



KAREN A. YARBROUGH

RECORDER OF DEEDS / REGISTRAR OF TORRENS TITLES
COOK COUNTY, ILLINOIS

December 15, 2015

Karen A. Yarbrough
Cook County Recorder of Deeds
118 N. Clark Street
Chicago, Illinois 60602

Cardelle Spangler
Recorder's Compliance Administrator
69 W. Washington
Chicago, Illinois 60602

RE: December Semi-Annual Report

Dear Madame Recorder:

This is the first report by the undersigned Director of Compliance and covers the time frame from June 1, 2015 through November 30, 2015. The primary role of the Office of Director of Compliance is to oversee and ensure compliance with the Employment Plan and Policy Manual of the Recorder of Deeds Office. This report will be posted on the Recorder of Deeds web site as required by the Employment Plan.

The Director of Compliance upon arrival at the Recorder of Deeds Office on June 1, 2015 undertook the following tasks:

- The DOC conducted a number of one-on-one meetings with employees in the office. The purpose was to introduce the Office of the Director of Compliance to staff and gather any questions, comments, or possible complaints from staff. A phone "Hot Line" was established and the number was published throughout the office including lunch rooms.
- The Recorder of Deeds Office has included the Director of Compliance in staff meetings, conferences, and planning sessions.
- The Director of Compliance was invited to present an overview of his responsibilities at a number of in-house training sessions.
- The Recorder of Deeds has set aside a weekly meeting time to confer with the Director of Compliance to facilitate dialogue with the Office of Director of Compliance.



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TRAINING:

On October 8, 2015 a Training Session was conducted for recent hires of the Recorder of Deeds Office. This Training Session was done in conjunction with the Director of Compliance, Legal Counsel, and the Director of Human Resources. Six employees were scheduled for training and four completed the training. The two remaining employees need to complete the last two hours of training.

Within the time frame of this report, two new hires filled positions as Security Officer. These two subjects are pending training. It is expected that both subjects will complete the prescribed training within fifteen days of this report. The two employees who did not complete the training module on October 8th will also have completed this training.

The Director of Compliance has presented at a number of training sessions conducted by various sections within the Recorder's Office.

REQUESTS TO HIRE:

During the time period of this report, the Director of Compliance reviewed two Requests to Hire. The first Request to Hire was initiated to fill a vacancy for a Director of Management Information. The Request to Hire resulted in a posting for the position for which there was only one applicant. The Director of Compliance was present for the review panel for this position and found the Recorder's Office to have followed all components of the Employment Plan as it related to filling this position.

The second Request to Hire was for two security officer positions. There were over 110 applications for this position. The Director of Compliance reviewed the eligibility list; observed the randomization process; observed the creation of the Validated Eligibility List and finalization of the Validated Eligibility List; creation of the Interview List; interviews of candidates, and the Candidate Selection Procedure. The Director of Compliance did not observe any violations of the Employment Plan during this process. This process resulted in the hiring of two security officers for the Recorder of Deeds Office.

INVESTIGATIONS:

During the time period of this report, the Director of Compliance conducted the following investigations into alleged violations of the Employment Plan and/or Policy Manual.



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Incident #2015-005

This investigation was undertaken after an employee raised an allegation that work was shifted from another employee to her in an attempt to cover-up for that employee. An additional allegation that the shift of work was based on gender discrimination was also investigated by the Director of Compliance. This investigation did not find any evidence that work was shifted to the employee in an attempt to cover up for any other employee or that the actions of the complainant's supervisors were based on gender discrimination. As this complaint accused an Exempt Member of the Recorder's Office, the Director of Compliance recommended the Recorder and the Director of Compliance meet with the Exempt Member to review portions of the Employment Plan/Policy Manual relative to this allegation.

Incident #2015-006

This investigation was initiated by the Director of Compliance after a discipline hearing and upon review of the discipline issued, the Director of Compliance found the Hearing Officer (an Exempt Staff Member) issued the wrong penalty. This caused the Recorder's Office to reconvene another hearing and apply the proper discipline. As this complaint involved an Exempt Member of the Staff, the Director of Compliance recommended the Recorder meet with the Exempt Member and the Director of Human Resources and review the policy manual as it applies to discipline.

Two positive outcomes were derived from this Investigation.

- The issue of timeliness of the incident to discipline for the infraction was raised in the hearing. The Director of Compliance conferred with the Director of Human Resources and Legal Counsel relative to timeliness and a method was developed whereby Payroll notifies the Director of HR on a weekly basis of the employees who have a "zero status" i.e. no time on the books. The Director of HR sends a memo to all supervisors of the employee's status. This will aid in reducing infractions of attendance.
- The second outcome was a memo sent by HRD to all supervisors requiring them to identify on the Incident report the exact Section number of the Policy Manual being cited and in the hearing refer to the Policy Manual and quote from the Policy Manual, the exact level of discipline being applied.



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Incident #2015-007.

A complaint about the application of "Flexitime" was brought to the Office of the Director of Compliance. This complaint came to the attention of the DOC in an anonymous written note, an anonymous voice complaint on the CCRD Hot Line and in the person of an employee. The Director of Compliance reviewed Flexitime as it is stated in the Employment Plan, Policy Manual and Collective Bargaining Act. Based on the issue of "operational needs" as stated in the Employment Plan and Policy Manual, the Director of Compliance concurs with the Recorder of Deeds Office that under the conditions requested by the employee, the denial of Flexitime was not a violation of the Employment Plan or Policy Manual.

The Director of Compliance recommended the definition of Flexitime be clearly redefined for all employees and supervisors as to its definition, application and process.

Incident #2015-008

An employee brought forth a complaint that she was entitled to a pay increase based on assigned tasks that were outside her job description. The Director of Compliance reviewed the jobs tasks referred to by the employee and compared those tasks to the job description and found no factual evidence the employee was working outside the job description. The Director of Compliance reviewed five pay scales for the employees assigned to the same job title and found consistencies with three of the five. The other two employees with the same job title but had significant job duties that resulted in a different pay grade.

The Director of Compliance found no violation with either the Employment Plan or the Policy Manual. In this investigation, it was brought to the attention of the Director of Compliance that there had been a past practice of allowing employees in this position to fill in for each other during long term absences from the workplace. As the job titles were the same, but duties and pay scale were different, the Director of Compliance recommended to the Recorder that the Recorder of Deeds Office look in to a method for paying an employee out of grade pay when an employee is reassigned based on an absence of an employee.

Incident # 2015-009

This investigation was undertaken when an exempt staff member brought charges against an employee. The employee brought a complaint to the Recorder's Compliance Administrator who forwarded the complaint to the Director of Compliance for investigation. The initial complaint by the employee was working out of job description in the handling of FMLA and possible exposure to employee's medical information. The investigation determined the employee was working within their job description but there was possible exposure to the employee from other employees.



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A recommendation for additional training of the employee was rendered by the Director of Compliance.

As the investigation was underway, the exempt staff member involved tendered a number of charges to the employee and started a discipline action against the employee. This impeded the investigation of the Director of Compliance. The investigation by the Director of Compliance found the exempt staff member in violation of the Policy Manual and Employment Plan and forwarded the results of the investigation to the Recorder for action.

The results of these investigations have been tendered to the Recorder of Deeds Office and are pending a response.

INITIATIVES:

The Director of Compliance developed the following initiatives within the Recorder of Deeds Office:

- Hotline for complaints (posted throughout the Recorder's Office and Satellites)
- Process to identify eligible employees for overtime (developed with HRD and Legal Counsel)
- Process to shorten length of time between infraction and discipline in reference to employees use of time (developed with HRD and Legal Counsel)
- A spreadsheet tracking employee discipline (developed with the assistance of Legal Counsel)
- The opening of a first floor office to facilitate access by the Director of Compliance to the employees.

CONCLUSION:

The Recorder of Deeds implemented the Employment Plan in August of 2013. The Policy Manual for the Recorder's Office took into effect March 1, 2015. As the Office goes forward toward Substantial Compliance, it is important that the policies outlined in these two documents are followed. It will be the consistent application of those policies that will assist this Office in obtaining the goal of Substantial Compliance.

Sincerely,

Thomas McMahon
Director of Compliance
Cook County Recorder of Deeds



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