



CHICAGO PARK DISTRICT EMPLOYMENT PLAN

Personnel Board approved
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I. INTRODUCTION

The District is committed to continuing its practices of being an equal opportunity employer, hiring qualified candidates, and the prohibition of Unlawful Political Discrimination with respect to all Employment Actions. This Employment Plan is intended to create transparent and workable new processes and procedures that meet the business needs of the District and comply with legal requirements.

II. DEFINITIONS

The following definitions apply to specific words and terms used in this Employment Plan:

Applicant: A person who has submitted an application for Park District employment.

Application: An Application is an electronic or paper document that is completed by a prospective Applicant to apply for an open Position. The Application contains information about the prospective Applicant, such as his or her education, previous employment history, and other relevant information to be considered for employment with the District.

Candidate: A Candidate is an Applicant who meets the Minimum Qualifications of the job for which he or she applied and is eligible to be referred.

Candidate Selection Form: The form signed by the General Superintendent, the Region or Department Head, the Budget Director, and the Director of HR authorizing an offer of employment to a Candidate selected pursuant to Section VI.

Collective Bargaining Agreement ("CBA"): Any current collective bargaining agreement between the District and any legally recognized collective bargaining representative of Employees of the District.

Compliance Monitor: An Employee with the responsibilities described in this Employment Plan.

Conflict of Interest: A situation in which impartiality and judgment may be compromised or may appear to be compromised because of an actual or potential clash between a person's self-interest and his or her professional or public-interest.

Consensus Meeting: A meeting held at the conclusion of the interview process in which the interviewers review their respective interview results and any other relevant information to arrive at a recommendation on the selection of a Candidate for any Non-exempt Position.

Declared Work Location Preference: A specific geographical area identified by an Applicant during the application or pre-employment stage, such as a park, region, or neighborhood, which a hiring department may use as a factor when determining the order in which the Park District will make conditional offers to qualified Candidates.

Department: Any department, unit or entity of the Chicago Park District.

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Department Head: The individual assigned to head any department, unit or entity of the Chicago Park District.

Department of Human Resources ("HR"): The Department of Human Resources for the District.

District: The Chicago Park District.

Eligible Candidates: An Eligible Candidate is a Candidate who has successfully completed the requirements for a Non-Interview Position and thus eligible for hire.

Employee: An Employee of the District.

Employment Action: Any change (positive or negative) related to the terms or conditions of employment including, but not limited to, recruitment, determination of eligibility, interviewing, pay, benefits, selection, hiring, transfer, demotion, promotion, termination, discipline, recall, reemployment, reclassification, granting overtime or other job benefit, changing a job assignment, withholding any job benefit, or imposition of any employment sanction or detriment. For purposes of this definition, an Employment Action does not include any nonmaterial, inconsequential alteration in an Employee's employment circumstances.

Employment Plan: This new Employment Plan.

Exempt List: The list of all Exempt Positions, as such list may be amended from time to time by the District as provided in Section IV. M of this Employment Plan.

Exempt Position: Any Position in the District that is included on the Exempt List and meets the criteria for exempt status under applicable law, i.e. a job that involves policy making to an extent or is confidential in such a way that political party affiliation is an appropriate requirement for the effective performance of the job.

External Applicant: An Applicant who applies for a Position and is not an Employee at the time of application.

General Hiring Process: The hiring processes described in detail in Section VI of this Employment Plan, which applies to all Non-exempt Positions, except as specifically provided in Section VII of this Employment Plan.

Governmental Employment: Any employment relationship that constitutes employment at common law (whether probationary, full-time or part-time, permanent or temporary, and regardless of whether the employment is paid for by federal funds) by or for the District.

Hiring Department: The Department in which an Applicant who is hired will be assigned to work.

Internal Applicant: An Applicant who applies for a Position and who is actively employed by the District at the time of application.

Interview List: The list of Candidates who, based on the review of their applications and any required documentation, have been determined to possess the Minimum Qualifications of the Non-exempt

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Position for which they have applied and are therefore eligible for an interview and for further consideration by the Hiring Department.

Interview Rating Form: The form used by interviewers to document individual interviews with Candidates for Non-exempt Positions.

Job Description: The written job description that describes the Minimum Qualifications and current responsibilities of a Position and the skills, education and abilities needed to perform those responsibilities.

Minimum Qualifications: The specific Minimum Qualifications that an Applicant must possess to be considered for employment in a Position.

No Political Considerations Certification ("NPCC"): The NPCC is a statement filled out by all Employees involved in any Employment Action, other than for Exempt Positions. This statement shall certify under penalty of perjury, that no Political Reasons or Factors or other improper considerations were considered in the Employment Action taken. HR, with notice to the Compliance Monitor, may modify the form from time to time.

Non-Exempt Position: Any District Position that is not included on the Exempt List.

Notice of Job Opportunity: The publicly available notice of a Position opening.

Notification of Vacancy Form ("NOV"): The form completed by a Department Head or his or her designee, and signed by the Compliance Monitor, the Budget Director, and the Director of HR to initiate hiring activities to fill a Non-exempt Position.

Office of Inspector General ("OIG"): The Office of Inspector General for the District.

Policy and Procedures Manual ("Manual"): The District compilation of employment practices consistent and in compliance with this Employment Plan.

Political Contact: Any contact of any kind whatsoever (oral or written, direct or indirect) with any Public Official/Agent, or their staff, or any Political Organization regarding any Employment Action related to any Non-exempt Position.

Political Organization: Any political party or any organization that has as a significant component of its activities promoting or supporting a political party, an elected official or officials, or a candidate or candidates for public office or anyone employed by, acting on behalf of, acting as an agent of or promoting or representing such political party or organization.

Political Reasons or Factors: Where this Employment Plan refers to Political Reasons or Factors this shall include:

- (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 Employee

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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 Employee's skills, work experience or other job-related characteristics;

(2) the fact that an Applicant, potential Applicant or Employee works or worked for a Politically-Related Person or Organization, or works or worked on a political campaign, unless related to a recommendation based on an Applicant's, potential Applicant's, or Employee's skills, work experience or other job related characteristics,

(3) the fact that an Applicant, potential Applicant or Employee is or was, or is not or was not, a member of any political party or a Politically-Related Organization;

(4) the fact that an Applicant, potential Applicant or Employee contributed or raised money, or provided anything of monetary value, to a Politically-Related Person or Organization, or refrained from doing so;

(5) the fact that an Applicant is a Democrat or a Republican or a member of any other political party or group, or the fact that the Applicant, potential Applicant, or Employee is not such a member;

(6) the fact that an Applicant, potential Applicant or Employee may express any views or beliefs on political matters.

Position: Any District employment position.

Public Official/Agent: Any elected or appointed public official, Chicago Park District Board Member, political party official or anyone employed by, acting on behalf of, acting as an agent of or promoting or representing such Public Official/Agent.

Qualified List: The Qualified List is a list of Candidates who have satisfactorily completed part of one of the processes found in Section VI.F to be used for hiring in Positions which do not require interviewing.

Resolution Log: The written record kept by the Compliance Monitor of all reports required pursuant to this Employment Plan.

Screening Criteria: Screening Criteria are factors that a hiring department may use to screen Applicants for Minimum Qualification to determine which Applicants will be further considered based on additional qualifications.

Seasonal Positions: Positions that are for seasonal employment not to exceed six months in duration.

Senior Manager Position: A Non-exempt Position that is designated on the Senior Manager List referred to in Section VII of this Employment Plan.

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Student: A student who is currently enrolled in an accredited high school, college, university, or professional school.

Supervisor: Any Employee (including Employees in Exempt and Non-exempt Positions) who has the authority to authorize, execute or recommend any Employment Action.

Unlawful Political Contact: Any contact of any kind whatsoever (oral or written, direct or indirect) from any Public Official/Agent or Political Organization recommending an Employment Action related to a Non-exempt Employee that is based on Political Reasons or Factors.

Unlawful Political Discrimination: Any positive or negative Employment Action involving an Applicant, Candidate or Employee who is applying for, being considered for or holding a Non-exempt Position that is based on Political Reasons or Factors.

Volunteer Worker: A Volunteer Worker is any worker, including a Student, who is not paid a wage or salary by the District and who works for the District.

Written or in writing: Written or in writing in hard copy or electronically, unless otherwise indicated.

III. GENERAL PRINCIPLES APPLICABLE TO HIRING

The District will adhere to the following general employment related policies, practices and procedures with respect to Governmental Employment:

A. Commitment.

The District will implement pro-active and transparent employment-related policies, practices and procedures that will prevent and remedy the negative effects of Unlawful Political Contacts and Unlawful Political Discrimination. No CBA or other agreement between the District 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.

C. Notice of Exemption.

An Employee holding a Non-exempt Position that is to become an Exempt Position will be given advance notice of such change and will be given the opportunity to transfer to any available Non-exempt Position for which he or she may be qualified in lieu of remaining in his or her Position and becoming an Exempt Employee.

D. Mandatory Reporting of Political Contacts and Unlawful Political Discrimination.

Any Employee who knows of or has a reasonable belief that a Political Contact or Unlawful Political Discrimination has occurred or is occurring, is required to report such information to the Compliance Monitor and the OIG directly and without delay. All Employees are required to cooperate

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fully with the Compliance Monitor and the OIG. Any Employee who fails to report and/or cooperate as required will be subject to disciplinary action, up to and including termination.

E. Recommendations.

The following will apply to the submission and consideration of certain recommendations of individuals being considered or applying for any Non-Exempt Position:

1. **Prohibited Contacts.** Except as provided in Section IV.E.2 below, no Employee may contact any other Employee involved in any Employment Action to influence any Employment Action unless he or she is an authorized participant in the Employment Action.

2. **Permitted Recommendations.** The prohibitions of Section IV.E.1 do not limit the right of any citizen, including any Public Official/Agent, Political Organization, or any Employee to submit a written recommendation not based on Political Reasons or Factors on behalf of any individual applying for any Position where such recommendation is based on such person's personal knowledge of the individual's work, skill, experience or other job-related qualifications. Such written recommendation must be included in the individual's application materials and must be forwarded to and reviewed by HR and included in the individual's employment file. Copies of any such written recommendations made by any Public Official/Agent or Political Organization must be submitted immediately to the Compliance Monitor and the OIG.

F. Equal Employment Opportunity.

The District is committed to diversity and equal employment opportunities regardless of race, sex, sexual orientation, age, religion, national origin, disability or any other legally protected status.

G. Contact by Employees Who Are Politically-Related Persons.

Employees who hold political Positions or office are authorized to engage in departmental or Employee reviews and inquiries as such reviews and/or inquiries may be required in conjunction with their respective general management duties. Employees are not required to report as Political Contacts, communications with Employees who hold political Positions or office that are within their respective management duties and concern the normal day-to-day operations of the District. Nothing in this Section III.G will affect any Employee's obligation to report Unlawful Political Discrimination.

H. No Retaliation.

The District will continue to prohibit retaliation, punishment or penalty for reporting or initiating a complaint in good faith related to any alleged Unlawful Political Contact or Unlawful Political Discrimination, or cooperating with or assisting the Compliance Monitor HR, or any other person or authority in the investigation of any such complaint.

I. HR Staff.

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The District will maintain an HR staff of experienced and knowledgeable professionals who meet the Minimum Qualifications contained in the Job Descriptions and who are able to fulfill the District's obligations under this Employment Plan.

J. Union Relations.

The District respects its relationships with its Employees' legally recognized collective bargaining representatives and the provisions of the CBAs it has negotiated with such representatives. Those relationships are governed by the Illinois Public Labor Relations Act, 5 ILCS 315, et seq., as amended, and the Employment Plan will be construed and administered consistent with that Act to the extent that the construction or administration does not conflict with the United States Constitution or federal civil rights laws. If a CBA is in conflict with the language in this Employment Plan, the language in the CBA will govern provided it does not permit or involve the use of any Unlawful Political Contact or Unlawful Political Discrimination. If any provision in a CBA allows for management discretion involving any Employment Action, such management discretion must be exercised subject to the procedures contained in the Employment Plan. If the CBA does not contain a specific procedure or is otherwise silent, the relevant procedure in this Employment Plan must be followed.

K. No Political Considerations Certification.

All Employees are required to sign, in hard copy or electronically, as applicable, an NPCC whenever they initiate or are involved in any Employment Action. All Applicants and Candidates must complete an NPCC upon application and upon hire. Such NPCC will be incorporated into or attached to all applicable forms as described in this Employment Plan.

L. Interpretation of the Employment Plan.

All portions and provisions of this Employment Plan will be interpreted as being in furtherance of the above principles and commitments.

M. Changes to the Exempt List.

The District may from time to time add positions to or delete positions from the Exempt List. Such changes will be made as follows:

1. The General Superintendent or his or her designee will direct that written notice of the proposed addition to or deletion from the Exempt List be provided to the Compliance Monitor and the Director of HR, along with supporting documentation including but not limited to (a) the identity of the Exempt Position (including a copy of the current Job Description for the position) and (b) a description of the basis on which the position should be designated as an Exempt Position. The Compliance Monitor and the Director of HR will respond with their respective approval or denial (including the reasons for the denial or approval) within 30 days. The Compliance Monitor shall maintain copies of all approvals and denials of approval provided by the Director of HR and the Compliance Monitor.
2. The General Superintendent or his or her designee shall take into account (a) the opinions of the Compliance Monitor and the Director of HR and (b) applicable

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case law and make the determination about whether a Position should be considered an Exempt Position

N. Acting up.

In the instance where a current Employee has been acting up into an open Position, the acting up period will last no longer than six months, with up to six additional 30-day extensions which can be granted with approval by the General Superintendent, Director of HR or the Compliance Monitor. The Current Employee acting up must properly submit an application for the Position.

IV. GENERAL PRINCIPLES RELATED TO HR

HR is responsible for establishing, directing, coordinating and overseeing the human resources processes, policies and procedures of the District relating to all Employment Actions. The following will apply to activities of HR:

A. Changes to the Employment Plan.

The Director of HR may from time to time amend the Employment Plan following written notice of any proposed changes to the Employment Plan to the General Superintendent and the Compliance Monitor. Notice of the proposed changes shall also be posted on the District's website. The Compliance Monitor shall be given an opportunity to review and comment on the proposed amendment prior to implementation. If the Compliance Monitor approves the amendment, the changes shall be forwarded to the General Superintendent who will decide if the change will be approved. If the Compliance Monitor objects to the change, he or she must do so in writing within five (5) business days and submit the same to the General Superintendent and the Director of HR. The General Superintendent or his or her designee, the Director of HR, and the Compliance Monitor will then meet to discuss the matter. The decision of the General Superintendent on any proposed change to the Employment Plan will be final. Proposed changes to the Employment Plan will not be implemented until after the General Superintendent approves the change. HR will post the Employment Plan, including any amendments, on the District's website.

B. Manual.

HR will draft and maintain a Manual that is consistent and in compliance with and effectuates all provisions of this Employment Plan. HR may revise and update the Manual as required, provided HR will not revise or update any policy or procedure without first sending a copy of the proposed revision or update to the Compliance Monitor and the OIG for comment and approval. If approved or if no comment is received within 10 calendar days, HR will post and update as necessary the Employment Plan and the Manual on the District's website. If not approved by the Compliance Monitor and the OIG the revision or update will not be made.

C. Training.

1. HR Staff Training. HR and the Compliance Monitor will provide comprehensive mandatory training programs for all staff within HR to assure they are aware of and knowledgeable about the Employment Plan and will be able to

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administer various aspects of this Employment Plan and answer questions they may receive. Such training will be conducted no less frequently than once a year and no later than thirty days after any individual becomes an Employee in HR. Receipt of such training must be certified in writing and the certification placed in such Employees' personnel files. HR will provide training to HR staff regarding changes to this Employment Plan within three months of the effective date of the change.

2. Supervisor Training. HR and the Compliance Monitor will conduct comprehensive mandatory training of all Supervisors and any other individuals with the authority to make decisions affecting an Employment Action to assure they are aware of and knowledgeable about the Employment Plan. Such training will be conducted no less frequently than once a year for all Supervisors and no later than three months after any individual becomes a Supervisor.

3. Interviewer Training. HR and the Compliance Monitor will conduct comprehensive mandatory training of all Employees who are eligible to interview Candidates for any Non-exempt Position as to proper interviewing conduct, techniques and requirements and the definitions of Political Reasons or Factors, Unlawful Political Contacts and Unlawful Political Discrimination. Only Employees who have been certified will be eligible to participate in any interview panel.

4. Employee Training. HR and the Compliance Monitor will conduct comprehensive mandatory training of all Employees to ensure they are aware of and knowledgeable about this Employment Plan, the Manual, and Unlawful Political Discrimination and related matters. All Employees will receive such training no later than 90 days following the beginning of employment and no less frequently than annually thereafter. HR and the Compliance Monitor will continue to provide training to Employees regarding changes to this Employment Plan within three months of the effective date of the change.

D. Access to Information Regarding Applicants.

The Director of HR will take steps to ensure that no information about any Applicant or Candidate is available to or shared with any party unless he or she is specifically authorized to receive such information. The Director of HR, with written notice to the Compliance Monitor and the OIG will designate specific Employees of HR who will be authorized to access and input information concerning Applicants.

E. Review of Job Descriptions.

In order to adequately perform for purposes of the Employment Plan and promote transparency, all Job Descriptions must include a list of all Minimum Qualifications and testing protocols, and they must be accurate and readily available to the public. Therefore, HR, in conjunction with the Compliance Monitor and, as needed, outside consultants shall: (1) consult with the Department Head of the Hiring Department and appropriate staff, if necessary, and review the Job Description for each Position for which the District receives a NOV to ensure that it is accurate and reflects the current duties and Minimum Qualifications necessary to perform the job; (2) periodically analyze and

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update existing Job Descriptions to assure they accurately describe all Minimum Qualifications and testing protocols; (3) post Job Descriptions for each job title on the District's publicly available website for the public to review; (4) update the information contained on Job Descriptions whenever a NOV is received and whenever a material change is made in any Minimum Qualifications, testing protocol, Screening Criteria or hiring criteria of the job.

F. Tip Line.

Compliance Monitor's "tip line" shall facilitate the receipt of complaints of Political Contacts (including Unlawful Political Contacts) and Unlawful Political Discrimination, including provision for the following:

1. The tip line will allow non-Employees to call and leave a message on an anonymous or credited basis, to register complaints regarding their good faith belief of the occurrence of Unlawful Political Contacts or Unlawful Political Discrimination.
2. Notice of the existence and number of the tip line shall be posted in HR and on the District's website.
3. All recorded calls will be reviewed and logged by the Compliance Monitor and shared with the OIG.

G. Complaint Process.

The following will apply in the event any Employee has reason to believe conduct in violation of this Employment Plan has or is occurring during the course of any Employment Action:

1. Receipt of Complaint. Upon receipt of a complaint involving a pending or proposed Employment Action, the Compliance Monitor shall advise the Director of HR and the OIG. The Director of HR shall take appropriate action to temporarily suspend the proposed or pending Employment Action while the complaint is investigated. During any investigation by the Compliance Monitor or the OIG, the Director of HR may (a) continue the temporary suspension of the Employment Action until the investigation is completed or (b) release the suspension and allow the process to proceed. In the event the Director of HR elects to release the suspension, however, he or she will file a written report with the OIG and the Compliance Monitor setting forth the reason for the release.
2. Political Contacts. Any Employee who knows of or has a reasonable belief of any Political Contact is required to report that Political Contact to the Compliance Monitor.

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- a) The Compliance Monitor will record and the OIG will investigate all reported Political Contacts.
- b) If the OIG determines the Political Contact was lawful, he or she will document the reasons for the determination and will close the investigation.
- c) Upon conclusion of an investigation, the OIG shall issue a written report ("OIG Report"). The report shall be filed with HR, and may be filed with the head of each Department affected by or involved in the investigation. The report shall include the following:
 - i. A description of any complaints or other information received by the OIG pertinent to the investigation;
 - ii. A description of any Unlawful Political Discrimination, Unlawful Political Contacts, or non-compliance with this Employment Plan observed or discovered in the course of the investigation;
 - iii. Recommendations for correction of any unlawful conduct or noncompliance described in the report;
 - iv. Such other information as the OIG may deem relevant to the investigation or resulting recommendations.
- d) The Recommendation section of the OIG Report shall be provided to individuals upon written request either in person or via email if so requested. The Recommendation section shall include:
 - i. A summary of the complaint;
 - ii. A summary and description of the nature and scope of the investigation and any findings;
 - iii. A recommendation either that no action be taken or that a specific action be taken;
 - iv. An explanation for the recommendation that either no action be taken or for the specific action recommended.

3. Unlawful Political Discrimination. Any Employee who knows or has a reasonable belief of any Unlawful Political Discrimination or receives a complaint of any Unlawful Political Discrimination with respect to any Employment Action or of any violation of this Employment Plan is required to report that complaint to the Compliance Monitor.

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a) The OIG shall investigate all complaints involving allegations of Unlawful Political Discrimination. Upon conclusion of an investigation, the OIG shall issue a written report ("OIG Report"). The report shall be filed with HR and may be filed with the head of each Department affected by or involved in the investigation. The report shall include the following:

- i. A description of any complaints or other information received by the OIG pertinent to the investigation;
- ii. A description of any Unlawful Political Discrimination, Unlawful Political Contacts, or non-compliance with this Employment Plan observed or discovered in the course of the investigation;
- iii. Recommendations for correction of any unlawful conduct or noncompliance described in the report;
- iv. Such other information as the OIG may deem relevant to the investigation or resulting recommendations.

b) The Recommendation section of the OIG Report shall be provided to individuals upon written request either in person or via email if so requested. The Recommendation section shall include:

- i. A summary of the complaint;
- ii. A summary and description of the nature and scope of the investigation and any findings;
- iii. A recommendation either that no action be taken or that a specific action be taken;
- iv. An explanation for the recommendation that either no action be taken or for the specific action recommended.

4. Other Violations of the Employment Plan.

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- a) If the Compliance Monitor receives a complaint that involves allegations of a breach of policy or process or violation of this Employment Plan in connection with an Employment Action other than Unlawful Political Contacts or Unlawful Political Discrimination, the Compliance Monitor shall investigate the complaint. The Compliance Monitor's investigation shall include, but not be limited to, an investigation of all relevant documents and interviews with witnesses.
- b) Upon conclusion of an investigation, the Compliance Monitor shall issue a written report setting forth his or her findings and recommendations for corrective action. The report shall include the following:
 - i. A description of any complaints or other information received by the Compliance Monitor pertinent to the investigation;
 - ii. A description of any violation of any process or procedure or other non-compliance with this Employment Plan observed or discovered in the course of the investigation;
 - iii. Recommendations for correction of any breach of policy, process, unlawful conduct or non-compliance described in the report;
 - iv. Such other information as the Compliance Monitor may deem relevant to the investigation or resulting recommendations.

A summary of the report will be included on the Resolution Log.

- c) The Recommendation section of the Compliance Monitor's Report shall be provided to individuals upon written request either in person or via email if so requested. The Recommendation section shall include:
 - i. A description of any alleged violation or other information received by the Compliance Monitor pertinent to the investigation;
 - ii. A summary and description of the nature and scope of the investigation and any findings;
 - iii. A recommendation either that no action be taken or that a specific action be taken;
 - iv. An explanation for the recommendation that either no action be taken or for the specific action recommended.

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5. General Superintendent's Reports.

a) The reports setting forth the written findings and recommendations of the OIG or the Compliance Monitor shall be given to the General Superintendent, the Director of HR and the Head of the Employee's Department. The Reports shall not mention the name of any informant, complainant, witness or person investigated, except where the copy of the report given to the head of any Department recommends disciplinary action against an Employee of the Department. The OIG or the Compliance Monitor shall redact the names of non-party witnesses and may redact personal identifying information or other information if such personal or other information may reveal or undermine an ongoing investigation.

b) The General Superintendent or his or her designee and the Director of HR or his or her designee will review the OIG or Compliance Monitor Report with the Department Head of the Department involved in the complaint. If the OIG or Compliance Monitor Report contains a finding that an Unlawful Political Contact or Unlawful Political Discrimination has occurred and/or includes a recommendation of corrective action related to an Employment Action or a finding of a violation of the Employment Plan, within 30 days of receipt of the OIG or Compliance Monitor Report, the General Superintendent or his or her designee will prepare a General Superintendent's Report, which will include the following:

- i. A description of the complaint and any other information received pertinent to the investigation;
- ii. A description of the findings discovered in the course of the investigation;
- iii. Recommendations of the OIG or the Compliance Monitor for correction of the Unlawful Political Contact or Unlawful Political Discrimination, and, if applicable;
- iv. Such other information as the General Superintendent may deem relevant to the investigation or resulting recommendation; and
- v. A statement (a) confirming implementation of the OIG's or Compliance Monitor's recommended action or (b) an explanation of why the recommended action was not implemented and a description of any alternative action the General Superintendent has elected to take and the specific reasons for such alternative action

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c) The General Superintendent or his or her designee may send a written request to the Compliance Monitor or the OIG as the case may be for an extension of up to 30 days to issue the General Superintendent's Report. The OIG or Compliance Monitor will approve such a request unless it would create an undue burden for the OIG or the Compliance Monitor.

d) The General Superintendent's Reports will be sent to the OIG or the Compliance Monitor as the case may be. The General Superintendent's Reports will also be posted on the District's publicly available website. The General Superintendent's Reports that are posted on the District's website will not include any names or other personally-identifiable information, and the OIG or the Compliance Monitor as the case may be, will redact from the General Superintendent's Report the names of any informants, complainants, witnesses and persons investigated prior to posting the General Superintendent's Report to the public.

H. Cooperation with the Compliance Monitor.

All staff of HR will cooperate fully and at all times with the OIG and Compliance Monitor, including but not limited to, by immediately reporting any allegations of Unlawful Political Discrimination or Political Contacts, providing documents and information regarding any allegation or investigation and assisting in any investigation, unless specifically prohibited by applicable law.

I. Recordkeeping.

HR will keep records relating to all Notices of Job Opportunities of Non-exempt Positions, including, but not limited to, posting information, applications, screening spreadsheets, Eligibility Lists, Interview Lists, and Interview Rating Forms for a minimum of two years following the date of posting or as otherwise required under the Local Records Retention Act.

J. Ineligible for Rehire.

The District shall follow its Ineligible for Rehire Policy.

~~K.~~

~~A former Employee of the District shall be deemed ineligible for rehire by the District if the former Employee's termination from District employment results from one of the following three employment actions:~~

~~1. Termination Disciplinary (career service Employees);~~

~~2. Discharge (non-career service Employees), or~~

~~3. Resignation in lieu of Discharge (Employee resigns after having been served with charges or after having been otherwise informed by the District, in a formal disciplinary setting, that the Employee will be terminated);~~

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~~Additionally, an Employee who resigns during an investigation in which he or she is the subject matter of the investigation but who does not meet the conditions of paragraph 3, above, shall be deemed to have Resigned Under Inquiry. An OIG or Compliance Monitor Report of sustained findings involving a former Employee who Resigned Under Inquiry shall be maintained in the former Employee's personnel file. In the event the Employee applies for re-employment with the District, the hiring authority shall consider the report before making any decisions with respect to the Employee's application.~~

~~Every Employee whose termination or discharge from District employment falls into one of the above three categories shall be deemed ineligible for rehire for at least one year from the date on which the Employee was deemed Ineligible for Rehire. The length of time for which a former Employee remains ineligible for rehire is determined by the underlying conduct leading to the Employee's inclusion in one of the above categories.~~

~~Every Employee whose termination or discharge from District Employment is, or would have been if the Employee had not resigned, based on one of the following violations is ineligible for rehire in perpetuity:~~

~~Conviction of a criminal offense, adjudication of guilty, rendition of a civil judgment, or a sustained finding by the OIG in connection with obtaining, attempting to obtain or performing a governmental transaction or governmental contract; violating federal or state statutes; making false statements to a District official; violation of the terms of the Employment Plan or the District's political discrimination, sexual harassment, discrimination, violence in the workplace or equal employment opportunity policies; or any conduct by the Employee which results in a criminal conviction, an adjudication of guilty, a civil judgment in favor of a governmental body or a sustained finding by the OIG resulting in a recommendation of termination and concurrence of the department head with the recommendation.~~

~~The District will use its best efforts to obtain an agreement with its sister agencies and members of the City Council to acknowledge and abide by these criteria when considering former District Employees for employment with their organizations.~~

~~The list will be maintained by the Director of Human Resources or his or her designee.~~

V. GENERAL HIRING PROCESS APPLICABLE TO NON-EXEMPT POSITIONS

The specific elements of the General Hiring Process, which applies equally to External Applicants and Internal Applicants, are described in detail below. Except as specifically provided in Sections VII, VIII, and IX below, all Applicants will be required to go through the General Hiring Process.

A. Recruitment.

HR will take steps to assure that all recruitment efforts related to Non-exempt Positions are conducted in a manner that will maximize the pool of applicants and avoid any Unlawful Political Contacts and Unlawful Political Discrimination. All Non-exempt Positions which the District is

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seeking to fill will be posted on the District's website and at the highly visible area at the District headquarters.

B. Requests to Hire.

All hiring for Non-exempt Positions will be initiated by submission of a completed NOV in accordance with the following:

1. The NOV must be submitted by the Department Head (or his or her designee) working in the Department to which the person selected for the Non-exempt Position will be assigned and in which he or she will be working.
2. The NOV must be accompanied by a copy of the current Job Description. HR will review the Job Description as provided in Section V.E. If applicable, the NOV will include any additional preferred skills, experience or abilities relating to the Non-exempt Position that the Department Head feels are appropriate to consider as part of the selection process, provided the Compliance Monitor confirms that such preferred skills, experience or abilities are, in fact, substantially related to the Non-exempt Position's requirements. Job Descriptions will be revised by HR to include any such current preferred skills, experience or abilities.
3. All NOV forms will be reviewed and signed by the Compliance Monitor to indicate whether the Position is Exempt or Non-exempt.

C. Preparation of Notice of Job Opportunity.

The Hiring Department or its designee will prepare the Notice of Job Opportunity in accordance with the following:

1. Notice of Job Opportunity. HR will complete a Notice of Job Opportunity to be posted for all Non-exempt Positions based on information contained in the NOV and the current Job Description.
2. Contents of Notice. The Notice of Job Opportunity will include (a) the job title, (b) the Job Description (which includes the job function and Minimum Qualifications the Applicant must possess in order to be considered for the Position and any preferred skills, experience or abilities being sought), (c) the rate of pay, (d) required licenses and certifications (if applicable), (e) whether the Position is open to Internal Applicants only; (f) directions on how and where to apply, (g) a non-discrimination clause, (h) a statement of the District's non-political hiring policy, and (i) the time period during which applications will be accepted. The Notice of Job Opportunity will also include a list of all additional documents that the individual must produce, such as a valid driver's license, diploma, proof of insurance, etc., and the time by which they must be produced in order to be considered eligible for the Position. If applicable, the Notice of Job Opportunity will contain a description of any tests that will be administered in order to be considered eligible for the Position.

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3. Confirmation of Accuracy. The Director of HR or his or her designee and the Department Head or his or her designee will document approval and confirmation of accuracy by signing the Notice of Job Opportunity before it is posted.

D. Posting of Notice of Job Opportunity.

All Notices of Job Opportunity will be posted in compliance with the following:

1. Posting Locations. All Notices of Job Opportunity will be posted as described in Section VI.A.
2. Union Postings. The Notice of Job Opportunity for a Position covered by a CBA will also be posted pursuant to the provisions of any applicable CBA.
3. Posting Period. All Notices of Job Opportunity will be posted for a minimum of 14 calendar days. If HR decides to extend the final date for posting, a notice of such extension and a revised posting closing date shall be added to the Notice of Job Opportunity posted or described in Section VI.A. Notice of and reason for the extension will immediately be given to the Compliance Monitor.

E. Submission of Applications.

The following will apply to the submission of applications in response to any Notice of Job Opportunity:

1. Application Form. The application form will include (a) a non-discrimination clause and (b) a non-political hiring provision relating to Non-exempt Positions.
2. Acceptance of Applications and Method of Submission. All applications for any Non-exempt Position properly submitted to HR via the online application system prior to the posted closing date and time will be accepted by HR.
3. Lifetime of Applications. Applications shall only remain active until the Position for which the application was submitted is filled, until the Position is reposted, or it is determined that the posted Position will not presently be filled. Applicants must apply for each Position for which they would like to be considered; previously submitted applications may not be used to apply for other Notices of Job Opportunities.

F. Application Screening.

Applicants who indicate they do not have all of the Minimum Qualifications will not be considered eligible for the Position. If (a) the application is complete and has been submitted in a timely manner, (b) the application indicates the Applicant possesses all of the Minimum Qualifications stated in the Notice of Job Opportunity, (c) all supporting documentation listed on the Notice of Job Opportunity has been provided by the Applicant, and (d) the Applicant passes any pre-employment testing as described in Section VI.G below, the Applicant should be included in the Qualified Pool.

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G. Pre-Employment Testing.

HR or the Hiring Department will conduct all required pre-employment testing and will take steps to assure such testing is done in accordance with the following:

1. Typing Tests. All applicants for Non-exempt Positions that include the ability to type as a Minimum Qualification will be required to pass a typing test administered and scored by HR. Such tests will be given prior to the preparation of the Minimally Qualified List, and Applicants who do not meet the established minimum words-per-minute speed and the typing accuracy requirement will not be considered eligible and will not be included on the Minimally Qualified List. In some instances, pre-employment testing may be conducted by the Hiring Department. In such cases, HR will take steps to assure that such tests are administered in accordance with this Employment Plan.
2. Driving Abilities Tests. All Applicants for Non-exempt Positions that include the ability to drive as a Minimum Qualification will be required to produce a current, valid driver's license and proof of insurance confirming their ability to drive. Such confirmation will be required prior to the preparation of the Minimally Qualified List, and Applicants who do not produce the required license will not be considered eligible and will not be included on the Minimally Qualified List. Other motor vehicle testing may occur on site.
3. Consistent Testing. Each pre-employment test will be administered, scored and considered on a consistent basis for each Applicant, and will be given at the same point in the application process.

H. Preparation of the Minimally Qualified List.

The Director of HR or his or her designee will prepare the Minimally Qualified List in accordance with the following:

1. Inclusion in Minimally Qualified List. The Minimally Qualified List will include in alphabetical order the names of all Applicants whom the assigned HR staff members have determined meet the Minimum Qualifications for the Position. The Director of HR or his or her designee may not add or delete the name of any other Internal or External Applicant or person to the Minimally Qualified List unless (a) he or she determines that a name has been added or deleted due to a prior error in reviewing an Applicant's qualifications, or (b) the Compliance Monitor finds that the Applicant was included on or excluded from the Minimally Qualified List as a result of an Unlawful Political Contact or Unlawful Political Discrimination, in which case the Director of HR will add or delete the name, as applicable, and immediately report the matter to the Compliance Monitor.
2. No HR Contact Concerning Minimally Qualified List. No HR staff member, including, but not limited to, the Director of HR or his or her designee, may contact any Applicant, Department Head, Employee or any other individual for the purpose of influencing or affecting the status of any application or Applicant, including, but

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not limited to, providing or soliciting information concerning the Applicant's qualifications, credentials or other eligibility factors, except as specifically provided in this Employment Plan.

3. No Contacting HR Concerning Applicant Qualifications. No Applicant, Supervisor, Department Head or his or her designee, Employee or any other individual may contact any HR staff member for the purpose of influencing or affecting the status of any application or Applicant, including, but not limited to, providing or soliciting information concerning the Applicant's qualifications, credentials or other eligibility factors, except as specifically provided in this Employment Plan.

4. Reposting. If no Applicant is deemed Minimally Qualified, and the District still wishes to fill the Position, the Position will be reposted, provided the record for the previous Notice of Job Opportunity has been documented to confirm that no Applicant was deemed Minimally Qualified.

I. Forming a Smaller Pool from the Minimally Qualified List.

HR may form a smaller pool from which to form the Interview List from the names on the Minimally Qualified List through the use of (1) additional Screening Criteria to rank Applicants based on the preferred qualifications, or (2) a computer-based randomization program, provided that no fewer than five names per vacant Position be included in the pool. The Compliance Monitor will be notified at least 24 hours in advance of any randomization of the names on the Minimally Qualified List and given the opportunity to monitor the randomization.

J. Interview List.

The Interview List will consist of the names on the Minimally Qualified List or the names contained in a smaller pool from the Minimally Qualified List created in accordance with Section VI.I above.

K. Interview of Candidates.

The following will apply to the interview of Candidates for Non-exempt Positions:

1. Scheduling of Interviews. HR will schedule interviews of all Candidates listed on the Interview List. No Employee may participate in or observe an interview without first receiving interview training described in this Employment Plan.

2. Notification. At least forty-eight hours prior to any interview, the Compliance Monitor will be notified in writing of the time and place of each interview for a Non-exempt Position. The Compliance Monitor may be present to monitor any interview for a Non-exempt Position.

3. Interviewers. The Department Head or his or her designee will select at least two Employees from the Hiring Department who are familiar with the job duties and Minimum Qualifications of the Non-exempt Position being filled and who are in supervisory Positions, to participate in the interview. The Director of HR or his or her

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designee shall observe the interview. For consistency, the same designated interviewers shall interview each Candidate on the Interview List for that Position.

4. Interview Questions. The Hiring Department, in consultation with HR, will develop a written list of interview questions for each Non-exempt Position, which will be approved by the Director of HR prior to implementation. All questions will be based on and relate to the specific job duties and Minimum Qualifications of the Non-exempt Position as contained in the Job Description and Notice of Job Opportunity and will be designed to assess the Candidate's job-related qualifications, skills and suitability for employment. All questions will be considered and treated as confidential, and they may not be disclosed to anyone other than the Director of HR or his or her designee and the Compliance Monitor prior to the interviews. The interview questions may be revised from time to time, with the approval of the Director of HR, in order to account for any changes in the job and to prevent inappropriate sharing of questions and answers among Candidates. The questions will be used to evaluate Candidates in accordance with the Interview Rating Form. All Candidates interviewed for the same Non-exempt Position will be asked to respond to at least five of the same pre-approved interview questions. Additional and follow-up questions are permitted, provided they are related to information elicited during the interview process.

5. Acceptable Factors for Interview Questions. The interview may also include questions that establish, at a minimum, the Candidate's (a) willingness and ability to do the job, (b) availability for work hours (c) willingness to work at the location where the job is located, (d) prior job performance (if objectively verified and deemed credible by the interviewers), (e) knowledge and understanding of the Position, (f) results on any applicable test, and (g) relative qualifications for the Position as compared with other Candidates. None of the above factors will be considered determinative or mandatory, and interviewers will determine what, if any, weight is to be given to each factor.

6. Conflict of Interest. In the event any interviewer becomes aware that he or she has a Conflict of Interest prior to or during any interview, the interviewer will, as soon as possible, notify the Director of HR or his or her designee, the Compliance Monitor and the other interviewers, that a Conflict of Interest exists and that a substitution is needed. In the event any interviewer becomes aware that any other interviewer has a Conflict of Interest prior to or during any interview, he or she will advise the Director of HR or his or her designee, who will determine whether a Conflict of Interest exists. If a Conflict of Interest is determined to exist, the conflicted interviewer will be removed from the interview panel and will not participate in the interview or the selection process for that Position. A substitute panel member approved by the Director of HR or his or her designee will be contacted to replace the conflicted panel member. If no substitute is available, the interview

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will be rescheduled or may proceed if there are at least two remaining interviewers. The substitute interviewer will assume the conflicted interviewer's duties (asking questions, completing the Interviewer Rating Form, etc.). If a Conflict of Interest is discovered after an interview, the Compliance Monitor must be notified and he or she will make the determination of whether fairness requires a second interview panel be convened.

7. Interview Rating Form. Each interviewer will independently and personally complete and sign an Interview Rating Form for each Candidate at the conclusion of the interview. Any notes taken at the time of the interview will be attached to the Interview Rating Form. The interviewer will identify whether he or she has concluded that the Candidate is recommended and deserving of further consideration or not recommended and to be eliminated from consideration, as well as the reasons for his or her conclusions on the Interview Rating Form. The Interview Rating Form will also include a rating or score that is to be used later in the selection process. No person may alter, add to or delete from any Interview Rating Form other than the interviewer who completes and signs the Interview Rating Form. The Director of HR or his or her designee shall collect all of the completed Interview Rating Forms at the end of each interview.

8. Additional Interviews. If no interviewed Candidate receives a combined average score of at least three (3), HR will contact the Department Head and send him or her a memo indicating that a further round of interviews must be conducted. If more than five individuals per vacant Position remain on the Interview List, a new Interview List may be compiled from the remaining Candidates on the Interview List, pursuant to the procedure found in Section VI.I above.

9. Reposting. If all Candidates on the original and any subsequent Interview Lists have been interviewed and none have received a combined average rating score of at least three (3), the Position will be reposted, provided the record for the previous Notice of Job Opportunity has been reviewed and documented to confirm that no Applicant was found eligible.

L. Candidate Selection Procedure

1. The Director of HR or his or her designee will calculate the average rating score for each interviewee using the rating forms filled out by the interviewers in the hiring department.

2. A list will be compiled by the Director of HR or his or her designee that ranks the interviewees based on their average rating scores.

3. The interviewee with the highest rating is considered to be tentatively selected for a Position. If more than one Position is to be filled, the candidates are

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considered to be tentatively selected for those Positions in the order of their average rating score.

4. If two or more Candidates have the same highest rating or the same lower rating if more than one Position is to be filled and the applicable CBA does not require selection based on seniority, the Candidates will be selected based on their social security number. Each year HR will hold a drawing of four numbers that will determine the baseline for selection based on social security number. Of the tied Candidates, the one whose social security number matches or is the closest number over the first drawn number will be the Candidate who is tentatively selected. If the tie persists, a match will be done to the second drawn number and so on until the tie is broken.

M. Final Screening.

HR will conduct a final screening of the Candidate(s) tentatively selected for a Position prior to extending an offer of employment. The final screening will be as follows:

1. Documentation Review. HR will review all materials before extending an offer of employment to any Candidate, and no offer will be extended prior to the receipt of all required documents and supporting materials from the Hiring Department.

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2. Reference Check

a) The Director of HR shall contact, and the Compliance Monitor may monitor, the contact of at least one professional reference (preferably the most recent employer) listed on the application of selected Candidates who are External Applicants in order to verify the accuracy of information contained on the application. Any Candidate who the Director of HR confirms has provided misleading, incomplete or incorrect information as to a material matter on his or her application will be considered ineligible for hire and will not be extended an offer of employment. The Director of HR will document for the file the basis of his or her finding of ineligibility and notify the Department Head and the Compliance Monitor that the selected Candidate is not eligible.

b) The Director of HR shall review, and the Compliance Monitor may monitor the review of the personnel files of all selected Candidates who are Internal Applicants and selected Candidates who indicate they were formerly employed by the District. Any such Candidate who has been subject to discipline consisting of: (a) three verbal warnings; (b) two written warnings; (c) a suspension; or (d) termination during the twelve (12)-month period prior to his or her application for a Position will not be considered eligible for the Position and will not be extended an offer of employment. The Director of HR will document for the file the basis of his or her finding of ineligibility and notify the Department Head and the Compliance Monitor that the selected Candidate is not eligible.

3. Drug Testing and Fingerprinting.

a) Fingerprinting. Selected Candidates who have not already submitted to electronic fingerprinting for the District, will be required to undergo fingerprinting prior to employment.

b) Drug Testing. Selected External Candidates, for all positions identified in the Human Resources Policy and Procedure Manual as requiring drug testing, must undergo a drug test prior to employment with the District. The list of Positions requiring drug testing will be prepared and maintained by Human Resources and audited by the Inspector General or their designee.

4. Background Check. HR shall conduct, and the Compliance Monitor may monitor, an investigation to determine whether any selected Candidate has been convicted of a felony or a misdemeanor that impacts his or her suitability for the Position. Any Candidate whose record so indicates will be considered ineligible and

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will not be offered employment. Any selected Candidate who has not disclosed a conviction on his or her application and is later deemed to have a conviction will not be offered employment.

5. Candidate Selection. HR will prepare and submit a Candidate Selection Form for signature by the Department Head, Director of Budget, the Director of HR, and General Superintendent or their designee. The Candidate Selection Form will include the name(s) of the selected Candidate(s), starting work location, starting work date, and the proposed salary.

N. Offers of Employment.

Following the successful final screening, HR will extend employment offers in accordance with the following:

1. Extension of Offer. After receipt of the fully executed Candidate Selection Form, HR will extend a conditional offer of employment (subject to reference verification, background check, and drug test) to the selected Candidate(s). All offers of employment will be made by phone and/or in writing. If offers of employment are made by phone, HR staff will document the dates on which offers were made.

2. Unaccepted Offer. If a selected Candidate does not accept the offer of employment, the next highest ranked Candidate, and if necessary, the next ranked Candidate(s), in rank-order, will be finally screened pursuant to Section VI.M above and, if successful, will be offered conditional employment and so on until acceptance or exhaustion of the ranked candidates list.

3. No Acceptance. If no Candidate with a combined average rating score of three (3) or above accepts the offer of employment, (a) the District shall first follow the procedures outlined in Section VI.J for creating a new Interview List and (b) then, if there are no Candidates remaining who can continue with the General Hiring Process under this Section VI, the Position shall be reposted.

O. Contingent Offers.

In emergency circumstances, the District may extend a contingent offer of employment prior to the screening required under Section VI.M.3-4 This employment offer will be contingent on satisfactory results in drug testing, fingerprinting, and any background checks. The Candidate will be advised that his or her continued employment is contingent on the receipt of satisfactory results of such test, and that he or she will be subject to immediate termination if and when an unsatisfactory test result is received.

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VI. EXCEPTIONS TO THE GENERAL HIRING PROCESS

The following limited exceptions apply to the General Hiring Process as laid out in Section VI above:

A. Exempt Positions.

The District may consider Political Reasons or Factors in taking any Employment Action relating to any individual applying for or holding an Exempt Position. This exception does not apply to any Position that is not included on the Exempt List. The District may not consider any illegal factors in taking any Employment Action relating to an individual holding or apply for an Exempt Position.

1. Selection Process. There is no specific selection process required for Positions covered by this section. The Hiring Department and/or the Employee holding an Exempt Position to which the prospective Employee is to be assigned, however, may take into account Political Reasons or Factors when evaluating or selecting a Candidate. Additionally, prior to appointment, the Department Head of the Hiring Department must certify that the requested Position will be utilized as represented in the Position's Job Description.
2. Placement of Exempt Employees. The Director of HR will take steps to verify that each individual who is placed in an Exempt Position possesses the Minimum Qualifications of the Position as contained in the Job Description.
3. Changes to the Exempt List. The District may from time to time add Positions to or delete Positions from the Exempt List. Such changes will be made as follows:
 - a) The General Superintendent or his or her designee will direct that written notice of the proposed addition to or deletion from the Exempt List be provided to the OIG, Compliance Monitor and the Director of HR, along with supporting documentation including but not limited to (i) the identity of the Exempt Position (including a copy of the current Job Description for the Position) and (ii) a description of the basis on which the Position should be designated as an Exempt Position. The OIG, the Compliance Monitor and the Director of HR will respond with their respective approval or denial (including the reasons for the denial or approval) within 30 days. The OIG shall maintain copies of all approvals and denials of approval provided by the Director of HR and the Compliance Monitor.
 - b) The General Superintendent or his or her designee shall take into account (i) the opinions of the Compliance Monitor and the Director of HR and (ii) applicable case law and make the determination about whether a Position should be considered an Exempt Position.

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4. Posting of Exempt List. The Exempt List, with the names of the incumbents, shall be posted on the District's website and in HR, in an area available to public viewing.

B. Senior Managers.

See Section VIII.

C. Department of Law.

See Section IX

D. Seasonal Employees.

The General Hiring Process will be followed for all Seasonal Positions, with the following modification:

1. With respect to any Seasonal Position, Candidates who worked in Seasonal Positions in the immediately preceding year shall be excluded from the interview requirements described in the General Hiring Process, provided, however, that the following requirements are met:

- a) The Seasonal Position must be the same Seasonal Position the Candidate held in the immediately preceding year. The Candidate must meet all Minimum Qualifications for the Position.
- b) The Candidate must have been recommended for rehire on a performance evaluation for the immediately preceding year.
- c) The Candidate must still go through the procedures outlined for Final Screening (Section VI.M) and Offers of Employment (Section VI.N).

2. With respect to Seasonal Positions identified in the Human Resources Policy and Procedure Manual as Section VII(D)(2) positions, the following hiring process shall be used for Candidates who did not work in the same position the immediately preceding year.

- a) The District may extend, on or after pre-determined interview dates, conditional offers to Candidates who are recommended for hire following the completion of an interview.
- b) The District need not wait until all interviews for the position have been completed before making conditional offers to qualified Candidates. With respect to the rolling offer process for Seasonal Positions:

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- i. The Director of HR or their designee will notify the Inspector General or their designee of the District's decision to use the rolling offer procedure for particular seasonal vacancies, and will identify for the Inspector General or their designee at least two interview dates for such vacancies seven days prior to the first proposed interview date for that vacancy;
- ii. Prior to each interview date, the Director of HR or their designee will prepare a minimally qualified list according to the procedures provided under Section VI(H);
- iii. If the Minimally Qualified List contains at least 50 Candidates and HR determines that the number of Candidates needs to be reduced, HR may form the Interview List, which must also contain at least 50 Candidates, by (1) matching available assignment locations with the Candidates' Declared Work Location Preferences, and/or (2) using a computer-based randomization process.
- iv. If HR does not reduce the Minimally Qualified List as described in Section VII(D)(2)(b)(iii), the Minimally Qualified List will function as the Interview List.
- v. All Candidates on the Interview List will be invited to interview prior to the next interview date;
- vi. Following each interview date, the District shall extend conditional offers of employment to all Candidates who received a designation of "Recommended for Hire."
- vii. If the number of qualified Candidates exceeds the number of available positions, the District will select candidates to receive conditional offers by matching available assignment locations with Candidates' Declared Work Location Preferences. Where the number of Candidates who have expressed a preference for a particular work location exceeds the number of available positions at that work location, and it is not otherwise possible to assign Candidates according to their preference, the District will employ a computer-based randomization process to determine which of these Candidates will receive conditional offers. The Inspector General, or their designee, will be notified at least 24 hours in advance of any such randomized selection process.

3. Dual Postings for Lifeguard and Shallow Water Attendant Positions. Notwithstanding the provisions of Section VI.A and VI.E.3, the District may create a dual Notice of Job Opportunity for the Lifeguard and Shallow Water Attendant Positions, which Notice must comply with all the requirements set forth in Section VI.C.2. Applicants who apply in response to the dual Notice of Job Opportunity will

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be considered as Applicants for both the Lifeguard Position and the Shallow Water Attendant Position.

E. Volunteer Workers.

The General Hiring Process does not apply to Volunteer Workers. Instead, the following applies to Volunteer Workers:

1. No Political Considerations. Departments and/or Employees may not take into account Political Reasons or Factors or other illegal considerations in allowing a person to hold a volunteer appointment.
2. Documentation. The Department will provide HR with copies of any documentation concerning the volunteer opportunity including, but not limited to: program descriptions, job descriptions, applications, recommendations, and proposals for the use of a volunteer. This documentation will also be available to the Compliance Monitor upon request.

F. Non-interview Positions.

Certain Positions may not require interviewing. These Positions typically have few standard Minimum Qualifications or have Minimum Qualifications that are best evaluated through testing rather than interviews. The list of Positions where interviews are not required will be prepared and maintained by HR, and may be audited by the Inspector General, or their designee. The General Hiring Process still applies to Positions that do not require interviewing, with the exception of Sections V.F-L. Additionally, the following provisions will be in effect:

1. Minimum Qualification Screening and Certification. HR will verify that Applicants meet the predetermined Minimum Qualifications for the Position. If there are no additional criteria, all minimally qualified Candidates shall be included on the Minimally Qualified List, which will be created in random order by HR, unless otherwise required by the applicable terms of a CBA. If additional criteria are applied, HR shall include Candidates on the list of Candidates to be tested or selected based on the Candidates' match to the additional criteria, unless otherwise required by the applicable terms of a CBA.
2. Testing. If testing is to be done for the Position, HR shall determine the number of Candidates that shall proceed to the testing phase based on the number of vacancies to be filled. HR shall work with the Hiring Department to schedule testing of those Candidates in the order they appear on the list described in Section VII.F.1 above, unless otherwise required by the applicable terms of a CBA.
3. Determination of Eligible Candidates. If the test is a pass/fail test, HR shall remove those Candidates who have not passed the test from the Minimally Qualified List. Those Candidates remaining on the list shall be the new Minimally Qualified List.
4. Offers to Eligible Candidates Taking Pass/Fail Tests. As Positions using a pass/fail test become available for hire, unless otherwise required by the terms of a

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CBA, offers of employment shall be made to the Candidates in the order they appear on the randomized Minimally Qualified List. With respect to Section VII(D)(2) positions, the District will extend conditional offers of employment to all minimally qualified candidates following each test administration. If the number of qualified candidates exceeds the number of available positions, candidates shall be selected in accordance with the process set forth in Section VII(D)(2)(b)(vii), unless otherwise required by the terms of a CBA. Candidates selected for hire for Lifeguard positions may be removed from consideration for vacant Shallow Water Attendant positions.

5. Minimally Qualified List from Rank-Ordered Tests. For Positions using a rank-ordered test, HR shall remove any Candidates whose test scores do not meet the requisite threshold, if applicable, and will prepare the new Minimally Qualified List in descending rank order.

6. Offers to Ranked Candidates. As Positions using a rank-ordered test become available for hire, offers of employment shall be made to Candidates in the order in which they appear on the Qualified List described in Section VII.F.5 above, unless otherwise required by the terms of a CBA.

7. Lifetime of Minimally Qualified List. Candidates shall remain on the Minimally Qualified List as long as their applications have not been withdrawn but not to exceed twelve (12) months from the date of the application, unless otherwise required by the terms of a CBA. The Director of HR may extend the lifetime of a Minimally Qualified List for one (1) additional twelve (12) month period. However, the Minimally Qualified List shall be retired and thus considered inactive when a new Minimally Qualified List for the same Position is created as described in Section VII.F.1. Section VII.F.3, Section VII.F.5.

8. Certification. The person who administers any of the tests listed in Section VII.F must certify that all testing processes were followed.

G. Recall, Reemployment, and Reinstatement Candidates.

Any individual who is entitled to transfer or reinstatement under a CBA may be given hiring preference as provided in the applicable CBA. Such transfer or reinstatement cannot be based on any Political Reasons or Factors.

H. Reclassifications.

The reclassification of any Position will not require the submission of a NOV, and the incumbent in such reclassified Position may continue to be employed in the Position provided he or she possesses the Minimum Qualifications of the reclassified Position. Such reclassification cannot be based on any Political Reasons or Factors.

I. Probationary Employees.

Pursuant and subject to any applicable CBA, the District can terminate probationary Employees at will. Such termination cannot be based on any Political Reasons or Factors.

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J. Settlements and Awards.

The District may comply with any judgment, negotiated settlement of a claim, complaint, or arbitral award that requires the District to take an Employment Action with respect to a specific individual or individuals which would otherwise be contrary to the requirements of this Employment Plan.

VII. **GENERAL HIRING PROCESS APPLICABLE TO SENIOR MANAGERS**

Senior Manager Positions are those Positions that have significant managerial responsibilities such as management of three or more subordinates, authority to initiate Employment Actions as to each subordinate are not covered under any CBA, are exempt from career service, are at-will, and are not Exempt Positions. The nature of the Senior Manager Position makes discretion and flexibility in hiring justifiable in order to build an accountable and qualified management team. Political Reasons or Factors shall not be considered in the employment of any Employee holding a Senior Manager Position. The Hiring Department must not take into account Political Reasons or Factors when evaluating or selecting a Candidate. Additionally, prior to appointment, the Department Head of the Hiring Department must certify that the requested Position will be utilized as represented in the Position's Job Description.

The following will apply with respect to the hiring and employment of Senior Managers:

A. The Senior Manager List.

The initial Senior Manager List is attached as Exhibit VII.A.

1. Posting the Senior Manager List. The District will post and maintain a current Senior Manager List in the HR office and on the District's website in accordance with the following:

a) Contents of the Senior Manager List. The contents of the Senior Managers List shall include: (a) the name of the Department to which the Senior Manager Position is assigned and in which the individual holding the Senior Manager Position works, (b) the job title, and (c) the incumbent's name. The District will provide a copy of the current Senior Manager List to individuals upon written request either in person or via e-mail if so requested.

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b) Changes to the Senior Manager List. The Senior Manager List may be changed by adding or removing Positions from the list, at the request of the General Superintendent or any Department Head seeking to remove or add a Senior Manager designation to a Position within his or her Department. The request of will be reviewed by the Director of HR and the Compliance Monitor to determine if the Position meets the requirements of Section VIII.. If both the Director of HR and the Compliance Monitor agree the Position should be added to the list, the request will be granted and the Position will be added to the Senior Manager List. If the Director of HR and the Compliance Monitor cannot agree, or they both agree that the Position should not be added to the list, the Department Head may appeal to the General Superintendent. The General Superintendent may choose to grant the appeal or otherwise add the Position to the Senior Manager List, but he or she must first consider in good faith the decisions of the Director of HR and the Compliance Monitor.

B. Job Descriptions.

An accurate and detailed Job Description for every Senior Manager Position must be on file with HR prior to implementation of this Senior Manager Process. Prior to filling any Senior Manager Position, a current, accurate and detailed Job Description for the Position must be approved and posted with the Senior Manager List pursuant to Section VIII.A.1 above. The Job Description must accurately reflect the Position's actual job duties and responsibilities and must include the Minimum Qualifications and, if applicable, any preferred qualifications, skills or experience for the Position.

C. Selection Process for Senior Managers.

Applicants will be selected to fill Senior Manager Positions in accordance with the following:

1. Recruitment. HR and/or the Hiring Department may recruit in the same manner as outlined in the General Hiring Process' Section VI. Notices of Job Opportunity must be posted at a minimum as provided in Section VI.D. HR and the Hiring Department may also recruit Applicants using any other method, so long as it is with the good faith intention of increasing the pool of well qualified Applicants and is not motivated by any Political Reason or Factor. HR or the Hiring Department should notify the Compliance Monitor of any recruitment methods not found in Section VI that HR or the Hiring Department deigns to use, and such methods will be subject to review by the Compliance Monitor.
2. Minimum Qualifications. HR will verify that all Applicants meet the predetermined Minimum Qualifications for the Position.
3. Referral of Minimally Qualified Applicants. HR shall refer all Applicants who meet the predefined Minimum Qualifications for the Position to the Hiring Department. The Hiring Department may forward an application to HR, and if HR determines such Applicant meets the Minimum Qualifications for the Position, HR shall add the Candidate to the list.

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4. Optional Screening. The Hiring Department may elect to have HR refer Candidates to the Hiring Department in rank-order based on the Candidates' relative match to the Screening Criteria if any exist. If Screening Criteria do not exist, the Hiring Department may elect to work with HR to create them for the purpose of utilizing this option.
5. Interview Selection. The Hiring Department shall review the submissions and may schedule and conduct interviews for the Position for those Candidates meeting the Minimum Qualifications, if any, who, in the sole discretion of the Hiring Department, should be interviewed. The Hiring Department shall forward HR and the Compliance Monitor a list of those Candidates who will be offered an interview at least four (4) days before the first interview. The Compliance Monitor may attend any interview. The Hiring Department may begin interviewing such Candidates upon expiration of the four day notice period and receipt of the Candidates' documents from HR and need not wait for the expiration of the applicable advertising period, if any, before initiating interviews.
6. Rejection of All Candidates. The Hiring Department may reject all Candidates forwarded by HR with or without conducting interviews. The Hiring Department must submit a justification for the decision to reject all Candidates to the Director of HR, who shall promptly provide the justification to the Compliance Monitor. If all Candidates are rejected by the Hiring Department, HR shall purge the applications, post the Notice of Job Opportunity again, as well as any other advertisements and recruiting will continue.
7. Interviews. Interviews will be conducted by at least two interviewers familiar with the Position they are interviewing for. All Candidates for the same Senior Manager Position shall be asked at least five (5) of the same questions in the interview. Additional questions are allowed to clarify answers or obtain more detailed answers. Immediately after each interview, all interviewers must independently and without collaboration fill out an evaluation of the Candidate. Interviews with at least three (3) more Candidates than there are available Senior Manager Positions must be held prior to the interviewers forwarding their evaluations to the Department Head of the Hiring Department.
8. Final Selection. The Department Head of the Hiring Department will make the final decision as to which Candidate, if any, will be hired. The Department Head may choose to also interview any or all Candidates himself or herself prior to making his or her decision, but at least one other Employee must be present for such interviews and HR and the Compliance Monitor should be notified of the interview(s). The Compliance Monitor may monitor the interview(s). Upon making his or her decision, the Department Head must provide the rationale for his or her decision making process in writing and submit it to HR.
9. Final Screening. After the Department Head makes his or her decision, but prior to extending an offer of employment to the successful Candidate, the

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Candidate will be subjected to final screening. This final screening will follow the procedure set forth in the General Hiring Process's Section VI.M.1-5

10. Offers of Employment. HR will extend offers of employment in accordance with Section VI.N.

VIII. GENERAL HIRING PROCESS APPLICABLE TO DEPARTMENT OF LAW

A. Applicability.

This Section IX will apply to specified Non-Exempt Positions within the District's Department of Law. Such Positions will be listed on the District's website and Job Descriptions of the Positions will be on file with HR. There is no specific selection process required for Positions covered by this section. The Law Department, however, must not take into account Political Reasons or Factors when evaluating or selecting a Candidate. Additionally, prior to appointment, the General Counsel must certify that the requested Position will be utilized as represented in the Position's Job Description.

B. Recruitment.

The Department of Law may recruit in the same manner as outlined in the General Hiring Process Section VI and Section VI.D Notices of Job Opportunity must be posted at a minimum as provided in Section VI and Section VI.D. The Department of Law may also recruit Applicants using any other method, so long as it is with the good faith intention of increasing the pool of well qualified Applicants and is not motivated by any Political Reason or Factor.

C. Minimum Qualifications.

HR will verify that all Applicants meet the predetermined Minimum Qualifications for the Position.

D. Referral of Minimally Qualified Applicants.

HR shall refer all Applicants who meet the predefined Minimum Qualifications for the Position to the Department of Law.

E. Optional Screening.

The Department of Law may elect to have HR refer Candidates to the Department of Law based on the Candidates' relative match to the Screening Criteria if any exist. If Screening Criteria do not exist, the Department of Law may elect to work with HR to create them for the purpose of utilizing this option.

F. Interview Selection.

The Department of Law shall review the submissions and may schedule and conduct interviews for the Position for those Candidates meeting the Minimum Qualifications if any, who, in the sole discretion of the Department of Law, should be interviewed. The Department of Law shall forward HR and the Compliance Monitor a list of those Candidates who will be offered an interview at least four (4) days before the first interview. The Compliance Monitor may attend any interview. The Department of Law may begin interviewing such Candidates upon receipt of the Candidates' documents from HR and need not wait for the expiration of the applicable advertising period, if any, before initiating interviews.

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G. Rejection of All Candidates.

The Department of Law may reject all Candidates forwarded by HR with or without conducting interviews. The Department of Law must submit a justification for the decision to reject all Candidates to the Director of HR, who shall promptly provide the justification to the Compliance Monitor. If all Candidates are rejected by the Department of Law and the Department still wishes to hire for the Position, HR shall purge the applications and post the Notice of Job Opportunity again, as well as any other advertisements, and recruiting will continue.

H. Interviews.

Interviews will be conducted by at least two interviewers familiar with the Position they are interviewing for. All Candidates for the same Position shall be asked at least five (5) of the same questions in the interview. Additional questions are allowed to clarify answers or obtain more detailed answers. Immediately after each interview, all interviewers must independently and without collaboration fill out an evaluation of the Candidate. Interviews with at least three (3) more Candidates than there are available Positions must be held prior to the interviewers forwarding their evaluations to General Counsel.

I. Final Selection.

General Counsel will make the final decision as to which Candidate, if any, will be hired. General Counsel may also choose to interview any or all Candidates himself or herself prior to making his or her decision, but at least one other Employee must be present for such interviews and HR and Compliance Monitor should be notified in advance of the interview(s). The Compliance Monitor may monitor the interview(s). Upon making his or her decision, General Counsel must provide the rationale for his or her decision making process in writing and submit it to HR.

J. Final Screening.

After the General Counsel makes his or her decision, but prior to tendering an offer of employment to the successful Candidate, the Candidate will be subjected to final screening. This final screening will follow the procedure set forth in the General Hiring Process' Section VI.M.1-5

K. Offers of Employment.

HR will extend offers of employment in accordance with Section VI.N

IX. OTHER EMPLOYMENT ACTIONS

A. Policy.

Other Employment Actions not detailed in this Employment Plan, including those listed below, shall not require the posting of Notices of Job Opportunities or screening requirements described in Section VI above, unless otherwise required by the terms of a CBA. The District, however, shall not take into account Political Reasons or Factors or other illegal considerations in relation to Other Employment Actions. Individuals employed under any such Other Employment Action, including those listed below, must meet all Minimum Qualifications for the Positions in order to be given priority for hire over general Applicants. The Compliance Monitor shall be provided notice of the name, Position, and particular action for any person hired under any of the Other Employment Actions and shall monitor and audit these actions as it deems necessary to ensure compliance with

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this Hiring Plan. The applicable District policies and procedures shall not be contrary to the goals and principles set forth in Section IV of this Employment Plan.

B. List of Other Employment Actions.

The following Employment Actions, and any others omitted from the list are included in this Section X:

- Assignments
- Terminations
- Layoffs
- Reinstatement
- Duty Disability
- Light/Restricted Duty
- Transfers
- Demotions
- Reclassifications
- Promotions
- Affirmative Action Plans
- Veterans Preference

X. COMPLIANCE MONITOR

In furtherance of the District's commitment to compliance, the District will appoint a Compliance Monitor whose employment will be subject to the following terms and conditions:

A. Primary Responsibilities.

The Compliance Monitor's responsibilities will include, but not be limited to, performing the duties and responsibilities described in this Employment Plan and taking appropriate steps to eliminate, remedy and report instances of Unlawful Political Contacts and Unlawful Political Discrimination, including the development, recommendation and implementation of necessary policy and operating changes. The Compliance Monitor will also be authorized to (a) receive and investigate complaints of alleged violations of this Employment Plan (b) investigate Political Contacts (c) forward complaints and investigation results to the OIG, (d) conduct training, (e) monitor interviews, (f) audit Employment Plan compliance, and (g) receive reports and logs of Political Contacts on employment matters from Department Heads and Employees. The Compliance Monitor will also be responsible for the update, maintenance and posting of the Exempt and Senior Manager Lists and the list of Department of Law Positions subject to the Department of Law hiring process.

B. Access to Hiring Processes and Personnel.

The District will provide the Compliance Monitor with unrestricted access to the District's employment processes for Non-exempt Positions and all District personnel. The Compliance Monitor shall monitor, investigate and report on compliance with this Employment Plan at any time and in his or her sole discretion.

C. Cooperation with Compliance Monitor.

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Employees will cooperate in the Compliance Monitor's investigation of any complaints related to alleged violations of this Employment Plan, including, but not limited to, any allegation of Unlawful Political Discrimination and Unlawful Political Contacts.

D. Reporting by Compliance Monitor.

The Compliance Monitor will prepare written quarterly reports detailing all complaints received, monitored, or investigated by him or her during the preceding three-month period and will submit such reports to the General Superintendent. The reports will include, but not be limited to, (a) a description of all complaints, including a copy of any written complaint; (b) the status of any investigation as of the report date, including a copy of any written report; (c) recommendations for correction of any unlawful conduct or non-compliance described in the report.

E. Employee Cooperation.

All Employees must cooperate with the Compliance Monitor at all times, and their failure to do so could give rise to disciplinary action, up to and including termination of their employment.

XI. REVIEWS AND AUDITS OF HIRING DATA

The Compliance Monitor shall perform quarterly reviews and audits of data regarding the hiring processes. For the purpose of this section:

Review means a check of all relevant documentation and data concerning a matter;

Audit means a check of a random sample or risk-based sample of the documentation and data concerning a hiring element.

A. Quarterly Reviews.

Each quarter Compliance Monitor shall conduct the following reviews:

1. Contacts by Hiring Departments. Review of all reported or discovered instances where hiring departments contacted DHR to lobby for or advocate on behalf of actual or potential Applicants or Bidders for Covered Positions or to request that specific individuals be added to any referral or eligibility list except as permitted in this Employment Plan.
2. Exemptions. Review of adherence to exemption requirements and Exempt Lists and propriety of Exempt List modifications.
3. Senior Manager Hires. Review of hires using the Senior Manager Hiring Process.
4. Written rationale. Review of any written rationale when no consensus selection was reached during a Consensus Meeting.
5. Emergency Appointments. Review of circumstances and written justifications for any emergency hires made pursuant to the Personnel Rules and of the Chicago Park District Code.

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B. Quarterly Audits.

Each quarter the Compliance Monitor shall conduct audits of the following matters to ensure compliance with the hiring process:

1. Notice of Job Opportunities. Modifications to Minimum Qualifications and Screening and Hiring Criteria and Modifications of Class Specifications, Minimum Qualifications, or Screening and Hiring Criteria.
2. Qualified Applicant Lists. The lists of Applicants/Bidders who meet the predetermined minimum qualifications for the Position that are generated by DHR.
3. Testing. Test administration and scoring.
4. Hiring Sequences. 20% of all full time employees hired for a position expected to last more than one year and 5% of all part time or seasonal hires in the last quarter.
5. Hiring Certifications. The required certifications attesting that no Political Reasons or Factors or other improper considerations were taken into account in the applicable action.
6. Arbitrations and Grievances. All arbitration and grievances involving hiring, promotions, or transfers or involving allegations of unlawful political discrimination completed in the last quarter.

XII. IMPLEMENTATION

All outside consultants and any Employees actively participating in any stage of the selection process for any Position will receive a copy of this Employment Plan and will sign a form acknowledging that the individual has received and read this Employment Plan. All Department Heads shall receive a copy of this Employment Plan and will sign a form acknowledging that he or she has received and read this Employment Plan.

XIII. CONCLUSION

The District is committed to continuing its practices of being an equal opportunity employer, hiring qualified candidates, and the prohibition of Unlawful Political Discrimination with respect to all Employment Actions. This Employment Plan is intended to create transparent and workable new processes and procedures that meet the business needs of the District and comply with legal requirements. It is not possible to anticipate and address every situation that may give rise to Unlawful Political Contact or Unlawful Political Discrimination, and the District is prepared to comply with the spirit of the law to meet those situations in the future.