

CLERK OF THE CIRCUIT COURT OF COOK COUNTY

INTERIM EMPLOYMENT PLAN

I. **INTRODUCTION**

This Interim Employment Plan applies to: (1) all new hires; and (2) all transfers, promotions, and demotions of current employees to a non-union position, except those positions that Plaintiffs' counsel in the *Shakman* case has agreed are *Shakman*-exempt ("Exempt Positions List"). This Interim Employment Plan shall take effect immediately, pending implementation of a final Employment Plan to be adopted and approved by the Court, as contemplated by the Supplemental Relief Order entered on August 10, 2018 ("SRO"). As provided in the SRO, the CCCA has the right to monitor any and all aspects of this Interim Employment Plan, including all Employment Actions related thereto, to assess the Clerk's Office's compliance with the SRO and progress toward Substantial Compliance.

II. **DEFINITIONS**

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

Applicant: A person who has submitted an application to the Personnel Services Department for a Position.

Applicant List: The list of all applications received for a Position prior to review and validation.

At-Will Source Document: The document prepared by the COS (as defined below) that lists the names, Position titles and numbers, salary levels, and grades for all non-union vacant or newly-created Positions. This document is provided to the Clerk's Budget Department in order to obtain approval to fill a vacancy from the County's Budget Department.

Candidate: An Applicant who, after review and validation of his or her application materials, has been found to possess the Minimum Qualifications required by the Position Description and thus whose name is included on the Validated Eligibility List

CCCA: The Clerk's *Shakman* Compliance Administrator or designee.

CBA: The collective bargaining agreement between the Clerk and Teamsters Local 700.

CHRO: The Clerk's Chief Human Resources Officer or designee.

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

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

Consent Decrees: The 1972 Consent Decree and subsequent orders entered into between the Plaintiffs and the Clerk's Office in *Shakman et al. v. Democratic Organization of Cook County, et al.*, United States District Court for the Northern District of Illinois, Eastern Division, Case No. 69-C-2145.

Contact Log: The log maintained by the CHRO recording all contacts with any Applicant for any job posting by the Clerk's Office.

COS: The Clerk's Chief of Staff or designee.

Demotion: A downgrade from one Position to another Position at a lower grade.

Director of Compliance or DOC: The individual in charge of compliance who performs the tasks and responsibilities described in and consistent with the Consent Decrees. If the DOC position is vacant, the CCCA may serve as Interim DOC in accordance with Court order.

Employee: An employee of the office of the Clerk of the Circuit Court of Cook County.

Employment Action: Any action (positive or negative) related to any aspect of employment, including, but not limited to, hiring, training, change in job assignment, Temporary Assignment, Promotion, Demotion, transfer, Reclassification, Layoff, assignment of overtime (and other benefits of employment), discipline, and Termination.

Executive Order: The Order signed by the Clerk on August 8, 2018, prohibiting Unlawful Political Discrimination.

Exit Log: The running log maintained by the COS documenting retirements, resignations, and other departures from employment with the Clerk, which includes the employees' names, positions, work locations, salaries and grades, and dates of termination.

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

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

Internal Applicant: An Applicant who is employed by the Clerk's Office when submitting an application.

Internal Candidate Preference: A Position where qualified Internal Applicants for a position will be placed higher on the preliminary interview list than qualified External Applicants because of the advantages of employing internally experienced Applicants in carrying out the duties and responsibilities of the position being posted.

Internal Candidate Preference List: The list of Positions which have been designated for Internal Candidate Preference and is maintained by the CHRO.

Ineligible for Hire/Rehire List: A list maintained by the CHRO of individuals who have been determined to be ineligible for hire or rehire by the Clerk's office.

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

Layoff: The involuntary, temporary or permanent separation of one or more Employees from employment with the Clerk's office for reasons other than Termination.

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

Non-Exempt Position: Any Position that is not included on the Exempt Positions List.

Notice of Job Opportunity: The publicly available notice of a Position opening.

NPCC: The No Political Considerations Certification signed by all employees and other individuals involved in any of the Clerk's employment processes, a copy of which is attached as **Exhibit 1**.

Political Contact: Any contact of any kind whatsoever (oral or written, direct or indirect) from any Politically-Related Person or Organization to an employee regarding an Employment Action relating to any person known likely to be an applicant or employee holding or applying for a job position covered by this Interim Employment Plan.

Political Reasons or Factors: Any reasons or factors relating to political matters in connection with any employment action, including, but not limited to: (1) any recommendations for or against the hiring, Promotion, transfer, discipline, or any other Employment Action with respect to any person from any politically-related person or organization that is not based on personal

knowledge of the person's work skills, work experience, or other job-related qualifications; (2) the fact that the person works or worked for a politically-related person or organization or works or worked on a political campaign or belongs to a political organization or party, or the fact that the person chose not to work in a political campaign or to belong to a political party, unless related to a recommendation based on personal knowledge of the person's skills, work experience, or other job-related characteristics; (3) the fact that the person is or was, or is not or was not, a member of any political party or politically-related organization; (4) the fact that the person contributed money, raised money, or provided something else of value to a politically-related person or organization, or refrained from doing so; (5) the fact that the person is a Democrat or Republican or a member of any other political party or group, or the fact that the person is not a member; or (6) the fact that the person expressed views, opinions, or beliefs on a political matter.

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

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

Position Description: A written document that describes a Position's typical duties and current responsibilities, Minimum Qualifications, Preferred Qualifications (if applicable), the knowledge, skills, and abilities needed to perform those responsibilities, and any testing protocols (if applicable).

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

Preliminary Interview List: The list of Candidates to be interviewed from the Validated Eligibility List who have been sorted and randomized, if applicable.

Promotion: The advancement of a current Employee to a higher graded Position than his or her current Position.

Reclassification: The process by which a Position's job code and/or pay grade is changed.

RTH: The Request to Hire form that is sent to the County's Budget Department by the Clerk's Budget Department when requesting to fill a vacancy or create a new position.

SRO: The Supplemental Relief Order for the Clerk of the Circuit Court of Cook County in the case styled *Shakman, et al. v. Clerk of the Circuit Court of Cook County*, Case No. 69 C 2145 (N.D. Ill), entered on August 8, 2018.

Temporary Assignment: The assignment for a limited time of an Employee to a different Position from which he or she is permanently assigned.

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

Transfer Log: The log kept by the COS recording transfers of non-union employees.

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

Unlawful Political Discrimination: Any positive or negative Employment Action involving an Applicant, potential Applicant, candidate, or Employee who is applying for, being considered for, or holding a Position that is covered by this Interim Employment Plan that is based on any Political Reasons or Factors.

Vacancy: An unfilled, funded Position, whether due to creation of a new Position, Transfer, Layoff, Termination, or otherwise.

Validated Eligibility List: A listing of those Applicants whose application materials support the Applicant's claim to possess the Minimum Qualifications of the applied for Position.

III. GENERAL PRINCIPLES AND COMMITMENTS APPLICABLE TO THE CLERK'S HIRING UNDER THIS INTERIM EMPLOYMENT PLAN

The Clerk shall adhere to the following general employment-related policies, practices, and procedures with respect to any Employment Action or other action covered by this Interim Employment Plan and the SRO:

A. Commitment. The Clerk shall implement proactive and transparent employment-related policies, practices, and procedures that will prevent and remedy the negative effects of Unlawful Political Considerations, Unlawful Political Contacts, and Unlawful Political Discrimination as required by this Interim Employment Plan, SRO, Consent Decrees, Executive

Order, and federal, state, and local law. No CBA or other agreement between the Clerk and any other individual or entity will provide otherwise.

B. No Employment Actions Influenced by Political Reasons or Factors. No Employment Action affecting an employee, Applicant or Candidate holding or applying for a Position covered by this Interim Employment Plan shall be influenced by any Political Reasons or Factors.

C. Reporting. Any Employee of the Clerk's Office who learns of or has a reasonable belief that Unlawful Political Consideration, Unlawful Political Contact, or Unlawful Political Discrimination has occurred or is occurring in any Employment Action covered by the Interim Employment Plan is required to promptly report such matter to the DOC for investigation, on an anonymous or credited basis, in person, by phone, or in writing. The DOC handles all investigations implicating the Employment Plan, Unlawful Political Consideration, Unlawful Political Contact or Unlawful Political Discrimination even if the complaint raises additional issues. All Employees and agents of the Clerk's Office are required to cooperate fully in any investigation of such matter conducted by the DOC. Any Employee who fails to report and/or cooperate as required will be subject to disciplinary action, up to and including termination. No person shall be compelled to respond to any request for information in violation of his/her constitutional rights.

D. Unrelated Matters. In the event the DOC receives a report that involves a matter that is unrelated to this Interim Employment Plan or Unlawful Political Consideration, Unlawful Political Contact, or Unlawful Political Discrimination or Consideration, but is relevant to the Clerk's maintenance of a non-discriminatory or safe workplace (such as a complaint of sexual harassment or illegal conduct), the DOC shall forward the report to the CHRO. If the DOC receives a report that in any way is related to this Interim Employment Plan or Unlawful Political Consideration, Unlawful Political Contact, or Unlawful Political Discrimination or Consideration, the DOC will keep and investigate the report.

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

F. No Retaliation. The Clerk shall prohibit retaliation, punishment, or penalty for initiating a complaint related to any alleged Unlawful Political Consideration, Unlawful Political Contact, or Unlawful Political Discrimination, or cooperating with or assisting in good faith the CCCA, the DOC, or any other authority in the investigation of any such complaint.

G. No Political Considerations Certification (NPCC”). All Clerk Employees shall be required to sign a NPCC whenever they initiate or are involved in any Employment Action covered by this Interim Employment Plan.

IV. GENERAL HIRING PROCESS

The general hiring process described below shall apply to External and Internal Applicants.

A. Review by the DOC and CCCA. The DOC and the CCCA shall have full access at all times to all documents and all aspects of the general hiring process for each Vacancy and may review them on an ongoing basis. If the DOC or the CCCA concludes that an error was made at any point during the hiring process, written notice immediately shall be provided to the CCCA, DOC and the CHRO, as applicable, along with a request to take appropriate steps to resolve the error. The CCCA may suspend a hiring process until the CHRO, DOC and the CCCA have met and conferred about the error. If the CHRO disagrees with the DOC or CCCA and moves forward with the hiring process, the CHRO shall provide a written response describing and documenting the specific reasons for the decision.

B. Requests to Hire (RTH). All hiring for Positions shall be initiated by the creation of a RTH in accordance with the following:

1. Creation of RTH. The RTH, including a copy of the current Position Description and written justification for filling the Vacancy or creating a Position, must be completed and signed by the CHRO. The RTH must indicate whether the Vacancy or the Position has an Internal Candidate Preference and a written description of the specific basis or bases for the designation, and written justification for filling the Vacancy or creating the Position.

2. Transmission of RTH. A copy of all RTHs sent to the Clerk's Office Budget Department shall be sent to the DOC and the CCCA at the same time that they are sent to the Clerk's Office Budget Department

3. Review of Position Descriptions. All Position Descriptions must be accurate and up-to-date and shall include: (a) the essential duties of the position and the knowledge, skills, and abilities needed to perform those duties; (b) a list of Minimum Qualifications; (c) Preferred Qualifications, if applicable; and (d) a list of testing protocols, if applicable. The CHRO and DOC shall prepare an accurate and up-to-date Position Description prior to the initiation of any recruitment activity for a Vacancy. Prior to utilization, the CHRO and DOC's proposed Position Description shall be provided to the CCCA for review and comment and may require updates or revisions.

4. Disposition of RTH. The Clerk's Office Budget Department shall send a copy of all responses (approval and non-approval) from the County's Budget Department to the Chief Deputy Clerk of Personnel Services, the DOC and the CCCA within five days of receipt by the Clerk's Office Budget Department. No job may be posted without approval of the RTH by the County's Budget Department.

5. Internal Candidate Preference. The CHRO, working with the Chief Deputy Clerk of the Department that has the vacancy and the DOC, shall create and maintain an Internal Candidate Preference List of Positions for which the CHRO has determined that the experience of the current Employees seeking to fill the Position will be beneficial in carrying out the specific duties and responsibilities of the Position. Prior to adding a Position to the Internal Candidate Preference List, the CHRO shall provide the DOC, the CCCA and Plaintiffs' Counsel a written description of the specific basis or bases for the designation, who will evaluate whether the Position should be so designated based on the justification for the preference, the nature and level of the Position, and the likelihood that the experience of the current Employees seeking to fill the Position will be beneficial in carrying out the specific duties and responsibilities of the Position being posted. The DOC may request in writing additional information. If the CHRO and the DOC are unable to reach agreement on whether the Position should be designated as an Internal Candidate Preference position, the Clerk shall make the final determination, in writing, and shall sign a NPCC related to the determination. If the DOC or the Clerk approves a change to Internal Candidate Preference List, the General Counsel or designee shall send confirmation of the change to Plaintiffs' Counsel and the CCCA. If Plaintiffs' Counsel sends a written objection to the proposed change to the General Counsel and DOC within 10 days of receiving the notice, the change shall not be made until resolution by the parties or, if they cannot agree, final resolution by the Court. That a Position is designated as an Internal Candidate Preference position in no way precludes External Applicants from applying, and shall be filled in accordance with applicable federal, state, and/or local law.

C. Preparation of Notice of Job Opportunity. The CHRO shall prepare the Notice of Job Opportunity in accordance with the following:

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

2. Contents of Notice of Job Opportunity. The Notice of Job Opportunity shall be-based on information contained in the RTH and applicable Position Description. The Notice of Job Opportunity shall include, but not be limited to: (a) the job title and Job Code; (b) the deadline for applying; (c) the Position Description, including the Minimum Qualifications and Preferred Qualifications, if applicable; (d) whether the Position is designated as Internal Candidate Preference; (e) the amount or range of compensation; (f) directions on how and where to apply; (g) the time period during which applications will be accepted; (h) a list of all certifications, licenses and documents that the individual must produce in order to be considered eligible for the Position and the time period for producing such information; (i) a description of any testing protocols that will be administered for an applicant to be considered eligible for the Position, (j) a nondiscrimination clause; (k) a statement that the Clerk does not hire for Non-Exempt

Positions based on Political Reasons or Factors and (l) a statement that any applicant who fails to comply with any of the requirements of the Notice of Job Opportunity will not be considered eligible for the Position.

D. Job Posting

1. Locations for Posting. When the Clerk receives approval to fill a Vacancy from the Clerk's Office Budget Department, he/she shall, give timely notice of the Vacancy internally by posting at places where employee notices generally are posted (including places where Positions are posted pursuant to the Clerk's collective bargaining agreement) and externally on at least one commonly-used commercial online job posting website, with the goal to reach a broad potential Applicant pool.

2. Notice to DOC and CCCA. At least 48 hours before posting a Vacancy, the CHRO shall provide the DOC and the CCCA, for review and comment,: (a) copies of all notices and postings to be disseminated; (b) a list of all intended posting locations; and (c) the specific recruitment sources and online job posting websites to be used.

3. Posting Contents. All postings, notices, and advertisements shall include:

- a. A list of the Minimum Qualifications and Preferred Qualifications (if any) for the position as contained in the accurate and up-to-date Position Description;
- b. The time frame during which applications will be accepted, which shall be a minimum of 14 calendar days;
- c. A statement that all applications must be submitted to an online address specifically set up for the purpose of accepting such applications;
- d. A statement that the Clerk does not hire or accept recommendations for positions based on Political Reasons or Factors, including a definition of Political Reasons and Factors;
- e. A statement that failure to submit a complete application will render the prospective Applicant ineligible for consideration; and
- f. A statement that any finalist for a position will be required to present proof of any educational credentials, certifications, or licenses required by the Position Description.

E. Recommendations. Any person may submit a written recommendation where such recommendation is not based on Political Reasons or Factors and where such recommendation is based on the person's personal knowledge of the recommended individual's work, skill, experience, or other job-related qualifications. The DOC and the CHRO shall review any recommendation to ensure it complies, and any recommendation that is based on Political

Reasons or Factors or is not based on the person's personal knowledge as described above shall not be considered.

F. Receipt and Processing of Applications

1. Online Applications. All online applications shall be directed to the CHRO through a dedicated designated email address. The DOC and the CCCA shall be provided with real-time, read-only computer access to the dedicated online address for the posting so he/she is able to monitor applications as they are received.

G. Creation of Applicant List. Human Resources shall assign all applications a unique number for tracking purposes. Applicants who failed to submit completed applications shall have their ineligibility documented on the Applicant List and will not be further screened.

H. Application Screening. During the process of creating the Applicant List for a Position, the CHRO shall screen each Applicant's application materials for completeness. A complete application includes an application form and resume. Applicants may also submit an optional cover letter. Applicants who failed to submit completed applications shall be ineligible, their ineligibility shall be documented on the Applicant List and they—will not be validated further pursuant to Section IV(K), below.

I. Notice of Validation. Prior to starting the validation process, the CHRO shall provide written notice at least five business days in advance of the date and time thereof to the DOC and the CCCA. The DOC and the CCCA may request to contemporaneously validate the Applicants by providing written notice at least 72 hours in advance of the date and time for validation set by the CHRO. Any comments or issues will be discussed and addressed at the time of the validation.

J. Creation of Validated Eligibility List. The CHRO shall create a Validated Eligibility List using the following procedures:

1. Ineligible for Hire/Rehire. The CHRO shall compare the Applicants to the Ineligible for Hire/Rehire List and remove from consideration any Applicant who is on that list. The reason for the ineligibility shall be noted on the Applicant list.

2. Validation of Applicants. The CHRO shall validate the information in the employment application materials concerning the Applicant's work experience, education and skills and compare it with the Minimum Qualifications and the Preferred Qualifications, if applicable, to determine whether the application materials show on their face that the Applicant meets the Minimum Qualifications and Preferred Qualifications, if applicable. If necessary, the CHRO may consult with individuals with specific knowledge of the qualifications for the Position during the validation process to assist in the determination of whether an Applicant possesses a Minimum Qualification or Preferred Qualification that is technical in nature. The consultation shall be documented

in the Applicant list. In the event the information does not support the Applicant's claim to possess the Minimum Qualifications of the Position, the Applicant shall be considered ineligible for the Position, his or her name will be not be placed on the Validated Eligibility List, and the reason for ineligibility will be noted on the Applicant list. All Applicants whose application materials indicate that they possess at least the Minimum Qualifications for the Position will be placed on the Validated Eligibility List. If none of the Applicants possess all of the Minimum Qualifications for the Position, the Position shall be reposted. CHRO, the DOC and the CCCA may review the Minimum Qualifications to determine if any changes to the job description are appropriate.

3. Sorting Applicants. The Validated Eligibility List shall be sorted into the following groups:

- a. If the Position is on the Internal Candidate Preference List, the Internal Applicants shall be in the first group. Individuals who were unpaid interns or volunteered for the Clerk shall not be considered Internal Applicants.
- b. Applicants who possess all of the Preferred Qualifications will be in the second group;
- c. Applicants who possess all but one Preferred Qualification; sorting shall continue with Applicants who possess all but two Preferred Qualifications, etc. depending on the number of Preferred Qualifications will be in the next respective group or groups;
- d. Applicants who do not possess any of the Preferred Qualifications shall be in the last group.

4. Validation of Disciplinary History for Internal Applicants or Former Employees. Following the validation procedure described in Section IV(K), HR shall conduct the following additional review for (a) Internal Applicants; and (b) External Applicants who indicated on their applications that they were employed by the Clerk at any time during the 36 months preceding the Applicant's application for hire:

- a. Internal Applicant's Disciplinary History Validation. Any Internal Applicant who was suspended for misconduct (excluding attendance discipline) while working for the Clerk during the 24-month period prior to his or her application for a Position shall not be considered eligible for the Position and his or her name shall be removed from the Validated Eligibility List, subject to the terms of any applicable CBA. The CHRO and DOC may consult with the Clerk's Chief Deputy of Labor Relations and the Inspector General in making these determinations. Any such ineligibility shall be noted on the Applicant list.

- b. Former Employees' Disciplinary History Validation. Any External Applicant employed by the Clerk within the 36 months preceding of the date he or she submitted his or her application who was suspended, terminated or resigned while under investigation for misconduct during the last 36 months of his or her employment by the Clerk shall not be considered eligible for the Position, and his or her name shall be removed from the Validated Eligibility List. Any such ineligibility will be noted on the Applicant list.
- c. Record of Determinations. HR shall record the specific reason for any decision to exclude any Applicant's name from the Applicant List or Validated Eligibility List along with a NPCC.

5. Notification of Completion of Validation. In the event that the DOC and/or the CCCA do not contemporaneously validate the Applicants for a Position, the CHRO shall provide the results of the validation process to the DOC and the CCCA for each posting within ten business days of completion of the Validated Eligibility List.

K. Review of Determinations by DOC and CCCA. Whether during contemporaneous validation or validation done non-contemporaneously, the DOC and the CCCA may object to the inclusion or exclusion of any Applicant on the Validated Eligibility List. The CHRO, DOC and CCCA shall meet and confer in an effort to reach agreement on any disputed Applicant. A written explanation of the disagreement and how the disagreement was resolved shall be noted on the Applicant list. Disputes as to whether an Applicant meets a Minimum Qualification shall be resolved in favor of meeting the Minimum Qualification, to result in the broadest applicant pool for a Position. Disputes as to whether an Applicant has a Preferred Qualifications shall be resolved against meeting the Preferred Qualification so as not to provide an advantage based on a disputed qualification. If the CHRO, DOC, and CCCA are unable to reach agreement, the Clerk shall make the final determination of whether the Applicant should be included on the Validated Eligibility List. Any changes regarding the validation of any Applicant will be documented on the Applicant list.

L. Randomization. After sorting the Validated Eligibility List into the groups as described in Section IV(K)(3), if there are more Candidates than needed to fill the Final Interview List as discussed below, the CHRO shall randomize each group as necessary to fill the Final Interview List, using a computerized system. If there are 10 or fewer Candidates, no randomization is required. This sorted, randomized list is the Preliminary Interview List.

M. Creation of a Final Interview List. The CHRO shall create a Final Interview List of the Candidates to be interviewed as follows:

1. If the Position is on the Internal Candidate Preference List, CHRO shall create the Final Interview List by adding all the Internal Candidates from the Preliminary Interview List.

2. If the Position is not on the Internal Candidate Preference List or if there are less than 10 Internal Candidates for a single Vacancy or 5 Internal Candidates per Vacancy for multiple Vacancies, the CHRO shall add Candidates to the Final Interview List in the order they appear on the Preliminary Interview List until there are at least 10 Candidates for a single Vacancy or 5 Candidates per Vacancy for multiple Vacancies, and then add the remainder of the Candidates in that group under Section K(3)(a)-(d) above.

N. Review by DOC and CCCA. The CHRO, the DOC and the CCCA shall have full access at all times to all aspects of the general hiring process for each posting and may review them on an ongoing basis. The CHRO, the DOC, and the CCCA shall be provided copies of any documents requested. If the DOC or the CCCA concludes that an error was made at any point during the hiring process, a notice of the error shall be made immediately to the CHRO along with a request to take appropriate steps to resolve the error. The DOC or the CCCA may suspend a hiring process until the CHRO, DOC and CCCA have met and conferred about the error. If the CHRO disagrees with the DOC or CCCA and moves forward with the hiring process, the CHRO shall provide a written response documenting the reasons for the decision.

O. Use of Validated Eligibility List and Preliminary Interview List. The Validated Eligibility List and Preliminary Interview List shall be valid and may be used for purposes of filling vacancies for the posted Position for a period of twelve months from the date created. The CHRO in consultation with the Chief Deputy Clerk of the Personnel Services Department shall decide if an existing Validated Eligibility List or Preliminary Interview List will be used to fill a Vacancy or if the Vacancy will be Posted. Written notice of the decision to use or not use an existing Validated Eligibility List or Preliminary Interview List shall be provided to the DOC and the CCCA before a list is used or the Position is posted.

P. Interview Questions. The Chief Deputy Clerk of the Department with the Vacancy or designee(s) who have direct knowledge of the requirements of the Position shall prepare a list of at least ten questions to be asked of all interviewees. The interview questions shall establish, at a minimum, the Candidate's: (a) willingness and ability to do the job; (b) prior job performance; (c) knowledge and understanding of the Position; (d) relative qualifications for the Position as compared with other Candidates; and (e) overall credibility. None of the questions may ask or be designed to elicit information about Political Reasons or Factors or be a subterfuge to Unlawful Political Discrimination or any other type of unlawful discrimination. The questions shall be submitted to the CHRO, the DOC and the CCCA for review and approval at least five business days prior to the interviews. The CHRO shall select a minimum of eight interview questions of those approved by the DOC and CCCA as the final interview questions. The interview questions developed for a particular Position may be used for subsequent vacancies for that Position, provided: (a) appropriate precautions are taken to prevent advance dissemination of the questions or answers to Candidates; and (2) the questions remain related to the duties of the Position.

Q. Pre-Interview License and Certification Verification. All Candidates must produce copies of required documents (e.g., current driver's license, diploma or proof of graduation, certifications, etc.) listed on the Notice of Job Opportunity by the conclusion of all of the interviews for the Position. Alternatively, the CHRO may accept electronic copy of such diplomas, license, and certifications from the institution by which it was awarded. Candidates who do not produce the required documents by the conclusion of all of the interviews for the Position will be considered ineligible for further consideration. Any such ineligibility will be noted on the Final Interview List.

R. Interviews

1. Required Interviews. With the exception of certain entry-level positions, as described Section V of this Interim Employment Plan, an interview is required as part of the General Hiring Process.

2. Scheduling of Interviews. The CHRO shall schedule interviews with first five Candidates on the Final Interview List and notify the DOC and the CCCA in writing of the date, time, and place for such interviews at least 48 hours before they are scheduled to take place and they may attend and monitor the interviews. If one or more of the Candidates selected to be interviewed is unavailable or declines the interview, the next eligible Candidate or Candidates on the Preliminary Interview List shall be moved to the Final Interview List and be contacted for an interview.

3. Interview Panel. The CHRO shall select a three-member Interview Panel consisting of: (a) two management level employees in the Department with the Vacancy with knowledge and competence in the skills and abilities sought of the Position to be filled. At least one of the members of the Interview Panel must have first-hand knowledge of the job duties and Minimum Qualifications of the Position; and (b) the CHRO. The CHRO shall send a list with the names of the Interview Panel to the DOC and CCCA at least two days prior to the date of the interviews for review and comment.

4. Candidate Appearance Requirements. Candidates who fail to appear for interview within 15 minutes of the scheduled time shall not be interviewed. Any such Candidate shall not be considered for the Position during the current posting cycle. Also, any Candidate who cancels an interview less than 48-hours prior the scheduled time slot shall not receive further consideration for the Position during the current posting cycle.

5. Interviewer Evaluation Form. The CCCA and DOC shall develop an interview ranking sheet to be used by the Interview Panel to score the Candidates before any interviews may be conducted. This interview ranking sheet shall contain the list of interview questions and instructions for scoring applicants based on their answers to the questions.

6. Recording Responses. Each Candidate shall be required to respond to all of the predetermined interview questions and their answers shall be recorded by each of

the interviewers on the interview ranking sheet. The Interview Panel may ask follow-up questions, provided they are related to the specific skills, knowledge, and abilities needed to perform the job.

7. Interviewer Scoring. At the conclusion of each interview, each member of the Interview Panel shall independently and personally complete an interview ranking sheet and sign and date it, along with an NPCC. All sheets shall be given to the DOC to hold until the conclusion of the interview process.

8. Ranked Interview List. After the interviews have been concluded, the CHRO shall prepare a ranked interview list based on the scores given to the Candidates on the interview ranking sheets. A copy of the ranking and the interviewer ranking sheets shall be provided to the CCCA at least two days prior to the selection meeting, as described below.

S. Selection Meeting

1. Scheduled Meeting. A selection meeting shall be scheduled and held within five business days after the interviews are completed and the CHRO has prepared the ranked interview list. The CCCA shall be notified at least 48 hours prior to the selection meeting and shall be allowed to monitor all selection meetings.

2. Selection Discussion. All persons present at the interviews shall attend the selection meeting and have an opportunity to freely and candidly give their opinions regarding the Candidates, who will be discussed in the order in which their name appears on the ranked interview list. The DOC shall be present and take notes of the selection meeting.

3. Ranked Selection Form. At the conclusion of the discussion, the interviewers shall complete a ranked selection form, which shall be prepared by the DOC and approved by the CCCA prior to the selection meeting, listing all of the Candidates interviewed in order of their preference. The interviewers shall include a written list of the specific reasons for their selection of the first and last interviewees on their lists. The forms shall include a NPCC and shall be signed and certified by each interviewer.

4. Ranked List. The DOC shall tabulate the Candidates' rankings and create a combined ranked selection form and send a copy, along with copies of the interviewers' ranked selection forms, to the CHRO and CCCA within two days following the selection meeting. The combined ranked selection form shall include a NPCC and shall be signed and certified by the DOC.

T. Offers of a Position. The CHRO shall extend conditional offers of the position to the eligible Candidates in the order they appear on the combined ranked selection form pending

confirmation of past employment and background check. If an offer of employment is rescinded based on the results of the confirmation of past employment and/or background check that deemed the Candidate ineligible, the CHRO shall document the reason(s) and sign a corresponding NPCC. If the highest ranked person does not accept, the next highest on the list shall be offered the position. If no interviewed Candidate on the ranked selection form is eligible and accepts the offer of employment, the remaining Candidates on the final interview list shall will be interviewed, scored, and ranked, until the Candidates on the final interview list are exhausted. For Internal Candidate Preference positions, if no Internal Applicant is selected or accepts the position, the same process shall will be applied to the randomized Validated Eligibility List. After all applicable final interview lists are exhausted, the position shall be reposted if no applicants are accepted or accept. In that event, the DOC and CCCA may review the job description to determine if any changes are appropriate.

U. Verification of Past Employment. Except for entry level Positions covered by a CBA, the CHRO shall attempt to confirm that the selected Candidate meets the Minimum Qualifications for the Position by contacting professional references provided by the Candidate until the CHRO can confirm that the Candidate meets the Minimum Qualifications or until such reference list is exhausted. Any Candidate whom the CHRO confirms has provided misleading, incomplete or incorrect information (excluding minor discrepancies) on his or application or resume shall be considered ineligible and the offer of employment will be withdrawn. The CHRO shall document the basis of his/her finding of ineligibility in the Candidate's file and give it to the DOC and CCCA for review.

V. ENTRY LEVEL HIRING PROCESS – INTERVIEW NOT REQUIRED

A. Exception to General Hiring Process. For certain entry level Positions, including Clerk IV Senior, an interview is not required prior to hire.

B. Process. Notwithstanding the foregoing, the process described in Section IV of this Interim Employment Plan, Sections IV(A) – IV(K) and IV(T) shall apply.

C. Randomization. After sorting the Validated Eligibility List, as described in Section IV (K)(3), the CHRO shall randomize each group using a computerized system.

E. Offers of a position. The CHRO shall extend offers of the position to eligible Candidates in the order that they appear on the randomized lists beginning with the group of Candidates who possess all of the Preferred Qualifications. If a Candidate would have received an offer of employment but for the result of the confirmation of past employment and/or background check, as described in Section IV(T), that deemed the Candidate ineligible, the CHRO must document the reason and sign a corresponding NPCC. If the first Candidate on the list does not accept, the next Candidate of the list shall be offered the position. If none of the

Candidates in the first group accept, then the position will be offered to the Candidates in the next group in the same order until the Candidates are exhausted. After all applicable lists are exhausted, the position shall be reposted if no applicants are accepted or accept. In that event, the DOC and CCCA may review the job description to determine if any changes are appropriate.

VI. MANDATORY TRAINING

A. Supervisor/Human Resources Training

1. Mandatory Training. The CCCA, in conjunction with the CHRO and the DOC, shall provide comprehensive mandatory training for all supervisors and Human Resources personnel to ensure they are aware of and knowledgeable about this Interim Employment Plan and the prohibition regarding consideration of Political Reasons and Factors. Such training shall be conducted as soon as possible and annually thereafter, or as often as necessary, for as long as this Interim Employment Plan is in effect.

2. No Participation in Employment. No supervisor or Human Resources personnel shall participate in any portion of the general employment process for a position that is subject to this Interim Employment Plan unless and until he/she receives said mandatory training.

3. Attendance. All attendees shall be required to sign an attendance sheet at such training. Such documentation shall be maintained by the CHRO. Copies of such documentation shall be provided to the CCCA upon written request.

B. Employee Training

1. Mandatory Training. The CCCA, in conjunction with the DOC, shall conduct comprehensive mandatory training of all employees to ensure they are aware of and knowledgeable about this Interim Employment Plan and the prohibition regarding consideration of Unlawful Political Discrimination.

2. New Employee Training. The Human Resources Department shall provide new employees with copies of this Interim Employment Plan, while in effect, within 10 days of employment. All employees shall receive the mandatory training no later than sixty (60) days following the beginning of employment and no less frequently than annually thereafter while this Interim Employment Plan is in effect.

3. Attendance. Attendees shall be required to sign an attendance sheet at such training. Such documentation shall be maintained by CHRO. Copies of such documentation shall be provided to the CCCA upon written request.

VII. MAINTENANCE OF EMPLOYMENT ACTIVITIES LOGS

In addition to the documentation and records described above in this Interim Employment Plan, the Clerk shall maintain and update on a regular (at least monthly) basis the following logs and records regarding all Employees covered by this Interim Employment Plan, which shall be sent to the CCCA on a monthly basis:

- A. The Contact Log;
- B. The Exit Log;
- C. The Transfer Log;
- D. A list of all resumes and applications received or kept by the Clerk, the COS and any other member of the Clerk's executive office, along with a copy of the resume and/or application. Such resumes and applications shall be date stamped when and as received and shall note the identity of the sender; and
- E. A list of all internal and external recommendations for hire, promotion, pay increase, or transfer of any non-union employee, and any union employee to a non-union position, shall be date stamped when and as received and shall note the identity of the sender.

All such records shall be kept for a minimum of three years, unless longer retention is required by law.

VIII. CONCLUSION

The Clerk is committed to complying with the SRO, hiring qualified applicants and prohibiting Unlawful Political Discrimination with respect to all Employment Actions of the Office of the Clerk of the Circuit Court of Cook County. It is not possible to anticipate and address every situation that may give rise to Unlawful Political Contact or Unlawful Political Discrimination. The Clerk is prepared to comply with the applicable federal, state, or local law to meet those situations in the future.

EXHIBIT 1

No Political Considerations Certification (“NPCC”)

With respect to all jobs under the jurisdiction of the Clerk of the Circuit Court of Cook County (“Clerk’s Office”) that are not identified as Exempt on the Clerk’s Office’s Exempt Positions List, as amended and as filed with the court, I certify that I am aware that I am strictly prohibited from conditioning, basing, or knowingly prejudicing or affecting any term or aspect of Clerk’s Office employment or hiring upon or because of any Political Reason or Factor or knowingly inducing, aiding, abetting, participating in, cooperating with or threatening any act which is proscribed above. I certify, under penalty of perjury, as provided by the law that, to the best of my knowledge, Political Reasons or Factors did not enter into the decision to take this or any other Employment Action with respect to this Applicant or Employee. By signing below, I acknowledge that failure to comply with the above prohibitions may result in sanctions, including disciplinary action up to and including termination, and may subject me to criminal prosecution.

Name: _____ Title: _____

Signature: _____ Date: _____