

**PROPOSED SUBSTITUTE TO ITEM 17-9984
(Rules and Administration Committee 1/17/2018)**

Sponsored by: RICHARD R. BOYKIN, Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

INSPECTOR GENERAL

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2, Administration, Article IV Officers and Employees, Division 5 Inspector General, Section 2-285 – Cooperation and Section 287 – Quarterly Reports of the Cook County Code is hereby amended as Follows:

Sec. 2-285. Cooperation.

(a) It shall be the duty of all County employees, officials, agents, contractors, subcontractors, licensees, grantees or persons or businesses seeking County contracts, grants, licenses, or certification of eligibility for County contracts, to cooperate with the OIIG in the conduct of investigations undertaken pursuant to this division. Every County contract and every bid, proposal, application or solicitation for a County contract and every application for certification of eligibility for a County contract or program shall contain a statement that the person, individually and on behalf of the applicant, will abide by all provisions of this division. It shall be unlawful for any person subject to this Section to refuse to cooperate with the Independent Inspector General as required by this Section. The penalty for such violation shall be governed by Section 2-291.

(b) All persons with whom the OIIG requests an interview are required to comply in a timely fashion. Within constitutional limitations, failure by any County employee, official, agent, contractor, subcontractor, licensee, grantee or person or business seeking County contracts, grants, licenses, or certification of eligibility for County contracts, to cooperate with any reasonable request by the OIIG carries the threat of sanctions and/or criminal contempt proceedings, and any other penalties the County Board has within its scope to assess.

(c) Nothing in this compliance section may be interpreted to allow the OIIG to violate any individual's constitutional rights, including the 5th Amendment right against self-incrimination.

(d) It is the duty of every employee, department and elected official to cooperate with the Independent Inspector General in any investigation or hearing. Each department's premises, equipment, personnel, books, records and papers shall be made readily available to the Independent Inspector General.

(e) If the Independent Inspector General issues a recommendation of corrective action to the head of a County department or bureau, that department or bureau head must respond to that recommendation within ~~30~~ 45 days with a written response to the Independent Inspector General and Chief of the Bureau of Human Resources. This response must include either (1) a description of any corrective action the department or bureau head has taken or (2) a request for a 30-day extension of the ~~30~~ 45 day decision period if additional time is needed by the department or bureau head to review the recommendation of corrective action. If the head of that department or bureau did not take any corrective action, or took a different corrective action than that recommended by the Independent Inspector General, the department or bureau head must describe the different action and explain the reasons for the different action in the written response. This response must be submitted to the Independent Inspector General and Chief of the Bureau of Human Resources within the 30-day decision period. The Independent Inspector General may approve a request for an extension of this ~~30~~ 45-day decision period for a period of time not to exceed 30 days if

additional time is needed by the head of the department or bureau to review the recommendation of corrective action. If a department head, bureau chief, or separately elected official fails to meet the 45-day requirement or, if approved, the 30-day extension the Independent Inspector General shall notify the Chair of the Litigation Sub-Committee and the President when there is a failure to reply. The chair of the Litigation Sub-Committee may then call the department head, bureau chief, or representative of the separately elected official to appear before the Litigation Sub-Committee to explain the lack of response.

(f) It shall be the duty of all County employees, officials, agents, contractors, subcontractors, licensees, grantees or persons or businesses seeking County contracts, grants, licenses, or certification of eligibility for County contracts to report, directly and without undue delay, to the Independent Inspector General any and all information concerning conduct which they know to involve corruption, allegations of political discrimination in nonexempt positions or other criminal activity, by another County employee or official, which concerns his or her office of employment or County related transaction. The knowing failure of any employee to report as required above shall constitute cause for discipline up to and including termination. For purposes of this Section, a report made to the Inspector General Hotline shall be considered a direct report.

Sec. 2-287. - Quarterly reports.

No later than the 15th day of January, April, July and October of each year, the Independent Inspector General shall submit to the President and the County Board a publicly available report, accurate as of the last day of the preceding month, indicating:

(1) The number and type of investigations initiated, concluded, or pending since the date of the last report.

(2) The number and type of investigations of the conduct (corruption, fraud, waste, mismanagement, unlawful political discrimination or misconduct) of any County employee, appointed officials, elected officials, contractors, subcontractors, persons seeking County contracts, or persons seeking certification of eligibility for County contracts or other County programs.

(3) The number of and types of investigations conducted by the OIIG regarding employees under the separately elected officials.

(4) The number and type of recommendations made to any department heads or elected official and whether or not the recommendation was followed or if the

(5) The number of concluded investigations that have not yet been responded to within the 45-day requirement or, if approved, the 30-day extension,

~~(5)~~(6) Upon receipt of such reports, the Cook County Board may take appropriate action, such as referring the report to a ~~Board committee~~ the Litigation Sub-Committee for further consideration, receiving and filing, approving or rejecting such report.

Effective date: This ordinance shall be in effect immediately upon adoption.