

2015 THIRD QUARTER REPORT

I. EMPLOYEE MISCONDUCT

A. EMPLOYEE TERMINATED FOLLOWING CONVICTION FOR DOMESTIC BATTERY AND RESISTING ARREST (14-079)

A CPD employee was arrested on May 6, 2014 after police officers observed him physically abusing his girlfriend. He was charged with domestic battery with bodily harm and also for resisting arrest. On May 21, 2014, he pled guilty to the domestic battery charge. Almost a year later, on March 26, 2015, he pled guilty to the charge of resisting arrest.

The OIG recommended that management issue appropriate discipline. Management terminated the employee in August 2015.

B. EMPLOYEE RESIDENCY VIOLATIONS

The Chicago Park District Code includes the employee residency requirement which, among other things, states the following:

No person shall be appointed to any office or position of employment in the Park District unless that person ... (a) resides on a full-time basis within the City of Chicago ...”

CPD Code, Ch. 5, § C. 1. (a)

1. *OIG Case # 15-003*

An OIG residency investigation determined that a CPD employee resided in South Holland, Illinois.

The OIG recommended that management issue appropriate discipline. On August 18, 2015, the employee was terminated.

2. *OIG Case # 15-066*

An OIG residency investigation revealed that a CPD Laborer was living in Broadview, Illinois.

Following his interview with the OIG, at which time the Laborer was confronted with evidence that he was in violation of the residency requirement, the Laborer resigned from CPD employment.

The OIG would have recommended that management terminate the employee had he not resigned during the investigation. Therefore, the OIG recommended that management place a copy of its findings in the employee's file should he again seek employment at CPD. CPD's response is pending.

C. CPD EMPLOYEE SELLING UNAUTHORIZED CONCESSIONS AT PARK (15-072)

An OIG investigation revealed that, without authorization from CPD, an employee was operating his own concession, selling candy and snacks. The investigation further revealed that the employee's supervisor was aware of her subordinate's operation. The employee stated that he was selling the items as part of a fundraiser.

Chapter 9 of the Chicago Park District Code states that park concessionaires must have permits:

No person shall operate a business or offer for sale any food, beverage ... on any property owned and controlled by the Park District without having first obtained a Concession Permit in accordance with the provisions of this Code or otherwise having received written authorization from the General Superintendent or the Board.

CPD Code, Ch. 9, § B. 1(a).

Further, CPD's Code of Conduct prohibits employees from providing "unauthorized services" for the "benefit of persons or entities other than the Park District or its patrons."

The OIG recommended appropriate discipline for the employee and his supervisor. CPD's response is pending.

II. THIRD QUARTER 2015 INVESTIGATIONS INFORMATION

Investigations Caseload by Quarter				
	First Quarter	Second Quarter	Third Quarter	Fourth Quarter
Cases Initiated	40	30	15	
Investigations Completed	51	11	14	
Cases Pending [◇]	17	36	37	

[◇] Includes carry-over from previous quarter.

Nature of Allegations

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter
Misconduct	21	15	9	
Abuse	4	1	1	
Other [◇]	15	14	5	

[◇] (Assists, verifications, etc.)

Method of Contact for Investigations Initiated

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter
Telephone	3	5	4	
Email	2	2	2	
Walk-in	31	19	6	
Other	4	4	3	

Investigated Parties

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter
Officers/Managers	0	0	0	
Agents/Contractors	0	2	1	
Employees	25	26	11	
Other [◇]	15	0	2	
Unknown	0	2	1	

[◇] Process reviews (as distinct from investigations of individuals)

Cases Pending Over Six Months

None

III. HOTLINE STATISTICS

Nature of Allegations

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter
Misconduct	3	13	23	
Abuse	2	2	2	
Management Issues (referred)	98	157	117	
Referral to Outside Agcy.	—	25	0	
Information Request	—	18	14	
Other	55	13	33	

Affiliation of Contacting Party

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter
Manager/Employee	3	10	12	
Patron	87	153	117	
Citizen	49	52	72	
Law Enforcement	1	0	2	
Other/Unknown	18	8	4	

IV. COMPLIANCE MONITORING ACTIVITY

In 2013, the OIG began monitoring CPD activity related to hiring, promotion and other personnel actions to ensure that those activities were not based on political reasons or factors. The scope of the OIG’s activity expanded in 2014 due (in part) to an agreement between CPD and the plaintiff’s attorneys in the *Shakman* litigation. While some activities such as interview monitoring and file review were conducted in 2014, other activities (e.g., reviewing appointments, acting up appointments, and bidder’s lists) started in the first quarter of 2015.

The OIG reports on its compliance monitoring activities in each its quarterly reports.

A. HIRING OVERSIGHT INVESTIGATIONS

There were no hiring oversight investigations initiated during the third quarter of 2015.

B. MONITORING CONTACTS BY HIRING DEPARTMENTS

The OIG is required to review 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 covered positions or to request that specific individuals be added to any referral or eligibility list except as permitted in the employment plan.

Human Resources did not report any contacts by hiring departments for the third quarter of 2015.

1. Review of Exemptions

The OIG is to review CPD's adherence to exemption requirements and exempt lists, as well as the propriety of exempt list modifications.

The OIG did not receive any notice of exempt list modifications for the period of July through September 2015.

2. Review of Senior Management Hires

The OIG is required to review hires using the Senior Manager Hiring Process.

The Park District did not report any Senior Manager hires during the third quarter of 2015.

3. Review of Written Rationales

The OIG reviews written rationales when no consensus selection (no candidate selected) was reached during a consensus meeting.

In September 2015, the OIG reviewed two written rationales for a "no consensus" finding for Special Recreation Leader position vacancies at two parks: Marquette Park and Kosciuszko Park. For each opening, a candidate was chosen following the consensus meetings. However, the selected candidates declined the positions after receiving offers of employment. And, in each case, there was no second qualified candidate to whom CPD could offer the job. Therefore, the program manager requested to have the two positions reposted.

The OIG verified that the top candidate for each position was in fact offered employment as a Special Recreation Leader and declined the position. The OIG also

verified that the other candidates' interview scores were not high enough to qualify them for hire.

Note: The consensus letters for one of the vacancies stated that the candidate declined the position because she was unwilling to satisfy her indebtedness to the City of Chicago. The candidate confirmed to the OIG that she was offered and declined the position. She stated, however, that the reason she declined the position had to do with her schedule and not because of indebtedness.

4. Review of Emergency Appointments

The OIG is to review circumstances and written justifications for any emergency hires made pursuant to the Personnel Rules of the CPD Code.

There were no emergency appointments in the third quarter of 2015.

5. Review of "Acting Up" Activity

The OIG is to review all circumstances where employees are "acting up" (performing all or substantially all of the duties of an employee in a higher-paid classification).

CPD reported the following instances of employees "acting up" through the end of 3Q 2015:

- One employee is acting up as Deputy Director of Human Resources
- One employee is acting up as Treasurer.
- Three Floriculturists Cl 1 are acting up as Foremen
- 17 Laborers are acting up as Seasonal Foremen

C. 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, the OIG noted the following:

- A Program & Event Facilitator posting on CPD's website had a closing date of fewer than 14 days. CPD corrected the closing date.
- A Music Instructor posting on CPD's website had a closing date of fewer than 14 days. CPD corrected the closing date.

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 HR).

In the third quarter of 2015, the OIG reviewed the applicants/bidders for positions in September 2015.

3. Review of Candidate Testing

No activity in the third quarter of 2015.

4. Review and Monitoring of Hiring Sequences

No activity in the third quarter of 2015.

5. Review of Hiring Certifications

The OIG audits certifications wherein interviewers attest that no political reasons or factors were taken into account.

In the third quarter of 2015, the OIG reviewed hiring certifications for two sets of interviews and detected no issues.

6. Arbitrations and Grievances

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

CPD did not report any of these circumstances in the third quarter of 2015.