



Office of the City Clerk

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Legislation Text

File #: SR2014-447, **Version:** 1

Type: Title:

Committee(s) Assignment:

Sposato (36) Resolution

Call for City Council to refrain from hiring former city employees whose names appear on Ineligible for Rehire List Committee on Workforce Development and Audit

Introduced into Committee July 22, 2014

SUBSTITUTE RESOLUTION

WHEREAS, at various times the City's Inspector General has recommended, in a report concluding an investigation, that one or more employees who are subject of the investigation be discharged from city employment and that they be declared ineligible for future employment by the City; and

WHEREAS, in most cases the executive departments of the City government have acquiesced in the Inspector General's recommendation of permanent disqualification from future city employment; and

WHEREAS, this acquiescence has led to the development of a so-called "Ineligible for Rehire List" of names of former City employees in three categories: employees whose employment was terminated for disciplinary reasons; employees who resigned rather than have a discharge from employment on their work record, and employees who resigned while under investigation, and whom the Inspector General or other investigating authority determined to be guilty of an offense deserving discharge; and

WHEREAS, In 1972, the federal District Court for the Northern District of Illinois entered the "Shakman decree," subjecting the City to a complex and evolving regime of legal requirements aimed at abating what the court perceived as serious systemic problems with municipal hiring; and

WHEREAS, Recognizing the City's diligent and sustained efforts to reform its policies and practices, on Monday, June 16, 2014, the federal court entered an order declaring substantial Shakman compliance and formally releasing the City from the 42-year-old decree; and

WHEREAS, the Shakman decree applied only to the executive branch of City government, not to the legislature; and

WHEREAS, in June of 2014 the City Council was first given a copy of the existing Ineligible for Rehire List and Memorandum from 2011 explaining the criteria for appearing on the list; and

WHEREAS, the City Council believes it is in the best interest of the public and the Council to refrain from hiring persons whose names appear on the List during the period of their ineligibility; and

WHEREAS, on the current Ineligible for Rehire List, disqualification from eligibility for being rehired falls into two categories: disqualification for one year, and disqualification in perpetuity; and

WHEREAS, the policy or policies underlying the current Ineligible for Rehire List, and standards for modification of the list, have never been codified or legislatively authorized; and

WHEREAS, the City Council desires to promote confidence in the hiring decisions of its members; and

WHEREAS, to attain its goals, this Resolution imposes duties on City officers and staff, and a Council Order is the appropriate vehicle to direct those officers and staff to carry out those duties; now, therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHICAGO, that from and after the adoption of this Resolution, the City Council of the City of Chicago and its members will refrain from hiring, during the period of their disqualification, those former City employees whose names appear on or whose names may be added to the so-called Ineligible for Rehire List maintained by the Department of Human Resources; and

BE IT FURTHER RESOLVED, that the Commissioner of Human Resources shall provide to the City Council a true and accurate copy of the Ineligible for Rehire List as it exists on the date of adoption of this Resolution, and shall provide true and accurate copies of updated Lists to the Committee on Workforce Development and Audit on a quarterly basis after the date of adoption of this resolution; and

BE IT FURTHER RESOLVED, that the Department of Human Resources will alert members of City Council as to a person's ineligibility for employment upon submission of initial employment paperwork; and

BE IT FURTHER RESOLVED, that this Resolution shall be in force from and after its adoption; and

BE IT FURTHER RESOLVED, that the Order associated with this Resolution is hereby adopted and made effective simultaneously with this Resolution.

	Patrick J. O'Connor	Alderman,	40 th
	Ward		
CITY	COUNCIL	July	30,
2014			

To the President and Members of the City Council:

Your Committee on Workforce Development and Audit, to which was referred (June 25, 2014) a resolution regarding the Ineligible for Rehire List and a subsequent Substitute Resolution and an

associated Council Order introduced directly into Committee (July 22, 2014), begs leave to recommend that your Honorable Body DO PASS the council order and substitute resolution submitted herewith.

This recommendation was concurred in by all members of the committee present, with no dissenting votes.

Patrick J. O'Connor, Chairman
Committee on Workforce Development & Audit

Respectfully submitted,