

Office of the Shakman
Compliance Administrator for
the Cook County Recorder of Deeds
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February 9, 2017

Honorable Bridget Gainer
Cook County Board of Commissioners
118 N. Clark St., Room 567
Chicago, IL 60602

RE: Office of the Cook County Recorder of Deeds

Dear Commissioner Gainer:

I am the Shakman Compliance Administrator for the Cook County Recorder of Deeds, and I am writing to briefly address statements made by the Recorder of Deeds, Karen Yarbrough, and her Chief Deputy Recorder, Cedric Giles, during last month's Legislation and Intergovernmental Relations Committee meeting. Please know that I have already spoken with Mr. Giles as well as the Recorder's Chief Legal Counsel, James Gleffe, on this matter; however, given the statements were made in response to questions asked by you and Commissioner Suffredin, I wanted to reach out directly to ensure you receive accurate information in response to your request.

During last month's meeting, the Recorder discussed her employees' use of FMLA and its impact on her office's operations. She commented that the abuse by her workforce of FMLA is having a negative impact on her office's productivity and, in support, she referenced that one of her departments was significantly behind in indexing deeds in part because of so many employees in that department being on FMLA. At one point during the meeting, both you and Commissioner Suffredin inquired about whether there were any ways in which the Recorder could work with other agencies to share personnel and get more staffing in her troubled department or, alternatively, if she could move people around internally to get assistance where needed.

In response to these questions, the Recorder pointed to how her office was still subject to Shakman oversight, how her “hands are tied” related to *Shakman* issues, and how “they don’t make it very easy for us to get things done there.” When Mr. Giles was asked to address the issue, he acknowledged that the Recorder’s Policy Manual allowed for cross-training within the office, but said the Manual does not permit cross-training outside of the office.

The statement that the Recorder’s Office is not permitted under the Policy Manual to engage in a personnel sharing initiative with another agency is incorrect. Both the Recorder’s Policy Manual and Employment Plan contain a policy addressing this very type of arrangement (“Inter-Jurisdictional Transfers Incident to Shared Services Initiative”). See Recorder’s Plan at Section XII.D (Attachment A) and Manual at 41 (Attachment B). This policy – which has been in the Plan since it was filed on August 14, 2013 – provides the Recorder great latitude to enter into an intergovernmental agreement to share and transfer personnel – as long as the transfers are not done based on Political Reasons or Factors.

As for the Recorder’s statements about her hands being tied and it not being easy to get things done with *Shakman* oversight, I relayed to Messrs. Giles and Gleffe my surprise at these comments given I had not previously heard such a complaint from her office despite the frequency with which I meet with the Recorder and her senior staff and with which the Court holds status conferences at which the Recorder typically is present. Nevertheless, I have asked for the Recorder or her Chief Deputy to provide me with any examples of how she believes the oversight my office is Court-ordered to provide is hindering her ability to “get things done.” In the meantime, I have reminded Mr. Giles that I am always willing to work with the Recorder’s Office on any issues that may arise.

Sincerely,

A handwritten signature in cursive script, reading "Cardelle B. Spangler".

Cardelle B. Spangler
Compliance Administrator

Enclosures

Attachment A

COOK COUNTY RECORDER OF DEEDS
EMPLOYMENT PLAN

Cook County Recorder of Deeds Employment Plan
Effective August 7, 2013

M. Interview Preparation.

1. Interview Scheduling. The Head of HRD or his or her designee will schedule interviews of all Candidates listed on the Interview List and provide the schedule to the Director of Compliance, and the Recorder Compliance Administrator, while acting, at least 48 hours prior to the date of the first interview.

2. Interview Panel Selection. The Head of HRD will select the interview panel consisting of (i) a Deputy Recorder or (ii) two or three management level employees in the Hiring Division who have been certified as trained pursuant to Section IV.G, at least one of whom has first-hand knowledge of the job duties and Minimum Qualifications of the Position. HRD will send a list with the names of the employees who will make up the interview panel to the Director of Compliance for approval prior to the interviews. No Recorder employee may be assigned to an interview panel without first receiving interview training described in Section IV.G above.

3. Interview Questions. The Division Head will prepare a list of a minimum of 10 interview questions relating to each Position with an assigned weight for each question totaling 100 points. The Division Head will send the list of interview questions with assigned weights to the Head of HRD or his or her designee, who will review and amend or approve the questions, select five or more questions to be used for interviews for that posting, and will include final scoring weights for each question. All questions shall be considered and treated as confidential, and they may not be disclosed to anyone other than the Head of HRD or his or her designee prior to the interviews. The questions must be based on the specific job duties of the Position and designed to assess the Candidate's job-related qualifications, skills and suitability for employment. The interview questions developed for a particular Position may be used for subsequent vacancies for that Position, provided appropriate precautions are taken to prevent advance dissemination of questions and answers to Candidates and provided the questions remain related to the duties of the Position.

N. Pre-Interview License and Certification Verification. All Candidates will be required to produce required documents (e.g. current driver's license, diploma, school transcript, certifications, etc.) listed on the Notice of Job Opportunity prior to the commencement of the Candidate's interview. Copies of such documents will be included in the Interview File. Candidates who do not produce the required documents prior to their interview will be considered ineligible for further consideration.

O. Interview of Candidates. The following will apply to the interview of Candidates:

1. Notification. At least 48 hours prior to any interview, the Head of HRD or his or her designee will notify the Recorder Compliance Administrator, while acting, and the Director of Compliance in writing of the time and place of each interview. The Recorder Compliance Administrator, while acting, the Head of HRD or his or her designee and the Director of Compliance may be present to monitor any interview.

Attachment B

Transfer Request Form, indicating that the request is approved, and return to the Division Head with a copy to HR, DOC and RCA, while acting.

- viii) **Notice:** At least three days prior to the Transfer, HRD will send notice of the approved Transfer to the Employee, Employee's union representative (if applicable), former and current Supervisors, the DOC, and the RCA, while acting. The Notice should include a copy of the applicable Job Description.
 - ix) **Transfer Probationary Period:** On the effective date of the Transfer, the Employee will begin a 60-day Performance Evaluation Period. During such time, the Employee will receive a Performance Evaluation upon reaching the 30-day and 60-day mark. During this Performance Evaluation Period, the Employee will be provided with any predetermined training. The Supervisor and/or Division Head will counsel the Employee on his or her new Position without subjecting that Employee to Disciplinary Action concerning Poor Work Performance, unless the Employee engages in activity of willful and wanton disregard. Should the Employee's work performance not be satisfactory at the end of the 60-day Probationary Period, he or she will be returned to his or her prior Position.
 - x) **Inter-Jurisdictional Transfers Incident to Shared Services Initiatives:** Transfers or sharing of CCRD Employees with other governmental units shall be done in accordance with any applicable inter-governmental agreements or shared services agreement and may be done without complying with the hiring provisions provided for in Section V of the CCRD's Employment Plan provided such Transfers are not based on Political Reasons or Factors. Notice to the Employee, Employee's union representative (if applicable), the CCRD's Director of Human Resources, the DOC, and the RCA, while acting, must be provided immediately upon the initiation of the Inter-Jurisdictional Transfer.
- f) **Assignment or Change in Job Duties Not Involving a Transfer:**
- i) Assignments or changes in an Employee's job duties that do not involve a Transfer of the Employee shall be based on the operational goals and business needs of the CCRD and will not be based on Political Reasons or Factors.
 - ii) **Approval:** If the Deputy Recorder, or Division Head desires to change the job duties of an Employee, he or she shall request in writing and provide a copy of the request to the DOC and RCA, while acting. The Deputy Recorder will review the request and may approve of the same if the change in job duties:
 - (a) Is required by the operational needs of the CCRD;
 - (b) Is relevant to the Job Description for the Employee;
 - (c) Will not require the Employee to change Sections; and