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

MICHAEL L. SHAKMAN, PAUL M. LURIE,)
et al.,)

Plaintiffs,)

v.)

DEMOCRATIC ORGANIZATION)
OF COOK COUNTY, *et al.*,)

Defendants.)

No. 69 C 2145

Honorable Wayne R. Andersen

AGREED ORDER

On August 2, 2005 the Court appointed a Monitor "to ensure future compliance" by the City of Chicago with the Court's prior orders in *Shakman et al. v. The Democratic Organization of Cook County, et al.*, Case No. 69 C 2145. On September 6, 2005, in the Monitor's First Report, certain interim recommendations were made to the City, particularly with respect to procedures which would govern during the interim period between September 6, 2005 and the date when final recommendations concerning the City's compliance with the Shakman decree are submitted to the Court. The City, which had ordered a partial hiring freeze in April, lifted that freeze shortly after September 6, 2005 and hiring has begun at the City. The City has agreed to the following interim hiring process, which will govern those new hires, and has agreed to implement other recommendations in the September 6th Report. Therefore, it is hereby Ordered as follows:

1. The Detailed Hiring Plan which has governed the hiring process for Shakman covered employees since 1986 will continue to be in full force

and effect during the interim period, with certain exceptions detailed below:

- a. The Department of Personnel shall be solely responsible for scoring and screening for all Shakman covered positions. The City will hire at least four additional employees within the next 45 days to assist with screening and creation of eligibility and referral lists.
- b. The additional staff to be hired into the Department of Personnel will be recruited and screened by the Monitor's staff with assistance from the Department of Personnel. A record will be posted on the City's website of the positions and persons hired pursuant to this Shakman waiver.
- c. All employee applications for any position within the City which pre-date January 2004 have been purged and are no longer under active consideration in the hiring process. The City shall notify current employees of the purge through a Notice that shall also inform employees of modifications to the City's hiring plan. In addition, the City shall continue to notify applicants of this purge in additional forums, to be determined.
- d. All employees involved in the hiring process for Shakman-covered positions shall certify, under penalty of perjury, that improper political considerations did not, to that individual's knowledge, play a part in the employment decision. For purposes of this

certification, the employees "involved in the hiring process" include the individuals that do any one of the following:

1) complete the A form; 2) conduct the screening; 3) create the eligibility and/or referral list; 4) conduct, monitor or score skill tests; 5) conduct interviews; and 6) who make the ultimate hiring decision. That certification is attached hereto as Exhibit 1.

e. Each new employee hired or promoted into a Shakman-covered position shall certify, under penalty of perjury, that improper political considerations did not, to that individual's knowledge, play a part in his/her offer of employment or promotion. The "Employee" certification is attached hereto as Exhibit 2.

f. The City has agreed that the Mayor's office will also provide a similar certification, under penalty of perjury, for Shakman covered positions. The precise language of the certification is under development and the City shall continue to cooperate with the Monitor to promptly finalize and implement this important certification process.

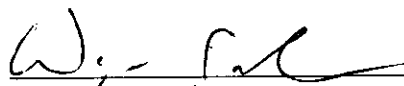
2. Any complaint alleging that political factors were taken into account in any employment action and/or practice (i.e., hiring, promotion) (hereinafter referred to as "Shakman Complaint") may be presented to the newly designated Complaint Officer, Robert Keller. Mr. Keller can be reached at (312) 747-8951. All complaints shall be promptly forwarded to the Monitor for investigation. The Monitor shall periodically file reports

to the Court regarding her conclusions and/or recommendations that result from such investigations. Complaints may also be submitted directly to the Monitor via www.ShakmanMonitor.com.

3. The City shall provide a proposed new list of Shakman-exempt positions to the Monitor by November 23, 2005. The Monitor intends to then work with the parties to agree upon a new Shakman-exempt list to propose for the Court's approval. In the interim, the Monitor and the City shall review a modified certification process for Shakman-exempt employees who are hired before a list of Shakman-exempt positions can be definitively developed.
4. The City and the Monitor continue to work on a process by which, before the City extends offers of employment to any individual for a currently designated Shakman-exempt positions (excepting Commissioners, Executive Directors and department heads), the City shall provide advance written notice of its intention to hire for any Shakman-exempt position.
5. For those Shakman-exempt positions that were filled after September 6, 2005, the City shall provide the Monitor a list of those individuals hired including their respective departments and positions.
6. The Monitor and her staff shall continue to actively monitor City employment practices. This process includes overseeing the screening of applicants, reviewing eligibility lists, and being present in interviews of selected potential candidates

7. The Monitor has established a website to collect information from current and former City employees, as well as any other interested party, regarding the City's employment practices and proposed mechanisms for complying with the principles of the Shakman decrees. (The website is operational and can be accessed at www.ShakmanMonitor.com.) The website is equipped to accept complaints from individuals alleging Shakman violations, which shall be investigated by the Monitor's staff. All information submitted to the website will be accessible by the Monitor's staff. Such information will be considered in making final recommendations to the Court. The City will pay the costs of development and maintenance of the website. The City will within 10 days hereof establish a link to this website on the City of Chicago's website home page and Career Works page.
8. The City shall continue to fully cooperate with requests for information from the Monitor and her staff.
9. The actions provided or described in this Order are without prejudice to any other or further relief to which the plaintiffs may be entitled pursuant to their pending motion for a rule to show cause why the City and its Mayor should not be held in contempt, or any other or further relief to which defendants may be entitled pursuant to their pending motion to vacate the 1983 Consent Judgment. Further, this Order shall not foreclose the parties or the Monitor from seeking other relief.

Dated: November 2, 2005



Wayne R. Andersen
United States District Judge



Shakman Certification

City of Chicago
Department of Personnel

Hiree Name (if known): _____ Request Number: _____

Job Title: _____ Title Code: _____

With respect to all City jobs that are not exempt from the Shakman decrees, all City employees are strictly prohibited from directly or indirectly:

1. Conditioning, basing, or knowingly prejudicing or affecting any term or aspect of City employment of an existing City employee, upon or because of any political reason or factor;
2. Affecting the hiring of any individual as a City employee because of any political reason or factor; and
3. Knowingly inducing, aiding, abetting, participating in, cooperating with or encouraging the commission of any act which is proscribed by the Shakman decrees.

Political considerations may not enter, in any manner whatsoever, into personnel decisions for Shakman covered positions in the City of Chicago.

I certify that I am aware of and am in full compliance with the above stated prohibitions regarding personnel decisions by the City of Chicago. I certify, under penalty of perjury, as provided by law, that, to the best of my knowledge, political considerations did not enter into the employment actions documented herein. I understand that failure to comply with the above prohibitions and/or failure to submit an accurate Shakman Certification form may result in disciplinary action up to and including immediate termination.

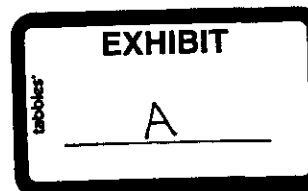
Check the role(s) that you performed in the hiring process, initial each checked box and sign at the bottom.

Completed A-Form	<input type="checkbox"/>	Created Referral List	<input type="checkbox"/>	Conducted, Monitored or Scored Skills Test	<input type="checkbox"/>	A Non-seniority/Non-Lottery Order Selection	<input type="checkbox"/>
Screened	<input type="checkbox"/>	Created Bid Referral	<input type="checkbox"/>	Commissioner	<input type="checkbox"/>	Other	<input type="checkbox"/>
Created Eligibility List	<input type="checkbox"/>	Interviewed	<input type="checkbox"/>	Init.	_____	Init.	_____

Signature: _____

Print Name: _____

Date: _____





City of Chicago
Department of Personnel

Employee Certification

Department:

Title Code:

New Employee Name

Job Title:

You have recently been extended an offer of employment by the City of Chicago. You should be aware of the fact that for the majority of City jobs, the City of Chicago is **legally prohibited** from directly or indirectly taking **any** job action because of political reasons.

As part of the City's efforts to comply with its legal obligation, it requires all new hires to sign, under penalty of perjury, that to the best of your knowledge, **political factors did not enter** into the City's decision to hire you.

Be advised that this certification *does not prohibit you* from participating in any political activities, if you so desire.

Please contact the City of Chicago's Shakman Compliance Officer, Robert Keller, at (312) 747-8951 if you have any questions or concerns about signing this document.

Your failure to comply with the above prohibitions and/or failure to submit an accurate Employee Certification form may result in disciplinary action up to and including immediate termination.

I certify, under penalty of perjury, as provided by law, that, to the best of my knowledge, political considerations did not enter into the City of Chicago's decision to offer me employment.

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EXHIBIT

Date:

Print Name:

Signature: