



# Board of Commissioners of Cook County

118 North Clark Street  
Chicago, IL

## Legislation Text

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**File #:** 14-4628, **Version:** 1

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### **PROPOSED ORDINANCE AMENDMENT**

**COB #313632**

#### **AMENDMENT TO COOK COUNTY HEALTH AND HOSPITAL SYSTEM EXECUTIVE HIRING PROCESS**

Submitting a Proposed Amendment sponsored by Edwin Reyes, Jesus G. Garcia and Jeffrey R. Tobolski, County Commissioners, Co-sponsored by Joan Patricia Murphy, County Commissioner.

**WHEREAS**, there are many talented and highly qualified minorities capable of excelling in every type of executive position in the United States; and

**WHEREAS**, there is a long history of minorities being underrepresented in executive positions in the workforce of the United States; and

**WHEREAS**, before the NFL established the 'Rooney Rule', which requires at least one minority to be interviewed for any head coach position, only 6% of NFL head coaches were minority, after the rule was implemented that number jumped to 22%; and

**WHEREAS**, Coca-Cola adopted a similar approach to hiring when it faced a \$192 million racial discrimination settlement; and

**WHEREAS**, since 2000, the number of minority senior managers at Coca-Cola jumped from 8.4 percent to 21 percent; and

**WHEREAS**, this ordinance will expose quality minority candidates to high-level jobs that otherwise they might not get a chance to interview for; and

**WHEREAS**, this ordinance will also, expose the Health and Hospitals System Board to highly qualified minority candidates, that they might not otherwise be exposed to; and

**WHEREAS**, it is the public policy of the County to ensure the full and equitable participation of minorities in the recruitment process for executive positions in the County's Health and Hospitals System, by making certain that at least one minority is interviewed for these positions.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 38 Health and Human Services, Sec. 38-72, Sec. 38-81 and Sec. 38-84 of the Cook County Code are hereby amended as follows:

#### **Sec. 38-72. Definitions.**

For purposes of this article, the following words or terms shall have the meaning or construction ascribed to them in this section:

*Chairperson* means the chairperson of the System Board.

*Cook County Code* means the Code of Ordinances of Cook County, Illinois.

*Cook County Health and Hospitals System also referred to as "CCHHS"*, means the public health system comprised of the facilities at, and the services provided by or through, the Ambulatory and Community Health Network, Cermak Health Services of Cook County, Cook County Department of Public Health, Oak Forest Hospital of Cook County, Provident Hospital of Cook County, Ruth M. Rothstein CORE Center, and John H. Stroger, Jr. Hospital of Cook County, (collectively, the "CCHHS Facilities").

*County* means the County of Cook, a body politic and corporate of Illinois.

*County Board* means the Board of Commissioners of Cook County, Illinois.

*Director* means a member of the System Board.

*Fiscal Year* means the fiscal year of the County.

*Minority* means an individual who is one of the following:

(1) African-American or Black (persons with origins in any of the Black racial groups of Africa);

(2) Hispanic American (persons of Spanish culture with origins from Puerto Rico, Mexico, Cuba, South or Central America, Spain, Portugal, or the Caribbean Islands regardless of race);

(3) Native American (American Indian); or

(4) Asian-Pacific American (persons with origins from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the U.S. Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, Taiwan, or the Indian subcontinent).

*Ordinance* means the Ordinance Establishing the Cook County Health and Hospitals System, as amended.

*President* means the President of the Cook County Board of Commissioners.

*System Board* means the 11-member board of directors charged with governing the CCHHS.

*Woman* means female gender.

### **Sec. 38-81. Chief executive officer.**

(a) The System Board shall appoint a Chief Executive Officer of the CCHHS ("CEO") or an interim CEO as necessary.

(b) The System Board shall conduct a nationwide search for a CEO which shall be concluded no later than 180 days from the date of the County Board's approval of the appointment of the initial System Board.

(c) Prior to appointing a CEO, the System Board shall interview at least one woman or minority person, as defined by section 38-72, for the position.

(d) The CEO shall have the responsibility for:

(1) Full operational and managerial authority of the CCHHS, consistent with existing federal and state laws,

court orders and the provisions of this article;

(2) Preparing and submitting to the System Board the Budgets and Strategic and Financial Plans required by this article;

(3) Operating and managing the CCHHS consistent with the Budgets and Financial Plans approved by the County Board;

(4) Overseeing expenditures of the CCHHS;

(5) Subject to Subsection 38-74(a)(7) of this article, hiring and discipline of personnel in conformity with the provisions of this article, all state laws, court orders, and collective bargaining agreements;

(6) Negotiating collective bargaining agreements as set forth in Section 38-84(c); and

(7) Carrying out any responsibility which the System Board may delegate; however, said delegation shall not relieve the System Board of its responsibilities as set forth in this article.

(e) The CEO shall report to the System Board.

(f) The CEO shall provide, through the System Board, quarterly reports to the County Board concerning the status of operations and finances of the CCHHS.

#### **Sec. 38-84. Human resources.**

(a) Notwithstanding the provisions of the Cook County Code, including, but not limited to, provisions pertaining to Personnel Policies, the System Board shall have authority over all human resource functions currently performed by the Cook County Bureau of Human Resources with regard to all employees, including physicians and dentists, within the CCHHS, including, but not limited to, position classification, compensation, recruitment, selection, hiring, discipline, termination, grievance, affirmative action, performance management, probationary periods, training, promotion and maintenance of records, except that the System Board and/or the CEO shall interview at least one woman or minority candidate, as defined by section 38-72, during the hiring process for all Upper Management positions listed under grade 24 & grade K-12 positions. If no women or minority candidates, as defined by section 38-72, are available to be interviewed during the hiring process for all Upper Management positions listed under grade 24 & grade K-12 positions, the CEO and/or the hiring department must request a waiver from the System Board and such waiver must be approved by the System Board prior to making the hire. The System Board shall adopt written rules, regulations and procedures with regard to these functions. Until such time as the System Board adopts its own rules, regulations or procedures with regard to these functions, the existing Personnel Rules, regulations and procedures of the County shall apply. The System Board may exercise the authority granted in this section, in whole or in part, pursuant to its discretion and consistent with existing collective bargaining agreements and obligations.

(b) Employees within the CCHHS are employees of the County, and as such, shall be free from any political interference in accordance with the Supplemental Relief Order and Consent Decree established in the federal civil litigation filed in the Northern District of Illinois under Case No. 69 C 2145 and titled "Shakman, et al. v. Democratic Organization, et al."

(c) The CEO shall participate with the County in negotiating collective bargaining agreements covering CCHHS employees. All such collective bargaining agreements must be approved by the System Board and the County Board.

(d) The System Board or the CEO shall not hire or appoint any person in any position in the CCHHS unless it is consistent with the Annual Appropriation Ordinance in effect at the time of hire or appointment.

(e) Nothing herein shall diminish the rights of Cook County employees who are covered by a collective bargaining agreement and who, pursuant to this article, are placed under the jurisdiction of the System Board, nor diminish the historical representation rights of said employees' exclusive bargaining representatives, nor shall anything herein change the designation of "Employer" pursuant to the Illinois Public Labor Relations Act. The System Board shall honor all existing collective bargaining agreements, between Cook County and exclusive bargaining representatives, which cover employees under the jurisdiction of the System Board.

**Effective date:** This Amended Ordinance shall be in effect immediately upon adoption.