



# Board of Commissioners of Cook County

118 North Clark Street  
Chicago, IL

## Legislation Text

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**File #:** 19-0413, **Version:** 1

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### **PROPOSED ORDINANCE**

#### **COOK COUNTY CHARITABLE CONTRIBUTIONS PROGRAM**

**WHEREAS**, since the mid 1960's, it has been the policy of Cook County to establish and maintain an internal working committee known as the "Charitable Contributions Committee," which is intended to give Cook County ("County") employees the opportunity to contribute a portion of their employment remuneration to various charitable organizations, including those associated with social, health, and welfare services; and

**WHEREAS**, through Cook County Board Resolutions 73-R-238 and 13-R-348, the Board of Commissioners ("Board") continued the work of the Charitable Contributions Committee ("Committee"); and

**WHEREAS**, the Committee has historically identified charities that operate in Cook County and reflect the diverse interests and concerns of Employees, for participation in the Cook County Charitable Giving Program, pursuant to a transparent and fair selection process; and

**WHEREAS**, in January of 2017, the Board authorized an agreement between United Way of Metropolitan Chicago (UWMC) and Cook County as a third-party administrator to facilitate the provision of voluntary charitable payroll deductions from employees to selected charities identified by Cook County and supported by UWMC through voluntary payroll deductions from such individuals' employee paychecks; and

**WHEREAS**, UWMC will continue as the County's third-party administrator in accordance with the January 2017 agreement or until otherwise amended or terminated in accordance with the terms of the agreement; and

**WHEREAS**, it is recommended that that the Board codify the voluntary charitable payroll deduction program and selection process, and dissolve the Committee.

**NOW BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 2 - Administration, Article XVI. Charitable Contributions Program, Section 2-1060 through 2-1069 is hereby enacted as follows:

#### **CHAPTER 2. ADMINISTRATION**

##### **ARTICLE XVI. CHARITABLE CONTRIBUTIONS PROGRAM**

###### **Section 2-1060. Short Title.**

This Article shall be known and may be cited as the Charitable Contributions Program Ordinance.

###### **Section 2-1061. Charitable Contributions Program Established.**

There is hereby established a Charitable Contributions Program, which shall supersede the Cook County Charitable Giving Campaign authorized under Cook County Resolutions 73-R-238 and 13-R-348, that allowed employees and officials of County Agencies to make contributions from their salary or wages to charitable organizations approved by the Charitable Contributions Committee. Accordingly, the Charitable Contributions Committee shall be deemed defunct and

dissolved.

### **Section 2-1062. Intent.**

The Charitable Contributions Program is intended to enhance government and community efforts to meet charitable needs while minimizing disruption to the county workplace and costs to the taxpayer that multiple charitable fund drives may generate. This Article also provides uniform guidance, consistent with state law governing salary and wage deductions, for the efficient administration of Employee contributions via the Annual Campaign, and other approved charitable solicitations, including but not limited to, the donation of salvaged property and/or the acceptance of donations for use by County Agencies.

### **Section 2-1063. Administration.**

(a) The Chief Administrative Officer is authorized to manage the County's Annual Campaign for voluntary payroll deductions of charitable contributions through a third-party administrator. The Chief Administrative Officer shall utilize a third-party administrator to assist in managing the County's Annual Campaign for voluntary payroll deductions. The Chief Administrative Officer shall be responsible for promulgating reasonable rules and regulations relating to the administration of the Charitable Contributions Program, in accordance with applicable law.

(b) The Comptroller shall be responsible for processing the charitable employee payroll deductions, in accordance with applicable law and use of the third-party administrator. In addition, the Comptroller shall be responsible for directing the Chief Information Officer to manage the software application interface for payroll deductions and disbursement of contributions, as provided in subsection (e) below.

(c) The Director of Risk Management shall be responsible for notifying employees regarding the Annual Campaign.

(d) The Chief Procurement Officer, in conjunction with the Director of Facilities Management, shall be responsible for promulgating reasonable rules and regulations relating to Assets and salvaged property that may be donated pursuant to this Article.

(e) The Chief Information Officer shall be responsible for managing the software application interface for payroll deductions and disbursement of contributions in coordination with the Comptroller and the third-party administrator. The Chief Information Officer shall also be responsible for ensuring that any County IT Resource is properly sanitized in advance of donation pursuant to this Article.

### **Section 2-1064. Definitions.**

*Annual Campaign* means the annual solicitation of charitable contributions from County Employees or County Officials.

*Assets* means supplies, materials and equipment that have been declared unusable, surplus, obsolete and/or which have a resale value exceeding their useful value to the County, except for such property which is the responsibility of the Cook County Health and Hospitals System.

*County Agency or Agencies* means Elected Officials, offices, institutions, bureaus, departments under the jurisdiction of the County Board President, the Board of Commissioners, Cook County Health and Hospitals System, Cook County State's Attorney, Cook County Sheriff, Cook County Public Defender, Clerk of the Circuit Court of Cook County, Cook County Treasurer, Cook County Clerk, Cook County Recorder of Deeds, Cook County Assessor, Chief Judge of the Circuit Court of Cook County, Board of Review, the Office of the Independent Inspector General, the Cook County Land Bank Authority, and the Public Administrator.

*County Employee* means an employee of a County Agency.

*County IT Resource* means any County-owned physical asset, including but not limited to computers, telephones, mobile devices, photocopiers, scanners, storage media, and other technology equipment like keyboards and network routers.

*County Official or Elected Official* means the President and Commissioners of the Cook County Board, Assessor, Board of Review, Chief Judge, Clerk of the Circuit Court, County Clerk, Recorder of Deeds, Sheriff, State's Attorney, Treasurer, and any other elected official included in the Cook County Appropriations Ordinance.

*Qualified Organization* means an organization defined under 5 ILCS 340/3(b) that is authorized to accept Employee or Official donations under the Voluntary Payroll Deductions Act of 1983, 5 ILCS 340/1 *et. seq.*

*Salvage* means the process by which County property is evaluated for suitability for reuse, repurpose, recycle, refuse, or resale.

*Sanitize* means the process by which intangible information assets created, procured, processed, or stored by County-owned or County-leased physical assets, including but not limited to software, emails, social media, computer program files, data, images, internet browsing history, instant messages, telephone call records, text messages, voicemails, and computer log files are removed from County IT Resources, or otherwise rendered unrecoverable.

*United Fund* means the organization defined under 5 ILCS 340.3(c) which conducts the single, annual, consolidated effort to secure funds for distribution to agencies engaged in charitable and public health, welfare and services purposes, which is commonly known as the United Fund, or the organization which serves in place of United Fund organization in communities where an organization known as the United Fund is not organized.

#### **Section 2-1065. Voluntary Payroll Deductions for Charitable Contributions.**

The Chief Administrative Officer may authorize an Annual Campaign for voluntary payroll deductions of charitable contributions through a third-party administrator using a single payroll interface. Such Annual Campaign shall permit the Comptroller, upon the written authorization by Employees or Officials, to deduct the amount specified in such authorization from the compensation of such Employee or Official in each regular payroll period for payment to the United Fund or a Qualified Organization.

#### **Section 2-1066. Cook County Sponsorship of Charitable Events.**

Sponsorship of a charitable event, drive, fundraiser other than the Annual Campaign, in the name of Cook County or a County Agency (or using Employees or county resources) must benefit the United Fund or a Qualified Organization, and requires written notice to the Chief Administrative Officer at least sixty (60) days in advance of such sponsorship. If the proposed sponsorship would not benefit the United Fund or Qualified Organization, or notice to the Chief Administrative Officer is not provided at least sixty (60) days in advance of such sponsorship, then authorization from the Cook County Board of Commissioners is required prior to sponsorship. Notwithstanding the County's sponsorship of charitable events, an Employee's participation is strictly voluntary and will not affect conditions of employment, or result in compensation from, or liability to, the County.

#### **Section 2-1067. Cook County Donation of Salvaged Property.**

Donation of salvaged property in the name of Cook County must benefit United Fund, a Qualified Organization, or a governmental entity, and requires approval by the Chief Procurement Officer (CPO) and Director of Facilities

Management prior to donation. The Chief Administrative Officer shall be notified in writing on a quarterly basis by the CPO of any donated salvaged property. If the proposed donation would not benefit a Qualified Organization, United Fund or governmental entity, then authorization from the Cook County Board of Commissioners is required prior to such donation. The County disclaims liability for all incidental or consequential damages, and assumes no responsibility or liability for any loss or damage suffered by any person as a result of the use or misuse of any donated property.

**Section 2-1068. Acceptance of Donations to Cook County.**

Charitable donations to Cook County are subject to pre-authorization from the Cook County Board of Commissioners, by way of Resolution. Such Resolution shall identify the County Agency that will receive the donation; and, address the estimated value of the donation, the intended use of the donation, and any costs to the County associated with acceptance of such donation, including but not limited to transportation and/or storage.

**Section 2-1069. Annual Report.**

On an annual basis, the Chief Administrative Officer shall prepare and submit to the Cook County Board of Commissioners an annual report concerning the achievements of the Charitable Contributions Program.

**Effective Date.** This Proposed Ordinance shall be effective immediately upon passage.

**BE IT FURTHER ORDAINED**, by the Cook County Board of Commissioners, that Chapter 34, Finance, of the Cook County Code is hereby amended as follows:

**Sec. 34-126. - Distribution of assets.**

~~(a)~~ The CPO, in conjunction with the Department of Facilities Management, is authorized to approve or deny the distribution of supplies, materials and equipment that have been declared unusable, surplus, and/or obsolete per Section 34-125(j) above and further defined as “Assets” in Section 2-1064 as charitable donations for distribution, per the County’s Charitable Contributions Program Ordinance, as provided in Chapter 2, Article XVI, of the Cook County Code of Ordinances.

~~(b)~~ The CPO, in conjunction with the Department of Facilities Management, is authorized to adopt, promulgate and enforce rules and regulations and prepare forms to effectuate the purposes of this Section. Such rules and regulations shall require any charitable donation adhere to the following conditions:

- ~~(1)~~ The assets would be used to advance health, education, public safety, and/or social services; and
- ~~(2)~~ The recipient of the assets is a governmental entity or non-profit entity registered in accordance with applicable law.

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