



Matthew Serio, Director of Compliance (DOC) for the Cook County Assessor's Office (CCAO), respectfully submits this Semi-Annual Report pursuant to Section V(B) of the [Employment Plan](#). As required by this section of the Employment Plan, this Semi-Annual report will also be posted and made publically available on the Cook County Assessor's Office [website](#).

I. Introduction

This is the fourth Semi-Annual Report issued by the current DOC. As with the previous Semi-Annual Report, this report covers a period of time during which the vast majority of, if not all, employment actions were conducted and monitored remotely.

As stated in my previous Semi-Annual Report, I had the goal of continuing a proactive approach to compliance and building an effective compliance program that exists outside of the one-person director role. My proactive approaches have continued in the form of self-initiated, periodic reports that I issue to the Assessor and senior management. Ideally, these reports will be issued on a more frequent, weekly basis, but the current bandwidth of the position, recent hiring surges, and remote working have hampered those efforts. Perhaps the biggest step in establishing a compliance program at the CCAO is the future onboarding of a Compliance Analyst. The incumbent will report directly to me and assist in efforts to ensure compliance with the Employment Plan and Employee Handbook. We are in the process of filling this position through the Actively Recruited Hiring Process. Once filled, the Compliance Analyst will play an integral part in helping the office maintain compliance as well as work with me to maintain a proactive, professional approach to compliance.

II. Initiatives

A. Periodic Reports

Among the duties of the DOC is to prepare periodic reports and issue-specific reports to the Assessor concerning the DOC's duties and responsibilities. I continue to meet with the Assessor and the Chief Deputy Assessor on a weekly basis. In addition to these meetings, I have issued periodic reports approximately every three weeks. During this reporting period, I have issued approximately six such reports. I continue to receive positive feedback on the value of these reports and encourage more discussion from recipients. Most recently, I have started incorporating more specific recommendations in these reports. While prior reports included recommendations, the most recent report recapped and delineated the recommendations. This will be a helpful component to periodic reports since the CCAO has committed to responding to all DOC recommendations, and not just those made following a formal investigation or audit.

B. Performance Improvement Plans



As detailed later in this report, the CCAO initiated several Performance Improvement Plans (PIPs). The CCAO's Employee Handbook defines the PIP as a formal written process to assist the employee in improving his or her performance to a satisfactory level in specific work-related areas. The Society for Human Resources Management (SHRM) defines a PIP as "a tool to give an employee with performance deficiencies the opportunity to succeed."¹ Both approaches recognize that PIPs are meant to help struggling employees improve. To achieve that end, PIPs inherently need buy-in and effort from the entire supervisory chain.

The CCAO's PIP Policy is a work-in-progress, but it is in effect and has been put to use approximately five times during this reporting period with varying degrees of success. To assist supervisors in navigating the PIP process and policy, I drafted a PIP reference guide. This is essentially a step-by-step guide to completing the PIP forms and PIP meetings. HR made the guide more interactive and user-friendly by supplementing it with annotated PIP forms. These reference materials assisted in a recent PIP roundtable discussion with certain supervisors who would be placing at least one of their direct reports on a PIP. Time will tell how impactful these efforts will have been in creating effective and policy-compliant PIPs. However, I believe that, between the PIP reference guide, the roundtable meeting(s), and the PIP policy itself, supervisors have all of the resources they need to be successful; and if they are not, there must be accountability. I am optimistic since similar efforts were made with regards to Performance Evaluations, and the CCAO saw improvements in the quality of its evaluations and evaluation meetings.

C. Hiring Status Report

As detailed later in this report, the CCAO saw a hiring surge during this reporting period. With so many different hiring sequences occurring at once, and remotely, processes were delayed, meetings were scheduled out of sequence, and general confusion occurred. To alleviate this, I created a Hiring Status Spreadsheet to track where the CCAO is in different stages of all hiring sequences. It is my understanding that HR had a similar tracking mechanism, but that was apparently not being used effectively or shared with the DOC and Assessor Compliance Administrator (ACA). After I created the tracking spreadsheet, a Senior HR Generalist edited the spreadsheet to capture more data (e.g. number of days between critical steps of a hiring process). This was an important addition to the spreadsheet as it will allow the CCAO to report on efficiencies in hiring and identify where bottlenecks occurred by creating quantifiable performance metrics.

However, in order to be of any value, the Hiring Status Report needs to be consistently updated and maintained. There have been recent instances where I have reviewed the spreadsheet and noted that it was not updated.

¹ <https://www.shrm.org/resourcesandtools/tools-and-samples/exreq/pages/details.aspx?erid=586>



D. Performance Management Checklist

As noted in the previous Semi-Annual Report, I created a Performance Management Checklist to guide supervisors through the Performance Evaluation processes. The CCAO's Administrative Operations Department does a good job of distributing this checklist to supervisors as a prompt to start the Performance Management process. As part of a Performance Management audit, I plan on discussing these checklists and would be interested to see how helpful these were during the first round of annual evaluations.

III. Role of the DOC

The DOC's primary responsibilities include but are not limited to the following:

1. Understanding the Assessor's Office's organization, its business, operational objectives and needs, and its staffing needs

The CCAO used to have a practice of holding weekly senior leadership meetings, of which I was a part, which addressed operational issues. I found it beneficial for me to be a part of these meeting to continually gain an understanding of the CCAO's organization and operational objectives. For what I assume are logistical and operational reasons, the CCAO discontinued these meetings. However, senior leadership, myself included, still report on operational issues on a weekly basis through the use of a shared organizational spreadsheet to which I have access.

In addition to providing weekly updates in written form, I remain in constant communication with the Chief Administrative Officer, the Chief Deputy Assessor, and the Assessor. On a weekly basis, I meet with the Chief Deputy Assessor and the Assessor to discuss any pending or other high-level compliance issues. Recently, the Chief Administrative Officer has joined these meetings. On occasion, these meetings, or a portion of them, have been limited to myself and the Assessor. Having that direct line of communication with the Assessor helps me achieve the goal of understanding operational objectives and needs. This also allows me to have frank discussions with the Assessor on compliance issues.

2. Overseeing Compliance with the Policies of the Employee Handbook

A. Handbook Revisions

As discussed in my previous Semi-Annual Report, being involved in revising the Employee Handbook was my largest project in the middle of 2020. This project carried over into this reporting period and was finalized in October and November of 2020. This was a time-consuming process given the number of stakeholders. My previous Semi-Annual Report addressed concerns that HR took an approach that was



“counterproductive by challenging parts of the Handbook that are designed to create a deadline, production requirement, or other type of timeframe during which employment actions must take place.” The revisions done during this reporting period were more efficient. HR tempered its approach and the involvement of Legal and the Chief Deputy Assessor helped drive Handbook revisions to conclusion.

B. Performance Evaluations

By January 31, 2021 the CCAO completed its first round of annual performance evaluations. For many existing CCAO employees, this was the first performance evaluation they received in ten years. Likewise, for many supervisors, these were the first performance evaluations they ever gave. The CCAO therefore deserves recognition for completing all annual performance evaluations by the January 31st deadline. The annual performance evaluations were also substantially better than the 90 and 180-day evaluations for new employees that the CCAO conducted at this time last year. However, these performance evaluations were not without their issues.

During this reporting period, I monitored approximately 107 annual evaluation meetings. While there were technical deficiencies with the performance evaluation forms and meetings, more concerning issues centered around the level of effort put forth by front-line supervisors. Per the Handbook's Performance Evaluation Policy, the scores for each of the seven performance factors need to be accompanied by comments. Some supervisors had a tendency to use the performance factor definitions themselves as a way of adding those required comments. For example, if a supervisor evaluated an employee on the factor of “Effectiveness” and the definition of effectiveness is “Performs the job correctly and demonstrates thoroughness, accuracy and competence in the performance of duties and technical skills where applicable,” that supervisor's comments will simply plug in the employee's name to this definition so that it reads, “Jane Doe performs the job correctly and demonstrates thoroughness, accuracy and competence in the performance of duties and technical skills.” Similarly, some front-line supervisors used the same, in some cases verbatim, comments for all of that supervisor's direct reports. On occasion, while the comments were the same, the scores would be different. After I called supervisors' attention to these issues, they worked to rectify these deficiencies.

In other instances, the supervisors indicated a lack of understanding of, or buy-in to, the process as a whole. One supervisor told his direct report that he disagreed with some of the scores on the form that upper management included. Another supervisor described the performance evaluation process as just an “HR thing.” In my reports to the Assessor and upper management, I stressed the need that the supervisory chain be in agreement and speak with one voice. I also stressed the importance of receiving and, more importantly, exhibiting buy-in to the process from all levels of supervision.

Other, more technical deficiencies that I observed during the annual evaluations included untimely distributions of draft evaluation forms to myself and the ACA; sometimes there was no distribution of



evaluation forms at all to either myself or the ACA; not allowing myself or the ACA to monitor the deliberative process concerning employee evaluations by leaving us off of emails; scores of 1 or 5 not accompanied by requisite specific examples justifying the unsatisfactory or exceptional performance; and scores of 1 or 2 not accompanied by recommendations for improvement.

Since annual evaluations are complete, now would be an appropriate time to audit the evaluations and obtain feedback from a sample of those involved in the process. This will be a project for the compliance unit in the next few months. It will surely address some common concerns raised during evaluation meetings such as confusion surrounding the definitions of evaluations scores (i.e. what does it mean to be "Satisfactory" vs. "Good" vs. "Exceptional"). During one evaluation meeting, the employee expressed concern for being rated overall "Satisfactory." In an attempt to explain the rating, the manager told the employee she was "not satisfactory" but was "a good employee." This was no doubt confusing since, if that were the case, the employee should have received an overall "good" rating. A debrief of the entire process might help define these terms so that next year everyone, front-line supervisors and their employees, fully understands what each term means.

Notwithstanding the deficiencies noted above, Administrative Operations did well at tracking the many performance evaluations throughout the office and reminding supervisors of important deadlines. Some employees, particularly those who changed titles during the evaluation timeframe, slipped through the cracks. The Legal Department and Valuations Department, which is the office's largest department, deserve particular commendations. It became evident that the Deputies and Directors were putting forth the effort needed for these evaluations to be compliant and valuable to the office by engaging supervisors, challenging them on their scores/comments where appropriate, and providing their own meaningful comments and feedback.

C. Performance Improvement Plans

For some employees the next step following Performance Evaluations is the Performance Improvement Plan process. PIPs can be either discretionary (initiated when a supervisors observes performance in need of improvement) or mandatory (initiated when an employee receives a score of 2.4 or below on a performance evaluation). During this reporting period, I monitored approximately 5 PIPs. One common issue that recurred for each PIP was a lack of specificity on the PIP forms, which diminished the PIP's value to both the supervisor and the employees in need of improvement. A lack of specificity, particularly on parts of the forms addressing Agreed Action Steps and Resources/Support Available, make it difficult to determine progress and ultimate success.

One PIP in particular had issues throughout the entire process. The supervisor held a PIP Progress Meeting without using the proper form, despite the fact that the form is called the PIP Progress Meeting Form. At the Final PIP meeting, supervisors indicated that the PIP was unsuccessful, but the Form indicated



otherwise. Comments such as “[the employee] is moving in the right direction” and “[has] been abiding by the rules of punctuality for attendance and contacting a manager when...call[ing] off. Thank you” and “please continue to follow the rules by contacting a manager and putting...requests in CCT. Good job” all would appear to indicate success rather than failure. The Policy requires that the supervisor’s documentation of an unsuccessful PIP describe the deficient performance areas with an explanation of the continued deficiencies, including specific examples. This particular employee’s form was devoid of any deficiencies, let alone specific examples. Lastly, the Final PIP Form had not been approved by the Deputy, nor had it been previously sent to DOC and ACA. Due to these deficiencies, the Final PIP Meeting had to be postponed at my insistence and I recommended the supervisors be Counseled on proper PIP protocols.

D. Time and Attendance

Many of the Handbook revisions discussed above concerned the Time and Attendance Policy. These revisions helped clarify some provisions and created flexibility in others. Violations of the Time and Attendance Policy predominantly occur at the employee/front-line supervisory level. Administrative Operations, in conjunction with HR, continually puts forth a good faith effort to rein in and correct deficiencies. Many of these deficiencies are found in the more convoluted policies. For example, the Policy dictates when an employee may use Compensatory Time instead of Vacation Time, but there are two exceptions in which an employee may fall in order to use one or the other; and if using an exception, an employee must use a certain amount of Compensatory Time in conjunction with Vacation Time and self-disclose that they are doing so pursuant to the exception and why they meet that exception. Also, there are prohibitions and exceptions to same-day vacation requests. These rules and exceptions can be confusing for many of the CCAO’s employees and supervisors, and confusion creates violations. While these violations may be seen as systemic, many of them are easily fixed and can be outright avoided if the individuals who input information into CCT (the CCAO’s Time and Attendance System) provide accompanying comments to add clarity and transparency.

Where there are technical violations of the Handbook as it pertains to Time and Attendance, Payroll seems to catch these and alert the proper supervisor (who is sometimes guilty of the violation). The next step to improving compliance in Time and Attendance is to work with Payroll to start identifying the patterns and those supervisors/employees who are more frequent violators of the rules to appropriately hold them accountable through training, coaching, and eventually discipline.

For the vast majority of Time and Attendance issues, the CCAO relies on the CCT system. This is a County-wide system developed by the Cook County Bureau of Technology. The CCAO has put in multiple system request tickets with the County’s Bureau of Technology (BOT) to better customize the system and address CCAO-specific concerns, including inaccuracies of certain reports. The CCAO (and ACA) is actively working with BOT to improve the Office’s instance of CCT. While the requests are numerous, and the



improvements somewhat substantial, they will no doubt go a long way towards improving, through automation, the CCAO's ability to comply with time and attendance. Many of these improvement can, and probably should, be adopted County wide as well.

E. Discipline

During this reporting period, I monitored and reviewed approximately eight disciplinary actions or counseling forms. At least one counseling occurred without proper notification to myself and the ACA, and presumably HR. This only came to light when I monitored a later PIP meeting that referenced the counseling.² In general, I agree with most of the disciplinary actions taken. A more recent counseling occurred for which I thought the conduct was egregious enough to warrant discipline. I raised this concern with HR, who indicated that there were mitigating circumstances such that the manager believed counseling was appropriate. My recommendation going forward is that counseling forms be more detailed to explain any mitigating and aggravating circumstances. This will increase transparency and avoid unnecessary follow up by myself and the ACA when we need additional information about the Counseling.

My prior Semi-Annual Report discussed the need for disciplinary investigations to be documented better. I am pleased to report that the Employee Handbook now requires a summary report, which is an important step towards creating well-documented disciplinary investigations. Whether workplace accusations are sustained or not, the personnel responsible for the investigation must summarize his or her findings in a separate document. This is an improvement upon the previous practice, which involved a cursory summary in an email to a supervisor. During this reporting period, I had the opportunity to review one such summary report drafted by Human Resources. While I found that this report complied with the Handbook, the analysis of the facts and circumstances giving rise to discipline were lacking. With more experience and proper guidance, these necessary analytical abilities can be gained.

F. Notices of Employment Action

Notices of Employment Action (NEAs) are the method by which the CCAO documents and notifies myself and the ACA of Shakman-related employment actions such as Overtime Worked, Modified Work Schedules, and Training. Depending on the type of employment action and the number of employees involved, these can be paper-intensive. However, they are a critical component to ensuring that employment actions are taking place according to policy. NEAs are often accompanied by supporting documentation such as timesheets, Overtime records, or records supporting a request for a schedule change. If these underlying records are inaccurate or incomplete, the NEA will be inaccurate or

² As discussed later in this Report, I recommended those supervisors involved receive training on Counseling procedures.



incomplete. NEAs concerning Overtime and Training are particularly troublesome and often inaccurate and incomplete. This has been reflected in recent ACA feedback. With Handbook revisions complete, a large project for the next reporting period will be to work with the Director of Training and HR personnel to create a system for ensuring NEAs are completed accurately.

G. Grievances

In the last six months, I monitored approximately five step one or step two grievances. Of note were grievances filed by three employees who applied for the position of Industrial/Commercial Field Inspector. These three employees were initially excluded from the Validated Eligibility List because they either were deemed to be not qualified or, more importantly, submitted incomplete applications. After those grievances were filed, I once again reviewed their respective application materials. Upon review, I felt that the one employee who was excluded from the Validated Eligibility List because she was not minimally qualified could arguably be considered qualified on the face of the application materials.³ As for the other two employees, the initial determination that they failed to submit a completed application was correct, and I maintain that they should have remained off of the Validated Eligibility List.

The Posting made it clear that all applicants for this position were to upload a resume as part of their application. Anticipating this very issue, I wrote in a June 29, 2020 email exchange with the Director of HR, before we even began the validation process, "...the Notices of Job Opportunity for both say **'*IMPORTANT* APPLICANTS ARE REQUIRED TO UPLOAD A RESUME OR YOUR APPLICATION WILL NOT BE CONSIDERED'** [Asterisk, Bold & all caps were in the original]. Unless there is a compelling reason otherwise, I plan on not validating applicants who fail to upload a resume that is specific to either of these postings." To this, the Director of HR replied in relevant part "I agree with disqualifying individuals who failed to follow the instruction to attach a resume."

Following the grievance procedures, the Office decided to grant the three employees an interview. I did not then, nor do I now, feel that the filing of a grievance is a compelling enough reason to make concessions for employees who fail to follow application instructions. The controlling CBA language states that "[a]ll internal candidate(s) who meet the minimum qualifications for a bargaining unit vacancy for which he/she *fully completes the application process* shall receive an interview for that vacancy" [emphasis added]. These two internal applicants simply did not fully complete the application process. There were other, external applicants who also failed to follow instructions by uploading a resume and were left off of the Validated Eligibility List for that reason. However, because these external applicants are not members of the Union, they had no recourse. Therefore, notwithstanding the need to consider

³ HR's notes from the Validation Meeting, at which I was present, concerning any dispute about this employee's qualifications were missing. Therefore, given the passage of time, it was difficult to determine what discussions were had about whether this employee belonged on the Validated Eligibility List, but my own records indicated that I initially felt that she was minimally qualified.



the cost of litigation and the likelihood of success at arbitration, the Office upheld a determination that resulted in an unfair process that gave an improper preference to internal applicants.

3. Actively working with the Chief Administrative Officer and the Director of HR in developing strategies for the Plan as well as necessary Policies and Procedures to ensure compliance with the Plan.

The CCAO's current Chief Administrative Officer (CAO) started with the Office in February 2020. I feel she is still in the process of familiarizing herself with the revised Employment Plan and Handbook as well as Shakman concepts. I remain a resource for the Chief Administrative Officer whenever issues arise. Through weekly meetings and phone calls, I am able to apprise her of compliance issues as well. Often times, the CAO and Director of HR are the primary recipients of my less-formal recommendations and the three of us routinely work to resolve matters effectively. For example, when it became clear that additional resources were needed for supervisors to navigate the PIP process, the reference guide mentioned above became a collaborative effort between myself, HR, and the CAO. Similarly, the Hiring Status spreadsheet I drafted and HR finished was made possible because of the buy-in from the CAO. More recently, I suggested a meeting with the CAO and HR to debrief after a period of time during which the CCAO was engaged in numerous hiring sequences. The result was a productive meeting that identified what worked and what did not work during a particularly busy hiring time. More meetings of this type would only help to improve administrative operations and ensure ongoing compliance.

4. Accepting, Investigating, and reporting on complaints related to the Employment Plan.

During this reporting period, I completed one investigation and have an additional one pending.⁴ As to the completed investigation, I found that no violation occurred, therefore no CCAO response was required.

5. Reviewing Position Descriptions and Notices of Job Opportunities and taking appropriate steps to assure their accuracy.

With each new job posting, I review the Position Description and compare that to the Notice of Job Opportunity to ensure accuracy. Typically there are no issues other than typographical errors or formatting errors. As was mentioned in the last Semi-Annual Report, disqualifying questions need to be

⁴ The concluded investigation concerned an allegation that an employee attempted to use perceived political connections to curry favor in various employment actions.



configured appropriately. This allows HR to more easily screen out those applicants who, by their own admission, do not meet minimum qualifications.

In addition to reviewing Position Descriptions as a part of the hiring process, I also review Position Descriptions for newly created/contemplated positions. It became evident that Minimum Qualifications need particular attention when reviewing Position Descriptions. If the minimum qualifications are not thought out and carefully worded, the CCAO could end up posting for that position and having little or no minimally qualified candidates, something we encountered during this reporting period. I have discussed with the Assessor and Deputies that Minimum Qualifications are objectively ascertainable minimum requirements one must possess to be considered for employment. They should not be a continuation or a repetition of essential duties.

6. Working with HR to implement training programs, prepare training materials, and conduct training for all employees on the Employment Plan and other policies.

a. Handbook Training

With revisions to the Employee Handbook completed in October of 2020, there was an obvious need to revise existing Handbook Training materials. The Employment Plan requires Handbook Training be done approximately every 12 months. Unfortunately, the timeframe for annual Handbook Training coincided with the Handbook revisions. In 2019, the CCAO facilitated Handbook Training in September. In 2020, due to revisions, training did not occur until November. A good amount of effort was put into revising the Handbook training materials, and this majority of this work fell upon myself and the Director of HR.

Once the Handbook Training materials were revised, the CCAO was poised to train existing employees and new employees on the Handbook. The CCAO held at least six different training sessions from mid-November to present, most of which I monitored or facilitated.⁵ I understand that conducting training and tracking participation in a remote environment is difficult, but I had concerns regarding attendance. During several sessions, participants would be muted with their cameras off. If asked a question from the trainer, no response would be given. On Training NEAs, participation would be tracked by the number of minutes the participant was logged onto the Zoom meeting compared to the length of the meeting. Ideally, each participants' minutes logged onto the meeting would be the same or similar. Unfortunately, the numbers routinely vary. There could very well be simple explanations for the variance in attendance, but, to my knowledge, there have been no efforts made to obtain those explanations. These all indicate

⁵ Some of these training sessions were make-up sessions due to some employees being unable to attend prior trainings.



that some participants were not actively paying attention to the training. I have recommended the CCAO explore better ways to ensure training attendance such as certifications and post-training questions.

b. Employment Plan Training

The CCAO Employment Plan was revised and agreed to in early September 2020. Like with the Handbook, this created a need to make conforming changes to the existing training materials. I completed those conforming changes and facilitated Employment Plan/Shakman Training sessions to new employees by mid-November.⁶ Annual office-wide Employment Plan training is due in late May 2021.

A component to this Training that I felt was important to add was the history of the Shakman litigation. In many respects, knowing why rules exist is just as important as knowing the rules themselves. There was one Employment Plan Training session that I was unfortunately unable to attend or monitor. I was pleased to see the Director of Training take over and facilitate that session. I was even more pleased when I solicited feedback from the participants and they shared how they appreciated the part of the training explaining the history of the Shakman case.

c. HR/Validation Training

On January 6, 2021, I facilitated the portion of HR Personnel Training that focuses on application validation processes. This training went well and was effective in improving efficiency in validating applications.

d. Investigation Training

The current version of the Handbook and Employment Plan allow for HR to delegate some workplace investigations to supervisory staff if that supervisor has received training on workplace investigations and CCAO policy. To comply with this, I created training materials and facilitated two training sessions during this reporting period. As of yet, there have been no allegations of misconduct delegated to a supervisor to investigate.

e. Application/Interview Training

When vacant positions are posted, internal staff routinely apply to those vacancies. With some exceptions, internal applicants are treated like all other external applicants. This means that, as part of the validation process, application materials must show on their face how the applicant meets the minimum qualifications. It can be frustrating to find an internal applicant not minimally qualified because he or she neglected to list relevant work experience. To that end, I drafted optional training materials that

⁶ At least one new employee received this training more than 60 days after the employee's start date in violation of the Plan.



would benefit internal applicants and add to the transparency of CCAO's hiring processes. I have encouraged and continue to encourage the office to facilitate this training.

7. Making recommendations to the Assessor and Department heads to eliminate and remedy any instances of noncompliance with the Employment Plan, and Unlawful Political Discrimination or Unlawful Political Contact;

Throughout this reporting period, and while working remotely, I have maintained communication with the Assessor and Chief Deputy Assessor in weekly meetings. More recently, the CAO has joined these meetings. On occasion, these meetings have been limited to the Assessor and I, and I feel empowered to speak frankly with the Assessor on any compliance issues. Outside of these meeting, I still have the benefit of ad hoc conversations and substantive communication with Chief Deputy Assessor, who will routinely contact me with issues as they arise. On at least one occasion, the Chief Deputy insisted on my presence at a meeting when others may not have wanted it. The Chief Deputy has also fully stepped into the role of liaison with the ACA, which has been a positive development.

8. Monitoring activities pertaining to the employment of Shakman covered positions, including but not limited to, participating in validation, interviews, and candidate selection meetings.

A. General Hiring Process

During this reporting period, the office commenced or filled the following nine positions using the General Hiring Process:

- Manager of Data Collection
- Manager of Records Management
- Res Jr. Analyst II (x 4)
- I/C Jr. Analyst I (x 4)
- Residential Group Leader
- Industrial/Commercial Group Leader
- Incentives Sr. Analyst
- Assistant Manager of Taxpayer Information
- Manager of Computer Assisted Mass Appraisal

In summary, the General Hiring Process entails reviewing the request to hire, reviewing the current Position Description, reviewing the job posting, reviewing proposed interview questions, randomizing the list of applicants, and validating the information received on applications and resumes. Validations can be a time-consuming step as it involves comparing information on each application and resume to the



particular position's minimum qualifications. HR uses the randomized list of minimally qualified candidates to create an Interview List. A panel, consisting of those who have received Interview Training, interviews and scores candidates. That same panel then meets to discuss their scores and ranks the candidates at what is known as a Ranking Meeting. HR maintains all documentation for each step of the process in a Posting File. An Exhibit to the Plan is a Posting File Checklist, used to ensure that all required documents have been included in the file. The DOC reviews the Posting File and the Checklist, and HR then tenders an offer to the selected candidate.

B. Actively Recruited

During this reporting period, the office filled the following positions using the Actively Recruited Hiring Process:

- Manager of Special Properties
- Manager of Divisions
- Manager of Commercial Valuations

The Actively Recruited Hiring Process is similar to the General Hiring Process. There is a review of the justification to hire, position description, and interview questions; and the DOC, along with HR and the ACA, conducts a validation of application materials. There is no randomization of validated candidates though. Instead, the entire pool of minimally qualified candidates are presented to an Application Review Panel who creates a list of candidates to interview. Panel members then interview and rank candidates. Based on those rankings and ranking notes, the department head makes a selection.

C. Review of the General and Actively Recruited Hiring Processes

During this reporting period, I reviewed approximately 787 applications and accompanying materials. I monitored at least 51 interviews, attended all validation meetings, and all but one Ranking Meeting. The following summarizes some of my observations:

- HR held the Validation Meeting for Manager of Data Collections on 1/19/21. We had 28 Applicants on the Preliminary Eligibility List, 7 of whom were found to be minimally qualified. There was some question about an 8th applicant, but potentially relevant experience was not inputted into Taleo (the CCAO's electronic application system) resulting in an inability to objectively validate that information. While it was reasonable to assume the applicant was minimally qualified, an assumption would have still been necessary. To allow more subjectivity in the validation process, even for seemingly innocuous reasons, would show that the CCAO is capable of inserting subjectivity for improper reasons. As is contemplated in the Plan, the disagreement was brought to the CAO for final determination. I felt the CAO ultimately made the right decision by adhering to the Plan, even when it was potentially to the CCAO's detriment. One of the five prongs to



Substantial Compliance detailed in the Agreed Order and below is the implementation of “procedures that will effect [sic] long-term prevention of the use of impermissible political considerations in connection with employment with the Assessor.” An unwavering adherence to the Plan, especially in instances like this where the alternative approach is not without reason, evinces this part of Substantial Compliance.

- The Ranking Meeting for I/C Jr. Analyst was problematic. Not everybody who needed to be invited was invited. Issues with the Scored Interview List that the ACA and myself previously pointed out to HR remained unresolved. Two candidates were inappropriately categorized as available to be discussed. Interview scores had not been updated after feedback from the ACA and myself. This meeting ultimately had to be rescheduled.
- The CCAO began the Application Review Panel Meeting for Manager of Special Properties without the requisite alternate. This was particularly frustrating since we encountered the same issue at the previous Application Review Panel meeting held less than two weeks prior. We had to pause the meeting to find a suitable alternate. It ended up being necessary that we had an alternate as well. Once we started the meeting one panel member began his review of a candidate by stating that he had taken the liberty to do some “internet sleuthing” on that candidate. In order to maintain transparency and a fair, structured hiring process, Application Review Panelists should only consider the information provided by HR. Otherwise, there is simply no way to monitor (for appropriateness) or verify (for accuracy) information a panel member finds on his own. I recommended that the Director of HR have the panel member excused from interviewing and have the alternate used in his stead. The Director of HR agreed with my recommendation. Future training sessions on interviewing should address this scenario.
- In another Ranking Meeting for Residential Group Leader, panel members began to discuss topics that, per the Plan, are prohibited (e.g. a panel member’s personal knowledge of an internal candidate’s work outside of what is reported on the last two performance evaluations or past performance on an interim assignment). The Director of HR quickly stopped such discussions and explained why.
- One candidate, after having received confirmation of his interview, appropriately noted that the confirmation asked him to provide additional materials no later than 48 hours before his interview. He received the confirmation and request for those materials within two days before his interview, making it impossible to comply with the request.
- A candidate for one position was ranked, but initially the stated reason for not extending him an offer was that the office preferred to extend him an offer for another position to which he had applied. I did not believe this was a sufficient reason for not extending him the offer for the first position. The CCAO essentially denied the candidate that opportunity (without him knowing) because it would rather he accept the second position. This was unfair to the candidate. If he truly preferred first position, he was being punished solely because he applied for the second position



and did well during that sequence. This went against the spirit of the Employment Plan. After discussing this matter with the Hiring Deputy and the Chief Deputy Assessor, it was determined that the justification for not extending an offer to this particular candidate for the first position needed more detail as it was later discovered following my inquiry that there were other, far more proper considerations that lead to that decision.

- Follow-up questions during the interview process are encouraged, but are not being asked. This continues to be an issue of concern. Upper management has taken part in some recent interviews and, in an effort to lead by example, has asked follow-up questions. I will continue to encourage them in future interviews.
- More comprehensive interview evaluation write-ups are encouraged. This still remains a concern for those who have less experience with interviews. Write-ups are technically compliant with the Plan, but the details are often scant, an issue that can be discussed in future trainings.
- The Valuations Department has done a considerable amount of hiring/interviewing over the last six months. This experience is showing in some of the managers. They have developed a Plan-compliant, uniformed approach to the interviews and understand the process with little to no guidance from myself or HR.

Many of the twelve hiring sequences listed above occurred simultaneously. This created confusion at times which no doubt contributed to some of the instances summarized above. In feedback to the Assessor, Chief Deputy Assessor, CAO, and Director of HR I stress organization. Using the Posting File Checklist as a tool and modeling the digital Posting File after that Checklist was one example where HR improved upon its hiring organization. Unfortunately, items were still missing from the Posting Files after review by myself and the ACA. I encourage HR to develop a team-oriented approach to complying with the Employment Plan's hiring requirements. Peer review, proofing, and double-checking coworkers' work will go a long way in avoiding the common missteps addressed by myself and the ACA.

D. Exempt Hiring

During this reporting period, the office filled the following eight positions on the Exempt Positions list:

- Director of Legal
- Senior Counsel
- Legal Counsel (x2)
- Director of Data Analytics
- Director of Operations and Budget
- Director of Special Projects – Valuations
- Special Assistant to the Assessor and Chief Deputy



The DOC's role in Exempt Hiring sequences is limited to ensuring that the selected individual meets the particular position's minimum qualifications.

A list of Exempt positions is maintained on the CCAO's website along with links to the position descriptions. Changes to the list of Exempt positions, or their descriptions, are subject to the approval of the DOC, ACA, and Shakman Plaintiffs' Counsel.

Four of the eight candidates who filled the Exempt Positions were current employees of the CCAO. Neither myself, the ACA, or the Plaintiffs' Counsel had any major concerns with these candidates meeting the positions' minimum qualifications.

IV. Requirements of this Semi-annual Report.

Section V(B) of the Employment Plan requires that this semi-annual report include the following: (i) auditing activities as required by the Plan; (ii) discovered violations of the Employment Plan or policies in the Employee Handbook referenced in this Plan; (iii) complaints of Unlawful Political Considerations in Employment Actions referred to the OIIG; (iv) remedial actions recommended; and (v) corrective actions taken by the Assessor's Office to address the violations.

1. Auditing activities

During this reporting period, auditing activities have included monitoring employment actions such as hiring sequences, performance evaluations, and disciplinary matters. As a subset to hiring sequences, I audit validation worksheets and interview tabulation worksheets for accuracy. For both, I have made corrective recommendations.

2. Discovered violations of the Employment Plan

Aside from some of the more technical issues addressed above (e.g. missing items from Posting Files, new employees not receiving Employment Plan training in their first 60 days, or panel members conducting independent research on candidates), the only substantive and noteworthy violation of the Employment Plan involved the grievance filed by the three employees discussed in §III.2.G above. While the CCAO had its reasons for granting the grievances and giving these employees an opportunity to interview, the result was nevertheless an unfair process that gave preferential treatment to internal applicants.

3. Complaints of UPD referred to the OIIG

One complaint having a component that touched upon possible UPD was referred to the OIIG during this reporting period.

4. Remedial Actions Recommended



Through the use of periodic reports, I have recommended, among other things, the following: more comprehensive interview summaries, more follow-up questions during interviews, greater attention to detail in application validations, and substantive comments on performance evaluation forms.

I have also recommended that training sessions on Performance Evaluations stress the importance of preparation and organization. I have asked Deputies do the same when discussing Performance Evaluations with their supervisory staff.

I have recommended Performance Improvement Plans stress specificity with Agreed Action Steps and Available Resources. I have advised that supervisors ask employees for feedback during PIP Meetings so that these meetings are collaborative as is contemplated in the Handbook.

I have joined in the ACA's feedback recommending that, following interviews, panel members, not HR, ask the candidates if they have questions. When HR does this, the interview feels rushed and candidates might be discouraged from asking questions of their own.

In addition to the general recommendations above, I have recommended the following:

- Additional training on Counseling procedures be given to supervisors in Administrative Operations when a specific employee counseling occurred with no notice given to the DOC or ACA.
- Three supervisory-level employees receive counseling following a deficient Final PIP Meeting.
- Deputies be more involved in PIP processes, particularly when they are trending towards unsuccessful.
- Optional Training on Applying and Interviewing be offered to employees by the end of the first quarter, 2021.
- HR adopt a standardized approach in reaching out to candidates that includes a telephone call. This was prompted by some candidates claiming to have not received the one email HR sends to schedule an interview.

5. Corrective actions taken

Based on my (and the ACA's feedback), Posting Files and Interview Files have been far more organized lately. There is still room for improvement, but HR is organizing the files in accordance with the Checklist making it less likely to exclude items and easier to review and audit.

Based on a previous recommendation made on the last Semi-Annual Report, the Office is utilizing conspicuous language on its postings that alert applicants to the requirement that they show on the face of their applications materials how they meet each minimum qualification.



The Chief Deputy assigned the CAO, who has significant HR experience, to oversee PIP processes throughout the CCAO.

The CAO, who oversees the three supervisory-level employees at issue, coached the employees on proper counseling protocols and the PIP policy.

V. Substantial Compliance

On August 15, 2012, the Assessor's Office consented to the entry of an Agreed Order by the District Court. The Agreed Order for the Cook County Assessor's Office (found [here](#)) provides the framework for the Assessor's Office to implement additional policies and procedures to assure that all aspects of employment are free from unlawful political discrimination. In order to be removed from federal oversight, the Assessor's Office has the burden of showing that it is in Substantial Compliance with the Consent Decrees and the Agreed Order. Substantial Compliance means:

- 1) The Assessor has implemented the New Employment Plan, including procedures to ensure compliance with the Employment Plan and identify instances of non-compliance

A version of the Employment Plan has been in place for quite some time. The most recent version of the Plan was filed with the Court on September 4, 2020. The Office has adopted methodologies to ensure compliance with the Plan and identify instances of non-compliance. These include maintaining more organized Posting Files, providing training to appropriate personnel on interviewing, and standardizing processes outside of those already prescribe by the Plan.

I have stressed, and continue to stress, the CCAO's need to develop familiarity with the Plan outside of the roles of HR and the Director of Compliance to ensure that those procedures are being followed. As mentioned earlier, I see this occurring with interviewers who have gone through the process several times already. Due to the experience they have gained already, they require little guidance from me or HR during interviews.

- 2) The Assessor has acted in good faith to remedy instances of non-compliance that have been identified, and prevent a recurrence

Instances of non-compliance have been technical or de minimis, but not necessarily rare. My efforts have been focused on remediating these instances of non-compliance to prevent future occurrences. The CCAO takes my feedback seriously, particularly the Assessor and Chief Deputy, and engages me in discussion on a consistent basis. Deputies are starting to proactively bring issues to my attention. In efforts to prevent recurrence, the office provides trainings and material that go beyond the requirements of the Plan and Handbook. These include Performance Management refreshers, reference guides, time and attendance guides, PIP guides, and trainings from outside entities on HR-related functions. Particularly helpful was



training from an outside consultant on the topic of Performance Management. My hope was that this training reiterated to supervisors that performance management is not just a process done to satisfy Shakman concerns, but rather a valuable tool for managers when done correctly.

3) The Assessor does not have a policy, custom, or practice of making employment decisions based on political reasons or factors except for Exempt Positions

Only one matter concerning potential UPD was referred to the OIIG. Therefore it would appear that the Assessor does not have a policy, custom, or practice of making employment decisions based on political reasons or factors except for Exempt Positions. To the contrary, the Assessor and his Deputies make, or consider making, employment decisions, even for Exempt positions, on merit. As previously reported, Exempt positions have been filled with individuals who went through non-exempt hiring processes. More recently, one Deputy who sat in on an interview for a vacancy in a different department inquired if a candidate for that vacancy could be considered for an Exempt position. In another instance, when discussing a potential Exempt position in another Department, the Deputy indicated a desire to possibly post for the Exempt Position rather than go with a pre-selected, though minimally qualified candidate.

4) The absence of material noncompliance which frustrates the Assessor's Consent Decrees and the Agreed Order's essential purpose. However, technical violations or isolated incidents of noncompliance shall not be a basis for a finding that the Assessor is not in substantial compliance

The CCAO, and DOC for that matter, are not perfect. Violations occur. These have been largely technical in nature and none of which frustrate the Consent Decrees or Agreed Order. The technical violations can at times be numerous and frustrating, but what is important is that they are predominantly being caught either by myself, HR, Legal, or Administrative Operations.

5) The Assessor has implemented procedures that will affect long-term prevention of the use of impermissible political considerations in connection with employment with the Assessor.

One of the goals of the compliance unit is to assist in the implementation of policies and procedures that will live beyond different administrations and have the lasting effect of maintaining compliance. I have had numerous discussions with the Chief Deputy Assessor on the topic of automating policies and the documentation for many of the CCAO's employment actions. This automation would reduce the technical, inadvertent violations, increase transparency, and make it far more difficult to intentionally deviate from processes; and if somebody were to attempt to circumvent processes, automation would make it easier to identify.

The Assessor and Chief Deputy's commitment to continually meeting with me and listening to my recommendations goes a long way. As the CCAO moves closer to substantial compliance with the Agreed Order, I have drafted a strategic plan for the Compliance Unit leading up to and following sunset. This plan



breaks down my level of involvement in and responses to various employment actions. It contemplates reliance on the Compliance Analyst as well as HR. Lastly, and perhaps most importantly, the compliance plan calls for the CCAO to commit to adopting a practice whereby all of my recommendations, not just those made in connection to an investigation or audit, would receive a prompt response. The CCAO accepted this proposal and is in agreement with the compliance plan. This plan is aspirational but not lofty. With commitment from the right personnel, there is no reason the compliance plan cannot succeed, and all parties feel satisfied that the CCAO is capable of following and enforcing its policies and procedures in accordance with the Agreed Order.

Respectfully submitted,

Matthew Serio
Director of Compliance
Cook County Assessor's Office