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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

MICHAEL L. SHAKMAN and)	
PAUL M. LURIE, et al.,)	
Plaintiffs,)	No. 69 C 2145
v.)	
THE DEMOCRATIC ORGANIZATION)	Honorable Wayne Andersen
OF COOK COUNTY, <u>et al</u> .,)	
Defendants.)	

ORDER

This matter coming before the Court on Defendant City of Chicago's Agreed Motion to Amend the Detailed Hiring Provisions, due notice having been given and counsel for plaintiffs having agreed to the Motion, it is hereby ordered that Defendant City's Motion is granted and that the City's Detailed Hiring Provisions are amended by adding thereto the Inspector General's Office Hiring Procedures in the form submitted to the Court, a copy of which being attached hereto, such amendment to be effective immediately.

ENTERED:

Wayné R. Andersen

Judge, United States District Court for the Northern District of Illinois,

Eastern Division

DATED: January 7, 2006

INSPECTOR GENERAL'S OFFICE HIRING PROCEDURES

Introduction

These Inspector General's Office Hiring Procedures are an amendment to the Detailed Hiring Provisions for Compliance with the Shakman Judgment ("the Detailed Provisions"), as amended, and provide for an alternative method of recruitment and selection of employees of the Inspector General's Office.

These Hiring Procedures are intended to provide the Inspector General's Office with a method of hiring employees that maximizes the independence of the Inspector General's Office and helps to ensure that its employees are nonpartisan and free from conflicts of interest.

A. Methods of Obtaining or Accepting Applications

- 1. Available positions with the Inspector General's Office shall be advertised and posted at the location where other City of Chicago positions are posted, as well as either (a) on the Inspector General's Office website, (b) on the Department of Human Resources' website, or (c) through another publicly-available website. The notice of available positions shall remain posted and the application period shall remain open for a minimum of 14 days. The notice shall list the minimum qualifications and screening criteria and shall state that the Inspector General's Office requires that its employees be nonpartisan and free from conflicts of interest.
- 2. The Inspector General's Office may recruit individuals to apply for available positions in order to attract the most highly-qualified, conflict-free candidates.
- 3. Applications for such positions shall be sent directly to the Inspector General's Office, as specified in the notice. Any applications for such positions received by the Department of Human Resources shall be forwarded to the Inspector General's Office.

4. All applicants shall submit a resume, transcripts from their educational institution(s), a writing sample or essay if requested in the hiring advertisement, and any other requested information relevant to the position involved. All application materials shall be made part of the Hiring File.

B. Screening and Interviewing Applications

- 1. At least two members of the Inspector General's Office designated by the Inspector General shall review the applications and select applicants for interview based on the screening criteria set for the applicable position.
- 2. Applicants selected for an interview shall be interviewed by at least three senior or supervisory employees in the Inspector General's Office, each of whom shall fill out an Evaluation Form prescribed by the Inspector General's Office. The Evaluation Forms shall be made part of the Hiring File.
- 3. The Inspector General's Office may ask questions of its applicants to determine whether the applicants have ties to City officials or City political figures or entities. The Inspector General's Office shall create a written record of the information supplied by the applicants on this subject, and may require applicants to provide such information in writing as part of the application process. The documents containing this information shall be made part of the Hiring File. In making its hiring decision, the Inspector General's Office may consider this information in determining whether the applicant would be able to pursue the mission of the Inspector General's Office without any conflicts of interest.
- 4. The Inspector General's Office shall retain applications for three years after receipt and may contact applicants for the purpose of filling any position. The Inspector General's Office may rely on its previous screening or may have the applicant re-screened.

C. The Hiring Decision

- 1. For each applicant who is interviewed, the Hiring File shall be distributed to the Inspector General's Office Hiring Committee, which shall consist of the Inspector General plus at least five other senior or supervisory employees in the Inspector General's Office selected by the Inspector General. The Hiring Committee shall meet to discuss the qualifications of the applicants interviewed. The Shakman Decree Monitor shall be given at least 48 hours advance written e-mail notice of each such meeting. At each Hiring Committee meeting, the Shakman Decree Monitor or an individual appointed by the Court or by the Shakman Decree Monitor may be present and may review all documentation.
- 2. At the meeting, each member of the Hiring Committee shall state his or her views on each interviewed applicant and shall state in writing his or her opinion as to whether each interviewed applicant is qualified or not qualified. If the Inspector General has not interviewed an applicant at this point in the process, the Inspector General shall do so before making a decision on employment. The Inspector General shall make the final decision as to which action to take.
- 3. For each applicant hired by the Inspector General's Office, the Inspector General shall complete a Hiring Decision Form stating the reasons for the hiring decision. This form shall be made part of the Hiring File.
- 4. As to each applicant hired by the Inspector General's Office, the applicant, the Inspector General, and all Inspector General's Office employees who participated in the evaluation or hiring process shall, under penalties of perjury and possible loss of employment, sign an affidavit stating that, except for the consideration of political factors for the sole purpose of addressing possible conflicts of interest, the evaluation of the applicant, the hiring decision

and the recommendations regarding the applicant were not based on or affected by political considerations, including political sponsorship, affiliation, or support. Such affidavits shall be made part of the Hiring File.

- 5. Within one week of the applicant being hired by the Inspector General's Office, the Inspector General's Office shall forward the Hiring File to the Shakman Decree Monitor.
- 6. Within 30 days of the applicant being hired by the Inspector General's Office, the Inspector General's Office shall post on its website or the Department of Human Resources' website the following information: (i) the number of people who applied for the position, (ii) the number of people interviewed, and (iii) whether at least two members of the Hiring Committee considered the applicant not qualified for the position. The information shall remain posted until replaced with the annual data for categories (i) (iii) along with (iv) a geographical breakdown of the residences of the employees hired during the year by ward of residence for each year after 2005. Such annual information shall remain so posted for five years. In addition, each quarter, the Inspector General's Office shall post on its website or the Department of Human Resources' website a geographical breakdown of the residences of its employees showing the number of employees who live in each ward.
- 7. For those applicants hired by the Inspector General's Office, the Hiring File will be maintained by the Inspector General's Office for a period of 10 years unless otherwise ordered by the Court. For applicants not hired, the Hiring File will be maintained by the Inspector General's Office for a period of 5 years unless otherwise ordered by the Court. The Hiring File and other hiring documentation shall remain confidential within the Inspector General's Office and shall not be disclosed, except to the Court, the Shakman Decree Monitor, and such other individuals or entities as the Court or the Shakman Decree Monitor deem

appropriate for the purpose of monitoring or conducting an audit or review. Nothing in this document shall make the Hiring File or other hiring documentation a public record.