

2016 THIRD QUARTER REPORT

I. INVESTIGATIONS

A. CRIMINAL BACKGROUND CHECKS OF FIVE PARK DISTRICT EMPLOYEES

The OIG recommended that the Park District review the felony convictions of five employees who were apparently hired without the Park District's knowledge of their criminal backgrounds. The cases were not referred because of any complaints of misconduct against the employees. However, the Park District Code requires that management determine whether an employee's criminal conviction would negatively impact his/her ability to work at the Park District and it was not apparent from a review of personnel files that either the convictions of the five employees were known about or that such a determination had been made for any of them.

The OIG also recommended that the Park District review its policies and procedures regarding criminal background checks to determine whether they are adequate and to evaluate the performance and services of its third-party provider of criminal background checks and fingerprinting services.

Four of the five cases involved seasonal employees who had successfully passed a background screen when they were originally hired at the Park District but who later (sometimes years later) committed felonies. The fifth case was that of an employee who was hired from the start as a year-round employee.

Under the Park District's policy, a returning seasonal employee will not be the subject of another criminal background check unless there's been a break in the employee's service. For example, the Park District will order a criminal background check for a seasonal Lifeguard before the first summer he/she works. The Park District will not run another background check if the Lifeguard returns the next summer and for each consecutive summer he/she works thereafter. If the seasonal Lifeguard reapplies for employment after missing a summer, however, the Park District will order a new criminal background check.

Otherwise, the Park District relies on a system of continuous alerts from its third-party vendor for criminal background checks when an employee (seasonal or full-time) is convicted of a crime. The OIG's review, however, indicated that the Park District does not always have updated criminal histories, prompting the

recommendation to examine whether the method of continuous alerts is reliable and/or sufficient.

All seasonal employees must submit to a drug screen before starting work regardless of whether they were employed by the Park District in the previous summer.

The Chicago Park District Act (70 ILCS 1505/), an Illinois statute, requires the Park District to perform criminal background checks on all of its job applicants. Certain felonies enumerated in the statute automatically disqualify an applicant from employment. For convictions of other crimes, it's within the Park District's discretion to hire the applicant.

In cases where an employee or prospective employee has been convicted of a crime, the Park District Code of Conduct requires the Park District to assess whether the specific criminal conviction "would have a negative impact on the employee's qualification to serve in the employee's current job title."

A brief description of the cases:

1. A seasonal Laborer, was convicted in December 2015 of a class 3 felony charge for retail theft. Under the Park District's policy as described above, the Laborer, who was a returning seasonal employee, had last been the subject of a criminal background screen in March 2012 when initially hired by the Park District. At the time of the OIG's finding, the employee was serving probation for the conviction.
2. An Aquatics employee was hired as a seasonal employee in 2009 after a successful criminal background check. Two years later, in July 2011, he/she was convicted of class 2 felony robbery. The employee successfully completed a three-year probation term. The Park District hired the employee full-time in the spring of 2016 but without knowledge of the 2011 conviction.
3. A seasonal Laborer pled guilty to class 3 felony forgery in September 2015 and sentenced to a probation terms of 18 months. The employee returned to a seasonal position at the Park District in each consecutive year since 2009, which is when the Park District ran its most recent criminal background check.

For the three employees above, the OIG recommended that the Park District review the cases and determine whether, in each case, the conviction would have a negative impact on the employee's qualification to serve in their position. After the Park District's determination, each of the three employees continued their employment.

4. A seasonal Laborer pled guilty to misdemeanor DUI in March 2015 and sentenced to two years' probation. The employee had in 2008 been convicted of felony narcotics possession, one of the enumerated crimes in the Chicago Park District Act that automatically barred employment. The Park District pursued termination against the employee.
5. A full-time tradesperson pled guilty to a felony charge of manufacture or possession of cannabis in 2010 and satisfactorily completed probation in 2012. The Park District pursued termination against the employee.

B. RESIDENCY VIOLATIONS

1. Security Guard Living in Matteson, Illinois

An OIG investigation found that a Park District Security Guard lived in Matteson, Illinois, in violation of the personnel rule that requires Park District employees to live within Chicago's city limits. Documentary evidence and multiple surveillances during the investigation established that the employee lived outside of Chicago.

The Security Guard gave notification of his/her retirement after the OIG attempted to schedule an interview related to this investigation. Had the Security Guard not resigned, the OIG would have recommended the employee's termination.

2. Security Guard Living in Park Ridge, Illinois

An OIG investigation found that a Park District Security Guard lived in Park Ridge, Illinois, in violation of the personnel rule that requires Park District employees to live within Chicago's city limits. Documentary evidence and multiple surveillances during the investigation established that the employee lived outside of Chicago.

The Security Guard resigned the day after the OIG notified the employee to appear for an interview related to this investigation. Had the Security Guard not resigned, the OIG would have recommended the employee's termination.

3. Administrative Employee Living in Schaumburg, Illinois

An OIG investigation found that a Park District Administrative employee was living in Naperville, Illinois, in violation of the personnel rule that requires Park District employees to live within Chicago's city limits. Documentary evidence, interviews and multiple surveillances during the investigation established that the employee lived outside of Chicago.

The employee was terminated based on the OIG's findings.

4. Security Guard Living in Calumet Park, Illinois

An OIG investigation found that a Park District Security Guard lived in Calumet Park, Illinois, in violation of the personnel rule that requires Park District employees to live within Chicago’s city limits. Documentary evidence and multiple surveillances during the investigation established that the employee lived outside of Chicago.

The Security Guard resigned after the OIG requested to schedule an interview related to this investigation. Had the Security Guard not resigned, the OIG would have recommended the employee’s termination.

II. 2016 INVESTIGATIONS INFORMATION

Investigations Caseload by Quarter

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	2016 Total
Cases Initiated	73	65	20		
Investigations Completed	66	26	40		
Cases Pending	33♦	72♦	52		

♦ Includes carry-over from previous quarter.

Nature of Allegations

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	2016 Total
Abuse of Position	1	-	1		
Criminal Misconduct or Theft	3	14	1		
Discourteous Treatment	1	1	1		
Fraud	4	18	5		
Improper Political Activity	1	-	-		
Misuse of Park District Property	1	4	-		
Preferential Treatment	1	-	1		
Rule or Ordinance Violation	52	22	8		
Waste or Inefficiency	1	1	1		

Nature of Allegations

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	2016 Total
Other (reviews, assists, verifications)	8	5	2		

Method of Contact for Investigations Initiated

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	2016 Total
Hotline telephone	5	6	4		
Hotline email	4	2	3		
OIG-initiated	58	56	10		
Walk-in	6	1	3		

Investigated Parties

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	2016 Total
Agents/Contractors	2	2	2		
Employees	68	57	15		
Officers/Managers	0	1	-		
Patrons	1	-	1		
Reviews/Inventory Checks	2	1	-		
Unknown Parties	0	-	2		
Other	0	4	-		

Cases Pending Over Six Months

Three

Reason

Complex investigation. Generally involve difficult issues or multiple subjects: 3

III. COMPLIANCE MONITORING ACTIVITY — THIRD QUARTER 2016

Under the Chicago Park District Employment Plan, the OIG reviews and monitors various aspects of the Park District's hiring and assignment activities. The OIG reports on its compliance monitoring activities in each its quarterly reports.

A. MONITORING CONTACTS BY HIRING DEPARTMENTS

The OIG reviews all reported or discovered instances where hiring departments contacted Human Resources 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.

Human Resources did not report any contacts by hiring departments for the third quarter of 2016.

1. *Review of Exempt List Modifications*

The OIG reviews the Park District's adherence to exemption requirements and modifications to the list of positions that are Exempt from the Employment Plan procedures. There were no such modifications made during the third quarter of 2016.

2. *Review of Exempt Management Hires*

The Park District placed employees in the following Exempt positions during the third quarter of 2016:

1. Regional Security Manager
2. Area Manager – Department of Intergovernmental Affairs

3. *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.

The OIG did not receive any “no consensus” letters during the third quarter of 2016.

4. 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.

There were no emergency appointments in the third quarter of 2016.

5. Review of “Acting Up” Activity

The OIG reviews all circumstances where employees are “acting up” (performing all or substantially all of the duties of an employee in a higher-paid classification).

The Park District reported the following instances of employees “acting up” through the end of the third quarter of 2016:

- Physical Instructor acting up as Park Supervisor

B. COMPLIANCE MONITORING — AUDITS

1. Review of Notices of Job Opportunities

The OIG audits modifications to minimum requirements and screening and hiring criteria and modifications of class specifications, minimum requirements, or screening and hiring criteria.

During the third quarter of 2016, the OIG noted no compliance issues with the minimum requirements and other criteria related to posting of Notices and Job Opportunities.

2. Review of Qualified Applicants/Bidders Lists

The OIG audits the lists of applicants/bidders who meet the predetermined minimum qualifications for the position (as generated by Human Resources). For the third quarter of 2016, the OIG’s review of the lists of applicants/bidders for positions revealed no significant issues.

3. Review of Candidate Testing

No activity in the third quarter of 2016.

4. Arbitrations and Grievances

The OIG audits all arbitration and grievances involving hiring, promotions, transfers or involving allegations of unlawful political discrimination.

The Park District did not report any arbitrations or grievances in the third quarter of 2016.