

September Quarterly Report

This is the fifth quarterly report issued pursuant to the Employment Plan for the Cook County Juvenile Temporary Detention Center filed on July 19, 2022. This report will be posted on the OCJ website as required by the Employment Plan.

Shakman Training

CCJTDC (Cook County Juvenile Temporary Detention Center) workforce have cloud-based access to a pre-recorded training module curated by the Director of Compliance (DOC) with training material on the history and purpose of the Shakman Decrees. The recording highlights key principles of the employment plan, addressing common questions raised by the workforce. The employee training on the employment plan remains accessible in PolicyTech: the policy and procedure cloud-based management system utilized by CCJTDC. Cloud-based accessibility allows employees with 24-hour access to Shakman related pre-recordings and the employment plan. Section IV: *Employee Training*, is an annual requirement to ensure all employees are aware of and knowledgeable about the employment plan. An attestation report assured 85.59% of the workforce reviewed the employee recording and acknowledged understanding the principles of the employment plan and organizational responsibilities related to Shakman compliance.

The DOC curated a pre-recorded training module for the interview process highlighting the responsibilities of interview panel members ensuring alignment with the principles outlined in the employment plan. Attestation reports submitted to the DOC verified 90.41% of interview panel members-including mid-level managers, division managers, human resource personnel, and additional personnel selected to participate in candidate interview evaluations-completed interviewer training this quarter. To ensure compliance with Section IV: *Interviewer Training*, only employees who have completed interviewer training are eligible to participate on an interview panel.

CCJTDC has made a concerted effort to ensure interview panel members reflect the diversity of both the facility and its residents. In addition, employees who possess knowledge and competence in the relevant skills and abilities are routinely selected to serve on the panel, ensuring inclusivity. See Section VI. *Interview Panel Selection*.

This quarter, the DOC developed and curated a pre-recorded training module focused on identifying and addressing technical violations of the employment plan, aimed at enhancing legal awareness and compliance. The trainings provide a step by step guide for HR professionals to mitigate the lack of transparency with the candidate selection processes, and encourages cooperation with auditing and reviews. In August of 2024, a comprehensive pre-recorded human resource training was released for all HR personnel involved in recruitment, applicant screening, selection, retention, and promotion. To ensure compliance with Section IV: *HR Personnel*

Training, all HR personnel are required to complete the training to ensure they are aware and knowledgeable about the employment plan before reviewing and validating applications.

Senior leadership play a crucial role within their divisions in raising awareness of HR legal requirements related to employment actions. An attestation report revealed 50% of mid-level managers and division heads viewed the pre-recording released on the cloud-based management system on September 6, 2024. A subsequent attestation report, along with a follow-up report on compliance improvements will be issued next quarter.

In the realm of accessible employment plan training, the CCJTDC has demonstrated a good faith effort by distributing pre-recorded training sessions that remain accessible to all employees, irrespective of remote work arrangements, mandated work schedules, or varying shift requirements.

Candidate Validation

The DOC was not apprised of the initiation of any hiring sequence this quarter for the following positions: Cosmetologist, Security Specialist I & II, Youth Development Specialist, Recreational Specialist, System Analyst II, Supervisor in Charge, Video Analyst, and Project Director III. The failure to provide timely notification for a review of determination resulted in exclusion of qualified internal and external candidates from consideration. It is crucial to also highlight that the specific components of the general hiring process are equally applicable to both external and internal candidates.

Section VI: *Notice of Validation* and *Validation of Applicants* procedures were not followed. Prior to starting the validation process, the Human Resource Director or his or her designee must provide written notice at least 7 days in advance to the DOC. This is a technical violation of the employment plan. Section VI: *Notification of Completion of Validation* procedures were also not adhered to.

For the vacancy of Cosmetologist, requisitions were posted in the month of February and March 2024. An audit of recruiter dispositioning revealed inconsistencies in the candidate selection process. Several external candidates were validated without resumes or verifiable credentials in the applicant tracking system. The absence of notification and applicant screening materials hindered the review and auditing process. Section VI: *Applicant Screening* requires an application form, correctly answered prescreening questions, a cover letter, resume, and a list of references.

Two qualified external candidates with a verifiable cosmetology license were prematurely dispositioned for not submitting a resume in the applicant tracking system in contrast to other applicants who were provided the opportunity to hand in or electronically forward a resume on the day of their scheduled interview. The DOC conducted an audit and identified the inconsistencies in the tracking system. As a result, I requested the candidates who were qualified but did not receive the same opportunities be placed on the validated eligibility list.

The DOC and the interview panel for the Cosmetologist vacancy were not provided an applicant's resume in advance, which was necessary to review and identify any potential conflicts of interest involving a contracted employee. All other resumes were provided to the panel on the day of the

interview, which did not allow for a thorough review of determination. In Section VI: *Conducting the Interview*, at least 48 hours prior to any interview, the Human Resource Director or his or her designee must circulate the interview panel the list of interviewee names and applicant materials to review and to determine whether a conflict of interest exists.

For the Project Director III vacancy, recurring technical violations in the area of notification of validation, completion of validation, and a review of determination led to premature exclusion of qualified candidates. An internal candidate, initially dispositioned, despite meeting qualifications and possessing essential skills, was rescheduled for an interview following a post-review of disparities in recruiter dispositioning. External candidates were reevaluated following the DOC's recommendations. These candidates became the top-ranked candidates by an impartial interview panel following the interview evaluation and ranking meeting.

For the vacancy of Video Analyst, reoccurring technical violations in applicant screening, notification of validation, completion of validation, and a review of determination led to premature exclusion of qualified candidates and improper validation of an internal candidate. An audit of the applicant list and applicant materials revealed inconsistencies in the candidate disposition process among recruiters. The internal candidate was initially dispositioned by one recruiter but later validated by another despite not meeting the minimum educational qualifications (*Bachelor's degree in Criminal Justice, Psychology, Sociology, Social Work, Law Enforcement, Public Administration, Legal Studies or related field*). In Section VI: *Pre-Interview License and Certification Verification*, the internal candidate should have been ineligible and dispositioned. A review of determination concluded that candidates who met the minimum qualifications and had the necessary skill sets highlighted in their professional work history would remain excluded from the validated eligibility list, thereby overlooking their key competencies for job performance. Despite the DOC's disagreement with their dispositions, the candidates have not been given the opportunity to interview for the vacancy.

These oversights highlight the need for consistent and thorough review processes to ensure all candidates are fairly evaluated on the established criteria. The recruitment process for these requisitions face significant challenges due to a lack of transparency and the presence of bias within HR, hindering fairness and ethical standards. To avoid these issues, it's crucial for recruiters to thoroughly review each candidate's essential skills and work history.

Internal Candidate Preference

The Division Head may submit a written request to the Human Resource Director to designate a position as eligible for an internal candidate preference. The Division Head must provide justification, detailing the nature and level of the position, and the likelihood that the experience of internal employees will be beneficial in fulfilling the duties and responsibilities of the position. 'Internal Candidate Preference' does not preclude external applicants from applying, and shall be filled in accordance with applicable federal, state, and/or local laws. No requests for internal candidate designations have been submitted to the DOC this quarter.

Interview Monitoring

Interviews for the position(s) of Youth Development Specialist, Recreation Specialist, Cosmetologist, and Supervisor in Charge in the month of June were monitored.

CCJTDC maintains a pool of contracted employees who frequently interview for vacancies in the positions of Youth Development Specialist, Recreation Specialist and Security Specialist. Failing to identify a professional association with a contracted employee can lead to situations where impartiality and judgement are compromised or may appear to be compromised, thereby undermining the integrity of the hiring process. Not adhering to this procedural rule is considered a technical violation even if there is no evidence of actual bias or unfairness.

In Section VI. (E.) *Conflicts of Interest*, if at any time an employee who is involved in any way with a hiring process discovers a personal or professional relationship, that employee who discovered the relationship must disclose immediately in writing the details of that relationship. Two association forms were forwarded to the DOC by mid-level manager(s) assigned to the Youth Development Specialist interview panel. Despite providing panel members the applicant interview list, applicant resumes, and association forms 48-72 hours in advance, association forms distributed to the panel are consistently not submitted for review.

For the vacancy of Cosmetologist, one external candidate who initially was prematurely dispositioned, was granted an interview and became the top ranked candidate by a majority vote of the panel members. A contracted employee, who was ranked below the top candidate, was extended the offer of employment but declined. Section VI: *Extension of Offer* and *Unaccepted Offer* was not communicated to the DOC.

Technical violations and lack of transparency created a missed opportunity for CCJTDC to hire a highly qualified cosmetologist. The 7-month hiring sequence resulted in candidates exploring other opportunities of employment. During the audit of the hiring process, additional technical violations were identified: one panel member failed to submit their association form despite a professional affiliation with the contracted employee, and another panel member did not complete the mandatory interviewer training.

In the month of July, the DOC monitored interviews for the position of Project Director III. One division manager serving as a panel member forwarded the required association forms prior to serving on the panel. Additional panel members did not forward their association forms despite professional associations.

In the month of August, interviews for the position of Video Analyst were monitored. Two association forms were forwarded to the DOC by panel members prior to serving on the panel. No association forms were forwarded by the hiring manager who served on the panel prior to interviewing internal candidates. Another technical violation was identified as an interview panel member served on the panel without completing the required interviewer training. These inconsistencies are repeated technical violations despite Shakman related employment plan training available with 24-hour accessibility.

Interviewer evaluation forms and ranking of candidates were forwarded to the office of the DOC in June, July, and August for review and auditing. In contrast, the DOC is not afforded the opportunity to review or audit each step of the hiring process involving both union and non-union employees in exempt or non-exempt positions. It is crucial for the head of HR to assist recruiters and HR personnel who have any specific compliance challenges to become familiar with the legal considerations outlined in the employment plan and highlighted in the Shakman Trainings.

Employment Action(s): Discipline

Mid-level managers and department managers are responsible for addressing matters with employees who are non-compliant with JTDC policies. During this reporting period electronic notifications of negative employment actions were forwarded to my office with a No Political Consideration Certificate (NPCC). A signed No Political Consideration Certificate (NPCC) documents JTDC's commitment to non-discrimination based on political beliefs or affiliations, and fair treatment regardless of political views. The signed agreement is also inclusive of the legal obligation to report complaints, comply with investigations related to political discrimination, political contacts, and violations of the employment plan.

In Section V: *Monitoring of Employment Actions*, the DOC must have full and continual access to review employment actions with two days advance written notice.

The following negative employment actions were reported to the DOC electronically: (1) verbal warning (1) written reprimand, (3) 1-day suspensions, (1) 10-day suspension (1) 5-day suspension, and (1) 20-day suspension. The following policies were cited by department manager(s) and mid-level manager(s): non-compliance with general work rules and code of ethics-professional conduct, recreation and activities program, conflict of interest, security, control and supervision, professional boundaries: relationships with residents, cellular phones, pagers and electronic media devices, and employee time and attendance.

This quarter there was (1) termination for non-compliance with the following policies: physical management technique, prohibition of verbal and physical abuse, code of ethics, and zero tolerance policy.

CCJTDC has acted in good faith to assure No Political Consideration Certification(s) were acknowledged and understood by mid-level managers, administrators and additional personnel (hearing officer and labor relations analyst) involved with any negative employment action including the internal process of investigation, corrective action, or finding of non-compliance with JTDC policies. However, it is imperative that the guidelines for notification of employment actions be adhered to.

Employment Action(s): Third-Step Grievance

Per the guide of the employment plan, the outcome of the grievance is defined as an employment action because it directly impacts the employee's work environment and conditions. Grievance outcomes, whether denied, granted, or resolved can lead to changes in employment status, policies, compensation, or working conditions. All third step grievances were denied for this quarter.

Grievance hearings were scheduled with senior management which involved thorough review of the grievance, discussions with all involved parties, and a formal decision process.

In the month of May there were four grievance hearings. Policies referenced by senior management and all involved parties included tool and equipment control, general work rules, control of contraband, employee time and attendance, code of ethics, prohibition against verbal and physical abuse, and zero tolerance-protection from harm were documented.

In the month of June there were eight third-step grievance hearings. Policies referenced by management and all involved parties included general work rules, employee work hours, time and attendance, tool and equipment control, searches and control of contraband and the bidding process guided by the Teamsters Local 700 CBA.

In the month of July twelve third-step grievance hearings were held. Policies referenced by management and all involved parties included time and attendance, general work rules, incident reporting, Teamsters Local 700 CBA and JTDC policy on overtime, breaks and compensation, Teamsters Local 700 CBA on uniform allowance, and the bidding process.

In the month of August four third-step grievance hearings were held. Policies referenced by management and all involved parties included general work rules, time and attendance, searches and control of contraband, tool and equipment control, pre-scheduled and equitable distribution of over-time.

No Political Consideration Certification(s) were acknowledged and signed by the senior manager involved in the hearing (s).

Provisional Appointments

In Section IX: *Provisional Appointments*, the Superintendent may hire full time, part time, or temporary employees in emergency situations to address personnel shortages. Provisional appointments were not utilized this quarter.

Recruitment and Hiring Related Outreach

The DOC was not informed of any hiring-related outreach events, including outreach program forums, job fairs, school-sponsored campus recruitment events, or community-based employment forums this quarter.

Ineligible for Rehire List

Former employees and candidates deemed disqualified or ineligible for employment due to Section: IV *Ineligible for Hire/Rehire List*, are not permitted to move forward in the hiring process, whether the position is non-exempt or exempt. During this reporting period the list was not updated.

Complaint No. 2024CCJTDC5

Complaints under my authority include investigating allegations of a violation of the employment plan. In Section V: *DOC Investigation*, the DOC may initiate investigations into any violation of the employment plan. This quarter an internal candidate submitted a written complaint to my office, asserting that she possesses the minimum qualifications and relevant work experience for the vacancy of Caseworker and Assistant Team Leader. An audit of the applicant list and dispositioning revealed the tenured Youth Development Specialist was prematurely dispositioned by recruiter(s) assigned to the requisition(s). Despite passing the required promotion examination,

the candidate was not given the opportunity to interview, unlike her tenured peers with similar work experience in both current and previous roles. This candidate should have been placed on a validated eligibility list for the vacancies of Caseworker and Assistant Team Leader.

I recommended additional training for the recruiters on the hiring process guided by the employment plan. I curated a pre-recorded training specifically for HR personnel. I submitted the investigative report with recommendations to the Superintendent and Director of Human Resources. These steps were taken to underscore the importance of ensuring fair treatment of qualified internal candidates throughout the screening, validation, and interview processes.

The investigation and Post-SRO request for settlement conference form was forwarded to the complainant as required in Section V: *DOC Investigation Report*.

Conclusion

In order to recruit, screen, select, retain and promote a quality and equitable organizational workforce, and continue the practice of being an equal opportunity employer, CCJTDC must create a transparent hiring process and comply with the legal requirements of the employment plan. Even in the absence of political discrimination reports it is crucial to adhere to the employment plan guidelines to prevent potential issues and to ensure the workplace remains inclusive and fair. Post-candidate selection reviews revealed key areas that interfere with procedural oversight and inequity in candidate dispositioning, raising concerns of bias hiring practices. Implementing regular audits and monitoring the step by step guided procedures prevent inefficiencies with candidate tracking systems in addition to mitigating bias encountered with metrics relied on for candidate screening and dispositioning.

This quarter, the lack of transparency and failure to adhere to standardized procedures outlined in the employment plan resulted in a significant number of technical violations. Several technical violations mentioned in this report conflict with the general principles and commitments agreed upon by the Cook County Juvenile Temporary Detention Center.

The lack of communication with internal applicants led to internal confusion and frustration, causing posted vacancies to remain unfilled and both internal and external candidates seeking other opportunities. The loss of employment interest from qualified candidates is a direct result of ineffective communication, lengthy hiring processes, and the inequitable dispositioning of qualified candidates. To ensure fair and equitable treatment of both internal and external applicants, it is essential to address these shortcomings and technical violations highlighted in this report. Quarterly touchpoints will continue to encompass ongoing recommendations, employment plan training, and the monitoring and review of all employment actions, provided the DOC is not impeded.

Recommendations

The Director of Human Resources will ensure that all recruiters, personnel analysts, and employees engaged in hiring-related activities-such as screening, validating, and interviewing candidates- complete both the Employment Plan Training for HR personnel and Interviewer Training. This can be reviewed in Section IV: *HR Personnel Training and Interviewer Training*.

HR shall record the specific reason for any decision to exclude any applicant's name from the applicant list or validated eligibility list along with a NPCC (No Political Consideration Certificate). This can be reviewed in Section VI: *Record of Determination*.

The Director of Human Resources or their designee, will ensure prior to starting the validation process the DOC will receive electronic notice at least 7 days in advance of the date. This can be reviewed in Section VI: *Notice of Validation*.

The Director of Human Resources, or their designee, will ensure that all panel members and employees involved in hiring-related activities-such as screening, validating or dispositioning candidates, interviewing, and participating in ranking meetings-identify any conflicts of interest in writing, following the guidelines of the employment plan and using the association form. This can be reviewed in Section VI: *Conflicts of Interest*.

The Director of Human Resources will develop a professional development plan for each specialized recruiter to achieve proficiency with JAZZHR, the new applicant tracking software, and other training tools to mitigate bias.

The Director of Human Resources or their designee will forward the ineligible for hire/rehire list to the DOC in real time. This can be reviewed in Section IV: *Ineligible for Hire/Rehire List*.

The Director of Human Resources or their designee will notify the DOC about all employment offers, declined offers, transfers, terminations, discipline, step 3 grievances and internal promotions per the guide of the employment plan. This can be reviewed in Section IV: *Notification of Employment Actions*, no less than two days prior through written or electronic notice.

The Director of Human Resources or their designee, will forward the Interview Panel Ranking Form to the DOC, listing candidates deemed suitable for hire by a majority vote. If the form is used to fill subsequent vacancies within 12 months, employment offers must follow the ranking of the top candidate (internal or external). Any deviation must be justified with an objective reason. This can be reviewed in Section VI: *Interview Panel Ranking Form*.

The Director of Human Resources or their designee, will maintain the full posting file which shall include the request to hire, current position description, notice of job opportunity, applicant/candidate contact log, applicant list, validated eligibility list, final interview list, association form(s) with documented conflicts of interest, list of employees on the interview panel, the interview questions, testing protocols, interview evaluation forms, scored interview list, notes from the ranking meeting, interview panel ranking form, justification to hire with written explanation, grant of authority, NPCC, and any other required documentation regarding the selected candidate. Copies of such documentation must be made available to the DOC within two days of the final selection of the candidate. This can be reviewed in Section VI: *Posting File*.

