

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

MICHAEL L. SHAKMAN, et al.,)	
)	No. 69 C 2145
Plaintiffs,)	
)	
v.)	
)	Hon. Sidney Schenkier
COOK COUNTY RECORDER)	
OF DEEDS, et al.)	
)	
Defendants.)	


**AGREED ORDER APPROVING AN AMENDMENT OF THE
COOK COUNTY RECORDER OF DEEDS EMPLOYMENT PLAN**

This matter comes before the Court on the Agreed Motion for Approval of an Amendment of the Cook County Recorder of Deeds Employment Plan, the Court being fully advised:

IT IS HEREBY ORDERED:

The Cook County Recorder of Deeds Employment Plan Amendment to delete Section IV.Q in its entirety and to replace that section with the Do Not Rehire Without Further Consideration List provision attached as Exhibit A is approved

Dated: August 19, 2016



Sidney Schenkier
U.S. Magistrate Judge

EXHIBIT A

Q. Do Not Rehire Without Further Consideration List. The Head of HRD, or his or her designee, shall maintain a list of individuals (the “Do Not Rehire List”) who were previously employed by the Recorder and who shall be ineligible for employment with the Recorder for five (5) years if the individual was terminated , or has resigned or retired in lieu of termination , as a result of:

1. a finding by the OIIG (during the term of the SRO) or the Director of Compliance that the individual engaged in Unlawful Political Discrimination or engaged in a prohibited Political Activity (as described in the CCRD Ethics Policy); or
2. a finding by the OIIG (during the term of the SRO) or the Director of Compliance that the individual intentionally provided materially false information during an investigation by the OIIG or Director of Compliance or otherwise obstructed or refused to cooperate with an investigation of the OIIG or Director of Compliance; or
3. a finding by the OIIG (during the term of the SRO) or the Director of Compliance that the individual intentionally provided materially false information to the RCA, while acting; or
4. a finding by the Director of Compliance that the individual intentionally provided materially false information to the Director of Compliance; or
5. a finding by the OIIG (during the term of the SRO) or the Director of Compliance that the individual falsified a Recorder document concerning any Recorder Employment Action.

Individuals who are to be added to the Do Not Rehire List will be given notice by the Head of HRD, or his or her designee, prior to being added to the Do Not Rehire List. Notice shall include a copy of the applicable grounds for seeking the individual’s inclusion on the Do Not Rehire List (the “Notice of Listing”). All individuals who are subject to being included on the Do Not Rehire List may request a hearing in writing to the Head of HRD within thirty (30) days of the Notice of Listing being issued by the Head of HRD. Any hearings conducted for the purpose of determining whether an individual should be included on the Do Not Rehire List shall be conducted by the Director of Compliance. If the hearing is scheduled as a result of a finding by the OIIG or the Director of Compliance, the Head of HRD will provide the OIIG or the Director of Compliance, as applicable, written notice of the hearing at least five (5) business days before

the hearing. The OIIG or the Director of Compliance shall be allowed to participate in the hearing.

The Do Not Rehire List shall include the following information: the name of the former employee; job title of former employee; reason for placement on the list (termination, resignation in lieu of termination, or retirement in lieu of termination); date of placement on the list; and date from removal from the list (if removed).

The Head of HRD or his or her designee shall provide copies of the current, up-to-date Do Not Rehire List to the Director of Compliance, the RCA, while acting, and the OIIG, during the term of the SRO, within five (5) business days of any changes. The Do Not Rehire List shall be available to the public upon written request to the Head of HRD or the Director of Compliance. The Do Not Rehire List shall be provided to the requesting party within 10 days of the request.

The Do Not Rehire List shall be used by HRD during the validation and hiring processes described in this Employment Plan. Any Applicant who is deemed ineligible for inclusion on the Validated Eligibility List due to their placement on the Do Not Rehire List shall have their ineligibility confirmed by the Head of HRD and the Director of Compliance prior to being excluded from the Validated Eligibility List. The basis for such ineligibility shall be documented on ATAS. Failure of the Head of HRD or the Director of Compliance to confirm or document ineligibility shall not bar later action to remove an ineligible individual if hired in violation of this Section.