updated 2016 Position Description which required five years of managerial or supervisory experience as a Minimum Qualification, which was consistent with a Grade 24 high level management job. Instead, the AO relied on a 2006 Position Description which it erroneously claimed did not require prior management experience as a Minimum Qualification for the job. It was based on the AO’s interpretation of the 2006 Position Description that the AO determined Vanessa Berrios was minimally qualified for the position. The ACA’s objections went unheeded.

2. The Details - How Vanessa Berrios’ Promotion Violated the draft Employment Plan

On April 27, 2016, the Deputy of Human Resources sent the ACA the Exempt Position Certification naming Vanessa Berrios as Director of Industrial/Commercial (“I/C”) Valuations.

⁸ The Director of I/C Valuations job only became available because the prior holder of that position was promoted to the Director of Field Operations, the very first job that the Assessor filled under his prioritized hiring regime.

As reflected by its Grade 24 job grade (the highest available grade), this is a high level managerial job. At the time, Ms. Berrios was employed in the AO as Manager of I/C Valuations, a Grade 23 job. In 2015, her annual salary was \$80,373.

Under Section IV.I of the draft Employment Plan, whenever a Request to Hire (“RTH”) is submitted, the Deputy of Human Resources in conjunction with the DOC, was required to review the Position Description to make sure that it was up-to-date:

All Position Descriptions must include: (a) a list of all day to day essential duties and the related knowledge, skills and abilities to perform those duties; (b) a list of Minimum Qualifications; (c) a list of any Preferred Qualifications; (d) a list of testing protocols, if applicable...Accordingly, *the Deputy of HR, in conjunction with the DOC...shall: (1) consult with the Deputy of the Hiring Department...and evaluate the Position Description for each Position for which the Assessor receives a RTH to ensure that the Position Description is accurate and reflects the actual duties and Minimum Qualifications or Preferred Qualifications for the job.*

Draft Employment Plan, Section IV.I (emphasis supplied).

Assuring up-to-date Position Descriptions applies to Exempt Positions. Under Section XI.A.1 of the draft Employment Plan, governing the Exempt Position Hiring Process: “The Deputy of HR shall create a current and accurate Position Description containing Minimum Qualifications for each Exempt Position as described in Section VI.B.2. (sic!).” Section VI.E.2 of the draft Employment Plan (to which Section XI.A.1 actually refers),⁹ reiterates the requirement of up-to-date Position Descriptions, which must be provided to the DOC, the ACA and Plaintiffs prior to posting.

On January 25, 2016, the Deputy of Human Resources sent the prior ACA a Position Description for the Director of I/C Valuations position. The Minimum Qualifications were: (a) a Bachelor’s degree; (b) five or more years’ experience in Industrial/Commercial mass appraisal or

⁹ The reference in Section XI.A.1 of the draft Employment Plan to “Section VI.B.2” is a typographical error as the draft Employment Plan contains no such section. The reference should be to Section VI.E.2, which governs Position Descriptions following the submission of a RTH.

other credible related experience; (c) at least five years' managerial or supervisory experience; and (d) data entry/retrieval experience and a working knowledge of Microsoft Office.

On April 27, 2016, along with the Exempt Position Certification, the Deputy of Human Resources sent the ACA a different Position Description for the Director of I/C Valuations. In contrast to the updated January 2016 Position Description sent to the prior ACA, the Minimum Qualifications in the April 2016 Position Description did not include (a) managerial or supervisory experience, or (b) data entry/retrieval experience and a working knowledge of Microsoft Office.

The ACA reasonably questioned the absence of managerial or supervisory experience as a Minimum Qualification for the Grade 24 Director of I/C Valuations job. The AO's response was that the April 2016 Position Description was actually a 2006 Position Description that purportedly was in effect when the Assessor and Plaintiffs negotiated the Agreed Order and corresponding Exempt List. According to the AO, it could rely on the 2006 Position Description, the Position Description did not need to be updated even though it was ten years old and the position did not require managerial or supervisory experience.

The AO's reliance on the 2006 Position Description to justify hiring Vanessa Berrios as Director of I/C Valuations was improper for several reasons. First, relying on the 2006 Position Description violated the draft Employment Plan as it ignored the plan's requirement of an updated Position Description. Second, the Minimum Qualifications of the 2006 Position Description required managerial or supervisory experience. For example, the "Basic Purpose" of the job in the 2006 Position Description included "management support" to the Deputy in all "management tasks" and "manag[ing] [a] large professional staff." Third, the Minimum Qualifications for every managerial level job that the Assessor has filled since the ACA's

appointment has required such experience.¹⁰ That the jobholder for this Grade 24 job need not have managerial or supervisory experience is ludicrous.

Why the AO refused to use the updated January 2016 Position Description, with its five years of managerial or supervisory experience as a Minimum Qualification, is plain. In April 2016, Ms. Berrios did not have that experience. Based on her application materials and her personnel file, Ms. Berrios became the Manager of I/C Valuations on September 12, 2011. This was her first management level job. In April 2016, when the Assessor promoted his daughter, she did not have the five years of managerial or supervisory experience required to be minimally qualified under the January 25, 2016 Position Description. The Assessor ignored the draft Employment Plan and the ACA's questions and concerns, promoted his daughter to the Director of I/C Valuations and gave her an approximately \$25,000 raise.

Going forward, if the Assessor is unwilling to undertake Exempt hiring in compliance with the Employment Plan, Substantial Compliance will not be achieved.

C. The Assessor's Inadequate Human Resources Function Does Not Show a Commitment to Achieving Substantial Compliance

Based on the prior ACA's reports and the ACA's experience, in the four years since entering into the Agreed Order the Assessor has not had a well-functioning Human Resources Department. As the department largely responsible for implementing the Agreed Order's requirements for achieving Substantial Compliance, it is axiomatic that this will not happen without an effective Human Resources function.

¹⁰ See, e.g., Director of Field Operations (Grade 24) and lower level managerial positions: Manager of Application Development, Manager of Technical Review, Manager of Exemptions Investigations Unit, Manager of Taxpayer Information, Manager of Certificate of Error, Manager of Appraisal Review and Education.

Based on her experience to date, the ACA's observations of the Assessor's Human Resources Department include:

1. The Human Resources Department is Understaffed

The current staffing of the Human Resources Department consists of two employees – a Deputy and a Director. This is insufficient to carry out the Department's day-to-day function as well as the tasks required under the Agreed Order. The Assessor has indicated that his 2017 budget adds one position to the Human Resources Department - a Human Resources Generalist. While this will be an improvement, the ACA is concerned that staffing may remain inadequate. Recently, the Assessor has indicated a willingness to use personnel from other departments, including his Legal Department, to assist Human Resources. The ACA encourages the Assessor to deploy the resources required to enable the Human Resources Department to fulfill its responsibilities under the Agreed Order.

Further, the Employment Plan requires the Assessor to maintain a Human Resources staff of "experienced and knowledgeable professionals." Employment Plan, Section III.I. The ACA is concerned about the Assessor's compliance with that requirement. The Deputy of Human Resources at the time the ACA was appointed was separated from his employment three months ago. While he exhibited performance issues, this likely was exacerbated by his lack of staff. The position is being administered on an interim basis. Recently, the Assessor has indicated his wish that the interim Deputy hold the position permanently, a selection still under review by the DOC. The ACA hopes that a new Deputy of Human Resources has the experience and knowledge required to upgrade the AO's Human Resources function.

2. The Human Resources Function Was Not Centralized

The ACA learned that until recently significant aspects of the Human Resources function

resided in the Department of Financial Operations. These included payroll, Family and Medical Leave Act administration and other employee recordkeeping, retention of personnel files and new employee “onboarding.” Although it appears the AO is in the process of transitioning these functions to Human Resources, the ACA has not received an adequate answer to her queries regarding this arrangement going forward.

The Human Resources function should be centralized in the Human Resources Department immediately. In addition to giving rise to potential violations of Illinois and federal law, there is no sensible reason why the Human Resources function should not be performed by Human Resources personnel. If personnel from the Department of Financial Operations are performing functions of the Human Resources Department, they should be transferred to that department. To the extent there is interface between Human Resources and the Department of Financial Operations (as the ACA understands is necessary in some instances), there should be an established process for such interface and communications.

3. Human Resources’ Failure to Properly Administer the Draft Employment Plan Resulted in Many Violations

As discussed above, Human Resources’ failure to observe the requirements of the draft Employment Plan in connection with the Assessor’s hiring resulted in a myriad of violations. *See pp. 7-10, supra.* Violations of the draft Employment Plan were not limited to hiring. *See Exhibit C (Draft 7/22/15 Employment Plan Violations: Non-Hiring Related).*

Additional violations of the draft Employment Plan that the ACA has observed since her appointment include:

1. Human Resources did not post quarterly reports on the Assessor’s Website – violation of Section IV.B.
2. Human Resources repeatedly failed to timely and fully inform the ACA of Employment Actions and the processes attendant thereto – violation of Section IV.C.

3. Human Resources did not conduct Supervisor Training on an annual basis (last training was in 2013) – violation of Section IV.E.
4. Human Resources did not conduct Employee Training on an annual basis (last training was in April 2014) – violation of Section IV.F.
5. Human Resources did not implement a hotline for the DOC or post link to the Assessor’s website – violation of Section IV.K.
6. Human Resources did not provide No Political Contact Certification (“NPCC”) from academic institutions with an Internship/Externship program – violation of Section IX.A.
7. The scope and number of college Internships/Externships was inconsistent with the notice of availability – violation of Section IX.C.1.
8. The notice of availability did not include a statement that any political contact on behalf of a student will result in the disqualification of the student from consideration for an Internship/Externship – violation of Section IX.C.2.
9. The Assessor did not post the current Executive Assistant List in the Human Resources Department or the Assessor’s Website – violation of Section X.A.
10. Human Resources did not post the Exempt Position Descriptions on the Assessor’s Website – violation of Section XI.A.1.
11. The Exempt List posted on the Assessor’s website did not include: the name of the Department to which the Exempt Position is assigned, the name of the incumbent, if the Position is occupied, and the grade level.

Some of these violations recently have been corrected. The ACA encourages the Assessor to make sure that all violations are corrected.

In addition to violations of the draft Employment Plan, it was made clear to the ACA that the Human Resources Department is unable to execute most tasks in an efficient, organized manner. Most actions have been replete with errors, sloppiness and miscommunications which, even if not a “violation” of the draft Employment Plan, demonstrated a lack of function. Moreover, drafts and other communications have not been properly carried out without significant involvement of both the DOC and the ACA and her staff.

Unless and until the Assessor demonstrates that he values the Human Resources function by devoting adequate resources to it, Substantial Compliance will not be achieved.

D. The Assessor's Failure to Draft Policies and Procedures Does Not Show a Commitment to Achieving Substantial Compliance

To achieve Substantial Compliance, the Agreed Order, *inter alia*, requires the Assessor to “implement procedures that will affect long-term prevention of the use of impermissible political considerations in connection with employment with the Assessor.”

In the four years since the Agreed Order was entered, the ACA is unaware of a single new policy or procedure governing performance evaluations, promotions, time and attendance, discipline or any other aspect of the personnel function of the AO that has been drafted and implemented.¹¹ Based on his reports to the Court, this was a subject of significant consternation and frustration for the prior ACA. *See e.g.*, Doc. #4295 at 5-8. Little has changed under the ACA. While revised performance evaluation and promotion policies are under consideration, the Assessor's lack of response to the ACA's comments on these policies is a current demonstration that drafting and implementing policies is not his priority.

Further, completing up-to-date and accurate Position Descriptions for every position in the Assessor's Office has been a longstanding ongoing issue. To date, 41 Position Descriptions have been updated. Any recent activity has been motivated by the Assessor's focus on hiring and the need to update Position Descriptions to do so. Fifty-eight positions remain. There is no plan in place for updating these.

As the Agreed Order makes clear, without the requisite policies and procedures to ensure

¹¹ Section IV.A of the draft Employment Plan required a revised and updated Employee Handbook. The Assessor's Employee Handbook has not had any substantive revisions since 2012.

that all actions related to employment are fair and transparent, Substantial Compliance will not be achieved.

IV. RECOMMENDATIONS

Based on the foregoing, the ACA makes the following recommendations:

A. Recommendation No. 1 – The Assessor Should Upgrade the Human Resources Function

This includes finalizing a replacement Deputy of Human Resources, prioritizing hiring of Human Resources Generalist, deploying personnel from other departments, including Legal, to assist and centralizing all personnel files and functions in the Human Resources Department.

Timeframe: Immediate.

B. Recommendation No. 2. – The Assessor Should Prioritize Drafting and Implementation of Policies and Procedures

High priority policies to be drafted and implemented include Performance Evaluation, Promotion, Overtime, Reclassification, Layoff/Recall, Time and Attendance, Discipline, Temporary Assignment, Cross-Training and Transfer.

Timeframe: The Court suggested deadlines of the week of October 3, 2016 for the Assessor to respond to the ACA's comments on the Performance Evaluation and Promotion policies and early November 2016 for the Assessor to provide drafts of Overtime, Reclassification, Layoff/Recall policies. If the Assessor does not comply with these deadlines, the ACA suggests that the Court impose hard deadlines for the completion of policies.

C. Recommendation No. 3 - The Assessor Should Prioritize the Updating of Position Statements

Fifty-eight Position Descriptions must be updated.

Timeframe: The Court has indicated that at the next status on November 8, 2016, the Assessor should have a plan for updating these Position Descriptions. If the Assessor does not

have a reasonable plan – or if he suggests a plan and it is not followed - the ACA suggests that Court impose hard deadlines for the completion of Position Description updates.

D. Recommendation No. 4 – The Assessor Should Prioritize the Implementation of an Electronic Application System (“EAS”)

As indicated above, the Assessor has refused to use TALEO, the Electronic Application System (“EAS”) in place in the County and used by other elected officials, and has insisted on creating his own. Apparently, the Assessor has been working on this for three years. *See* Doc. # 4295 at 14 (ACA’s Fifth Report). As long recommended by the prior ACA, *Id.*, *see* Doc. # 4034 at 5 (ACA’s Third Report), the Assessor should prioritize the completion of his EAS. Of course, prior to being implemented, this system must be reviewed and analyzed by the ACA (as well as by the DOC and Plaintiffs).

Timeline: The ACA suggests that the Assessor advance a reasonable plan for completing his EAS by the next status on November 8, 2016. If the Assessor does not have a reasonable plan – or if he suggests a plan and it is not followed - the ACA suggests that Court impose hard deadlines for the completion of EAS.

Respectfully submitted,

/s/ Susan G. Feibus
Assessor Compliance Administrator
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and
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Chicago, IL 60602

/s/ Laura B. Bacon
Counsel to the Assessor Compliance Administrator
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CERTIFICATE OF ELECTRONIC FILING

I, Laura B. Bacon, the undersigned, do hereby certify that on October 12, 2016, I electronically filed a true and correct copy of the foregoing **Sixth Report of the Assessor Compliance Administrator for the Cook County Assessor** using the CM/ECF system, which sends notification of such filing to all registered users.

/s/ Laura B. Bacon
Counsel to the ACA

EXHIBIT A

COOK COUNTY ASSESSOR'S OFFICE
ASSESSOR'S NON-EXEMPT HIRING BY PRIORITY: SELECTED CANDIDATES

	POSITION	DATE OF HIRE/ OUTCOME	BASIS FOR HIRE	INTERNAL or EXTERNAL CANDIDATE	SALARY INCREASE
Group 1					
1	Director of Field Operations	4/25/16	Promotion (Vacant since 12/2/13)	Internal	5%
2	Manager of Taxpayer Information	4/25/16	Promotion (Vacant since 12/30/13)	Internal	9.5%
3	Taxpayer Information Specialist	6/13/16	New Hire (Vacant since 11/29/14)	External	N/A
4	Support Staff (Assessment Operations)	6/13/16	New Hire (Vacant since 2/28/14)	External	N/A
5	Freedom of Information Specialist	6/13/16	New Hire (Vacant since 8/9/15)	External	N/A
6	Support Staff III (Taxpayer Information Specialist)	6/13/16	New Hire (Vacant since 10/16/15)	External	N/A
7	Residential Field Workflow Coordinator	6/13/16	New Hire (Vacant since 12/31/13)	External	N/A

	POSITION	DATE OF HIRE/ OUTCOME	BASIS FOR HIRE	INTERNAL or EXTERNAL CANDIDATE	SALARY INCREASE
Group 2					
8	Manager of Technical Review	5/29/16	Promotion (Vacant since 2010)	Internal	6%
9	I/C Junior Field Inspector	6/13/16	Lateral (Vacant since 7/14/14)	Internal	0%
10	Technical Review Industrial and Commercial Analyst	6/13/16	Promotion (Vacant since 12/31/15)	Internal	11%
11	Erroneous Exemption Specialist	6/13/16	Promotion (New Position)	Internal	13%
12	Erroneous Exemption Specialist	6/13/16	Promotion (New Position)	Internal	13%
13	Erroneous Exemption Specialist	6/13/16	Promotion (New Position)	Internal	13%
14	Taxpayer Information Jr Specialist	6/27/16	New Hire (Vacant since 2/6/15)	External	N/A
15	Residential Jr. Analyst	6/27/16	New Hire (Vacant since 7/28/15)	External	N/A

	POSITION	DATE OF HIRE/ OUTCOME	BASIS FOR HIRE	INTERNAL or EXTERNAL CANDIDATE	SALARY INCREASE
Group 3					
16	Assistant Manager of Technical Review	6/27/16	Promotion (Vacant since 12/31/15)	Internal	6%
17	I/C Group Leader/Senior Field Inspector	Repost Due to Declined Offer	(Vacant since 4/19/15)	Internal	
18	Division Jr. Analyst	Offer Pending	Promotion (Vacant since 4/30/15)	Internal	
19	I/C Valuations Jr. Analyst	9/19/16	New Hire (Vacant since 12/31/15)	External	N/A
20	I/C Valuations Jr. Analyst	9/19/16	Promotion (Vacant since 2/5/15)	Internal	7%
21	TPI Specialist – Spanish	Pending Scheduled Interview	New Position	External	
22	TPI Specialist – Spanish	Pending Scheduled Interview	New Position	External	
23	TPI Specialist – Polish	Pending Scheduled Interview	New Position	External	

	POSITION	DATE OF HIRE/ OUTCOME	BASIS FOR HIRE	INTERNAL or EXTERNAL CANDIDATE	SALARY INCREASE
Group 4					
24	Technical Review Specialist	Repost Pending Due to Declined Offer	(Vacant since 6/30/15)	Internal	
25	Taxpayer Advocate Analyst	6/27/16	Lateral (Vacant since 6/30/15)	Internal	0%
26	TPI Sr. Specialist	8/8/16	Promotion (Vacant since 12/31/15)	Internal	9%
Group 5					
27	Manager of Exemptions Investigation Unit	Repost	(Vacant since 12/31/15)	External	
28	Manager of Application Development	Repost	New Position	Internal	
29	Manager of Certificate of Error	Repost	Backfill (Vacant since 4/25/16)	Internal	
30	Manager of Appraisal Review and Education	Repost	(Vacant since 4/15/16)	External	
Group 6					
31	Manager of I/C Valuations	Repost	(Vacant since 5/15/16)	Internal Preferred	

	POSITION	DATE OF HIRE/ OUTCOME	BASIS FOR HIRE	INTERNAL or EXTERNAL CANDIDATE	SALARY INCREASE
32	Erroneous Exemption Specialist	Repost Due to Declined Offer	New Position	Internal Preferred	
33	Landmarks Analyst	Repost	(Vacant since 10/23/14)	Internal Preferred	
34	Systems Analyst	Repost Due to Declined Offer	New Position	Internal Preferred	
Group 7					
35	Specific Properties Analyst	Not yet posted	Backfill (Vacant since 6/13/16)	Internal Preferred	
36	Residential Junior Field Inspector	Not yet posted	Backfill (Vacant since 6/13/16)	Internal Preferred	
37	Human Resources Generalist	Not yet posted	New Position	External	

EXHIBIT B

COOK COUNTY ASSESSOR'S OFFICE
7/22/15 DRAFT EMPLOYMENT PLAN VIOLATIONS: HIRING-RELATED

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRED	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
VI.E.1.	<p>Submission of RTH. The RTH, <i>including a copy of the current Position Description</i> and written justification for filling or creating the Position, must be submitted to HR and signed by the Deputy of the Hiring Department. On the RTH, the Deputy must receive written approval to fill the Position from the Deputy of HR.</p>	<p>RTHs did not include a copy of the current Position Description at time of submission.</p>	<p>Manager of Application Development – A copy of the then current Position Description was not attached to the RTH dated 1/23/15. Deputy of HR signed on 6/3/15.</p> <p>Residential Workflow Coordinator – A copy of the then current Position Description was not attached to the RTH dated in April 2015. Deputy of HR signed in May 2015.</p> <p>Support Staff Assessment Operations – A copy of the then current Position Description was not attached to the RTH dated in April 2015. Deputy of HR signed in May 2015.</p> <p>Systems Analyst – A copy of the then current Position Description was not attached to the RTH dated in August 2015. Deputy of HR signed subsequently in August 2015.</p> <p>TPI Senior Specialist – A copy of the then current Position Description was not attached to the RTH dated November 25, 2015. Deputy of HR signed on the same date.</p> <p>Support Staff TPI – A copy of the then current Position Description was not attached to the RTH dated 11/25/15. Deputy of HR signed on 12/2015.</p> <p>Financial Operations Coordinator – A copy of the then current Position Description was not attached to the RTH dated in January 2016. Deputy of HR signed in January 2016.</p> <p>Taxpayer Advocate Analyst – A copy of the then current Position Description was not attached to the RTH dated in January 2016. Deputy of HR signed in January 2016.</p> <p>Manager of Technical Review – A copy of the then current Position Description was not attached to the RTH dated in January 2016. Deputy of HR signed in February 2016.</p>

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRED	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
			<p>Technical Review Specialist – A copy of the then current Position Description was not attached to the RTH dated in January 2016. Deputy of HR signed in February 2016.</p> <p>Erroneous Exemption Specialist (4) – A copy of the then current Position Description was not attached to the RTH dated in March 2015. The Deputy of HR signed in April 2015.</p>
VI.E.1.	<p>Submission of RTH. The Deputy of HR will provide a copy of the RTH, written justification, and the basis for the approval or denial of the RTH to the DOC and ACA, while acting, <i>at the same time</i> the approval or denial is sent to the Deputy of the Hiring Department</p>	<p>Deputy of HR did not give the ACA copies of approved RTHs at the same time they were sent to Deputy of the Hiring Department.</p>	<p><i>See, e.g.,</i> Manager of Certificate of Error, Manager of Appraisal Review & Education, and revised Manager of Application Development.</p>
VI.E.2.	<p>Current Position Description. The Deputy of HR or his or her Designee will review with the Deputy of the Hiring Department the current Position Description containing a list of all Minimum Qualifications (“MQs”) and, if applicable, Preferred Qualifications (“PQs”), as well as a description of the knowledge, skills, and abilities (“KSAs”) relating to the Position. The Deputy of HR and the <i>Deputy of the Hiring Department will confirm that any such Minimum Qualifications, Preferred Qualifications and knowledge, skills and abilities are, in fact, related to the Position’s requirements.</i></p>	<p>Deputy of Hiring Departments did not review and confirm that the current Position Description contained a list of all MQs and, if applicable, PQs, as well as a description of the KSAs relating to the Position.</p>	<p>Erroneous Exemption Specialist (4) – The interview panel, which included Deputy of the Hiring Department, selected external Candidate, in part, because she could speak Polish (which the Panel thought would be useful for the job) even though the Position Description did not include the ability to speak Polish (or any other language) as a MQ or PQ.</p> <p>Support Staff Assessment Operations – Knowledge and experience with mapping software was a key factor for Candidate’s selection – even though the Position Description did not include this as a MQ or PQ.</p> <p>I/C Group Leader/Sr. Field Inspector – Selected Candidate’s knowledge of and experience with air rights was a key factor in his selection - even though the Position Description did not include this as a MQ or PQ.</p>

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRED	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
VI.E.2.	<p>Current Position Description. If no Position Description exists or the Deputy claims the current Position Description is not accurate, the Deputy of the Hiring Department, and the Deputy of HR or his or her Designee <i>with notice to the DOC and the ACA, while acting, will 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 is posted, copies of the final new or updated Position Description and the previous Position Description, if applicable, will be given to the DOC, the ACA, while acting, and Plaintiff's Counsel prior to dissolution of the Agreed Order.</i></p>	<p>The Deputy of the Hiring Department and Deputy of HR did not provide notice to the ACA that they were drafting a new Position Description.</p>	<p>Financial Operations Coordinator – Deputy of the Hiring Department and HR combined duties of two existing vacant Positions to create this new Position. Deputy of HR posted the Position without giving a copy of the new Position Description to the ACA.</p>
VI.E.3.a.	<p>Confirmation of Accuracy. The Deputy of HR or his or her Designee shall take steps to ensure that all information included in the Notice of Job Opportunity, is accurate and relates to the duties of the Position <i>described in the Position Description.</i></p>	<p>Deputy of HR did not take steps to ensure that all information included in the Notice of Job Opportunity was accurate.</p>	<p>I/C Valuations Junior Analyst – Notice of Job Opportunity required a Bachelor's degree as the educational MQ even though Position Description allowed for an Associate's degree.</p> <p>Technical Review Specialist – Although Notice of Job Opportunity was limited to Internal Candidates Only, both internal and external Candidates applied for and were interviewed for the job.</p>
VI.E.3.b.	<p>Contents of Notice of Job Opportunity. The Notice of Job Opportunity shall include, but not be limited to...<i>(d) the amount or range of compensation...</i></p>	<p>Notice of Job Opportunity did not include all information relevant to the compensation to be received.</p> <p>Notice of Job Opportunity did not</p>	<p>TPI Specialist (Bilingual) – The salary provided for TPI Specialist did not address the additional stipend for bilingual services.</p> <p>I/C Group Leader/Senior Field Inspector – Notice of Job</p>

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRED	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
	<i>(h) a list of all certifications, licenses and documents that the individual must produce in order to be considered eligible for the Position . . .</i>	include all certifications, licenses and documents required to be produced to be considered eligible for the Position.	Opportunity included “Valid Class D, IL driver’s license, reliable transportation and proof of automobile insurance” as MQ but did not include statement requiring production of the driver’s licenses and proof of insurance.
VI.F.1.	Submission of Applications. Applications in paper form may contain Disqualifying Questions and Prescreening Questions, if applicable, that HR will use during the screening process to determine whether applicants possess each Minimum Qualification and Preferred Qualification for the Position Description.	The Employment Application form contained the wrong Disqualifying Question.	Assistant Manager of Technical Review – Position Description and Notice of Job Opportunity required a <i>Bachelor’s</i> degree. The Disqualifying Question on the Employment Application form was: “Do you possess a Bachelor’s <i>or Associate’s</i> Degree from an accredited college or university?”
VI.F.3.	Creation of Applicant List. Applicants who failed to submit completed applications pursuant to Section VI.E.1. will have their ineligibility documented on the Applicant List and <i>will not be further screened</i>	Applicants who failed to submit completed applications were nonetheless screened.	<p>Residential Junior Analyst – Three Applicants used the wrong Employment Application form. Although therefore incomplete, these applications were screened.</p> <p>Taxpayer Information Junior Specialist – Three Applicants used the wrong Employment Application form. Although therefore incomplete, these applications were screened.</p> <p>Freedom of Information Specialist – Four Applicants used the wrong Employment Application form. Although therefore incomplete, these applications were screened.</p> <p>Support Staff (Taxpayer Information) – Four Applicants utilized the wrong Employment Application form. Although therefore incomplete, these applications were screened.</p>

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRED	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
			Taxpayer Information Specialist – Four Applicants utilized the wrong Employment Application form. One Applicant failed to provide a cover letter. Although therefore incomplete, these applications were screened.
VI.F.4.	Application Screening and Validation, Preferred Qualifications and Creation of Validated Eligibility List. As part of the validation process, HR will screen the information concerning the Applicant's work experience, education and skills contained in the application materials and compare it with the Minimum Qualifications. <i>In the event the information does not support the Applicant's claim to possess the Minimum Qualifications of the Position, the Applicant will be considered ineligible for the Position</i> and his or her name will be not be placed on the Validated Eligibility List and their ineligibility will be noted on the Applicant List.	Applicants considered even though application materials did not show requisite MQs for Position.	Freedom of Information Specialist – Applicants invited to interview even though application materials did not demonstrate the requisite MQs for the Position.
VI.F.7.	Creation of a Final Interview List. HR shall create a Final Interview List of the Candidates to be interviewed. No more than ten (10) Candidates will be included on the Final Interview List for a single Vacancy. The Candidates will be added to the Final Interview List in the order they appear on the Preliminary Interview List <i>until the ten (10) Candidates are identified</i> for interview.	HR created a Final Interview List with less than 10 Candidates where additional Candidates were eligible to be interviewed.	Residential Field Workflow Coordinator – Fifteen Candidates on the Validated Eligibility List were randomized to create the Preliminary Interview List. The first ten Applicants on the Preliminary Interview List were placed on the Final Interview List. When Candidate No.3 declined the interview, HR offered the interview to Candidate No.11, who also declined to interview. HR did <u>not</u> offer the interview to the remaining eligible Candidates. This resulted in a Final Interview List of only nine Candidates.

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRED	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
VI.H.1.	<p>Interview Scheduling. The Deputy of HR or his or her Designee will schedule interviews of all Candidates listed on the Final Interview List <i>and provide the schedule</i> to the DOC and the ACA, while acting, <i>at least two days prior</i> to the date of the first interview.</p>	<p>HR provided the interview schedule to the DOC and ACA less than two days prior to the first interview.</p>	<p>Director of Field Operations – HR did not provide interview schedule until time of interview on 4/21/16.</p> <p>Residential Field Workflow Coordinator – HR did not provide interview schedule until time of interview on 5/5/16.</p> <p>Support Staff Assessment Operations – HR did not provide interview schedule until time of interview on 5/12/16.</p> <p>Support Staff TPI – HR did not provide interview schedule until time of interview on 5/16/16.</p> <p>Taxpayer Information Specialist – HR did not provide interview schedule until time of interview on 5/17/16.</p> <p>Erroneous Exemption Specialist – HR did not provide interview schedule until one day before 6/1/16 interviews.</p> <p>Freedom of Information Specialist – HR did not provide interview schedule until time of interview on 6/2/16 and included two Applicants who were ineligible to be interviewed.</p> <p>Technical Review I/C Analyst – HR did not provide interview schedule until one day before 6/2/16 interviews.</p> <p>I/C Junior Field Inspector – HR did not provide interview schedule until time of interviews on 6/2/16.</p> <p>Residential Junior Analyst – HR did not provide interview schedule until one day before 6/7/16 interviews.</p> <p>I/C Group Leader/Senior Field Inspector – HR did not provide interview schedule until one day before 6/8/16 interviews.</p> <p>Taxpayer Information Senior Specialist – HR did not provide interview schedule until one day before the 7/14/16 interviews.</p>
VI.H.2.	<p>Interview Panel Selection. HR will send a list with the names of the Employees who will make up the</p>	<p>HR provided the composition of the interview panel to the DOC and ACA less than two days prior to interviews.</p>	<p>Director of Field Operations – Interviews on 4/21/16. HR provided interview panel selection form on 4/21/16 - after interviews took place and a Candidate was selected.</p>

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRED	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
	<p>interview panel... to the DOC for review and comment <i>at least two days prior to the interviews.</i></p> <p>Agreement made with AO that ACA also would receive at least two days' prior notice.</p>		<p>Taxpayer Information Specialist – HR provided interview panel selection form on 5/4/16, the day of interviews.</p> <p>Support Staff - Assessment Operations – Interviews on 5/12/16. HR provided interview panel selection form on 5/12/16 - after interviews took place and a Candidate was selected.</p> <p>Systems Analyst – HR provided interview panel selection form one day before 5/20/16 interviews.</p> <p>Manager of Technical Review – HR provided interview panel selection form one day before 5/20/16 interviews.</p> <p>Erroneous Exemption Specialist – HR provided interview panel selection form one day before 6/1/16 interviews.</p> <p>Technical Review I/C Analyst – HR provided interview panel selection form one day before the 6/2/16 interviews.</p> <p>Residential Junior Analyst – HR provided interview panel selection form one day prior to the 6/7/16 interviews.</p> <p>Taxpayer Information Junior Specialist – HR provided interview panel selection form on 6/14/16, the day of interviews.</p> <p>Freedom of Information Specialist – HR provided interview panel selection form on 6/14/16, the day of interviews.</p> <p>Taxpayer Information Senior Specialist – HR provided notice of the interview panel selection via email one day before 7/14/16 interviews.</p>
VI.H.3.	<p>Interview Questions. The <i>Deputy of the Hiring Department</i> will prepare a list of a minimum of 10 interview questions relating to the open Position. [] The <i>Deputy of the Hiring Department</i> or his or her Designee will send the list of interview questions, including proposed assigned weights for each question</p>	<p>Deputy of Hiring Department was not involved in preparation of the interview questions.</p>	<p>Support Staff-TPI – Deputy of the Hiring Department dissatisfied with the interview questions - which she said she saw in their final form for the first time at 5/16/16 interviews.</p> <p>Systems Analyst – Deputy of the Hiring Department said interview questions were not exhaustive; no indication she approved interview questions prior to the 5/20/16 interviews.</p>

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRED	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
	<p>totaling 100 points, to the Deputy of HR or his or her Designee, and the DOC for review. The Deputy of HR or his or her Designee <i>in conjunction with the Deputy of the Hiring Department</i> will amend or approve the questions, select five or more questions to be used for interviews for that posting, and determine final scoring weights for each question.</p>		<p>Landmarks Analyst – Interview questions prepared by Director of Special Assessment Programs and Manager of Specific Properties not by Deputy of the Hiring Department.</p>
VI.H.3.	<p>Interview Questions. The interview questions shall establish, at a minimum, the Candidate’s: (i) willingness and ability to do the job; (ii) availability for work hours and willingness to work at the location where the job is located; (iii) prior job performance; (iv) knowledge and understanding of the Position; (v) relative qualifications for the Position as compared with other Candidates; and (vi) overall credibility.</p>	<p>Interview questions heavily skewed toward internal Candidates.</p>	<p>Erroneous Exemption Specialist – Three of the 10 interview questions at 6/1/16 interviews addressed PQ of “researching and documenting property ownership and real estate tax exemptions”- even though internal Candidates were more likely to be have this PQ.</p>
VI.H.4.	<p>Pre-Interview License and Certification Verification. All Candidates must produce required documents (e.g., current driver’s license, diploma, school transcript, certifications, etc.) <i>listed on the Notice of Job Opportunity</i> prior to the commencement of the Candidate’s interview.</p>	<p>Candidates failed to produce the required documents as listed on the Notice of Job Opportunity prior to their interview.</p> <p>HR accepted documentation from Candidates that failed to show they had the MQs of the Position.</p>	<p>Residential Field Workflow Coordinator – HR accepted selected Candidate’s “unofficial” college transcript and other candidates’ copies of college diplomas despite Notice of Job Opportunity’s requirement of an “official” college or university transcript.</p> <p>Technical Review Specialist – HR accepted selected Candidate’s Chicago Public Schools record as proof of high school graduation despite Notice of Job Opportunity’s requirement of a copy of a high school diploma.</p> <p>I/C Group Leader/Senior Field Inspector – HR did not require or receive copies of driver’s licenses and proof of insurance certificates despite Notice of Job Opportunity’s</p>

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRED	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
	<i>Copies of all documents provided by the Candidate will be included in the Interview File.</i>	Copies of required documents, even when obtained, were not placed in Interview File.	<p>requirement of a “Valid Class D IL driver’s license, reliable transportation and proof of automobile insurance.”</p> <p>I/C Valuations Junior Analyst – HR accepted documentation from Candidates other than those specifically required by the Notice of Job Opportunity to evidence possession of the educational MQs (<i>e.g.</i>, Master’s Degree when a Bachelor’s Degree was required).</p> <p>AO failed to maintain complete physical posting/interview files for Candidates hired under draft Plan.</p>
VI.I.2.a.	Conducting the Interview. The Deputy of HR or his or her Designee will facilitate the conducting of interviews by <i>informing the interview panel and the Deputy of the Hiring Department of the interview process....</i>	HR lacked ability to inform interview panel about the interview process.	<p>Residential Field Workflow Coordinator – HR incorrectly told interview panel that they had to rank all Candidates who scored of 3.00 or more – even if they did not believe Candidate was well suited for the position - in contravention of draft Plan §VI.I.2.</p> <p>Systems Analyst – HR told Deputy Assessor on interview panel to decide for herself whether a Candidate’s personal use of a computer program equates to “experience,” thereby giving rise to a subjective standard.</p>
VI.I.2.a.	Conducting the Interview. The Deputy of HR or his or her Designee will facilitate the conducting of interviews by <i>[] requesting that any applicable forms be completed,</i> and picking up completed forms at the conclusion of each interview.	HR did not require applicable forms to be completed at conclusion of each interview.	<p>Forms that were consistently incomplete:</p> <ul style="list-style-type: none"> • RTH – Although form states it “must be completed in its entirety,” posting dates were missing from the bottom of the form. • Interview Evaluation Form – Section/box at end of form for “HR USE ONLY” not completed. • Eligibility Tabulation Form – Signature line for “Hiring Department (if applicable)” not signed. • Ranked Validated Eligibility List – Signature line for “Hiring Department (if applicable)” not signed.

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRED	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
VI.I.2.c.	Conducting the Interview. The interview questions selected in accordance with Sections VI.M.3. will be used to evaluate Candidates and complete the Interviewer Evaluation Form.	Selected interview questions were not accurately reflected on the completed Interviewer Evaluation Form.	Assistant Manager of Technical Review – At 6/9/16 interviews, HR gave interview panelists a typewritten list of the interview questions; the wording of one of the questions did not match the wording of that question on the Interviewer Evaluation Form. Candidates were asked and rated on the question on the typewritten list – which was the wrong question - not correct question on the Interviewer Evaluation Form.
VI.I.2.d.	Conducting the Interview. Follow-up questions by the panel members are permitted <i>and encouraged</i> , provided they are related to a determination of the Candidate’s suitability for the Position.	HR actively discouraged interview panel from asking follow-up questions.	<p>TPI Specialist – During pre-interview discussion for 5/4/16 interviews, HR discouraged interview panel members from asking follow up questions.</p> <p>Support Staff Assessment Operations – During pre-interview discussion for 5/12/16 interviews, HR discouraged interview panel members from asking follow up questions.</p> <p>Interview Panel Training – Participants in 5/19/16 interview panel Training were discouraged by HR from asking follow up questions.</p> <p>Systems Analyst – During pre-interview discussion for 5/20/16 interviews, HR discouraged interview panel members from asking follow up questions.</p> <p>Erroneous Exemption Specialist – During the pre-interview discussion for 6/1/16 interviews, HR discouraged interview panel members from asking follow up questions.</p>
VI.I.3.	Interviewer Evaluation Form and Preparation of Scored Final Interview List. No person may alter, add to or delete from any Interviewer Evaluation Form other than the interviewer who completes and signs it. The interviewers will submit the original <i>completed</i> Interviewer Evaluation Forms to the	Interview panel members submitted incomplete, unsigned or altered Interview Evaluation Forms.	<p>Residential Field Workflow Coordinator – Interview panelist did not sign the Interview Evaluation Form.</p> <p>Industrial Commercial Tech Review Analyst – Interview panelists altered and edited their scores on the Interview Evaluation Form without initialing and dating changes.</p> <p>I/C Junior Field Inspector – Interview panelist did not complete Interview Summary section of Interviewer Evaluation Form.</p>

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRED	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
	Deputy of HR or his or her Designee.		<p>TPI Junior Specialist – Interview panelist did not complete Interview Summary section of Interviewer Evaluation Form.</p> <p>Residential Junior Analyst – Interview panelist did not complete Interview Summary section of Interviewer Evaluation Form.</p> <p>Taxpayer Information Senior Specialist – Interview panelist did not sign the Interview Evaluation Form.</p> <p>Technical Review Specialist – Interview panelists did not complete Interview Summary section of Interviewer Evaluation Form for all Candidates.</p>
VI.I.3.	<p>Interviewer Evaluation Form and Preparation of Scored Interview List. The Deputy of HR or his or her Designee will tabulate the scores of the Candidates and rank them in order from the highest to lowest score for the <i>Scored Interview List</i>.</p>	<p>HR did not use a “Scored Interview List” as required by the draft Plan. Scores ranked on an “Eligibility Tabulation Form” and “Ranked Validated Eligibility List.”</p> <p>Repeated errors made in tabulating Candidates’ scores, including an incorrect average score because the formula was erased from the Excel spreadsheet, score incorrectly converted from column one to weighted score column, failure to correctly record the panel’s scores on the tabulation form.</p>	<p><i>See, e.g.</i>, Incorrect “Ranked Validated Eligibility Lists” used for Residential Field Workflow Coordinator, Support Staff – Assessment Operations, Support Staff – TPI, Systems Analyst, Manager of TPI, and Erroneous Exemption Specialist.</p> <p>At least one tabulation error made for most Positions, <i>e.g.</i>, Director of Field Operations, Residential Workflow Coordinator, Technical Review I/C Analyst, TPI Junior Specialist, Residential Junior Analyst, I/C Junior Field Inspector, Assistant Manager of Technical Review, and Taxpayer Information Senior Specialist.</p>

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRED	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
VI.I.3.	Interviewer Evaluation Form and Preparation of Scored Final Interview List. The Scored Final Interview List will be valid and <i>may be used</i> for purposes of filling subsequent vacancies for the posted Position for a period of 12 months from the date the vacancy was posted.	AO refused to use Scored Final Interview List to fill open Position when selected Candidate turned down a job offer.	Erroneous Exemption Specialist – Ranked Validated Eligibility List (dated 6/1/16) included six Candidates who scored above a 3.00. Four open Positions offered to top 4 Candidates on Interview Panel Ranking Form. Candidate #4 declined the offer and Candidate #5 accepted a different Position at the AO. Deputy of the Hiring Department, unilaterally refused to offer Position to Candidate #6 and reposted the Position.
VI.J.1.	Ranking Meeting. The interview panel will discuss the Candidates interviewed in the order they appear on the <i>Scored Final Interview List</i> , a copy of which will be shown to each of them.	AO did not use a “Scored Final Interview List” as required by the draft Plan. Interview panel discussed Candidates in order they appeared on a “Ranked Validated Eligibility List” (not included in the draft Plan). Interview panel did not discuss Candidates in required order.	Ranked Validated Eligibility Lists used, e.g., Residential Field Workflow Coordinator, Support Staff – Assessment Operations, Support Staff – TPI, Systems Analyst, Manager of TPI, and Erroneous Exemption Specialist. TPI Senior Specialist – Director of HR facilitated a discussion of the Candidates in random order not by order of appearance on the Scored Final Interview List.
VI.J.2.	Interview Panel Ranking Form. The interview panel will rank the top three Candidates from the Scored Final Interview List in order of preference on the Interview Panel Ranking Form. If there is more than one vacancy, the Interview Panel will rank the top three Candidates plus the number of Candidates equal to the number of vacancies to be filled on the Interview Panel Ranking Form, provided there is a sufficient number of Candidates deemed eligible for ranking by the Interview Panel. If there is not, the interview panel <i>will rank only those Candidates</i>	Interview panel ranked (and included on Interview Panel Ranking Form) Candidates whom they did not recommend for employment.	Support Staff Assessment Operations – Demonstrable confusion at the ranking meeting about which Candidates should be ranked. Erroneous Exemption Specialist – At 6/2/16 Ranking Meeting, six Candidates scored above a 3.00. Although the interview panel was unimpressed with two of the Candidates, all were ranked on Interview Panel Ranking Form. Freedom of Information Specialist – Interview panelists were confused about how many Candidates must be ranked when more than three Candidates receive an average score of 3.00.

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRED	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
	<i>recommended for employment and deemed eligible for ranking.</i>		
VI.J.3.	Documentation of Ranking Meeting. <i>An interview panel member designated by the panel shall take notes at the ranking meeting.</i>	Deputy of HR, or his Designee, took notes at virtually every ranking meeting. AO's "Selection Meeting Notes" form states "an interview panelist <i>designated by HR</i> will take notes at the Selection Meeting" – not an interview panel member designated at the ranking meeting.	<i>See, e.g.,</i> Selection Meeting Notes signed and dated by the Deputy of HR for these Positions: Residential Field Workflow Coordinator, Support Staff – Assessment Operations, Support Staff – TPI, Systems Analyst, Manager of TPI, Erroneous Exemption Specialist, TPI Specialist, Freedom of Information Specialist, Director of Field Operations, Technical Review I/C Analyst, I/C Jr. Field Inspector, and Technical Review Specialist.
VI.J.3.	Documentation of Ranking Meeting. <i>The notes will include a description of why, how and by whom each Candidate was ranked; and how each Candidate was ranked by each member of the interview panel. The notes will also indicate the objective basis or bases on which any Candidate was ranked by the panel, as well as the basis or bases on which any Candidate was deemed ineligible for ranking.</i>	Notes of the Ranking Meeting did not provide the specificity required by the draft Plan.	TPI Specialist – Ranking Meeting notes did not describe the why, how and by whom each Candidate was ranked. Interview panel members did not thoroughly discuss the Candidates and their reasons for rankings. Once the top three candidates were identified, remaining candidates were ranked by agreement of the panelists without substantive discussion. I/C Group Leader/Senior Field Inspector – Only one Candidate scored above a 3.00 and therefore was eligible to be discussed at the Ranking Meeting. The notes were not broken down by panelist; they reflected the overall consensus that the Candidate should be ranked.

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRED	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
VI.J.4.	<p>Final Selection; Justification to Hire. The <i>Deputy of the Hiring Department</i> shall submit a Justification to Hire along with an No Political Contact Certification (“NPCC”) to the Deputy of HR setting forth the objective basis or bases for the hiring with an explanation of the justification for the selection.</p>	<p>The Deputy of HR - not the Deputy of the Hiring Department - submitted the Justification to Hire and the NPCC.</p> <p>AO’s Justification to Hire form says that it is to be completed by “the Assessor or Designee” – not the Deputy of HR.</p>	<p>Justification to Hire form signed and dated by the Deputy of HR. <i>See e.g., Residential Field Workflow Coordinator, Support Staff – Assessment Operations, Support Staff – TPI, Systems Analyst, Manager of TPI, and Erroneous Exemption Specialist, TPI Specialist, Freedom of Information Specialist, Director of Field Operations, Technical Review I/C Analyst, Residential Jr. Analyst, I/C Jr. Field Inspector, Assistant Manager of Tech Review, I/C Group Leader/Sr. Field Inspector, and Taxpayer Advocate Analyst.</i></p>
VI.J.4.	<p>Final Selection; Justification to Hire. If the Candidate selected is other than the Candidate ranked highest by the interview panel in the case of a single vacancy [] the <i>Deputy of the Hiring Department</i> shall prepare a written explanation of the basis or bases on which the selection was made and send it to the Deputy of HR, along with an NPCC.</p>	<p>Deputy of HR - not the Deputy of the Hiring Department - prepared a written explanation when interview panel selected a Candidate who did not receive the highest average interview score.</p>	<p>Support Staff Assessment Operations – When selected Candidate selected did not receive the highest interview score, Deputy of HR, not the Deputy of the Hiring Department, prepared written explanation.</p> <p>Support Staff TPI – At 5/16/16 ranking meeting, “Candidate A” was selected for Support Staff-TPI Position, as documented in 5/16/16 Final Selection form and Justification to Hire. On 5/19/16, AO provided different Final Selection form and Justification to Hire whereby “Candidate A” was offered the Freedom of Information Specialist job and “Candidate B” was offered the Support Staff-TPI job. The AO did not provide a written explanation for the change.</p> <p>Freedom of Information Specialist – When selected Candidate did not receive the highest interview score, Deputy of HR, not the Deputy of the Hiring Department, prepared written explanation.</p>
VI.K.5.c.	<p>NPCC. The selected Candidate shall complete and sign an NPCC.</p>	<p>The AO did not provide documentation that selected Candidates were completing and signing NPCCs.</p>	<p>HR failed to provide NPCC forms executed by the hires for most of the Positions to the ACA.</p>

EXHIBIT C

COOK COUNTY ASSESSOR'S OFFICE
DRAFT 7/22/15 EMPLOYMENT PLAN VIOLATIONS: NON-HIRING-RELATED

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRES	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
III.I.	HR Staff. The Assessor's Office will maintain an HR staff of <i>experienced and knowledgeable professionals</i> who meet the Minimum Qualifications contained in the Position Descriptions for their Positions. Such persons will be responsible for fulfilling the Assessor's Office's obligations under this Employment Plan.	The AO has not maintained an HR staff of experienced and knowledgeable professionals.	Deputy of HR resigned on 7/5/16. See Exhibit A (Chart of Draft Employment Plan Violations for General Hiring Process committed under this Deputy of HR). Legal Counsel currently acting as "Interim Deputy of HR" since 7/5/16. (No Deputy of HR between August 2014 and January 2016 during which time Legal Counsel acted as "Interim Deputy of HR.") Assessor has not filled open HR Generalist or Executive Assistant position in HR Department.
IV.A.	Employee Handbook. HR will revise and maintain an Employee Handbook that is consistent and in compliance with and effectuates all provisions of this Employment Plan.	The AO has not revised or maintained an Employee Handbook.	Employee Handbook effective since 12/17/12 without substantive revisions.
IV.B.	Quarterly Report. HR will post on the Assessor's Website quarterly reports of the total number of hires, Promotions, Demotions, Transfers, Terminations and resignations by Department during the preceding three month period, including: (1) the number and type of each such Employment Action; (2) the dates of each	HR has not posted quarterly reports on the Assessor's Website.	Quarterly reports not posted on Assessor's website: see http://www.cookcountyassessor.com/Office/Shakman-Compliance.aspx

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRES	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
	Employment Action; (3) the title of the Position, and (4) whether the Employment Action was pursuant to <u>Section V</u> or a specific exception to the General Hiring Process identified in <u>Section VII – XII</u> .		
IV.C.	<p>Notification of Employment Actions. The Deputy of HR or his or her Designee will provide the ACA, while acting, with written or electronic notice of all Employment Actions <i>as soon as practicable</i> in order to provide the ACA with a reasonable opportunity to monitor the Employment Action(s).</p>	HR repeatedly failed to timely and fully inform the ACA of Employment Actions and the processes attendant thereto.	<p>Grievance: HR failed to provide the ACA with a copy of the AO’s written response to a grievance filed 1/27/16 and notice of the hearing. The ACA learned on 2/18/16 that the hearing had taken place the week before.</p> <p>Discipline: On 3/3/16, Deputy of HR informed the ACA that he met with an Employee to issue a 3-day suspension the day before (on 3/2/16).</p> <p>Discipline: A verbal warning was issued to Employee on 4/6/16 without prior notification to ACA.</p> <p>Separation: On 4/27/16, the AO provided the ACA with notice of Employee’s resignation effective 4/15/16.</p> <p>Assignment of Duties: In June 2016, numerous non-exempt Employees from Residential Field and Technical Review received notice that they would be assigned to assist Taxpayer Services (“TPP”) during the 2nd installment tax bill season starting 7/5/15. HR did not provide notice to the ACA of these Temporary Assignments until 7/15/16.</p> <p>Overtime: AO repeatedly failed to tell ACA of the award of Overtime until after the fact.</p> <p>Return from Unpaid Leave: Director of Technical Review returned to the AO from extended unpaid administrative leave on 6/27/16. The AO did not provide the ACA notice of Employee’s return until 7/27/16.</p>

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRES	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
IV.D.	<p>HR Personnel Training. HR, in conjunction with the DOC, will provide <i>comprehensive mandatory training programs for all personnel within HR</i> to ensure that they are aware of and knowledgeable about this Employment Plan and the Employee Handbook and will be able to administer relevant portions of this Employment Plan and the Employee Handbook and answer questions they may receive.</p> <p><i>Such training will be conducted no less frequently than once a year and no later than 90 days after any individual becomes an Employee in HR. Receipt of such training must be certified in writing and the certification placed in such Employees' personnel files.</i></p>	<p>Director of HR did not receive comprehensive mandatory training regarding Employment Plan or Employee Handbook.</p>	<p>Director of HR began employment in March 2016. She did not receive comprehensive mandatory training on the draft Employment Plan within 90 days or thereafter. Shortly after the Director of HR was hired, the AO began an extensive, expedited program of hiring. The draft Employment Plan provided the rules for that general hiring process. Many errors were made, often repeatedly. (See Exhibit __, Chart of AO hiring errors).</p> <p>Director of HR's personnel file does not include a certification of required HR personnel training.</p>
IV.D.	<p>HR Personnel Training. The Deputy of HR or his or her Designee, in conjunction with the DOC, will also conduct <i>mandatory comprehensive training of all HR Employees who will review and validate applications</i> for any Position before they conduct such review and validation. Such training will include information concerning proper validation and review protocols.</p>	<p>Director of HR did not receive comprehensive mandatory training regarding the review and validation of positions.</p>	<p>Director of HR began employment in March 2016. She did not receive comprehensive mandatory training on the review and validation of applications within 90 days or thereafter. Shortly after the Director of HR was hired, the AO began an extensive, expedited program of hiring. Many errors were made, often repeatedly, regarding the review and validation of applications. (See Exhibit __, Chart of AO hiring errors).</p>

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRES	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
	<i>Such training will be conducted no less frequently than once a year and no later than 90 days after any individual becomes an Employee in HR. Receipt of such training must be certified in writing and the certification placed in such Employees' personnel files.</i>		Director of HR's personnel file does not include a certification of required HR personnel training.
IV.E.	Supervisor Training. HR, in conjunction with the DOC, will provide <i>comprehensive mandatory training for all Supervisors</i> to ensure they are aware of and knowledgeable about this Employment Plan and the Employee Handbook. All Supervisors will receive such training no later than 90 days following their appointment as a Supervisor and <i>no less frequently than annually thereafter.</i>	Supervisor Training has not been conducted on an annual basis.	Supervisor Training last conducted by former DOC on 11/21-23/13. Annual Supervisor Training has not been conducted.
IV.F.	Employee Training. HR, in conjunction with the DOC, will conduct <i>comprehensive mandatory training of all Employees</i> to ensure they are aware of and knowledgeable about this Employment Plan and the Employee Handbook and Unlawful Political Discrimination. All Employees will receive such training no later than 90 days following the beginning of employment and <i>no less frequently than annually thereafter.</i>	Employee Training has not been conducted on an annual basis.	Employee Training of Exemptions Investigation Unit employees conducted by former DOC on 4/16/14. Annual Employee Training has not been conducted.

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRES	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
IV.K.	<p>Complaint Line. HR will post the hotline telephone number of the DOC at all places where individuals apply for employment with the Assessor, on its bulletin boards, and on the Assessor’s website. <i>HR will include a link to the DOC’s hotline on its website.</i></p>	<p>The DOC did not have a hotline – so there could be no link to that hotline on the ACA’s website.</p>	<p>The DOC did not have a hot line – so there could be no link to that hotline on the ACA’s website.</p>
IX.A.	<p>Placed by Academic Institution or Non-Political Organization. In situations where the Assessor’s Office receives an Intern/Extern from an academic institution or other non-political organization with an internship/externship program, prior to commencing the Internship/Externship, the Assessor’s Office will request a NPCC <i>from the academic institution or other non-political organization with an internship/externship program. The successful Intern/Extern also will complete an NPCC prior to commencing the Internship/Externship.</i></p>	<p>AO did not provide a NPCC from the academic institution or other non-political organization with an internship/externship program or the successful Intern/Extern prior to their commencement.</p>	<p>On 6/14/16, Deputy of HR provided the materials for the college interns/externs. NPCC forms from the academic institution with which the program was arranged were not provided.</p> <p>Between 6/23/16 and 6/27/16, Deputy of HR provided the names of the high school interns/externs, the school and organization from which they were coming and their start and end dates. NPCC forms from the academic institution, non-political organization or the successful Intern/Externs were not provided.</p>
IX.C.1.	<p>Scope and Number. The Assessor or his Designee will determine the scope and number of Internships/Externships, based on the operational needs of the Office. Because of the changing operational needs, the determination of the scope will be made as close to the starting time of the potential Internship/Externship as possible.</p>	<p>The scope and number of college Internships/Externships was inconsistent with the notice of availability.</p>	<p>Although the notice of availability of an Internship/Externship sent to the academic institution and provided to the ACA on 6/14/16 by the Deputy of HR said that the AO had “three (3) unpaid Internship/Externship positions” the AO provided application materials for six college Interns/Externs and four (4) started on 7/5/16</p>

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	<i>(i.e., by the end of April for an Internship/Externship commencing in June).</i> The determination of scope will be made prior to the review of any Intern/Extern application.		
IX.C.2.	Notice of Availability. The notice of availability will include a statement that any political contact on behalf of a student will result in the disqualification of the student from consideration for an Internship/Externship.	The notice of availability did not include a statement that any political contact on behalf of a student will result in the disqualification of the student from consideration for an Internship/Externship.	The notice of availability provided with the college intern/extern materials on 6/14/16 did not include the required NPCC statement.
X.A.	Posting the Executive Assistant List. The Assessor's Office will <i>post and maintain a current Executive Assistant List in the HR Department and on the Assessor's Website.</i> The posting will include: (a) the name of the Department to which the Executive Assistant Position is assigned and in which the individual holding the Executive Assistant Position works, (b) the job title, and (c) a link to the Position Description for each Executive Assistant Position.	The AO has not posted the current Executive Assistant List in the HR Department or the Assessor's Website.	The Executive Assistant List was not posted on the Assessor's Website or in the HR Department until 8/24/16. Under the draft Employment Plan, the Position Descriptions were not posted in the HR Department nor was there a link to them on the Assessor's Website.
XI.A.1.	Creation of [Exempt] Position Description. The Deputy of HR shall create a current and accurate Position	HR did not post the Exempt Position Descriptions on the	Under the draft Employment Plan, the Exempt Position Descriptions were not posted on the Assessor's Website.

DRAFT PLAN SECTION	WHAT THE DRAFT PLAN REQUIRES	DRAFT PLAN VIOLATION	EXAMPLES OF DRAFT PLAN VIOLATION
	Description containing Minimum Qualifications for each Exempt Position as described in Section VI.B.2, and <i>HR shall post all Exempt Position Descriptions on the Assessor's Website.</i>	Assessor's Website.	
XI.D.	Posting of Exempt List. The Assessor or his or her Designee will post the then-current Exempt List at the Assessor's offices and on the Assessor's Website (on which the Assessor's Annual Appropriation Ordinance is accessible). The postings will include (i) the name of the Department to which the Exempt Position is assigned, (ii) the job title and Position Identification Number, (iii) the name of the incumbent, if the Position is occupied, and (iv) the grade level. A copy of the Assessor's then-current year's Annual Appropriation Ordinance will also be posted on the Assessor website.	The Exempt List posted on the Assessor's website did not include: (i) the name of the Department to which the Exempt Position is assigned, (ii) the name of the incumbent, if the Position is occupied, and (iii) the grade level.	The Exempt List posted on the Assessor's website only listed the job title and Position Identification Number until 8/24/16 at which time the Department to which the Exempt Position is assigned and the grade level were added. Under the draft Employment Plan, the names of the incumbents were not included.