



# Office of the Independent Inspector General

*“[T]o detect, deter and prevent corruption, fraud, waste, mismanagement, unlawful political discrimination or misconduct in the operation of County government.”*

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**Quarterly Report  
2nd Quarter 2023**

**July 14, 2023**

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## OFFICE OF THE INDEPENDENT INSPECTOR GENERAL

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July 14, 2023

*Transmittal via electronic mail*

Honorable Toni Preckwinkle  
and Honorable Members of the Cook County  
Board of Commissioners  
118 North Clark Street  
Chicago, Illinois 60602

Re: Independent Inspector General Quarterly Report (2nd Qtr. 2023)

Dear President Preckwinkle and Members of the Board of Commissioners:

This report is written in accordance with Section 2-287 of the Independent Inspector General Ordinance, Cook County, Ill., Ordinances 07-O-52 (2007), to apprise you of the activities of this office during the time period beginning April 1, 2023, through June 30, 2023.

### **OIIG Complaints**

The Office of the Independent Inspector General (OIIG) received a total of 191 complaints during this reporting period.<sup>1</sup> Fourteen new OIIG investigations have been initiated. This number includes those investigations resulting from the exercise of my own initiative (OIIG Ordinance, Sec. 2-284(2)). Additionally, 45 OIIG inquiries have been initiated during this reporting period while a total of 225 OIIG inquiries remain pending at the present time. There have been 63 matters referred to management or other enforcement or prosecutorial agencies for further consideration. The OIIG currently has a total of 20 matters under investigation. The number of open investigations beyond 180 days of the issuance of this report is 13 due to various issues including the nature of the investigation, availability of resources and prosecutorial considerations.

### **New Summary Reports**

During the 2nd Quarter of 2023, the OIIG issued 10 summary reports. The following provides a general description of each matter and states whether OIIG recommendations for

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<sup>1</sup> Upon receipt of a complaint, a triage/screening process of each complaint is undertaken. In order to streamline the OIIG process and maximize the number of complaints that will be subject to review, if a complaint is not initially opened as a formal investigation, it may also be reviewed as an "OIIG inquiry." This level of review involves a determination of corroborating evidence before opening a formal investigation. When the initial review reveals information warranting the opening of a formal investigation, the matter is upgraded to an "OIIG Investigation." Conversely, if additional information is developed to warrant the closing of the OIIG inquiry, the matter will be closed without further inquiry.

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remediation or discipline have been adopted. Specific identifying information is being withheld in accordance with the OIIG Ordinance where appropriate.<sup>2</sup>

IIG21-0336 – Public Defender’s Office. This investigation was initiated based on a complaint alleging that the Cook County Public Defender’s Office (“CCPD”) has improperly provided confidential juvenile and adult client information including names, addresses, telephone numbers, and charging information to a private legal center (the “Legal Center”).

#### OIIG Investigation

This investigation consisted of a review of a “Memorandum of Agreement” between CCPD and the Legal Center, communications between CCPD and the Legal Center, and information from the Office of the Chief Judge of Cook County. The OIIG also interviewed Assistant Public Defender A, Assistant Public Defender B, the current Public Defender, the Presiding Judge of the Cook County Juvenile Justice Division and the Legal Services Administrator for the Office of the Chief Judge. The OIIG also attempted to interview a former high ranking official in CCPD (“Official A”), but she declined the request.

#### *MOA Between CCPD and the Legal Center*

The Memorandum of Agreement (“MOA”) between CCPD and the Legal Center was signed by the Legal Center’s Executive Director and former Official A. It provides that CCPD will share “identifying information” of clients with the Legal Center so that the Legal Center may determine which clients it may offer to represent in pending criminal charges. “Identifying information” is defined in the MOA as “a client’s name, date of birth, type of pending criminal charge(s), case numbers, and contact information such as address and phone number, but not including work product or other attorney-client communications.” The MOA also provides that “[t]he Parties’ interest predates this Agreement and this Agreement shall apply to the Parties’ communications and any information that the Parties have shared before or will share after the date of this Agreement relating to the Evaluation Clients.”

#### *Interview of the Current Public Defender*

The current Public Defender (“PD”) stated that shortly after taking office he discovered the MOA between CCPD and the Legal Center to share client information. The PD stated he quickly ended the agreement and directed senior leadership to prepare a summary outlining the history of the MOA because he saw many issues with the MOA including obvious problems with confidentiality.

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<sup>2</sup> Please note that OIIG Quarterly Reports pertaining to the Metropolitan Water Reclamation District of Greater Chicago (MWRD) are reported separately. Those reports can be found at:  
<https://www.cookcountyil.gov/service/metropolitan-water-reclamation-district-greater-chicago>.

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The PD stated his office conducted an internal investigation into the sharing agreement. The PD stated after reviewing internal emails, his office found no evidence that the Legal Center received payment from the juvenile clients referred by CCPD. The PD acknowledged, however, that the Legal Center used the information provided by CCPD to solicit the juveniles for legal services. The PD further acknowledged that the Legal Center's grant funding is determined by the number of clients to whom it provides legal services.

The PD stated he contacted the Executive Director of the Legal Center and told him that CCPD was terminating the agreement with the Legal Center. The PD stated the Executive Director wanted to continue the program but did not try to "strong arm" him to keep the agreement in place. The PD stated he spoke with senior leadership within his office and made it clear that the data sharing needed to end. The PD stated "everyone was quite relieved it stopped" because "nobody [in CCPD] was comfortable" with it. The PD stated he does not believe the Legal Center requested confidential juvenile data from Assistant Public Defenders after the agreement ended.

#### *Interview with Assistant Public Defender A*

Assistant Public Defender ("APD") A stated she was familiar with the arrangement between CCPD and the Legal Center under which CCPD agreed to refer juvenile clients to the Legal Center. APD A recalled that several APDs were not comfortable with the arrangement due to, among other things, confidentiality concerns. APD A stated that despite a lack of clear understanding of the scope or legality of the arrangement, APDs repeatedly forwarded the names of juveniles who fit a particular profile (geographic location, type of crime, etc.) to the Legal Center. After the current PD took office, APD A wrote a memo outlining her concerns regarding the MOA with the Legal Center which she submitted to CCPD leadership.

#### *Interview with Assistant Public Defender B*

APD B stated his managers at Juvenile Court informed him that CCPD would refer cases to the Legal Center that matched a particular profile. APD B was unaware whether the Office of the Chief Judge was aware of the arrangement. APD B further stated he sent weekly emails to the Legal Center stating whether there were new eligible cases in the system and providing the juveniles' names, addresses, and phone numbers. APD B stated CCPD never sought consent from the juveniles' parents for the Legal Center to represent the juveniles or to send the juveniles' contact information to the Legal Center. APD B was unaware if CCPD had determined whether the Juvenile Court Act allowed such an arrangement.

#### *Communications between CCPD and the Legal Center*

The OIIG obtained email communications between CCPD and the Legal Center. The emails reveal a plan between former Official A and the Legal Center to enter into an agreement where CCPD would supply the Legal Center the identifying information of juvenile and adult clients "to develop research and best practices for holistic community-based restorative justice

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legal services.” Additionally, the emails reveal that former Official A joined the Legal Center Advisory Board while employed at CCPD and former Official A discussed working for the Legal Center upon leaving CCPD. In various emails, the Legal Center Executive Director expressed fear of losing funding if the Legal Center did not receive enough referrals from CCPD. For example, in one email, the Legal Center Executive Director wrote former Official A stating: “I’m concerned ... that funding for it will stop if we don’t get our numbers up to 40 per month. We are way behind in implementing the evaluation.” In another, the Legal Center Executive Director requested an in-person meeting “to bring together all of the stakeholders.” This email began:

We are coming to a “do or die” point on the evaluation we have been working so hard to implement together. If we cannot consent 40 people per month into our evaluation, we will have to consider ending or altering the evaluation we’ve been working so hard on for so long to implement.

This email was sent to former Official A, as well as three high-ranking employees in CCPD.

In another email, the Legal Center Executive Director outlined additional steps that would be taken to ensure the Legal Center acquired the desired number of clients. The Legal Center Executive Director referenced the drafting of a “confidentiality agreement” to “share information,” as well as Legal Center staff meeting with CCPD supervisors in Adult and Juvenile Court.

*Interview of the Presiding Judge of the Cook County Juvenile Justice Division and the  
Legal Services Administrator for the Office of the Chief Judge of Cook County*

The OIIG provided a copy of the MOA signed by former Official A and the Legal Center’s Executive Director to the Presiding Judge of the Cook County Juvenile Justice Division (“Presiding Judge”) and the Legal Services Administrator for the Office of the Chief Judge of Cook County (“LSA”) for their review prior to their OIIG interview. Both the Presiding Judge and the LSA stated that they were unaware of the agreement between CCPD and the Legal Center. The Presiding Judge stated, and the LSA reiterated, nobody from CCPD or the Legal Center came to the Presiding Judge’s Office requesting approval for such an agreement. The Presiding Judge added, “I would not have agreed to sign it if they had come to me.”

Both the Presiding Judge and the LSA expressed concern with the fact that the MOA lacked a provision to obtain consent from the minors and their parents or guardians for the sharing of the minors’ identifying information. The Presiding Judge and the LSA stated they believed such information, absent consent from the minor and parent or guardian, would be required to be kept confidential pursuant to The Juvenile Court Act and could not be shared with the Legal Center.

The Presiding Judge stated that he has given permission in the past for the release of aggregate data to persons engaged in bona fide research. The Presiding Judge explained that his office held a “Juvenile Justice Agency Collaborative” with a local university crime lab and agency partners, including CCPD, to analyze data on gun violence. The Presiding Judge stated that he

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gave permission for the release of data under those circumstances. The Presiding Judge also noted that, under The Juvenile Court Act, the Superintendent of the Chicago Police Department, as the chief executive of the agency which prepared the documents (e.g., arrest reports), also needed to give permission for the release of information to the crime lab. The Presiding Judge and the LSA emphasized that the data was redacted to eliminate any identifying information – only aggregate data, which included general demographics such as age, race, and zip code, are released. Both reiterated that this was to protect the minors’ identifying information. The LSA noted that while CCPD was present at the Collaborative, CCPD did not contribute to the data – citing attorney-client privilege.

The LSA also stated that earlier in 2022, former Official A (now employed by the Legal Center), the Legal Center Executive Director and another employee requested permission for the Legal Center to have a table in one of the Juvenile Justice courtrooms “to allow new attorneys to observe proceedings.” The LSA stated that the Legal Center employee followed up on that request and mentioned that the Legal Center “still needed to get people for its initiative” and “needed people for the million-dollar grant.” The LSA stated these comments raised concerns for her regarding the potential for the Legal Center to solicit clients. The LSA stated that the Cook County Sheriff was consulted regarding the Legal Center’s request, and ultimately, the request was denied due to security risks. The Presiding Judge stated that he was unaware of whether former Official A or the Legal Center had been in contact with the Chief Judge of the Circuit Court of Cook County (“Chief Judge”) regarding the MOA.

#### *Correspondence with the Office of the Chief Judge*

Investigators sent correspondence to the Chief Judge inquiring if the Court had authorized the sharing of client information between CCPD and the Legal Center. A representative at the Office of the Chief Judge called the OIIG and stated that the Office of the Chief Judge was not aware of data sharing between CCPD and the Legal Center. The representative further stated that Information Services has authorized data sharing in the past when bona fide research was being conducted but emphasized that data was redacted to provide anonymity – especially when it encompasses juvenile information. The representative further stated that he did not believe there was any Court authorization for the Legal Center to conduct research.

#### *Attempted Interview of the Former Official A*

The OIIG attempted to interview former Official A. However, former Official A declined to be interviewed.

#### *The Illinois Juvenile Court Act of 1987*

The Illinois Juvenile Court Act of 1987, 705 ILCS 405/1, *et seq.*, (the “Act”) governs the confidentiality and dissemination of juvenile court records and juvenile law enforcement records. Both are protected under the Act. Section 1-3(8.1) of the Act defines a “juvenile court record” as

including, but not limited to:

- (a) all documents filed in or maintained by the juvenile court pertaining to a specific incident, proceeding, or individual;
- (b) all documents relating to a specific incident, proceeding, or individual made available to or maintained by probation officers;
- (c) all documents, video or audio tapes, photographs and exhibits admitted into evidence at juvenile court hearings; or
- (d) all documents, transcripts, records, reports, or other evidence prepared by, maintained by, or released by any municipal, county or State agency or department, in any format, if indicating involvement with the juvenile court relating to a specific incident, proceeding, or individual.

Section 1-3(8.2) of the Act defines a “juvenile law enforcement record” as including “records of arrest, station adjustments, fingerprints, probation adjustments, the issuance of a notice to appear, or any other records or documents maintained by any law enforcement agency relating to a minor suspected of committing an offense, and records maintained by a law enforcement agency that identifies a juvenile as a suspect in committing an offense....”

Section 1-7 of the Act applies to the confidentiality of “juvenile law enforcement records” while Section 1-8 covers the confidentiality of “juvenile court records.” Both sections provide that the records may never be disclosed to the general public. Each section provides exceptions, but those exceptions either require a court order or restrict access to the records to certain individuals such as those involved in the court proceedings, including judges, prosecutors, defense counsel (private counsel or public defender). None of the enumerated exceptions would apply to the sharing of confidential juvenile information which was occurring between CCPD and the Legal Center. A willful violation of Section 1-7 or Section 1-8 of the Act is a Class C misdemeanor, and each violation is subject to a fine of \$1,000.

*Illinois Rules of Professional Conduct – Rule 1.6: Confidentiality of Information*

The Illinois Rules of Professional Conduct govern attorneys licensed in this State. Rule 1.6(a) states “[a] lawyer shall not reveal information relating to the representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation, or the disclosure is permitted by paragraph (b) or required by paragraph (c).” Paragraphs (b) and (c) of the Rule do not apply to the sharing of confidential juvenile information which was occurring between CCPD and the Legal Center.



### OIIG Findings and Conclusions

The preponderance of the evidence gathered during this investigation supports the conclusion that CCPD, under the guidance and direction of former Official A, misused confidential information by sharing it with the Legal Center. Such conduct violated Cook County Personnel Rules as well as the fiduciary duty provisions of the Cook County Ethics Ordinance as the names, contact information, and case information of juveniles are protected under the Juvenile Court Act and Rule 1.6 of Illinois Professional Rules of Conduct. Neither contains an exception which would allow the sharing of information which occurred between CCPD and the Legal Center, and no court order was sought or entered to permit the sharing of information.

### OIIG Recommendations

Based on the above findings and conclusions, we recommended that:

1. CCPD provide additional instruction and training to its staff to ensure that the sharing of confidential information described above is no longer occurring and will not occur in the future.
2. CCPD make the appropriate notification to the Attorney Registration and Disciplinary Commission regarding the breaches of confidentiality relating to the agreement to share client information with the Legal Center.

This report was issued June 29, 2023, and the response is not yet due.

IIG22-0359 – Cook County Health. This investigation was initiated based on a complaint alleging that a CCH employee spent several hours each day while on duty completing coursework relating to her outside employment teaching online courses at universities. The OIIG's investigation consisted of interviews with current and former CCH employees and the subject employee. The OIIG also reviewed subpoenaed records from three local universities and one local college as well as the subject employee's personnel file and Cook County Time (CCT) records.

The preponderance of the evidence in this investigation supports the conclusion that the subject CCH employee violated CCH Personnel Rule 8.03(d)(4) by engaging in non-CCH business while on duty and/or on CCH premises. Three CCH current or former employees stated that they witnessed the subject employee working on her own educational courses and/or her teaching jobs during her CCH work hours while at CCH. Numerous records from the subject employee's secondary employers corroborate these witness statements as to her engaging in non-CCH business while on duty and on CCH premises hundreds of times during the period of our review.

The preponderance of the evidence also supports the conclusion that the subject employee violated CCH Personnel Rule 8.03(c)(24) by using CCH resources, including her paid CCH time and CCH secure networks, to engage in her secondary employment endeavors. Specifically, the IP

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addresses associated with her logins to her secondary employers show that her outside employment activity was conducted using CCH's network on numerous occasions. CCT records further confirm that such conduct frequently occurred during the subject employee's paid CCH time.

Finally, CCH Personnel Rule 12.04 (Parameters for Dual Employment) provides that dual employment is permissible only when the specific hours of the outside activities are not in conflict with the employee's normal duty hours and do not interfere with the employee's ability to satisfactorily perform CCH duties. Furthermore, this rule prohibits employees from engaging in outside activities that utilize CCH property or are conducted on CCH premises. Not only did the subject employee engage in outside employment during her CCH work hours and while on CCH premises as discussed above, but the preponderance of the evidence shows that her outside employment interfered with her ability to satisfactorily perform her duties. Multiple witnesses independently described how the subject employee's secondary employment caused her to be unprepared for an important meeting with regulatory bodies and/or to delegate her responsibilities to subordinates. The subject employee's conduct caused them undue burden and contributed to them leaving their employment with CCH. For all of these reasons, the subject employee's conduct violated the parameters for dual employment as provided in CCH Personnel Rule 12.04.

Based on the findings and conclusions above, including at least one sustained finding of a Major Cause infraction, we recommended that the subject employee receive significant disciplinary action in the form of a suspension. We recommended that the length of the suspension be determined by CCH based on the factors set forth in the CCH Personnel Rules.

This report was issued May 24, 2023, and the response is not yet due.

IIG22-0638 – Cook County Health. This investigation was initiated based on an anonymous complaint alleging that a nurse at Cook County Health ("CCH") has been observed by her co-workers utilizing CCH computers to engage in outside secondary employment while on duty for the past couple of years. During this investigation, the OIIG reviewed the subject nurse's CCH dual employment form, her CCH personnel file, and her Cook County Time ("CCT") records. In addition, the OIIG reviewed the sign-in sheets ("Work Logs") from the subject nurse's former secondary employer. This office also interviewed the owner of the secondary employer and the subject nurse.

The CCH Personnel Rule 12.03 provides: "Employees must complete, sign and submit the Report of Dual Employment Form prior to engaging in outside activities." The preponderance of the evidence revealed that the subject nurse failed to report her dual employment when she sought and obtained outside employment during the relevant time period.

CCH Personnel Rule 12.04 provides that dual employment is permissible only when the type of work to be performed in connection with the outside activities is approved in advance by the employee's Department Head and the specific hours of the outside activities are not in conflict with the employee's normal duty hours. The preponderance of the evidence in this investigation

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supports the conclusion that the subject nurse's dual employment was not approved by her Department Head and conflicted with her CCH work hours on at least one occasion.

CCH Personnel Rule 12.05 states: "Failure by an Employee to disclose the above information to their Department Head or providing false information on the Report of Dual Employment Form shall be cause for disciplinary action up to and including discharge from employment." The preponderance of the evidence supports the conclusion that the subject nurse failed to report her outside employment to her Department Head when she indicated on a Report of Dual Employment Form that she did not have secondary employment when she in fact had been engaging in secondary employment.

Based on the foregoing, we recommended that disciplinary action be imposed upon the subject nurse. This report was issued May 8, 2023, and to date CCH has not responded to the OIIG recommendations.

IIG22-0688 – Board of Commissioners. This investigation was initiated based on three Political Contact Logs submitted to the OIIG. The Political Contact Logs alleged that, during a meeting held to address hiring at a Cook County government agency (hereinafter "the Agency"), a Cook County Commissioner ("Commissioner A") recommended the promotion of a specific person within the Agency. In addition to Commissioner A, others allegedly attending the subject meeting included managers from the Agency, managers from the Cook County Bureau of Human Resources (BHR), and a representative from the Office of the Cook County Board President.

#### OIIG Investigation

During its investigation, the OIIG interviewed Commissioner A, BHR Official A, BHR Official B, BHR Official C, Agency Official A, Agency Official B, and an Official on the Staff of the Cook County Board President (President's Office Official). We reviewed the Political Contact Logs prepared by three attendees of the meeting in question. We also reviewed relevant provisions of the Cook County Employment Plan and the Cook County Code of Ordinances.

#### Relevant Law and Policy

##### *Cook County Employment Plan*

As part of its General Principles and Commitments Applicable to County Hiring (Section III), the Cook County Employment Plan provides as follows:

A. Commitment. The County will implement proactive and transparent employment-related policies, practices and procedures that will prevent and remedy the negative effects of Unlawful Political Contacts and Unlawful Political Discrimination as required by the Executive Order, Ordinances, and applicable law. No CBA

or other agreement between the County and any other individual or entity shall provide otherwise.

B. No Employment Actions Influenced By Political Reasons or Factors. No Employment Action affecting Non-Exempt Positions shall be influenced by any Political Reasons or Factors.

\* \* \*

E. Political Contact Reporting. Any employee who receives or has reason to believe a Political Contact has occurred or is occurring is required to complete a Contact Log Reporting Form and submit it to the OIIG immediately. All employees are required to cooperate fully in any investigation of such contact conducted by the OIIG. Any employee who fails to submit a Contact Log Reporting Form and cooperate as required will be subject to disciplinary action, up to and including Termination . . . .

The Employment Plan defines “Political Reasons or Factors” in relevant part as follows:

Any reasons or factors relating to political matters in connection with any Employment Action, including, but not limited to: (1) any recommendation for or against the hiring, Promotion, Transfer or the taking of any other Employment Action with respect to any Applicant, potential Applicant or County employee from any Politically-Related Person or Organization that is not based on that Politically-Related Person’s or Organization’s personal knowledge of the Applicant’s, potential Applicant’s or County employee’s skills, work experience or other job-related characteristics . . . .

*Cook County Ordinance Section 44-56*

Cook County Ordinance Section 44-56, “Political Discrimination,” provides in relevant part:

Political discrimination in all aspects of Cook County employment, including the hiring, promotion, discipline, discharge, award of overtime, evaluation of employee performance and transfer of employees in non-exempt Cook County positions under the Office of the President shall be strictly prohibited.

\* \* \*

(1) With respect to all non-exempt Cook County positions that fall under the control of the President, Cook County exempt and non-exempt employees under the jurisdiction of the President shall be strictly prohibited from:

a. Directly or indirectly influencing any aspect of employment, including the hiring, promotion, discipline, transfer or discharge of an employee or employment applicant on the basis of political reasons or factors whether based on political affiliation or non-affiliation, political campaign contributions and/or political support. Nothing in this section shall prohibit an elected or appointed public official from providing written recommendations to the Department of Human Resources on behalf of an applicant or employee that are based upon their personal knowledge of the applicant's or employee's work skill, work experience or other job-related qualifications. . . .

*Cook County Commissioner Code of Conduct*

Cook County Code Section 2-73 (County Commissioner Code of Conduct) provides in relevant part that each member of the County Board shall inject the prestige of the office into everyday dealings with County employees. *See* Cook County Code Section 2-73(a)(5).

OIIG Findings and Conclusion

The preponderance of evidence developed during this investigation supports the allegation that Commissioner A violated the Cook County Commissioner Code of Conduct by failing to inject the prestige of the Commissioner's office into the Commissioner's dealings with certain County employees as they related to the recent hiring process at issue in this matter.

The OIIG received three Political Contact Logs relating to how Commissioner A referred to a specific person within the Agency regarding a promotion. Our office interviewed six attendees of the meeting in question, two of whom reported in identical language Commissioner A's recommendation of a specific Agency employee for promotion. Three other attendees who did not submit Political Contact Logs recalled Commissioner A being cautioned by BHR Officials against recommending candidates by name, and one of those three recalled Commissioner A recommending a person by name for promotion.

Commissioner A admitted to mentioning a specific employee but stated that the name was mentioned in hypothetical fashion to present a question about job descriptions, not to recommend that person for promotion. Indeed, BHR Official A said Commissioner A did refer to some Agency promotions in hypothetical terms during the meeting. However, BHR Official A said Commissioner A began presenting hypothetical hiring and promotion scenarios only after having

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been cautioned against previously recommending a specific candidate by name. No other interviewee told us that Commissioner A's recommendation was presented as a hypothetical. However, even if it had been presented as a hypothetical, Commissioner A's recommendation for the promotion of a specific person is problematic in a *Shakman* context. Elected officials can wield considerable influence, and a hypothetical presented by one of them may be perceived by County employees involved in the hiring process as something more compelling than a mere hypothetical.

During the OIIG investigation Commissioner A expressed a lack of knowledge as to how to make an appropriate recommendation regarding someone for hiring or promotion, but Cook County Section 44-56 contains specific instructions on how an elected official may do exactly that. Specifically, that section allows Cook County employees to consider recommendations from an elected official such as Commissioner A but only if the recommendation is in writing and directed to BHR (as opposed to the hiring agency) and is based on the elected official's personal knowledge of the applicant's or employee's work skill, work experience or other job-related qualifications.

In conclusion, even if the purpose in attending the meeting was to help the Agency regarding hiring delays, Commissioner A's reference to a specific Cook County employee for promotion placed Cook County employees in the difficult position of having to prepare Political Contact Logs regarding a County elected official or risk committing an Employment Plan violation themselves which could lead to significant discipline including termination. One of the employees even mentioned this dilemma in her Political Contact Log. By placing County employees in this difficult position due to an apparent lack of familiarity with the Employment Plan and the Political Discrimination ordinance, Commissioner A failed to inject the prestige of the Commissioner's office into the Commissioner's dealings with Cook County employees in this instance.

#### OIIG Recommendation

Based on our findings above, we would have recommended that Commissioner A participate in training related to the provisions contained in Cook County Code Section 44-56 and the Cook County Employment Plan. However, that recommendation was not necessary as Commissioner A completed such training on the Commissioner's own initiative after the conclusion of this investigation but before the issuance of the summary report.

IIG22-0830 – Cook County Health. The OIIG conducted a review for dual employment compliance of CCH employees who applied for federal Small Business Administration Paycheck Protection Program loans ("PPP loan")<sup>3</sup> to determine whether information submitted by such

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<sup>3</sup> The CARES Act is a federal law enacted on March 29, 2020, to provide emergency financial assistance in connection with economic effects of the COVID-19 pandemic. One source of relief provided by the CARES Act was the authorization of up to \$349 billion in forgivable loans to small businesses for job retention and certain other expenses, through the PPP. The PPP allows qualifying small businesses and other organizations to receive loans with a maturity of two years and an interest rate of 1%. PPP loan proceeds must be used by businesses on payroll costs, interest on mortgages, rent, and utilities. The PPP allows the interest and principal on the PPP loan to be forgiven if the business

employees for the PPP loans was consistent with CCH records and/or in violation of any CCH Personnel Rules. Based on this review, we discovered that a CCH employee sought three federal PPP loans totaling \$82,608. On one loan application, the subject employee stated she was the “Sole Proprietor” of a “Spa Services” business. On two other federal PPP loan applications, the subject employee stated she was a “Self-employed Individual” of a “Personal Services” business. The OIIG conducted an investigation to determine if the subject employee informed CCH that she was engaging in secondary employment as required by CCH Personnel Rules.

This investigation consisted of a review of the subject employee’s CCH dual employment records, public and subpoenaed federal Small Business Administration PPP loan records and Cook County Time (CCT) records, as well as an Illinois Secretary of State Corporation/LLC search and an Illinois Department of Financial and Professional Regulation (IDFPR) search. The OIIG also interviewed the subject employee.

The preponderance of evidence developed in this investigation supports the conclusion that the subject employee violated CCH Personnel Rule 8.03(c)(25) – Engaging in Conduct that Reflects Adversely or Brings Discredit to CCH. The evidence, including the subject employee’s statements to OIIG investigators, show that the subject employee engaged in fraud against the federal government by falsely claiming on a federal PPP loan application that she owned a business that generated gross receipts of \$300,000. She further defrauded the federal government by providing false information on two additional federal PPP loan applications that contradicted the information she had provided in her first PPP loan application. While the subject employee may have been eligible for some minimal PPP support based on her verbal description of her esthetician business, the subject employee intentionally misrepresented her business activities and supplied false revenue information to extensively increase the amount of federal loans she received. After fraudulently obtaining \$82,608 in federal PPP funds, the subject employee admitted to improperly spending those funds on personal expenses, which included car payments, rent, and groceries. When requesting forgiveness of the three federal PPP loans, the subject employee falsely stated that she spent \$57,608 of the \$82,608 on payroll costs. Committing financial fraud directed at the federal government tarnishes the subject employee’s reputation and brings discredit to CCH as it can erode the public’s trust in Cook County government, CCH, and their employees. This is especially true in this case, considering that some of the subject employee’s conduct in fraudulently obtaining the loans occurred while she was on CCH time.

The preponderance of evidence developed in this investigation also supports the conclusion that the subject employee violated CCH Personnel Rule 12 – Dual Employment. This rule states employees must complete and submit the Report of Dual Employment Form prior to engaging in outside employment. Evidence obtained during this investigation and statements made by the subject employee show that she has been engaging in outside employment as an esthetician

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spends the loan proceeds on these expense items within a designated period of time after receiving the proceeds and uses at least a certain percentage of the PPP loan proceeds on payroll expenses.

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(although not to the extent she claimed on her PPP loan applications) since starting her job at CCH but failed to disclose such outside employment.

Based on the serious nature of the misconduct involved in the Rule 8.03(c)(25) violation, as well as other aggravating factors present, we recommended that the subject employee's employment be terminated and that she be placed on the *Ineligible for Rehire List*. Aggravating factors considered in making this recommendation include the fact that the subject employee committed fraud against the federal government at times while on duty at CCH.

This report was issued on June 26, 2023, and the response is not yet due.

IIG22-0841 – Facilities Management. The OIIG conducted a review for dual employment compliance of Cook County employees who applied for federal Small Business Administration Paycheck Protection Program loans ("PPP loan") to determine whether information submitted by County employees for the PPP Loans was consistent with Cook County records and/or in violation of any County Personnel Rules. Based on this review, it was discovered that a Facilities Management employee sought two PPP loans totaling \$41,666 wherein she disclosed being the "Sole Proprietor" of a business. The OIIG conducted an investigation to determine if the subject employee informed her County employer that she was engaging in secondary employment as required by Cook County Personnel Rules.

This investigation consisted of a review of the subject employee's County personnel file, public and subpoenaed federal Small Business Administration PPP loan records, bank records, CCT Time records, Illinois Secretary of State Corporation/LLC records, LinkedIn profiles, and Facebook profiles. Our office also interviewed the subject employee.

The preponderance of evidence developed in this investigation supports the conclusion that the subject employee violated Cook County Personnel Rule 8.2(b)(36) – Conduct Unbecoming. The evidence, including the subject employee's statements to OIIG investigators, show that the subject employee engaged in fraud by falsely claiming on two federal PPP loan applications that she owned a digital marketing business which generated gross receipts of \$117,250 in 2019. While the subject employee may have been eligible for some minimal PPP support based on her verbal description of a clothing business (which by her own admission generated only \$1,000 in sales over a three-year period), the subject employee misrepresented the nature of her business activities and supplied false revenue information to significantly increase the amount of the federal loan she obtained. When the subject employee received the \$41,666 in PPP funds, records show that she used it primarily for personal rather than business expenses, such as cash withdrawals, credit card payments, jewelry, furniture, home inspection fees, the Illinois Lottery, and a new home. Committing financial fraud directed at the federal government tarnishes the subject employee's reputation and brings discredit to the County as it can erode the public's trust in Cook County government, Facilities Management, and their employees.



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The preponderance of evidence developed in this investigation also supports the conclusion that the subject employee violated Cook County Personnel Rule 13.2(b) – Report of Dual Employment. This rule states that any person who becomes engaged in any gainful employment after entering County service as an employee must execute a dual employment form. Evidence obtained during this investigation and statements made by the subject employee showed that she had been engaging in an outside clothing business (although not in a digital marketing business as falsely claimed on her loan applications) between 2019 and 2021. However, she failed to report her clothing business to the County despite acknowledging that she knew it was required.

Based on the serious nature of the misconduct at issue, we recommended that the subject employee's employment be terminated and that she be placed on the *Ineligible for Rehire List*. The OIIG was informed that the subject employee resigned after her OIIG interview. The subject employee was added to the *Ineligible for Rehire List*.

IIG22-0862 – Cook County Health. The OIIG conducted a review for dual employment compliance of CCH employees who applied for federal Small Business Administration Paycheck Protection Program loans (“PPP loan”) to determine whether information submitted by CCH employees for the PPP Loans was consistent with CCH records and/or in violation of any CCH Personnel Rules. Based on this review, it was discovered that a CCH employee sought two federal PPP loans totaling \$39,848 wherein she disclosed being a “Self Employed Individual” of a “Home Care Aide” business. The OIIG conducted an investigation to determine if the subject employee informed CCH that she was engaging in secondary employment as required by CCH Personnel Rules.

This investigation consisted of a review of the subject employee's CCH dual employment records, public and subpoenaed federal Small Business Administration PPP loan records, U.S. Bankruptcy Court Records, and Illinois Secretary of State Corporation/LLC records. Our office also interviewed the subject employee.

The preponderance of evidence developed in this investigation supports the conclusion that the subject employee violated CCH Personnel Rule 8.03(c)(25) – Engaging in Conduct that Reflects Adversely or Brings Discredit to CCH. The evidence gathered during this investigation, including the subject employee's statements to OIIG investigators, show that the subject employee engaged in fraud against the federal government by falsely claiming on two federal PPP loan applications that she owned a Home Care Aide business that generated gross receipts of \$95,636. After fraudulently obtaining \$39,848 in federal PPP funds, the subject employee admitted to improperly spending those funds entirely on personal expenses, including car payments, car insurance, loans, utilities, other bills, and day-to-day living expenses. When requesting forgiveness of the PPP loans, the subject employee falsely stated to the federal government that she spent the funds on payroll costs. Committing financial fraud directed at the federal government tarnishes the subject employee's reputation and brings discredit to CCH as it can erode the public's trust in Cook County government, CCH, and their employees. This is especially true in this case

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considering that the subject employee is the director of a department that oversees sensitive patient information.

Based on the serious nature of the misconduct and the subject employee's sensitive placement in government, as well as other aggravating factors present, we recommended that the subject employee's employment be terminated and that she be placed on the *Ineligible for Rehire List*.

This report was issued June 7, 2023, and the response is not yet due.

IG22-0865 – Cook County Health. The OIG conducted a review for dual employment compliance of CCH employees who applied for federal Small Business Administration Paycheck Protection Program loans ("PPP loan") to determine whether information submitted by CCH employees for the PPP loans was consistent with CCH records and/or in violation of any CCH Personnel Rules. Based on this review, it was discovered that a CCH employee sought two federal PPP loans totaling \$39,114 wherein she disclosed being the "Sole Proprietor" of a "Legal Services" business. The OIG conducted an investigation to determine if the subject employee informed CCH that she was engaging in secondary employment as required by CCH Personnel Rules.

This investigation consisted of a review of the subject employee's CCH dual employment records, public and subpoenaed federal Small Business Administration PPP loan records and Cook County Time (CCT) records, as well as an Illinois Secretary of State Corporation/LLC search. The OIG also interviewed the subject employee.

The preponderance of evidence developed in this investigation supports the conclusion that the subject employee violated CCH Personnel Rule 8.03(c)(25) – Engaging in Conduct that Reflects Adversely or Brings Discredit to CCH. The evidence, including the subject employee's statements to OIG investigators, shows that the subject employee engaged in fraud against the federal government by falsely claiming on two federal PPP loan applications that she owned a paralegal business that generated gross receipts of \$93,874. While the subject employee may have been eligible for some minimal PPP support based on her verbal description of her business, the subject employee intentionally misrepresented her business activities and supplied false revenue information to increase the amount of federal loans she received. After fraudulently obtaining \$39,114 in federal PPP funds, the subject employee admitted to improperly spending those funds on personal expenses, which included \$18,000 in home renovations and a new garage. When requesting forgiveness of the two federal PPP loans, the subject employee falsely stated that she spent the entirety of the \$39,114 on payroll costs. Committing financial fraud directed at the federal government tarnishes the subject employee's reputation and brings discredit to CCH as it can erode the public's trust in Cook County government, CCH, and their employees. This is especially true in this case, considering that some of the subject employee's conduct in fraudulently obtaining the loans occurred while she was on CCH time.

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The preponderance of evidence developed in this investigation also supports the conclusion that the subject employee violated CCH Personnel Rule 12 – Dual Employment. This rule states employees must complete and submit the Report of Dual Employment Form prior to engaging in outside employment. Evidence obtained during this investigation, including statements made by the subject employee, shows that she has been engaging in outside employment (although not nearly to the extent she claimed on her PPP loan applications) but failed to disclose such outside employment as required by CCH rules.

Based on the serious nature of the misconduct and the subject employee’s placement in government, as well as other aggravating factors present, we recommended that the subject employee’s employment be terminated and that she be placed on the *Ineligible for Rehire List*. Aggravating factors considered in making this recommendation include the fact that the subject employee committed fraud against the federal government at times while on CCH time.

This report was issued June 29, 2023, and the response is not yet due.

IIG22-0867 – Clerk’s Office. The OIIG conducted a review for dual employment compliance of Cook County employees who applied for federal Small Business Administration Paycheck Protection Program loans (“PPP loan”) to determine whether information submitted by County employees for the PPP Loans was consistent with Cook County records and/or in violation of any County Personnel Rules. Based on this review, it was discovered that a Cook County Clerk employee sought two federal PPP loans totaling \$35,928 wherein she disclosed being the “Sole Proprietor” of a business. The OIIG conducted an investigation to determine if the subject employee informed her County employer that she was engaging in secondary employment as required by the applicable rules.

This investigation consisted of a review of the subject employee’s personnel file and public and subpoenaed federal Small Business Administration PPP loan records, an Illinois Secretary of State Corporation/LLC search, and a document request to the subject employee. OIIG investigators also interviewed the subject employee.

The preponderance of evidence in this investigation supports the conclusion that the subject employee violated Cook County Clerk’s Policy Manual, Section V(D)(2)(t) - Conduct Unbecoming of a Cook County Clerk Employee. The evidence, including the subject employee’s statements to OIIG investigators, show that the subject employee engaged in fraud against the federal government by falsely claiming on two federal PPP loan forgiveness applications that she spent all \$35,928 in federal PPP loan funds she received on payroll costs for her alleged business. When requested by the OIIG, the subject employee was unable to produce any documents to support her claim of such payroll payments and, in her interview with OIIG investigators, the subject employee admitted instead to improperly spending most of her PPP loan funds on personal expenses. Specifically, the subject employee admitted to spending most of the PPP loan funds on her personal credit cards, home mortgage, personal back taxes, and her daughter’s wedding, none of which are business expenses allowable under the PPP loan program. In short, the evidence

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shows that the subject employee lied to the federal government and misappropriated funds intended to benefit struggling businesses during the pandemic. Committing financial fraud directed at the federal government tarnishes the subject employee's reputation and brings discredit to the County as it can erode the public's trust in Cook County government, the Clerk's Office, and their employees.

The preponderance of evidence developed in this investigation also supports the conclusion that the subject employee violated Cook County Personnel Rule 13.2(b) – Report of Dual Employment, which is applicable to her as an employee of the Clerk's Office pursuant to Cook County Code Section 2-573(d). This rule states that any person who becomes engaged in any gainful outside employment after entering County service must execute a dual employment form. In statements to the OIIG, the subject employee purported to engage in some outside employment, but she failed to report such outside employment to the Clerk's Office as required by the applicable rules.

Based on the serious nature of the misconduct and the subject employee's sensitive placement in government, as well as other aggravating factors present, we recommended that the subject employee's employment be terminated.

The Clerk's Office adopted the recommendation to pursue discipline and the subject employee resigned during the disciplinary process.

IIG23-0308 – Cook County Health. This investigation was initiated by the OIIG based on an anonymous complaint alleging that a CCH employee has been observed selling homemade T-shirts to her co-workers at work and while on duty without getting authorization from her immediate supervisor. It was also alleged that the subject employee does not have a dual employment form on file. During this investigation, our office reviewed the CCH dual employment form for the subject employee and conducted a search of the Illinois Secretary of State ("ILSOS") Database. We also interviewed the subject employee and her supervisor.

The preponderance of the evidence developed during this investigation supports the conclusion that the subject employee violated CCH Personnel Rule 8.03(d)(4) - Engaging in non-CCH business or sales of any kind without prior authorization while on duty or on CCH premises. When interviewed by the OIIG, the employee admitted that she sold T-shirts to co-workers while on CCH property and during her CCH work hours without obtaining prior authorization from management.

The preponderance of the evidence developed during this investigation does not support the conclusion that the subject employee violated CCH Personnel Rule 12.03 - Report of Dual Employment. A CCH file review revealed that the employee did complete and submit a secondary employment form to CCH as required. The employee was not required to report her activity with the T-shirts as dual employment as the evidence suggests that she only made T-shirts as a hobby,

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not as a business venture, and a search of the ILSOS database did not reveal any businesses associated with her.

Based on the foregoing, the OIIG recommended that the subject employee be admonished to follow CCH Personnel Rule 8.03(d)(4) and obtain permission from her supervisor prior to selling any items at work. If she does not receive such permission, we recommended that she should be instructed to sell such items to her co-workers at times when she is not working or on CCH premises in order to comply with CCH Personnel Rules.

This report was issued June 9, 2023, and the response is not yet due.

### **Responses to Recommendations from Prior Quarters**

In addition to the new cases being reported this quarter, the OIIG has followed up on OIIG recommendations for which no response was received at the time of our last quarterly report. Under the OIIG Ordinance, responses from management are required within 45 days of OIIG recommendations or after a grant of an additional 30-day extension to respond to the recommendations. Below is an update on responses we received during this quarter to recommendations made in prior quarters.

#### **From the 1<sup>st</sup> Quarter 2023**

IIG22-0486 – Bureau of Technology. This investigation was based on a complaint alleging that a Bureau of Technology (BOT) Telecommunications Electrician (BOT Electrician) was observed multiple times at his residence during his regularly scheduled workday. It was further alleged that BOT Electrician consistently concealed his county vehicle around his neighborhood to give the appearance he went to work. The OIIG’s investigation consisted of a review of the subject BOT Electrician’s Cook County Time (CCT) records and Global Positioning System (GPS) records and interviews of other BOT Telecommunication employees.

#### ***Cook County Time and Attendance Policy***

Section VII requires Cook County employees “to report to work as scheduled, on time and prepared to work, in accordance with their Standard Work Schedule.” The policy further states all employees must comply with a Supervisor’s directive “to be present at work during the County’s standard work hours, as necessary to perform the employee’s duties.”

Section VII(A)(2)(d) allows employees to be “assigned access to either the Time Clock, IVR Clock (phone clock), or Web Clock use categories where Supervisors and Department Heads deem such access necessary due to an employee’s job responsibilities, alternative work location, or where circumstances require such access from time to time.”

*Cook County Vehicle Policy*

Sec. 2-673(k)(1) *Take-home assignment*. “A County vehicle other than a passenger vehicle may be assigned to employees in a service, management or supervisory position on call 24 hours a day, responsible for providing or supporting emergency services. A county passenger vehicle may be assigned to an employee as a take-home vehicle only where the employee travels frequently after-hours on behalf of the County, and it is less expensive to assign a take-home vehicle rather than reimburse the employee for use of a personal vehicle. There is a strong presumption against any take-home passenger vehicle assignments.”

Sec. 2-673(k)(3) *Pool assignment*. “Pool vehicles are to be assigned on a periodic basis to individuals when the County work assignment requires a vehicle in order to properly conduct County business. A vehicle disclosure form and daily log shall be used and remain on file in the Department for all pool vehicles which are taken home overnight.”

Sec. 2-673(k)(3)(b)(1) states “County employees, with the prior permission of their Department Head, may use their private vehicle to conduct official County business. Department Heads shall only approve the use of private vehicles for County business when it is in the best interest of the County to do so.”

*CCT Records and GPS Records*

Based on the complaint, the OIIG compared the subject BOT Electrician’s CCT entries with his GPS tracking records for the relevant four-month period. During this period, the BOT Electrician worked 68 days with a total of 136 time entries. He entered the majority of his time (86%) by phone. He entered approximately 9% of his time at a Time Clock Station near his home where he was not assigned to work.

According to the records, for the days the BOT Electrician used his County vehicle for work, he clocked in 99% of the time before arriving at his worksite and clocked out 86% of the time after leaving his worksite. Additionally, the records show he was clocked in at home for approximately 22 hours, or 2.75 workdays, before his County vehicle moved, and his County vehicle was parked for approximately 26 hours, or 3.25 workdays, before he clocked out. A more detailed breakdown is below. (Google Maps estimates the BOT Electrician’s average commute time as 38-40 minutes to work and 40-75 minutes from work.)

Clocked In	Number of Days	Percentage of the 68 workdays
Prior to Leaving Residence via phone	32	47%
0-15 minutes After Left Residence via phone	11	16%
16-30 minutes After Left Residence via phone	1	1%
31-90 minutes After Left Residence via phone	1	1%
Time Clock Station near home (not assigned work location)	7	10%

Assigned Time Clock Station	1	1%
Total Clock Ins Prior to Arriving at a Worksite	51	75%

	Number of Days	Percentage of the 68 workdays
Clocked Out		
After Arriving at Residence via phone	15	22%
0-15 minutes Before Arrived at Residence via phone	12	18%
16-30 minutes Before Arrived at Residence via phone	11	16%
31-90 minutes Before Arrived at Residence via phone	7	10%
Time Clock Station near home (not assigned work location)	6	9%
Assigned Time Clock Station	1	1%
Total Clock Outs After Leaving a Worksite	44	65%

	Number of Days	Percentage of the 68 workdays
Clocked In/Out while County vehicle Remained Inactive	16	24%

The OIIG reviewed the BOT Electrician’s time entries after the first OIIG interview of Telecommunications employees and noticed a significant change in pattern. The BOT Electrician went from entering a majority of his time via phone to entering a majority of his time (87%) via a Time Clock Station. However, the BOT Electrician continued to enter approximately 9% of his time at the Time Clock Station near his home where he was never assigned.

The preponderance of the evidence developed in this investigation supports the conclusion that the BOT Electrician violated Personnel Rule 8.2(b)(15)(b) by falsifying his time records. In his interview, the BOT Electrician admitted he violated this policy by clocking in and out at various locations within Cook County rather than at his worksite. While the BOT Electrician admitted he clocks in from home in the morning on rare occasions, his CCT records combined with his County vehicle’s GPS records show he consistently entered his time either from his home or during his commute to work.

The preponderance of the evidence developed in this investigation also supports the conclusion that the BOT Electrician violated Personnel Rule 8.2(b)(21) when he used his personal vehicle for County business. The BOT Electrician admitted he chooses, without permission, to use his personal vehicle for work when it is convenient for his schedule. His CCT records combined with his County vehicle’s GPS records show he did not use his County vehicle 24% of the time during the subject period. The records also show the BOT Electrician did not respond to any after-hours emergency calls during the four-month period.

Based on the foregoing, we recommended:

1. That a suspension of at least 3 days be imposed on the subject BOT Electrician for falsifying his time and other infractions noted above. We made this recommendation due to the serious nature of such infractions and aggravating factors including the BOT Electrician's admission that he has engaged in the conduct at issue for several years.
2. That the subject BOT Electrician no longer be assigned a take-home vehicle considering he admitted that he rarely works outside of his regular schedule and that the evidence shows the BOT Electrician did not use his County vehicle after-hours at all during the subject period.
3. That BOT require all Telecommunications Electricians to enter their time via a Time Clock Station located at their assigned worksite for that day.
4. That the Telecommunications Foremen request CCT time audit reports from electrician timekeepers on a quarterly basis to confirm employees are adhering to the time and attendance policy.
5. That BOT reevaluate take-home vehicle assignments to determine whether any other electricians should no longer be assigned such vehicles due to lack of usage for after-hours calls as in the case of the subject BOT Electrician.

In its timely response, BOT adopted all of the OIIG recommendations.

IIG22-0554 – Cook County Health. This investigation was initiated based on a complaint alleging that CCH, through a contractor ("Contractor"), hired Employee A as a Dietetic Service Director in violation of the Illinois Department of Public Health (IDPH) Administrative Code. The IDPH code allegedly requires the position be filled by a registered dietitian, or, in the alternative, requires the Hospital to have a registered dietitian on staff (or as a consultant), in addition to documenting legitimate reasons as to why the position was not filled with a registered dietitian.

This investigation consisted of a review of the IDPH Administrative Code and interviews with the subject Contractor's Regional Director of Operations ("Regional Director"), a Senior Assistant General Counsel for The Joint Commission ("Senior Assistant General Counsel"), CCH's Chief Compliance and Privacy Officer ("CCO"), and CCH's Executive Director of Operations and Support Services ("Executive Director").

Section 250.1610 of the IDPH Administrative Code outlines the requirements for dietary departments in hospitals and ambulatory care facilities. Section 250.1610(a) states that the dietary department "shall be an organized department of dietetics" which shall have "a well defined plan of operation designed to meet the needs of the patients whether the services are centralized, decentralized or provided under contractual agreement." Subsection (b) provides that "[t]he dietetic department shall be directed by a full-time person who is qualified by dietetic and food service management training and experience, *preferably a registered dietitian.*" (Emphasis added.)



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Section (c) provides, in pertinent part, that “[w]hen the full-time dietetic service director *for legitimate, documented reasons*, is not a qualified registered dietitian or qualified nutritionist, the hospital shall employ a qualified registered dietitian on a part-time (minimum of 20 hours per week) or on a consulting basis.” (Emphasis added.)

The preponderance of the evidence gathered during this investigation supports the conclusion that the subject Contractor was negligent in the performance of its contractual duties by failing to adhere to all of the requirements in the IDPH regulations as set forth above when Employee A was hired. Specifically, the Contractor failed to document legitimate reasons for hiring Employee A, who is not a registered dietitian nor a qualified nutritionist, over other applicants, one of whom was a registered dietitian, at the time of the hiring decision. This failure to document revealed that the Contractor was not considering the IDPH regulations but was relying solely on The Joint Commission standards which do not cover all of the separate IDPH requirements. The Contractor’s failure to follow IDPH regulations led not only to the problem at issue in this matter but also on a larger scale could have consequences in other hiring decisions as well. As a result of the investigation by the OIIG, CCH recognized that the Contractor was not compliant with IDPH standards in the hiring of Employee A. CCH addressed this issue with the Contractor and instructed the Contractor to follow IDPH requirements going forward.

Based on the above findings and conclusions, we recommended the following:

1. CCH take steps to confirm that the subject Contractor reviews IDPH rules and regulations in its vetting of candidates for all CCH job openings (not just Employee A’s vacancy) to ensure IDPH compliance.
2. CCH take steps to ensure its contract managers are supervising the contracts they oversee to maintain compliance, particularly with IDPH regulations.

CCH adopted these recommendations.

IG22-0968 – Board of Review. This office received information that the BOR hired an Assessment Analyst in December 2022 without following the hiring process and procedures contained in the BOR’s Employment Plan. During its investigation, the OIIG interviewed a BOR Commissioner, the BOR Commissioner’s First Assistant, two high ranking BOR Human Resources Officials (HR Official A and HR Official B), and the newly hired Analyst. We also reviewed the BOR’s Employment Plan, email records and BOR meeting minutes.

*Minutes from the BOR’s Meeting of November 4, 2022*

During the meeting of the BOR occurring on November 4, 2022, a now former BOR Commissioner spoke about the BOR’s new Employment Plan, which was before the BOR for approval on his motion, saying:

So, this is important because we spent at least two years working on a streamlined personnel policy and I really want to thank the Secretary's office, the current Secretary and our previous Secretary, for taking a look at how other offices in Cook County do their hiring and their onboarding and really streamlining this. We have three different Commissioners, but it's one Board of Review. I think it adds that transparency that we are looking for and that stability. You know, some of us are leaving the Board. Some of us are staying on the Board. But I think it creates a nice stable platform for the new folks to come in and do their hiring for their team. So again, thank you to the staff for putting this together.

Another BOR Commissioner added, "Just to add to that, I agree that we've consistently improved various processes, and this is a very important one. It has been streamlined and standardized. And it is a very important one. So, I do want to commend the staff and thank them for their diligence and hard work in this effort."

The BOR's Commissioners went on to approve the Employment Plan by a vote of two to one.

#### *The BOR's Employment Plan*

On February 10, 2023, the BOR's (now former) General Counsel provided a copy of the BOR's Employment Plan by email to the OIIG stating: "This plan was adopted on November 4, 2022. There has been a change in Commissioners, Board of Review Secretary and Chief Deputy Commissioner; thus, implementation is ongoing."

The BOR's Employment Plan includes provisions that prohibit the entry of political factors at any stage of the selection and hiring process for covered positions. The Employment Plan states that it is intended to provide equal employment opportunity to all qualified applicants and create a transparent hiring system that minimizes the ability to manipulate employment decisions. The BOR Employment Plan purports to have been developed by the BOR in compliance with OIIG Report IIG18-0344.<sup>4</sup>

According to the Employment Plan, certain hiring procedures must be followed for all positions at the BOR (except for a list of *Shakman*-exempt positions, which does not include the Assessment Analyst position at issue in this case). These procedures include intake meetings between HR and the department manager regarding details of the position and preferred candidate qualifications, posting of the position on both internal and external (Illinois Job Link) websites,

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<sup>4</sup> The Summary Report in IIG18-0344 was issued by the OIIG to the BOR's Board of Commissioners in July 2020. While the BOR was not a party to the *Shakman* litigation and does not operate under the conditions set by the U.S. District Court in that litigation, the OIIG found the BOR to have filled employment openings using impermissible political factors in violations of the First and Fourteenth Amendments to the United States Constitution. The Summary Report contained seven recommendations to the BOR to remedy these violations, one of which was to develop an Employment Plan.

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certification by HR of minimum qualifications by applicants and the creation of a list of such applicants, the creation by HR and the hiring department of standard, job-specific interview questions, candidate interviews by at least two BOR employees (one from HR and one from the hiring department), the completion of candidate evaluation forms which are to be retained by HR with each application along with interviewer notes, consensus meetings led by HR and attended by the interviewers and hiring department manager to select candidates, and reference checks, among other things.

The detailed procedures set forth in Employment Plans are designed to provide structure and transparency in the hiring process in order to, among other things, minimize the possibility of unlawful hiring based on political reasons or factors.

*Interview of the BOR HR Official A*

HR Official A was asked if she knew which BOR employee interviewed the subject BOR Analyst hire. She said she did not know but would find out and inform the OIIG. HR Official A later sent OIIG investigators an email in which she wrote, "I was unsuccessful with finding out who conducted the interview."

HR Official A said she believed the BOR had an Employment Plan but did not know if the Plan was in effect or not. She said she knew the BOR had an Employment Plan not from having seen it, but from conversations she had with a former Secretary to the Board. HR Official A said, "I don't recall if I saw it [an Employment Plan]. There may have been one, but I was not part of creating one." She said she and the former Secretary to the Board had discussed the need for the BOR to create an Employment Plan as a result of an OIIG report issued in 2020. She said she did not know if the Board had ratified an Employment Plan. She said she was not familiar with the Plan's terms.

HR Official A said the BOR maintains an email account, [BORHiring@cookcountyil.gov](mailto:BORHiring@cookcountyil.gov), where employment applications and resumes are submitted. She had not heard of Illinois Job Link. HR Official A said she and several BOR employees have access to [BORHiring@cookcountyil.gov](mailto:BORHiring@cookcountyil.gov) and receive email job applications and resumes from applicants. HR Official A was asked how she handles job applications and resumes she receives on [BORHiring@cookcountyil.gov](mailto:BORHiring@cookcountyil.gov). She said she typically forwards all emails from applicants, including attachments, to the BOR's three Commissioners' First Assistants because they are typically the managers who make final hiring decisions.

HR Official A was asked how many people applied for the Analyst position posted by the BOR in November 2022 that was eventually filled with the hiring of the subject Analyst. She said she did not know. HR Official A was asked to search the [BORHiring@cookcountyil.gov](mailto:BORHiring@cookcountyil.gov) account and determine the position number for the Analyst position in question, then determine how many applicants submitted applications for that position. She said she would conduct the search and

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advise the OIIG later.<sup>5</sup> She said she recalled forwarding a number of emails relating to the specific Analyst position to both current and incoming First Assistants.

HR Official A was told by OIIG investigators that the subject Analyst submitted his application and resume to [BORHiring@cookcountyil.gov](mailto:BORHiring@cookcountyil.gov) on Tuesday, November 28, 2022 and received an email five days later, on Saturday, December 3, 2022 from HR Official B welcoming him to the BOR. HR Official A was asked if the four working day period between the application and hiring caused her to suspect the hiring had not followed the BOR's Employment Plan. She said no and said that she did not know what the provisions of the BOR's Employment Plan were.

HR Official A was asked which BOR employees participated in an intake meeting to discuss the Analyst position before its posting. She said she "was not aware" of any intake meeting occurring. She said HR did not create a Candidate List for the Analyst position in question, nor did she know anything about Candidate Evaluation Forms, Interview Questions, Interviewer Notes, or the holding of a Consensus Meeting regarding the Analyst position in question (all of which are required by the Employment Plan). HR Official A also said BOR's HR Department did not conduct professional reference checks or employment verification regarding the subject Analyst following his hiring.

HR Official A was asked how BOR's HR Department tracks applications and retains resumes. She said, "We don't retain anything. It's in emails and that's it." HR Official A said she had been advocating for the use of Taleo (an online application platform used by other County agencies) for BOR hiring but that it had been resisted by BOR Commissioners for the past several years. She said the use of emails to collect employment applications was "arduous and messy." She said the use of Taleo would "absolutely" make the hiring process at the BOR more efficient. She said she recently met with another BOR official to discuss their continued interest in using Taleo for BOR hiring, but that the decision to use it ultimately rested with the Commissioners.

HR Official A said she "tries to" attend all meetings of the BOR Board of Commissioners. She said the only Board meeting she missed in 2022 was the one held on December 5, 2022. She said it was important for her to attend Board meetings because in another role she handles for BOR she ensures the agenda is followed, that the Open Meetings Act is being complied with, and that the meeting is recorded.

HR Official A said she never received any documents associated with the BOR's new Employment Plan. She said she had first reviewed the Employment Plan only on March 9, 2023, after having been provided it by "somebody, I don't know." HR Official A said she did not know of the Employment Plan's existence until informed by the OIIG in February 2023.

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<sup>5</sup> On March 20, 2023, HR Official A forwarded email records to the OIIG showing 22 people applied for the subject Assessment Analyst position, which was eventually given to the subject BOR Analyst.

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HR Official A was asked how it was possible that she, as a high ranking HR Official, could have attended the November 4, 2022, meeting of the BOR (at which a new Employment Plan was discussed at length by the Commissioners and adopted by vote) but be completely unaware that the Employment Plan even existed. She said she did not know how that was possible.

HR Official A said she had read the Employment Plan on March 9, 2023, but “most of it didn’t make sense to me.” She said the Employment Plan needed to be revised because the BOR did not have the staffing to comply with it. She said there were provisions of the Employment Plan, such as “background checks and drug testing” that the BOR could not execute. When asked if she, as an HR Official, intended to disregard the Employment Plan, HR Official A said, “Look, I didn’t adopt the plan and wasn’t involved in drafting it.” When asked if it was her position that she intended to disregard official BOR hiring policy, HR Official A said, “It was just a statement.”

*Interview of the BOR HR Official B*

HR Official B described her duties as primarily dealing with “onboarding and off boarding employees.” HR Official B said most HR functions at the BOR are handled by her and HR Official A.

HR Official B was asked if the BOR had an Employment Plan and said, “Not that I’ve seen.” OIIG investigators described the document ratified by the BOR’s Commissioners on November 4, 2022, to HR Official B by title and page count. She said she could not recall ever having seen it.

HR Official B said HR Official A was responsible for the posting of open BOR positions and for the handling of emailed job applications received for BOR positions. HR Official B said HR Official A and another BOR official had access to the email account at which job applicants submit application and resumes, [BORHiring@cookcountyil.gov](mailto:BORHiring@cookcountyil.gov).

HR Official B said the BOR’s First Assistants made final hiring decisions. She said the subject First Assistant was the subject BOR Commissioner’s First Assistant and would make final hiring decisions for that BOR Commissioner’s District.

HR Official B was asked who instructed her to send an email to the subject Analyst on December 3, 2022, welcoming him to the BOR. She said sometime in December 2022, HR Official A handed her a sheet of paper which contained approximately 16 to 18 names of new hires to whom HR Official B was to send an email informing them of their successful application for BOR employment, one of whom was the subject Analyst.

HR Official B said she did not know what Illinois Job Link was or whether the BOR used it in the applications process. She was not aware of any other external source the BOR used to post job openings other than the BOR’s website.

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HR Official B said she was not involved in the hiring of the subject Analyst. She said her only involvement was being instructed by HR Official A to inform him by email of his hiring. She said she did not have any other emails relating to that hiring.

HR Official B said the BOR did not maintain or create any file to document job posting or hiring activities. She said the only file containing any information about the hiring of BOR employees is contained in their respective personnel files.

#### *Interview of Subject BOR Analyst*

The subject BOR Analyst said he is a recent hire at the BOR, having started there in December 2022. He described his job duties as handling appeals at the BOR, but also said he was hired due to his political connections. During his OIIG interview, he received a phone call from an Illinois State Representative, which he told interviewers demonstrated the scope of his political network. He said he is contacted by elected officials all the time. The subject BOR Analyst said his new position at the BOR was “almost like an exempt” position but agreed that his position was not *Shakman* exempt.<sup>6</sup>

The subject BOR Analyst said he knew the subject BOR Commissioner prior to the Commissioner’s work at the BOR. The subject BOR Analyst said he first met the subject Commissioner when the Commissioner held a different elected office.

The subject BOR Analyst said he remained in touch with the Commissioner and did some consulting work for the Commissioner on the Commissioner’s transition to the BOR. The subject BOR Analyst said he also knew the subject First Assistant, who had previously worked for the Commissioner at a prior elected office. The subject BOR Analyst said he kept in touch with Commissioner and First Assistant, who both mentioned to him in the fall of 2022 that there was going to be an open analyst position at the BOR in the event he was interested. The subject BOR Analyst said another BOR official also mentioned the position to him. The subject BOR Analyst further stated another BOR Commissioner contacted him about a potential IT or FOIA position at the BOR.

The subject BOR Analyst said the subject First Assistant contacted him in November 2022 and asked him to apply for the BOR analyst position and to use the BOR’s website to do so. The subject BOR Analyst said he used the email address [BORHiring@cookcountyil.gov](mailto:BORHiring@cookcountyil.gov) to submit his resume and cover letter on November 28, 2022. The subject BOR Analyst provided investigators with two emails, one in which he submitted his resume and cover letter and one on December 3, 2022, from the BOR welcoming him to the agency.

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<sup>6</sup> The BOR’s Employment Plan specifies six positions within the BOR as “*Shakman* Exempt”: the Chief Clerk, the Secretary of the Board, the Chief Deputy Commissioner, and the three First Assistant Commissioners.

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The subject BOR Analyst said no one from the BOR interviewed him regarding his November 28, 2022, submission. He said the only communication from the BOR after he submitted his resume was the December email from BOR's HR Department welcoming him as a new employee.

*Interview of Subject BOR Commissioner*

The subject Commissioner was asked whether he knew the newly hired Analyst prior to his hiring in December 2022. The subject Commissioner said he knew the Analyst from when the Analyst did work for a political group while the subject Commissioner held a different elected office. The subject Commissioner said he and the subject BOR Analyst were not personal friends.

The subject Commissioner was asked if there was a formal hiring process at the BOR. The Commissioner said, "I don't know about a formal process." The Commissioner did not know whether the BOR had an Employment Plan but said "the Secretary [of the Board] would know." The subject Commissioner did not receive any information from the BOR's Human Resources Department about its hiring process before hiring District staff. The Commissioner recalled a Teams meeting which "maybe" HR Official A and "maybe" the former BOR General Counsel attended to discuss hiring.

The subject Commissioner said he delegated hiring authority for District staff to the subject First Assistant with instructions to "make sure to follow the resume process and do interviews." The subject Commissioner directed the subject First Assistant to "follow the guidelines for hiring."

The subject Commissioner did not review the subject BOR Analyst's application or resume for the Analyst position. The subject Commissioner did not instruct the subject First Assistant to hire the subject BOR Analyst.

The subject Commissioner was asked who made the final decision to hire the subject BOR Analyst and said, "It's all on guidelines." The Commissioner said the Secretary of the Board makes final hiring decisions and then added, "HR handles all that." Eventually the Commissioner said final hiring decisions were "a consensus between me, [the subject First Assistant], and the HR person."

*Interview of Subject BOR First Assistant*

The subject First Assistant said he was acquainted with the new BOR Analyst prior to his own hiring by the BOR. The subject First Assistant said he did not recall mentioning to the subject BOR Analyst any open Analyst position at the BOR. He said he assumed the subject BOR Analyst would have known about the position from it being posted on the BOR's website.

The subject First Assistant was asked if he interviewed the subject BOR Analyst for the Analyst position. He said yes and that it was an "informal conversation" but did not recall when it



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occurred. He said it “could have been a phone call.” He said no one from the BOR’s HR Department participated in the “informal conversation.”

The subject First Assistant was asked if he knew any of the other applicants and said, “it’s blurry, it’s hard to recall.” He finally said the subject BOR Analyst was the only person he could specifically recall being an applicant for the Analyst position. The subject First Assistant said he reviewed other applications and resumes for the Analyst position for which the subject BOR Analyst was selected. He said those applications and resumes were transmitted to him by HR Official A by email. He was asked to estimate the number of applications or resumes he reviewed and said he could not. The subject First Assistant was asked if he spoke to any other potential applicant about the open Analyst position and said he could not remember.

The subject First Assistant said he was the person who made the decision to hire the subject BOR Analyst for the Analyst position. He said he did not recall if the subject Commissioner instructed him to hire the subject BOR Analyst. He recalled speaking with the subject Commissioner about the fact that the subject BOR Analyst had applied for the position but did not recall any of the substance of the conversation, when it occurred, or if it was in person or by email or phone. The subject First Assistant said he informed HR Official A of his decision to hire the subject BOR Analyst. He said he did not remember how or when he communicated his hiring decision to HR Official A.

The subject First Assistant said. “There’s not a formal process” regarding hiring at the BOR. When asked if he was familiar with the BOR’s Employment Plan, he said, “No. I’ve never read it.”

### *OIIG Findings and Conclusions*

The preponderance of the evidence in this investigation demonstrates that the BOR disregarded its Employment Plan, almost in its entirety, in its hiring of the subject Analyst in December 2022. The evidence showed that, although the BOR adopted an Employment Plan by vote of the Commissioners on November 4, 2022, no BOR employee involved in the hiring of the subject BOR Analyst took any steps to comply with it. Among other omissions, there was no intake meeting, no certification of goals, no interviews, no consensus meeting, and no reference check. The Analyst simply sent his resume to an email address and was informed he was hired five days later with no other intervening action by the BOR. Given the disregard of the Employment Plan and the subject BOR Analyst’s self-professed and apparently well-known political connections, the subject BOR Analyst’s hiring has all the hallmarks of the old school political patronage hiring historically employed by the BOR as documented in the OIIG’s prior investigation resulting in OIIG Summary Report IIG18-0344 (which is summarized in the OIIG’s Quarterly Report for the 2<sup>nd</sup> Quarter of 2020 issued on July 15, 2020, and posted on the OIIG website). The subject BOR Analyst told OIIG investigators he was hired due to his political connections. Such hiring practices violate not only the BOR Employment Plan here but also the First Amendment (as discussed more fully in the prior OIIG report) as the evidence suggests that the subject BOR Analyst was hired



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over the other 21 applicants for political reasons. This is exactly the type of improper hiring activity the BOR Employment Plan was designed to prevent.

We find that the preponderance of the evidence supports the conclusion that BOR HR Official A was negligent in the performance of her official duties in violation of Cook County Personnel Rule 8.2(b)(13). Elected officials have the reasonable expectation that they will be provided competent, informed advice from long-tenured professional support staff on issues such as Human Resources and hiring. In this case, HR Official A told us she attended the meeting of the Board of Commissioners in her capacity as an HR Official during which an Employment Plan was not only adopted by vote but discussed extensively by the Commissioners. Yet HR Official A claimed she was not only uninformed of the requirements of the Employment Plan but was unaware that it even existed. We find HR Official A's lack of engagement on an issue on which she should have been the BOR's primary subject matter expert and her failure to competently advise BOR hiring managers and elected officials on a critical Human Resources issue to constitute negligence in the performance of her official duties. We also find by a preponderance standard that HR Official A participated in hiring activity in violation of the BOR's Employment Plan in contravention of Cook County Personnel Rule 8.2(b)(34).

Our office was also concerned by HR Official A's assertion during her interview that her department did not have sufficient resources to comply with the Employment Plan. Its provisions, especially those merely requiring an interview process and documentation of such for BOR applicants, is not an unduly burdensome process. In any event, it is not within the scope of HR Official A's authority to elect to disregard policy promulgated by the Commissioners. If HR Official A's posture on this issue persists, we face a situation where her disregard of the BOR Employment Plan becomes insubordination subject to a recommendation for more serious discipline.

We also find that the preponderance of the evidence supports the conclusion that the subject Commissioner's First Assistant was negligent in the performance of his official duties in violation of Cook County Personnel Rule 8.2(b)(13) and that he conducted hiring activity in violation of the BOR's Employment Plan (which violates Cook County Personnel Rule 8.2(b)(34)). The subject Commissioner told us that the subject First Assistant was instructed to "follow the guidelines for hiring." However, the subject First Assistant did precisely the opposite: he made a hiring decision entirely outside the BOR's hiring guidelines without even inquiring what guidelines were in place. During his interview, the subject First Assistant referred repeatedly to everything being a "blur," but given his management position, the subject First Assistant cannot simply claim ignorance of BOR policy as an excuse for not following it or attempting to learn what it is. He is a high-ranking manager within the BOR and is charged with understanding and following BOR policy, especially when he received the subject Commissioner's specific instructions to do so. The subject First Assistant followed the subject Commissioner from employment at another government agency to Cook County. That other government agency has had an Employment Plan in place for many years so the subject First Assistant was likely aware of the Employment Plan concept and its importance. Although admittedly new to the First Assistant position at the BOR, the subject First Assistant is

not new to government management. His failure to take even the most rudimentary steps to determine whether the BOR had an Employment Plan, much less comply with it during the hiring of the subject BOR Analyst, constitutes negligence in the performance of his official duties and a violation of the BOR's Employment Plan.

Our office was not persuaded by the BOR's former General Counsel's representation to us that the BOR's Employment Plan's implementation was "ongoing." The BOR's Employment Plan contains no effective date later than November 4, 2022. None of the Commissioners told the public on November 4, 2022, that the Employment Plan was anything other than current policy. It was presented to the public by BOR Commissioners on November 4, 2022, as an "important" goal which had been accomplished after work described by one Commissioner as taking BOR staff "at least two years." The Commissioner commended BOR staff for creating a "stable platform for the new folks to come in and do their hiring," clearly evincing the Board's intent that the Employment Plan was in place and was to be used for hiring after November 4, 2022.

#### OIIG Recommendations

Based on the foregoing, we made the following recommendations:

1. That the BOR impose a suspension on HR Official A and admonish her to adhere to the BOR Employment Plan in all hiring activity.
2. That the BOR impose discipline on the subject First Assistant and admonish him and the other two BOR First Assistants to adhere to the BOR Employment Plan in all hiring activity.
3. That the position given to the subject BOR Analyst be reposted and filled following the provisions of the BOR's Employment Plan and without the influence of any political reasons or factors.
4. That all current BOR employees receive Employment Plan training within the next 60 days.
5. That the BOR Employment Plan be amended to require Employment Plan training for all BOR employees within 90 days of being hired and then annually thereafter.
6. That the BOR Employment Plan be amended to prohibit the participation of any BOR employee in any hiring activity who has not received training on the Employment Plan, application selection process, and interviewing procedures.
7. That the BOR Employment Plan be amended to require the use of Taleo or other similar online application platform in the BOR's hiring process.

8. That, like other Cook County government agencies, the BOR post its Employment Plan on its website to provide transparency in its hiring process.

In its timely response, the BOR rejected recommendations 1, 2 and 3. The BOR adopted recommendations 4, 5, 6, and 8. In response to recommendation 7, the BOR stated that it “is currently exploring various Applicant Tracking Systems (ATS) to streamline the hiring process. The Employment Plan will be revised once a decision has been made regarding the recruitment platform.”

### **Failure to Respond to OIIG Recommendations from Prior Quarters**

Below are recommendations from prior quarters for which the OIIG has not received a timely response from the government agency or department to which they were made.

IIG22-0658 – Cook County Health. The OIIG received a complaint alleging that a CCH employee left before her scheduled shift ended on numerous occasions and failed to clock out to avoid detection. During its investigation, the OIIG reviewed Cook County Time (CCT) System records, CCH Human Resource policies, and CCH personnel rules. The OIIG also interviewed CCH employees, including the subject employee and her supervisor.

The preponderance of evidence developed during the course of this investigation revealed that the subject CCH employee violated CCH timekeeping policies. A CCT Timesheet Audit Report revealed that on fifteen occasions during a period of approximately four months the subject employee failed to clock out at the end of her work shift when assigned to an alternate worksite. When interviewed by the OIIG, the subject employee acknowledged that she did not clock out on the days she worked at the alternate worksite and did not complete a Payroll Approval of Non-Punch Hours Form.

The preponderance of the evidence developed during the course of this investigation also revealed that the subject employee and her supervisor violated Rules of Conduct 8.03(c)(10)(b) – Misuse of timekeeping facilities or records by altering or falsifying timesheets, timecards, or other records. A review of the CCT Timesheets revealed that on the days the subject employee admitted to leaving work at approximately 3:00 p.m., her time was manually inserted to reflect that she ended her shift at 3:30 p.m. When interviewed by the OIIG, the subject employee’s supervisor stated she authorized the employee to leave work 30 minutes early on days that she worked at the alternate worksite because the employee encountered additional commuting time when assigned there. On those days, the supervisor admitted that she manually adjusted the employee’s time in the CCT system to reflect her end of the workday as 3:30 p.m. instead of the time she actually left work. During her OIIG interview, the subject employee admitted to leaving work between 3:00 p.m. and 3:15 p.m. on the days in question, but stated her time was manually entered by her supervisor to reflect she departed at 3:30 p.m. Other CCH employees confirmed that they observed the subject leave early on the days in question.

Based on the foregoing, we made the following recommendations:

1. That the subject employee and her supervisor receive discipline consistent with prior similar cases for violating the CCH time and attendance policy and rules of conduct.
2. That the subject supervisor receive additional training regarding the time and attendance policy, in addition to the duties and responsibilities of supervisors and managers when entering and approving entries into CCT.

This report was issued February 22, 2023, and to date CCH has not responded to the OIIG recommendations.

### **Activities Relating to Unlawful Political Discrimination**

In April of 2011, the County implemented the requirement to file Political Contact Logs with the Office of the Independent Inspector General. The Logs must be filed by any County employee who receives contact from a political person or organization or any person representing any political person or organization where the contact relates to an employment action regarding any non-Exempt position. The OIIG acts within its authority with respect to each Political Contact Log filed. From April 1, 2023, to June 30, 2023, the Office of the Independent Inspector General received three Political Contact Logs.

### **Post-SRO Complaint Investigations**

The OIIG received no new Post-SRO Complaints during the last quarter.

### **New UPD Investigations not the result of PCLs or Post-SRO Complaints**

The OIIG received no new UPD inquiries during the last reporting period. The OIIG also continues to assist and work closely with compliance personnel in the BHR, FPD, CCH, and Assessor by conducting joint investigations where appropriate and supporting the compliance personnel whenever they need assistance to fulfill their duties under their respective Employment plans.

### **Employment Plan – Do Not Hire Lists**

The OIIG continues to collaborate with the various County entities and their Employment Plan Compliance Officers to ensure the lists are being applied in a manner consistent with the respective Employment Plans.

### **OIIG Employment Plan Oversight**

Per the OIIG Ordinance and the Employment Plans of Cook County, CCH, and the Forest

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Preserve District, the OIIG reviews, *inter alia*, (1) the hiring of *Shakman* Exempt and Direct Appointment employees, (2) proposed changes to Exempt Lists, Actively Recruited lists, Employment Plans and Direct Appointment lists, (3) disciplinary sequences, (4) employment postings and related interview and selection sequences and (5) Supplemental Policy activities. In the last quarter, the OIIG has reviewed and acted within its authority regarding:

1. Two proposed changes to the Cook County Actively Recruited List
2. One proposed change to the Public Defender Actively Recruited List
3. Two proposed changes to the Cook County Exempt List
4. Twelve proposed changes to the CCH Direct Appointment List
5. The hire of ten CCH Direct Appointments
6. One proposed change to the CCH Employment Plan

#### Monitoring

The OIIG currently tracks disciplinary activities in the Forest Preserve District and Offices under the President. In this last quarter, the OIIG tracked twelve disciplinary proceedings including Employee Appeals Board and third step hearings. Further, pursuant to an agreement with the Bureau of Human Resources, the OIIG tracks hiring activity in the Offices under the President, conducting selective monitoring of certain hiring sequences therein. The OIIG also is tracking and selectively monitoring CCH hiring activity pursuant to the CCH Employment Plan.

#### Conclusion

Thank you for your time and consideration to these issues. Should you have any questions or wish to discuss this report further, please do not hesitate to contact me.

Very truly yours,



Steven E. Cyranoski  
Interim Inspector General

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