

CHICAGO PARK DISTRICT
OFFICE OF INSPECTOR GENERAL

ALISON R. PERONA, INTERIM INSPECTOR GENERAL



OIG SECOND QUARTER
2022 REPORT

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Office Overview

Mission

Pursuant to Chapter 2, Section D of the Chicago Park District Code, the OIG is charged with:

- Investigating allegations of fraud, waste, and abuse or misconduct by Chicago Park District employees, members of the Board of Commissioners, contractors, agents, and volunteers; and
- Monitoring the Park District's compliance with the Employment Plan's rules governing hiring and other employment actions.

Also in accordance with the Park District Code, the OIG conducts District-wide internal audits to assess integrity of financial reporting systems, the effectiveness of internal controls, and the efficiency of established procedures. While working to fulfill its legal mandate, the OIG partners with law-enforcement agencies, when appropriate, to ensure that serious criminal misconduct that is uncovered during the OIG's administrative investigations is investigated and prosecuted.

Budget

In FY 2022, the OIG's adopted budget is \$899,421.

Personnel

As of June 30, 2022, the OIG was staffed as follows: an Interim Inspector General, Director of Audit, Assistant Compliance Officer, two full-time auditors, one part-time investigator, and two part-time contractual investigators. The OIG also receives regular support from law enforcement personnel.

The approved 2022 budget will enable the OIG to add two full-time investigators and an administrative assistant to the staff.

Training and Investigation Standards

Each employee of the OIG is a member of the Association of Inspectors General, a national organization of state, local, and federal Inspectors General and their staffs. Participation in the AIG offers employees continuing training in best practices related to the performance of the Inspector General Mission. The AIG collaborates with Inspector General offices from other state and local agencies to train all staff in a variety of areas related to investigations and audits. The OIG conducts its investigations in accordance with the AIG's Principles and Standards for Offices of Inspector General (which is colloquially known as "The Green Book").

The OIG also abides by generally accepted principles, quality standards, and best practices applicable to federal, state, and local offices of Inspectors General. In addition, the OIG, at all times, exercises due professional care and independent, impartial judgment when conducting its investigations and issuing its reports and recommendations.

Report Abuse, Fraud, and Waste

Submit a report to the OIG through one of the following options:

- Online: [Click here to submit online complaint](https://ChicagoParkDistrict.i-Sight.com/External/Case/New) or visit:
<https://ChicagoParkDistrict.i-Sight.com/External/Case/New>
- By telephone: (312) 742-3333 (Confidential Hotline)
- In writing:

Chicago Park District
Office of Inspector General
740 North Sedgwick Avenue
Suite #300
Chicago, IL 60654

Investigations

AN EMPLOYEE REPORTED SEXUAL HARASSMENT BUT THE ASSIGNED HUMAN RESOURCES MANAGER FAILED TO INVESTIGATE THE COMPLAINT

In June 2021, a supervisor notified the designated Human Resources (HR) manager that an employee told him that she had been sexually harassed by a co-worker. As part of the job duties, the HR manager was responsible for investigating sexual harassment allegations for the Park District.

In January 2022, HR determined that the complaint had been received but had not been investigated. In February, 2022, the complaint was forwarded to the OIG for investigation. Working with HR, the OIG confirmed that the HR manager had not investigated the allegation.

The OIG interviewed the complainant. She related that, in June 2021, she and a co-worker were eating lunch in a Park District facility. He began a conversation with her about her dating experiences and then attempted to show her a sex video on his phone. She related that she moved away, but he followed her and kept trying to talk to her. She added that another female employee entered the room at this point, and the male co-worker attempted to engage this employee in a similar conversation.

Both the male co-worker and the HR manager left the employment of the Park District in the latter half of 2021.

Based on information and evidence obtained during this investigation, the OIG found that the complainant made a prompt, credible report of sexual harassment. The OIG also found that the former HR manager took no action after receiving the complaint. Both allegations are sustained.

The OIG recommended that both the former HR manager and former co-worker be designated as “Do Not Rehire.” Management agreed to these recommendations.

Management also agreed with the OIG’s recommendations that the findings be shared with the future Director of the Office of Protection and Accountability as a case study to provide historical background, context, and a guideline/model for future investigations.

AN EMPLOYEE ALLEGED AN IMPROPER TOUCH AND SUBSEQUENT RETALIATION FOR REPORTING

An employee reported that, in 2019, a male co-worker improperly touched her chest. She reported the incident the following day to her supervisor. Together, they contacted their manager who stated that he would get back to them with advice on how to proceed with the complaint. The complainant reported that she did not hear back from the manager. The complainant acknowledged that she did not follow up on the complaint in 2019.

In 2020, the complainant discovered that she and several of her co-workers were being assigned to a new work location. She requested a transfer, which was denied. She did not follow up on the 2019 assault allegation in 2020.

In May-June of 2021, the complainant was again assigned to the 2020 job site. Her request for transfer was again denied. She then reported the incident and retaliation allegations to the OIG.

The OIG interviewed the complainant's supervisor who confirmed that the complainant informed her of the assault in 2019 and that she immediately reported it to her manager. The supervisor indicated that the manager contacted her the next day and directed her to have the employee file a written complaint with HR regarding the matter. The supervisor stated that she relayed this information to the complainant, but the complainant declined to file a formal complaint. The supervisor indicated that she did not follow up on the matter because she believed that HR was handling it.

The OIG located a former employee that the complainant indicated was an eyewitness to the assault. The former employee denied that she witnessed the incident but indicated that she had been told about it by the complainant. She stated that she did not want to get involved and did not respond to numerous requests by the OIG for follow-up information.

The accused abuser was interviewed. He denied touching the complainant. He stated that he first learned of this accusation in 2021.

The manager was interviewed and denied being told about the complainant's allegation until 2021 when the complainant contacted him about a transfer. He denied that either the complainant or her supervisor contacted him about the allegation in 2019, contrary to the statements of both the complainant and the supervisor.

The OIG found that there was credible evidence to substantiate the allegation that the manager failed to report the touching/harassment allegation, as required by Chicago Park District Code and policy. Although the manager repeatedly denied being informed of the allegation until 2021, the credible consistent statements of the complainant and the supervisor contradict his statements. There is no evidence that the complainant or the supervisor fabricated their statements about the reporting for personal gain or due to any animus towards the manager.

The OIG recommended that Management take appropriate disciplinary action against the manager for failing to report the complainant's allegation in 2019 as required by Park District Code and policy. Management is pursuing disciplinary action against the manager.

The allegation of sexual abuse/improper touching was not sustained. The OIG was unable to locate any witnesses or evidence to corroborate the allegation. The one potential eyewitness denied witnessing the incident. The accused denied improperly touching the complainant.

The OIG recommended the Management consider the complainant's transfer request. Although there is insufficient evidence that her transfer in 2020 was in retaliation for the 2019 assault complaint, there is no documentation supporting the transfer. Management agreed and formally transferred the complainant.

Management also agreed with the OIG's recommendations that the findings be shared with the future Director of the Office of Protection and Accountability as a case study to provide historical background, context, and a guideline/model for future investigations.

A SUPERVISOR FAILED TO REPORT INFORMATION CONCERNING THE POSSIBLE SEXUAL ASSAULT OF AN UNDERAGE EMPLOYEE

On January 28, 2022, the OIG submitted a report to the Board of Commissioners and to Management regarding an investigation into allegations pertaining to the sexual assault of an underage lifeguard. The matter was deemed sustained. (The results of this investigation were reported in the OIG's 2022 First Quarter Report.) The offender was suspended during the investigation and resigned prior to disciplinary action. Based on information learned during this investigation, the OIG initiated an investigation to determine if one or more supervisors had learned of the assault and failed to report it as per the State's Mandated Reporter Act and per Park District Code.

Witness A, an employee, told investigators that he noticed behaviors and interactions between the victim and the offender which led him to believe that they were having a sexual relationship. Witness A related that he confronted the offender about the relationship in the presence of a supervisor. The offender denied the sexual relationship and claimed that he was the victim's "mentor." The supervisor was present for the entire exchange.

The victim of the sexual assault told OIG investigators that the supervisor approached her in 2018 and asked her about the nature of her relationship with the offender. The victim related that the offender had called her earlier and warned her that the supervisor was going to talk to her about their relationship and told her what to tell the supervisor. The victim stated that, when the supervisor questioned her about her relationship with offender, she told the supervisor what the offender had instructed her to say and denied having a relationship with him.

The victim reported the sexual relationship to HR in the Fall of 2021. HR then referred the matter to the OIG for investigation.

The supervisor was interviewed by the OIG and denied having knowledge of the sexual relationship between the parties. The supervisor also denied speaking to the victim about her relationship with the offender.

Based on the credible statements of Witness A and the victim, the OIG has concluded that it is more likely than not that the supervisor was aware of a possible sexual relationship between the offender and the victim and failed to report it. The allegation is sustained.

The OIG recommends that Management take appropriate disciplinary action against the supervisor for failing to report this matter. Management agreed and has issued a written reprimand to the employee and is requiring the employee to undergo counseling and retraining.

THE OIG DETERMINED THAT A FORMER VOLUNTEER HAD BEEN IN VIOLATION OF CODES AND POLICIES DURING THE VOLUNTEER'S SERVICE

The OIG undertook a review to determine if a former volunteer had violated the Park District's codes of conduct for facilities users and volunteers.

The OIG's investigation determined that, for a number of years, the former volunteer had not complied with the terms and conditions required for the position, including but not limited to, the failure to submit to a background check, the failure to execute liability waivers, and violations of the media policy and rules of civility. The former volunteer had been counseled by Park District staff in an effort to gain compliance, but the former volunteer ignored or rebuffed their requests.

Based on the lengthy history of non-compliance, the OIG strongly recommended that Management disallow the former volunteer from participation in future Park District activities.

Management agreed to the Park District's recommendation and has notified the former volunteer that the volunteer will not be reinstated.

AUDITS

At the close of the Second Quarter of 2022, Audit staff was engaged in six audits and reviews. No matters were finalized during this quarter.

Hiring Compliance Monitoring Activity

The OIG reviews and monitors the Park District's hiring and assignment determinations from the quarter to ensure that the actions comply with the Employment Plan. The OIG reports on its compliance-monitoring activities in each of its quarterly reports.

Review of Exempt List Modifications

The OIG reviews the Park District's adherence to exemption requirements and modifications to the list of job titles and number of positions that are Exempt from the Employment Plan procedures. The following modifications to the Exempt List were approved in the Second Quarter of 2022:

- Positions added to the Exempt List (0)
- Positions removed from the Exempt List (0)

Review of Exempt Management Hires

HR reported seven exempt hires during the First Quarter of 2022:

- Counsel
- General Superintendent and CEO
- Program and Event Coordinator
- Accounts Payable Manager
- Project Coordinator
- Chief of Staff Board of Commissioners

Review of Written Rationales

The OIG reviews written rationales when no consensus selection (no one from the approved candidate pool was selected) was reached during a consensus meeting. HR did not submit any “no consensus” letters during the Second Quarter of 2022. The last “no consensus” letter that the OIG received was in 2015, when the Park District was still under the federal Shakman Decree.

Review of Emergency Appointments

The OIG reviews circumstances and written justifications for any emergency hires made pursuant to the Personnel Rules of the Park District Code.

HR reported no emergency appointments during the Second Quarter of 2022.
HR has never reported an emergency appointment.

Arbitrations and Grievances

The OIG audits all arbitrations and grievances involving hiring, promotions, transfers, or allegations of unlawful political discrimination. The OIG did not receive any notifications from HR of any arbitrations during the Second Quarter of 2022. The OIG learned that there had been four grievances.

Hiring Sequence Audits

The OIG audited a sample of Park District hires in the Second Quarter of 2022 for compliance with the Employment Plan. The audits continue to show that the Park District’s transition to the Taleo database (“Taleo”) has resulted in a decrease in the availability of relevant hiring information for the purpose of compliance oversight. The OIG has encountered hiring files without any required information uploaded about qualified candidate pools, interview rating forms, and proof of candidate qualifications. HR is working to resolve these issues before September 30, 2022.

The following hiring sequences from Q2 2022 were audited:

#2100738 Program and Event Coordinator

- Applicants: 73
- Qualified candidates: 8
- Candidates interviewed: 6

Other: None of the required materials needed to audit this hiring sequence were uploaded to Taleo. In order to audit this position, all the required materials had to be requested from the HR. HR provided OIG with the requested materials.

#2100642 Project Coordinator (Natural Areas)

- Applicants: 35
- Qualified candidates: 33
- Candidates interviewed: 10

Other: None of the required materials needed to audit this hiring sequence were uploaded to Taleo. In order to audit this position, all the required materials had to be requested from the HR. HR provided OIG with the requested materials.

#220086 Laborer (Seasonal)

- Applicants: 603
- Qualified candidates: 334
- Candidates interviewed: 263

Other: None of the required materials needed to audit this hiring sequence were uploaded to Taleo. In order to audit this position, all the required materials had to be requested from HR. HR provided OIG with the requested materials. Lastly, there were qualified candidates that were previously employed as a Laborer that were not interviewed because it was not required in order to rehire them.

#2200088 Natural Areas Technician

- Applicants: 49
- Qualified candidates: 23
- Candidates interviewed: 22

Other: None of the required materials needed to audit this hiring sequence were uploaded to Taleo. In order to audit this position, all the required materials had to be requested from HR. HR provided OIG with the requested materials. Lastly, one qualified candidate was not interviewed because he was previously employed as a Natural Areas Technician so an interview was not required in order to rehire the qualified candidate.

#2200090 Motor Truck Driver-Seasonal

- Applicants: 226
- Qualified candidates: 214
- Candidates interviewed: 74

Other: None of the required materials needed to audit this hiring sequence were uploaded to Taleo. In order to audit this position, all the required materials had to be requested from HR. HR provided OIG with the requested materials.

2200232 Camp Coordinator

- Applicants: 2
- Qualified candidates: 2
- Candidates interviewed: 0

Other: None of the required materials needed to audit this hiring sequence were uploaded to Taleo. In order to audit this position, all the required materials had to be requested from HR. HR provided OIG with the requested materials. None of the candidates were interviewed because the Park District rehired a seasonal employee. A candidate that was previously employed as a seasonal employee is not required to be interviewed for the same job position that they previously worked.

Hiring Compliance Advisories

As part of the duties and responsibilities under the Park District's Employment Plan, the Hiring Compliance Officer (HCO) is required to perform oversight activities of the hiring process and to participate in "the development, recommendation and implementation of necessary policy and operating changes." (See Section XI, A of the Employment Plan) The OIG did not issue any hiring compliance advisories in the Second Quarter of 2022.

Review of "Acting Up" Activity

The OIG reviews each circumstance when an employee "acts up" (performing all or substantially all of the duties of an employee in a higher-paid classification). Activity in the Second Quarter of 2022 showed that, on eighty-six (86) instances, employees had "acted up," and two instances where an employee who had been in "acting up" status was placed back in his/her position or promoted.

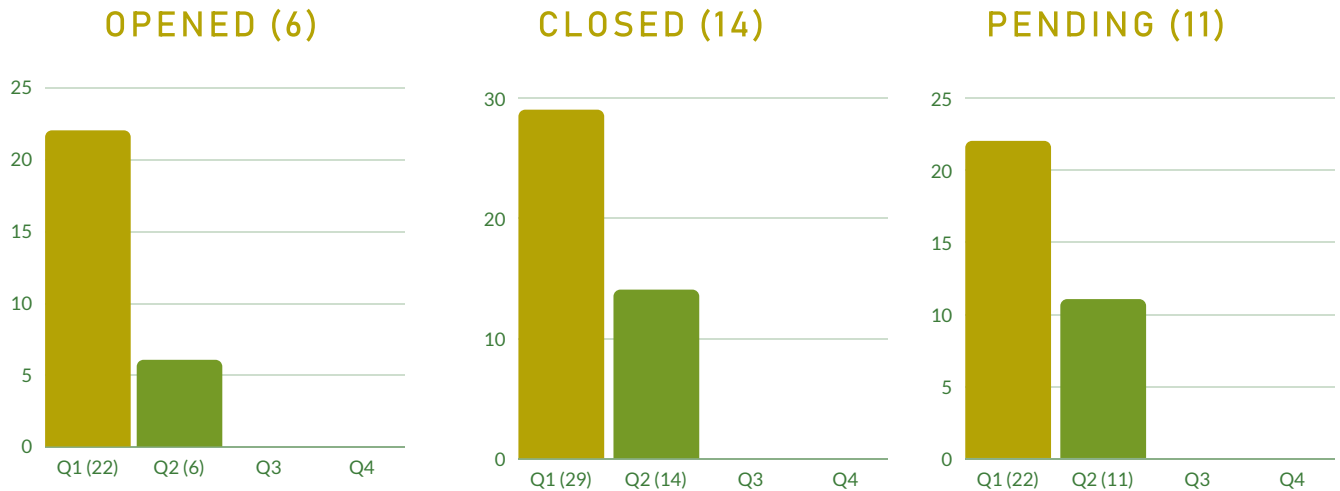
Monitoring Contacts by Hiring Departments

The OIG reviews all reported or discovered instances where hiring departments contacted HR to lobby for, or advocate on behalf of, actual or potential applicants or bidders for positions that are covered by the Employment Plan, or to request that specific individuals be added to any referral or eligibility list for upcoming jobs at the Park District.

HR did not report any improper contacts by hiring departments for the Second Quarter of 2022. Since the OIG started reporting the Park District's hiring-compliance-monitoring activity, HR has never reported any improper contacts by hiring departments.

Quarterly Information

INVESTIGATIONS

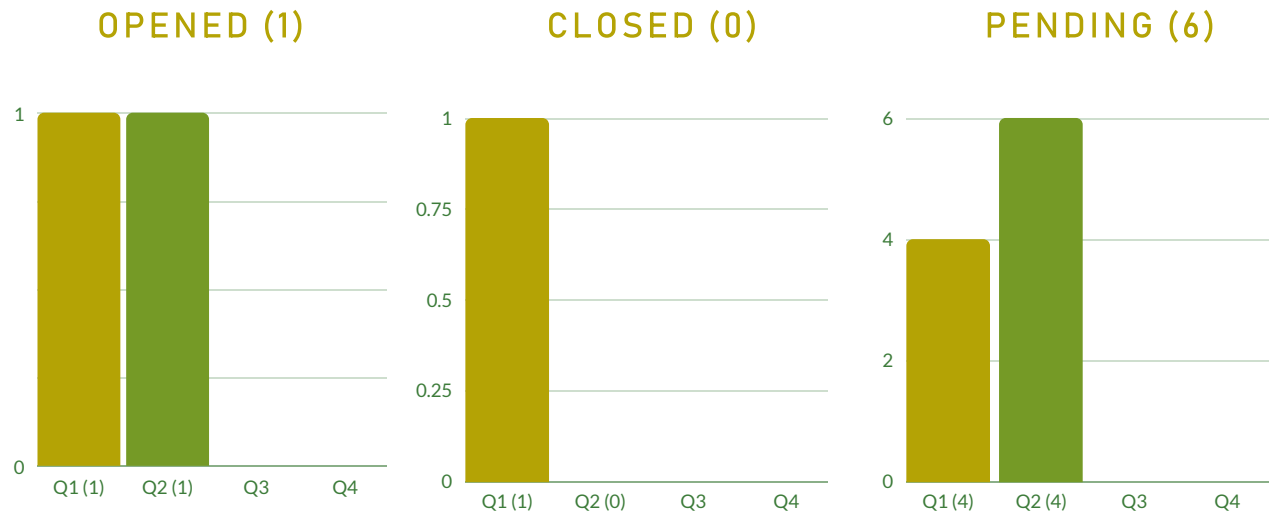


MATTERS PENDING OVER SIX MONTHS

Chapter 2, Subsection D(9) of the Chicago Park District Code states that the OIG’s quarterly reports “shall identify any investigation, audit or review which has not been completed within six months, and shall state the reasons for failure to complete the investigation, audit or review within six months.” The pending matter, as well as the reason for its continuing pending status, is listed below:

CASE NUMBER	MATTER TYPE	NATURE OF ALLEGATION	REASON
21Q40217	AUDIT	AUDIT	AVAILABLE TIME AND RESOURCES
21Q40237	AUDIT	AUDIT	AVAILABLE TIME AND RESOURCES
21Q40261	INVESTIGATION	CRIMINAL INVESTIGATION	COMPLEX INVESTIGATION
21Q40302	AUDIT	AUDIT	AVAILABLE TIME AND RESOURCES

AUDITS



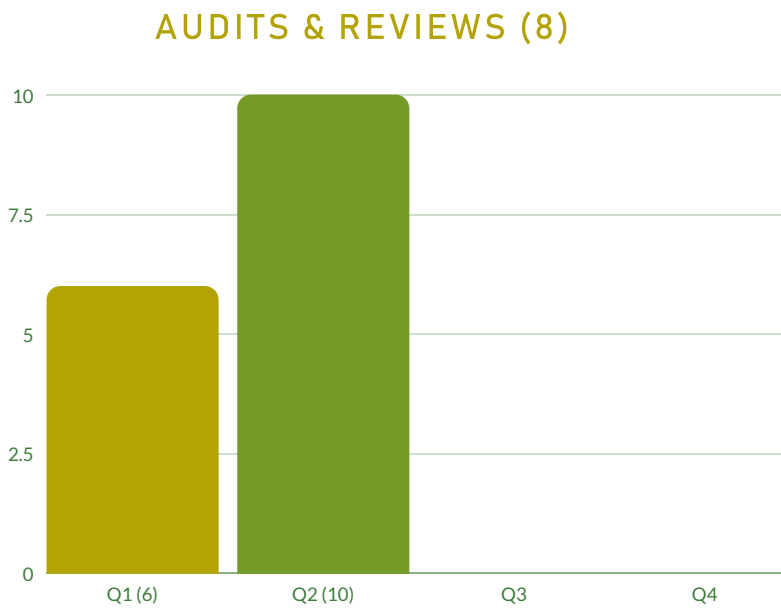
TYPES OF INVESTIGATIONS AND REVIEWS



INVESTIGATED AND REVIEWED PARTIES

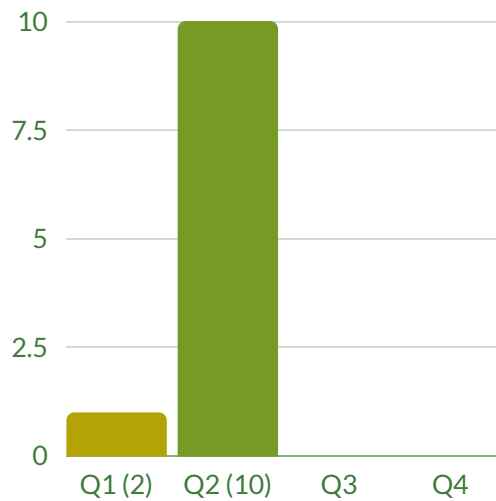


HIRING COMPLIANCE

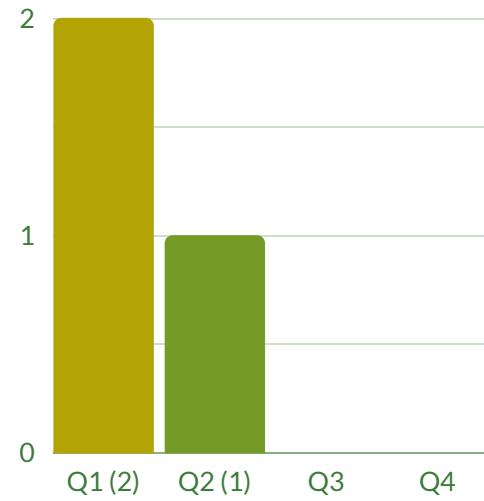


Other includes agents, volunteers, concessionaires, contractors, and unknown parties.

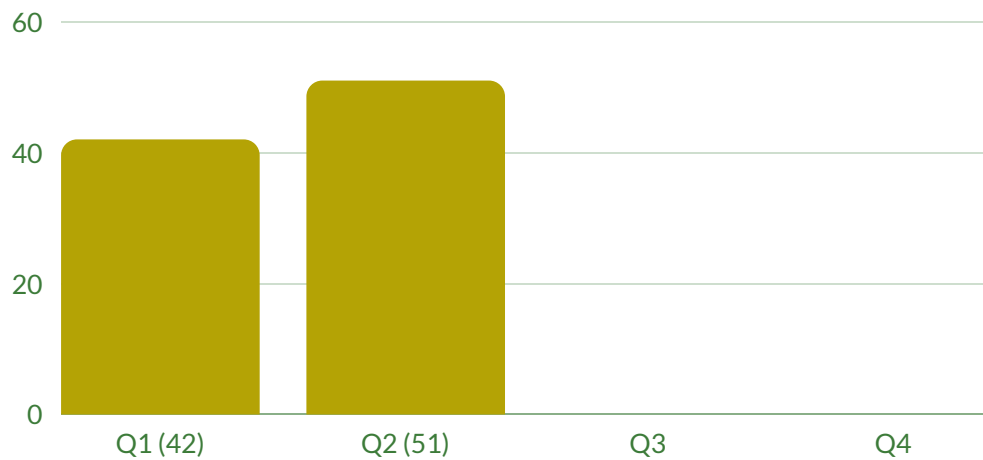
INTERNAL ASSIST



EXTERNAL ASSIST



COMPLAINTS RECEIVED



Internal Assists are OIG actions in response to department requests for information, analysis, and/or other assistance.

External Assists are OIG actions in response to requests from outside of the Park District (e.g., law enforcement agencies) for information, analysis, and/or other assistance.