

COOK COUNTY ASSESSOR
JOSEPH BERRIOS



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EXECUTIVE ORDER

PROHIBITION OF POLITICAL DISCRIMINATION

WHEREAS, it is essential to the proper operation of Cook County Assessor's Office that public officials and employees be independent and impartial, that public office and employment not be used for personal gain, and that the public have full confidence in the fair and honest administration of government; and

WHEREAS, it is in the best interest of the Cook County Assessor's Office employees as well as the citizens of Cook County to promote fair and lawful employment and to enforce policies that prohibit political consideration in the hiring of non-exempt government employees; and

WHEREAS, "Political discrimination" means the making of any decision by the Assessor as to any Non-Exempt position because of any political reason or factor such as an individual's political affiliation, political support or activity, political financial contributions, promises of such political support, activity or financial contributions, or political sponsorship or recommendation; and

WHEREAS, "Non-Exempt" positions shall have the meaning as defined under applicable Federal Law, and shall include all Assessor's Office positions except those that involve policy-making or require confidentiality to an extent that political affiliation is an appropriate consideration for the effective performance of the position; and

WHEREAS, on May 5, 1972 and January 7, 1994, the United States District Court for the Northern District of Illinois ("District Court") entered Consent Judgments ("Judgments") with respect to, among others, the Cook County Assessor's Office, prohibiting the conditioning, basing or affecting any term or aspect of governmental employment upon or because of any political reason or factor; and

WHEREAS, those Judgments provided that the District Court retained jurisdiction with respect to, among other matters, issues of political hiring and the designation of a number of positions which should be exempt from the prohibitions established under the Judgments; and

WHEREAS, On August 15, 2012, the Cook County Assessor's Office agreed to the entry of Preliminary Agreed Order thereafter, approved by the District Court at a hearing held on September 19, 2012; and

WHEREAS, in accordance with the Agreed Order, any class member who believed that she or he was a victim of unlawful political discrimination in connection with any aspect of employment in a Non-Exempt position with the Cook County Assessor's Office which occurred between December 6, 2010 and September 19, 2012 shall file a complaint with the Compliance Administrator; and

WHEREAS, the Compliance Administrator shall be responsible for conducting or directing the investigation of complaints received regarding unlawful political discrimination; and

WHEREAS, the Compliance Administrator has completed the adjudication of complaints filed with him as a result of the Agreed Order; and

WHEREAS, it is essential that employees or other class members who are in receipt of an award based upon the Compliance Administrator's findings be free from reprisal for their cooperation and not be retaliated against for the submission of a claim or receipt of an award; and

WHEREAS, any Cook County Assessor's Office employee or officer found to have retaliated against another employee or job applicant for either filing a claim with the Compliance Administrator or participating in the Compliance Administrator's investigatory process shall be subject to discipline, up to and including termination; and


WHEREAS, any Cook County Assessor's Office employee or officer found to have retaliated against another employee or job applicant for filing a claim or complaint of unlawful political discrimination with the Cook County Assessor's Office Compliance Officer shall be subject to discipline, up to and including termination; and

WHEREAS, while this Order also seeks to ensure that all Cook County Assessor's Office employees continue to assist the Compliance Administrator and Compliance Officer without fear of retaliation for their cooperation, the Cook County Assessor's Office remains committed to implementing practices and regulations to prevent unlawful political considerations to be used in connection with Non-Exempt Cook County Assessor's Office employment and will continue to encourage employees, officials and job applicants to report allegations of unlawful political discrimination to the Compliance Officer.

NOW THEREFORE, I, Joseph Berrios, Cook County Assessor hereby order, as follows:

1. No Cook County Assessor's Office employee shall in any manner retaliate against, punish or penalize any other Cook County Assessor's Office employee or job applicant for complaining to, cooperating with, or assisting the Compliance Administrator in an investigation conducted by him in the performance of his court-appointed duties.
2. No Cook County Assessor's Office employee shall in any manner retaliate against, punish or penalize any other Cook County Assessor's Office employee or prospective employee for receiving a notice of finding and/or award by the Compliance Administrator as a result of his adjudication of complaints of unlawful political discrimination.
3. Any employee of the Cook County Assessor's Office who has reason to believe unlawful political discrimination in connection with any aspect of government employment with the Cook County Assessor's Office has occurred or is occurring shall report this information to the Compliance Officer without undue delay.

4. No Cook County Assessor's Office employee shall in any manner retaliate against, punish or penalize any other Cook County Assessor's Office employee or job applicant for complaining to, cooperating with, or assisting the Compliance Officer in any investigation conducted by the Compliance Officer in the performance of the Compliance Officer's duties. Furthermore, any Cook County Assessor's Office employee who becomes aware of such retaliation is required to report such to the Compliance Officer without undue delay.
5. Any violation of this Executive Order shall be grounds for discipline, up to and including suspension or termination of employment.
6. Any Cook County Assessor's Office employee who knowingly submits a false report alleging retaliation may be disciplined, up to and including termination of employment.
7. For more information regarding unlawful political discrimination, prohibited practices and reporting requirements, please refer to the Cook County Assessor's Office Ethics Policy.
8. This Order shall take effect immediately upon its execution.



Josepha Berrios
Cook County Assessor

Date 9/18/12