



EDWARD M. MOODY

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

July 1, 2020

Edward M. Moody, Recorder
Cook County Recorder of Deeds
118 N. Clark Street – Room 120
Chicago, Illinois 60602

Cardelle Spangler, Recorder's Compliance Administrator
Office of the Compliance Administrator
69 W. Washington – Suite 830
Chicago, Illinois 60602

RE: 2018/2019 Report – December 16, 2019 through June 15, 2020

Dear Recorder Moody and Ms. Spangler:

This is the sixth report issued by the undersigned Director of Compliance (DOC). Section IV.C.1 of the Cook County Recorder of Deeds Employment Plan states that the DOC will issue semi-annual reports every June 15, and December 15 to the Recorder and the Recorder's Compliance Administrator (RCA), while acting, describing his or her activities during the prior six months. These reports will include (i) auditing activities as required by the Plan; (ii) any violations of the Plan discovered; (iii) any remedial actions recommended; and (iv) any corrective action taken by the Recorder or his or her Designee to address the violations.

First, I acknowledge that as of March 23, 2020 operations of the Recorder's Office were suspended due to the ongoing COVID-19 pandemic. In the following weeks and months, the Recorder's Office attempted to provide as many essential services as possible during the office closure. In April, the office successfully implemented at home E-Recording and Indexing for the first time in history. In May, Supervisory personnel began processing mail at the Satellite Offices. In June, additional personnel were contacted to volunteer to work at the downtown office to process mail, record documents, and respond to document requests. The Recorder's Office's commitment to provide essential services while protecting the health and well-being of Employees and customers alike is commendable.

That being said, the most important Shakman compliance related issue faced since the office closure was the disregard for policy. During court status hearings in January and February 2020, the message was clear that policies are not simply a matter of good personnel practices, but when in place and followed are a safeguard against Unlawful Political Discrimination. In January, February, and early to mid-March 2020, Recorder Moody and CCRD's Administration committed to continue working towards compliance especially with regard to the following three policies: Time and Attendance, Performance Management, and Discipline.



EDWARD M. MOODY

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

Following extensive training in 2019, the implementation of these three policies has been a consistent focal point for measuring the office's compliance progress. In December 2019 and January, February, and March of 2020, CCRD's Administration collaborated with me and the RCA as the discussions related to these three policies were ongoing.

Commendably, on March 13, 2020, the Chief Deputy Recorder spearheaded a conversation between me and the RCA's office in which he relayed his five-step process for addressing the issues with CCRD's compliance with its Time and Attendance, Performance Management, and Discipline policies. The Chief of HR and Labor Counsel were present for the conversation. The Chief Deputy Recorder's thoughtful five-step process included 1) a review of the current policies, 2) identification of blind spots, 3) policy edits if needed, 4) workflow charts, and 5) training. One week later, the office closed due to the ongoing COVID-19 pandemic. This turn of events, while unfortunate and unprecedented, provided CCRD with the opportunity to capitalize on the gift of time where great progress in these compliance areas was possible.

Understanding the potential for progress early on, the Chief Deputy Recorder and I discussed with the RCA how to make as much progress as possible in the three areas of Time and Attendance, Performance Management, and Discipline on March 26, 2020. The RCA offered to work on policy edits, training materials and workflow charts, a proposal that the Chief Deputy Recorder said would be incredibly helpful. In the weeks and months to follow, despite significant efforts and collaboration between the RCA and I, the discussions regarding finalization of the policies did not continue and CCRD's policies (both the draft policies and the policies currently in place) were effectively abandoned.

Understandably, difficult decisions were being made in unprecedented times. However, neither I nor the RCA were afforded the opportunity to monitor any deliberative discussions leading to various Employment Actions and the suspension of the office's policies. Continuity of operations decisions which affected select personnel lacked substantive justification information. While responsive when directly asked, outside of the operational need, CCRD's Administration often did not consider Shakman related issues. For example, when asking for Mail Room Clerks to volunteer to perform an essential service, CCRD's Administration did not acknowledge that one of the six Employees had an accommodation preventing him from performing the essential duty and another Employee had yet to be trained on the essential duty, an issue that was raised, and has yet to be rectified, following the initial round of Performance Evaluations in early 2019.

From a compliance standpoint, this singular approach lacked depth and consideration for how these decisions were in line with our set policies or how they would affect similarly situated Employees, two very important Shakman components. I believe many of the hurdles faced during this reporting period could have been alleviated if the RCA and I were able to monitor the deliberative discussions or, at the very least, given an opportunity to comment on decisions before they were final.



EDWARD M. MOODY

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

Given the information above, progress regarding Shakman matters which have been long outstanding, has suffered greatly. Widespread non-compliance with the Manual continued throughout this reporting period. Several previously prioritized compliance items remain and are, in some cases, in a worse posture than they were since my last report. These compliance items include but are not limited to the following which will be discussed in greater detail throughout this report:

- Procure assistance in the HR Department following the continued loss of personnel in December 2019 and February 2020 in order to complete several outstanding compliance related matters;
- Recommence the implementation and enforcement of the Time and Attendance Policy;
- Recommence the implementation and enforcement of the Performance Management Policy by way of Annual Performance Evaluations;
- Recommence the implementation and enforcement of the Discipline Policy;
- Conduct office-wide Employment Plan training for 2020; and
- Conduct office-wide Manual training for 2020.

Human Resources:

HR, as one of the three significant prongs of CCRD's compliance efforts, has not recovered from personnel losses throughout 2019. CCRD has historically been HR-centric in that Employees and management staff heavily relied on HR for continual guidance and support. CCRD has failed to procure assistance in HR and, to date, I have received no information regarding these plans which I thought were materializing in the early parts of this reporting period. While the Chief of HR continues to conduct HR functions herself, the HR Department as a driving force for compliance momentum has virtually come to a halt in 2020. The following is a summary of HR related items that were completed during this reporting period or items that I continue to monitor.

Hiring:

One Shakman Exempt Position, the Deputy Recorder of Communications, was filled in June 2020 as delineated in Section XI of the Employment Plan.¹ While the Chief of HR previously confirmed that Shakman Exempt Employees received and signed their Job Descriptions, illustrating that they acknowledge the scope of their respective roles at CCRD, I have yet to receive such confirmation regarding this most recent hire. While there were no compliance related concerns regarding the outcome of this Exempt Hire, no notice has been distributed office-wide regarding this Shakman Exempt New Hire.

Two Satellite Cashier Positions were filled via the General Hiring Process as delineated in Section V of the Employment Plan. It must be noted that the Satellite Cashier Job Posting expired

¹ The previous Deputy Recorder of Communications resigned effective March 27, 2020.



EDWARD M. MOODY

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

on April 23, 2020 and the finalization of this hiring process took eight weeks.² Additionally, while the prevailing internal applicants were given an effective date of their new positions as June 21, 2020, to my knowledge, they are currently not working remotely while their Satellite Cashier counterparts in other Satellite Offices have been working from home since April 2020.³

No Longer With CCRD:

During this reporting period there were four resignations (Director of HR, HR Generalist, Deputy Recorder of Communications, Security Officer II), four retirements (Mail Review Clerk V, Title Express Cashier III, Director of Management Information, Staff Attorney), and one termination (Director of Satellite Offices). When possible, I monitored the exit interviews of these Employees.

Quarterly Report:

As required by Section 4.B of the Employment Plan, HR has continued posting on the Recorder's website quarterly reports of the total number of hires, Promotions, Transfers and Terminations by Division during the preceding three-month period. I expect that the Quarterly Report for April 1, 2020 through June 30, 2020 will be included on the Recorder's website as soon as possible.

Compensatory Time:

As a credit to the former HR Generalist, HR improved in collecting the majority of the required authorization paperwork for compensatory time accruals. However, timeliness and content of the forms are still significant issues. Furthermore, policy requires that Supervisors maintain a spreadsheet of Mandatory Overtime to ensure equitable distribution. CCRD has never enforced this policy despite several inquiries from me and the RCA. This discussion regarding the policy's requirements and required tracking is still outstanding. Management staff's efforts in improving CCRD's compensatory time practices by submitting the required forms and the HR

² On April 28, 2020 I requested a status of the posting as it expired on April 23, 2020. On May 15, 2020, the Chief of HR and I discussed the validation of two internal applicants which the RCA monitored. Following this discussion, on May 18, 2020 and May 19, 2020, each applicant submitted supplemental information confirming that they met the minimum qualifications. The Chief of HR circulated Justifications to Hire on June 3, 2020. Offers of Employment were sent to the applicants on June 7, 2020. Each Employee received an email from the Chief of HR notifying them that their effective start date was June 21, 2020 (one email was sent on June 22, 2020 and the other was sent on June 24, 2020).

³ On March 13, 2020, one of the applicants agreed to extend her Temporary Assignment as a Satellite Cashier in the Markham Satellite Office for an additional 120 days (March 17, 2020 through July 15, 2020). However, for unknown reasons, she was not offered the opportunity to work from home as other Satellite Cashiers were as of April 2020. Instead, on June 18, 2020 (during her extended Temporary Assignment as a Satellite Cashier) she was contacted and accepted a request to volunteer to work at the downtown office on June 19, 2020, in her previous capacity as a Title Express Cashier.



EDWARD M. MOODY

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

Generalists' early efforts in generating workable reports were greatly appreciated; however, there is still much work to be done.

FMLA and ADA Processes:

As previously reported, the former Director of HR struggled to manage payroll, and struggled to adequately administer FMLA processes and ADA processes throughout 2019.⁴ Commendably, following the Director of HR's resignation, the Chief of HR's assumption of FMLA related duties has meant that Employees receive timely responses to their FMLA requests, and the Chief of HR's responsiveness to Employees' FMLA related issues has been thorough. I must note that following the office closure, it is unclear what the expectation was/is for Employees with approved FMLA certifications as Time and Attendance requirements have not been followed since March 23, 2020.

Regarding ADA processes, while the Section V of the Policy and Procedures Manual suggests that requests for accommodations should be made via a Request for a Reasonable Accommodation form, CCRD has not responded to inquiries regarding the form and ADA processes in general. These issues have been pending for six months.⁵

Job Description Updates:

During the period of this report, CCRD continued its efforts in finalizing outstanding Job Descriptions. As previously reported, a small amount of Job Descriptions remained incomplete. The Position of Supervisor of Microfilm Library is still outstanding and was included as a subject in a union grievance which was resolved during this reporting period. The resolution called for the Supervisor of Microfilm Library Job Description to be updated along with a handful of other Positions which were directly affected by the agreement between the union and CCRD.⁶ HR circulated edits to the Job Descriptions on January 24, 2020. The RCA provided feedback on January 30, 2020. HR's response to RCA feedback was circulated on April 29, 2020, almost three months later. Back and forth emails have continued throughout May and June 2020 and, at this point, it may be advantageous for the stakeholders to pick up the phone, talk them out, and get them done. The Job Descriptions which require updating remain an issue that has been ongoing for far too long.

⁴ An investigation involving these matters regarding an Employee is pending. Once complete, the findings and recommendations will be discussed in my next report.

⁵ The initial inquiry was sent by the RCA's office to the Chief of HR on December 31, 2019. While reviewing proposed edits to the Manual related to the Families First Coronavirus Response Act circulated by the Chief of HR on May 18, 2020, I inquired about the status of issues related to ADA processing and whether or not the Request for a Reasonable Accommodation form had been created on May 20, 2020. Both inquiries are still pending a response from the Chief of HR.

⁶ Following a retirement in May 2017, the Certified Copies Section has not had an immediate Supervisor for over three years. Similarly, following a resignation effective September 2019, the Mail Room Section has not had an immediate Supervisor for almost ten months. Both vacancies would be rectified upon finalization of Job Descriptions which were the subject of the union settlement agreement.



EDWARD M. MOODY

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

Time and Attendance Compliance:

Throughout this reporting period, I continued to monitor CCRD's progress regarding Time and Attendance compliance. As previously reported, on December 10, 2019, I issued DOC Investigative Report 19-013 which identified widespread non-compliance with CCRD's swiping policies by Employees and failure of Supervisors, Directors and Deputies Recorder to counsel or discipline those employees consistent with the Discipline Policy. This non-compliance continued in the early months of 2020 as Employees continued to not swipe in accordance with the Manual, continued to miss swipes on two or more dates in a 30-day period, and Supervisors continued to fall short in ensuring compliance with swiping requirements on a daily basis by monitoring their Employee's swipes via CCT. Exacerbating these ongoing violations, HR notifications to management staff regarding these violations stopped entirely, effective on February 11, 2020 via office-wide memo, without additional training or process clarifications. The memo read, "To date, HR has reviewed Employee timecards and identified any infractions via email to the appropriate Supervisor Staff. However, effective immediately, HR will no longer send those email notifications." This development was especially surprising in light of my findings and recommendations in December 2019. The same day as the February 11, 2020 memo, I submitted several process questions to the Chief Deputy Recorder, the Chief of HR, and Labor Counsel and never received a response. Therefore, while CCRD accepted my recommendations and sent written reminders of the policies office-wide, several questions are outstanding, and the implementation of my recommendations remains unclear. These are discussions that can be had, and matters that can be resolved, in spite of the current pandemic.

Following the encouraging discussion involving the Chief Deputy Recorder's five-step process on March 13, 2020, on March 20, 2020 I conducted a review of pending Time and Attendance matters which required follow up and/or direction regarding disciplinary action for potential Time and Attendance related violations. I sent seven emails to management staff, the Chief Deputy Recorder, the Chief of HR and Labor Counsel to assist in identifying blind spots regarding the following matters: unauthorized compensatory time, unauthorized absences, benefit time usage clarification, request for benefit time violation, violations of missed swipes within a 30 Day period, and an inquiry regarding counseling for missed swipes. Two additional emails were sent to management staff and the Chief of HR regarding a) missed swipes as possible technical issues, and b) a clarification request regarding an instance of unauthorized absence which may have been misidentified as tardiness. Out of the nine matters, while I received four responses from management staff, I never received responses or feedback from the Chief Deputy Recorder, the Chief of HR, or Labor Counsel – all of whom have access to email during the stay-at-home order.

Then, in the weeks and months following the office closure effective March 23, 2020, Time and Attendance policies were completely abandoned. Employees who worked remotely during the pandemic were not required to account for their time other than to report if they were unable to work and Employees who reported to a CCRD location to work were not required to swipe in or out at the beginning/end of their shifts or for lunch. It is unclear as to whether or not anyone is



EDWARD M. MOODY

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

tracking who worked and when while all Employees remain in a paid status. In one instance, an Employee was living out of state for an unknown period of time yet continued to be paid while other Employees were working from home since early April 2020. There was a complete lack of enforcement of the Time and Attendance policies and no proposal made for amendments despite my direct request to the Chief Deputy Recorder, via email, on May 7, 2020. My request followed almost seven weeks of attempting to monitor and track Employees who were working and Employees who were not working during the pandemic given then limited information I was given. No communication regarding the expectations of Employees caused widespread confusion and lack of consistency.

Overall, continuing to monitor CCRD's compliance efforts regarding Time and Attendance Compliance both before the pandemic and during continues to be a challenge, one I thought would have been eliminated upon the finalization and training on the updated Time and Attendance policy. As Employees return to work, the next few weeks and months are critical in working through the issues raised.

I must note that Employees and management staff have never received comprehensive CCT training, a point which has been raised by me and the RCA in the past. Based on the information above, all Employees, including management staff require comprehensive training regarding all Time and Attendance policies. As previously suggested, this must be an interactive, hands-on approach which will allow Employees and Supervisors of all levels to navigate and fully comprehend CCT. This training also should emphasize the duties and responsibilities of both Employees and Supervisory staff especially if HR maintains that they will have a more limited role.

Performance Evaluations:

Throughout this reporting period, I continued to monitor CCRD's progress regarding implementation and compliance with the Performance Management Policy. Following the extensive training sessions throughout 2019, HR support for management staff had dwindled to almost nothing in 2020 regarding Performance Evaluations. Following the HR Generalist's departure in February 2019, the Chief of HR has not sent reminders to management staff regarding their Performance Evaluations as was past practice, has not attended Supervisor's Meetings, and has not been responsive to questions when they arise.⁷

As I previously reported, Performance Evaluations must be done in accordance with the CCRD Policy and Procedures Manual. When the Supervisor's Meetings occurred in 2020, I saw

⁷ On May 20, 2020 I requested information regarding entries in CCT by the Chief of HR as it pertained to an Annual Performance Evaluation for a Property Fraud Investigator. As of the date of this report, my questions remain unanswered.



EDWARD M. MOODY

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

improvement in Supervisors and their Director/Deputies Recorder facilitating these meetings without much needed direction. I continued to offer feedback and direction, especially in the areas related to the review of the Time and Attendance compliance and Discipline in general. Overall, I believe there have been improvements related to scoring provisions as Supervisors seem to be more comfortable with identifying the appropriate evaluation scores and articulating the basis for those scores.

That being said, the extensive amount of Annual Performance Evaluations that are outstanding display that there is much work to be done regarding CCRD's commitment to completing these evaluations and doing them well. In response to management's perceived difficulty in following the policy, changes to the policy were proposed by CCRD on January 9, 2020 and discussions were ongoing. Credit to the Chief Deputy Recorder who, in mid-January 2020, spearheaded meetings with management staff who failed to complete their Performance Evaluation drafts in an attempt to get the process back on track. While some issues remained, this resulted in a surge of completed drafts and approximately a third of those drafts were ultimately issued.

In the weeks that followed the discussion involving the Chief Deputy Recorder's five-step process on March 13, 2020, the RCA and I collaborated on the draft Performance Management Policy. Having been intimately involved with the Performance Management processes since its inception, I was able to provide edits and comments to the RCA's proposed policy for CCRD's Administration to consider. As agreed, the RCA diligently worked through the draft Performance Management Policy, thoughtfully considering all related issues and provided CCRD with the draft policy and all related forms on April 30, 2020. All of this was able to occur during the COVID stay-at-home order. However, discussions regarding the Performance Management Policy did not continue.

COVID-19, itself, and the inability to physically be at work did not prevent a Satellite Supervisor, the Director of Information Retrieval, the Director of Operations, the Deputy Recorder of Operations, Chief Counsel and the Chief Deputy Recorder from drafting meaning Annual Performance Evaluations for their subordinate Employees. While the issuances of these evaluations may be outstanding, their efforts illustrate that the preliminary work could be done and I hoped that they and other management staff took this time to finalize evaluations that were pending since my last report. It must be noted one Supervisor proactively requested an extension on these drafts due to the pandemic. It is highly commendable that she indicated a level of independent awareness of the policy's requirements. In turn, the Chief Deputy Recorder allowed her, and other Supervisors to opt to extend the due dates of their Performance Evaluation drafts until the reopening of the office. On the date of reopening, the deadlines set forth in the policy were to be followed.

It is my belief that this was a missed opportunity to make progress in the area of Performance Management. I was available to assist any and all management staff with their draft



EDWARD M. MOODY

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

evaluations and communicated that many times. As detailed below, many Performance Evaluations have been pending since 2019. The Chief Deputy Recorder's executive decision caused a bad situation to become worse. As of the date of this report, the following Annual Performance Evaluations for Employees whose annual rating period has passed, are outstanding:⁸

- Three **Administration** Employees: the Director of Security whose rating period expired on June 15, 2020, the Directors of Operations and Information Retrieval whose rating periods expired on April 25, 2020 have not yet been drafted/issued;
- The **Veterans Services Coordinator** whose rating period expired on March 20, 2020) has not yet been issued;
- All four **Certified Copies** Employees, whose rating periods expired on December 12, 2019, have not yet been issued;
- The **Database Management** Supervisor, whose rating period expired on October 13, 2019, has not yet been issued;
- Eight of fourteen **Database Management** Employees, whose rating periods expired on October 24, 2019, have not yet been issued;
- Seven **Frontline Cashiering** Employees whose rating periods expired on April 25, 2020, have not yet been drafted/issued;
- The **IT Systems Analyst** whose rating period expired on March 22, 2020, has not yet been issued;
- Two **Property Fraud** Investigators whose rating periods expired in April and May 2020, have not yet been issued;
- All six **Mail Room** Employees, whose rating periods expired on March 20, 2020, have not yet been drafted/issued;⁹
- Three **Microfilm Library** Employees, including one Supervisor, whose rating periods expired on April 25, 2020 have not yet been issued.¹⁰
- All four **Phone Room** Employees whose rating periods expired on May 6, 2020, have not yet been drafted/issued;
- All nine **Plat and Declaration Review** Employees, whose rating periods expired on December 18, 2019, have not yet been issued;¹¹
- Six of seven **Satellite Office** Employees, including one Supervisor, whose rating periods expired in September 2019 and June 2020 have not yet been issued. The Satellite Supervisor's evaluation has not yet been drafted;

⁸ I previously reported that there were five 90 Day Performance Evaluations that were outstanding. Those evaluations were never completed.

⁹ Two of these six Employees never had 90 Day Performance Evaluations due to approved Leaves of Absences.

¹⁰ The Supervisor of Microfilm Library is still the only Employee without a working Job Description as previously discussed. Therefore, he has never had a 90 Day Evaluation in his current position nor is his Annual rating period set.

¹¹ Three of these nine Employees never received 90 Day Performance Evaluations due to approved Leaves of Absences and services of Temporary Assignments despite that Supervisor's Meetings were held for two of the three Employees. Annual Performance Evaluations for these three of the Employees (one of which is not past due) remain outstanding.



EDWARD M. MOODY

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

- All three **Security Officers** whose rating periods expired on October 3, 2019, have not yet been issued;
- All six **Title Express** Employees, including one Supervisor, whose rating periods expired on December 18, 2019, have not yet been issued; and
- All four **Tract** Employees, whose rating period expired on March 20, 2020, have not yet been issued.

In recent one-on-one conversations I had with management staff, which the RCA monitored, I sought their feedback regarding the Performance Evaluation training and their experience with the policy. On a few occasions, I have had to explain why Performance Evaluations are even necessary. This is a disappointing development. Supervisors and Directors expressed to me that they would benefit from hands on training, participation, or observation in the issuance of mock Performance Evaluations. They requested additional guidance regarding compiling information required to complete the evaluations and suggested that their immediate supervisor check in with them periodically regarding the status of their evaluations. All were great suggestions that I hope CCRD takes into consideration.

As I continue to monitor and participate in the Performance Evaluation processes, I am encouraged by the improvements I have seen but apprehensive about the coming weeks and months as there is much work to be done in all areas, and I do not want Performance Evaluations to take a back seat. Based on my direct observations and participation in the Performance Evaluation Supervisor's Meetings and Issuance Meetings completed during this reporting period, I hope the policy updates are completed and the training materials are revised to include the suggestions by the management staff. I recommend that CCRD prioritize completion of the Annual Performance Evaluations. I will continue to assist all levels of management staff to ensure that all outstanding Performance Evaluations are completed in 2020.

Discipline:

Throughout this reporting period, I continued to monitor CCRD's progress regarding implementation and compliance with the Discipline Policy. The Employment Plan requires that I monitor all facets of the discipline processes including monitoring Discipline Hearings and attending Level III Union Grievances. During this reporting period, I attended one Pre-Disciplinary Hearing and two Third Step Grievances. From December 16, 2019 to present, I monitored the issuance of Incident Reports with few exceptions and continued to track counseling and progressive discipline.

Upon the finalization of the updated Manual and the subsequent discipline training sessions throughout 2019, CCRD continued to work through implementing those changes. In response to inquiries regarding instances of inconsistencies in discipline, and those still require resolution. Ultimately, CCRD must ensure that discipline is administered consistently and transparently.



EDWARD M. MOODY

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

Additionally, several disciplinary items remain outstanding including Incident Reports that were drafted for multiple Supervisors who failed to timely draft their Performance Evaluations in 2019.¹² This is an example of CCRD not holding management personnel accountable for failure to perform their duties. Other disciplinary matters and discussions were held in abeyance upon the office closure. I expect that these matters will be resolved expeditiously upon the office reopening.

In the weeks that followed the discussion involving the Chief Deputy Recorder's five-step process on March 13, 2020, the RCA and I collaborated on the draft Discipline Policy. Having been intimately involved with the monitoring and tracking discipline since May 2017, I was able to provide edits and comments to the RCA's proposed policy for CCRD's Administration to consider. As agreed, the RCA diligently worked through the draft Discipline Policy, thoughtfully considering all related issues, codified CCRD's changes to the policy following a third step grievance in February 2020 (where the first violation of a minor cause infraction would result in counseling and the second violation of that minor cause infraction would result in the first step of progressive discipline), and provided CCRD with the draft policy and all related forms on June 1, 2020. All of this was able to occur during the COVID stay-at-home order. However, discussions regarding the Discipline Policy did not continue with CCRD.

Monitoring CCRD's compliance efforts regarding discipline continues to be a challenge, one I thought would have been eliminated upon the finalization and training on the updated discipline policy. The next few weeks and months are critical in making progress towards overall compliance with the discipline policy and will be discussed further in my next report.

Training:

The following is a summary of 2020 training needs.

CCRD Employment Plan Training:

Section IV.F of the Employment Plan requires that all Employees receive training no later than 90 days following the beginning of employment and no less frequently than annually thereafter. Given that the last office-wide training sessions occurred on April 24, 2019 and April 25, 2019, Employment Plan Training is past due.¹³ As of the date of this report, Employment Plan training for 2020 has yet to be scheduled. It is my belief that training can effectively continue remotely in light of the pandemic. We have discussed video recording various trainings including Employment Planning for over six months and it is unfortunate that this opportunity was missed

¹² I emailed the Chief Deputy Recorder and Labor Counsel requesting status updates regarding these disciplinary items on May 28, 2020 and June 18, 2020. I have not received a response.

¹³ Seven Employees received Employment Plan Training on September 26, 2019, a session that was offered to provide training to the Chief of HR following her September 2019 hire and six Employees who missed the April 2019 training sessions.



EDWARD M. MOODY

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

during the office closure. I recommend that CCRD schedule office-wide Employment Plan Training as soon as possible.

CCRD Policy and Procedures Manual Training:

As required by Sections IV.E & F of the Employment Plan, the most recent office-wide training sessions covering topic-specific portions of the CCRD Policy and Procedures Manual occurred in August 2019. As of the date of this report, CCRD Policy and Procedures Manual training and Supervisor training for 2020 have yet to be scheduled. Annual Manual training as prescribed by the Employment Plan must commence on a timely basis, therefore I recommend that CCRD schedule office-wide Manual training as soon as possible. Additionally, it is imperative that the training materials adequately address the issues we have seen over the last several months which were discussed above. Enriching the training materials for Supervisors will ensure that the training itself is meaningful and will result in long term successful implementation.

Supervisor Training:

Based on the issues related above in the three major areas in which Supervisors, Directors and Deputies Recorder have increased responsibilities, each training session should emphasize the roles of the management staff whenever possible. As indicated in the RCA's 19th and 20th reports, unclear practices with respect to the implementation of the revised policies decrease CCRD's ability to be proactive versus reactive. While my role as DOC is to assist the office in its compliance efforts by raising issues in real-time whenever possible, it is imperative that these issues are also acknowledged and resolved internally as a matter of second nature. I look to the management staff, Supervisors, Directors, Deputies Recorder and Division Heads to be actively engaged in the various processes and implementation of policies that come up in their various departments.

DOC Investigations / Notices of Violation:

In accordance with Section IV.M of the Employment Plan, the following is a summary of the DOC's investigative activity during this reporting period (this includes DOC Investigations, Notices of Violation and Referrals):

Update RE DOC Investigative Report 19-019 (issued on December 26, 2019):

As previously reported, this Notice of Violation involved a finding that the former Director of HR violated the Employment Plan by providing insufficient notice of the right to appeal placement on the Do Not Hire Without Further Consideration List to a former Employee. CCRD accepted my recommendation that HR provide the Employee with a new notice, which was sent



EDWARD M. MOODY

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

to the former Employee on February 11, 2020. To my knowledge, the former Employee did not respond by way of requesting a new hearing.

Update RE DOC Investigative Reports 19-020 and 19-021 (issued on December 26, 2019):

These Notices of Violation involved findings that two Supervisors and their Supervisors (a Director and a Deputy Recorder) failed to timely counsel or discipline subordinate Employees. I recommended that the information be provided to the next level of management for consideration. The two Supervisors were counseled. As I previously reported, no action was taken against the Director or Deputy Recorder, indicating once again that CCRD is not holding management personnel accountable for failure to perform their duties.

Historic Referral Summary Reports:

In accordance with Section IV.M of the Employment Plan, throughout 2018 and 2019, I received information regarding allegations of violations of the Policy and Procedures Manual. In lieu of issuing DOC Investigative Reports upon conclusion of my evaluation/investigation of matters like the one to be discussed below, I referred the matters to management staff for consideration and action. As was noted in my last report, there were fifteen historic referral summary reports that were outstanding. All fifteen reports were completed during this reporting period, fulfilling the requirements of Section IV.M.3 of the Plan. The following are brief summaries of all fifteen referral summary reports.

18-001 Referral Summary Report (issued on March 31, 2020):

This referral involved an allegation that the former Director of Human Resources was discourteous while she discussed an Employee's FMLA application with that Employee. This matter was referred to the former Chief of Human Resources on February 26, 2018 who found that the Employee's initial FMLA applications were inadequate and the former Director of HR continued to work with the Employee whose applications were approved and retroactively applied.

The former Chief of HR also stated she observed the former Director of HR's conversations with employees on numerous occasions and was "consistently impressed with her ability to maintain a professional demeanor." Therefore, after reviewing the information and adding that the majority of CCRD Employees were not accustomed to following the Manual outlining the process of applying for FMLA, the former Chief of HR concluded that no action be taken. I agreed with that assessment and the matter was closed.

18-002 Referral Summary Report (issued on April 1, 2020):

This referral involved an allegation that the Systems Analyst IV suggested that former Supervisor of Plat and Declaration Review "use her password to access the MyDec program and



EDWARD M. MOODY

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

then [her subordinate Employee] could use MyDec.” This matter was referred to the former Director of Management Information on February 26, 2018 who found that the Systems Analyst V’s conduct was consistent with the policy in place at the time which read, “No Employee may access another Employee’s computer without prior authorization from either the Employee or an appropriate county and CCRD official (Administration) [p.v].”

The former Director of Management Information also added that the language in the policy quoted above was contradicted by other passages in the Manual. He proposed revisions which would provide “consistency in the texts addressing access of a user account by anyone else except the user to whom it was assigned.”

I agreed with the assessment that no action be taken and agreed with the recommendation regarding proposed changes to the policy. The proposed revisions were referred to Human Resources for consideration on March 20, 2018 in accordance with Section IV.A. of the Plan and changes were made to the policy. No violation was found, and the recommended corrective action has been implemented via Manual changes.

18-003 Referral Summary Report (issued on April 22, 2020):

This referral involved an allegation from an Information Retrieval - Tract Clerk IV that his Supervisor, Supervisor of Microfilm Library, was discourteous to him while he was attempting to service a customer.¹⁴

I interviewed witnesses to this incident and referred the matter to Director of Information Retrieval on February 26, 2018. The Director issued an Incident Report citing four violations committed, not by the subject, but by the complainant: Courtesy policy, Insubordination/failing to follow instruction or directive or failing to follow the organizational hierarchy, Poor Work Performance, and Conduct unbecoming including unprofessional inappropriate behavior.¹⁵ After reviewing the Incident Report, the complainant reported to me that the information in the Incident Report was inaccurate and claimed that video footage of the incident would corroborate his allegation that his Supervisor threw papers at him.

On March 2, 2018 I reviewed the video footage of the incident with former Labor Counsel. The video footage captured the interaction between the complainant, his Supervisor and an

¹⁴ At the time of this complaint, the Manual included a Courtesy Policy which was removed upon edits to the Manual in 2019. Section 1.b.i, Courtesy, read, “The primary goal of the office is providing excellent service to the citizens and taxpayers of Cook County. Therefore, Employees are obligated not only to discharge their responsibilities to the public, but to do so in a respectful manner. Therefore, all members of the public and fellow Employees must be afforded courteous treatment.”

¹⁵ Following our review of the Incident Report, the additional information provided by the complainant, the video footage and information provided by the female customer, the Director of Information Retrieval agreed the charges against the complainant were unfounded. Labor Counsel agreed to rescind the Incident Report.



EDWARD M. MOODY

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

unidentified female customer and corroborated the complainant's allegation that his Supervisor threw papers on the counter in the complainant's direction.

On April 16, 2018 I referred all the relevant information to the Deputy Recorder of Operations and requested that he consider whether or not disciplinary action was warranted for the Supervisor. The Deputy Recorder issued an Incident Report citing two violations committed by the Supervisor: Poor Work Performance and Courtesy. I agreed with the assessment. The Supervisor of Microfilm Library received an Incident Report on April 18, 2018 and subsequently received counseling on May 14, 2018 regarding this matter.

18-004 Referral Summary Report (issued on April 22, 2020):

This referral involved an altercation between two Frontline Cashiers. A witness reported that Cashier A "accosted" Cashier B at the printer by yelling and snatching papers out of Cashier B's hand. A second witness reported that Cashier A charged toward Cashier B and yelled, "put that down, that's my paper." A third witness reported that Cashier A charged toward Cashier B and shouted, "don't touch my papers." Cashier A reported that as she went to the printer to retrieve her papers, Cashier B was rude to her, threw her letters in a basket and caused a scene. Cashier B reported that as she was at the printer, Cashier A "attempted to grab the papers out of my hand and I put them in the tray next to the printer." Cashier B reported that as Cashier A grabbed the papers out of her hand, "all hell broke loose," Cashier A "raise[d] her voice loud and I raise[d] mine as well."

Video footage corroborated the interaction between the Cashiers. This matter was referred to the Deputy Recorder of Operations on April 16, 2018 who found that the Cashiers should receive discipline for Courtesy Policy violations. I agreed with the Deputy Recorder's assessment. Cashier B received an Incident Report on May 16, 2018 and was Counseled on August 13, 2018 regarding this matter. Unrelated to this incident, Cashier A resigned from CCRD prior to receiving counseling/discipline.

18-005 Referral Summary Report (issued on April 22, 2020):

This referral involved an allegation of inappropriate comments in the workplace. A Certified Copies Employee alleged that her coworker, a Certified Copies Cashier, made statements to the effect of "there was going to be shots fired" and "it is going to be on and popping in this office." The complainant added that her coworker and the Supervisor of Title Express were continually getting into arguments and on the date of the alleged comments, there was a dispute about the work which was not stapled or paper-clipped together. Witnesses confirmed the dispute about the staples on the work and one heard the Certified Copies Cashier make a comment to the effect of "Yea, uh huh, shots fired."



EDWARD M. MOODY

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

This matter was referred to the Director of Operations on April 27, 2019 who found that the Certified Copies Cashier should receive discipline for a violation of the Manual “Intimidating or coercing another employee through physical or verbal threats.” I agreed with the Director’s findings. An Incident Report was issued to the Certified Copies Cashier on May 31, 2018 and the Cashier was Counseled on July 13, 2018 regarding this matter.

18-006 Referral Summary Report (issued on April 24, 2020):

This referral involved an allegation from a customer that two Plat and Declaration Employees were “on their smart phones and on company computers checking their social media accounts” and not assisting customers. This matter was referred to the Director of Operations on October 19, 2018. I noted that a follow up phone call with the customer was required.

On October 26, 2018, I conducted a phone interview of the customer. The customer stated that the two female Employees were “sitting at their desks, looking at their computers, goofing around.” The customer stated that he and other customers were complaining stating, “Man, what are they doing?” The customer observed the female Employees checking what appeared to be personal emails, Facebook, and some other kind of social media. He asked the female Employees, “Can you help me out?” to which one of the female Employees replied, “Well, no, you can just go over there.”

The Director of Operations found that that the two Plat and Declaration Employees violated the cell phone Policy. I agreed with the Director’s assessment. Incident Reports were issued to the two Plat and Declaration Employees on November 16, 2018 and both Employees were Counseled on January 25, 2019 regarding this matter.

18-007 Referral Summary Report (issued on May 5, 2020):

This referral involved an allegation by a Frontline Cashier that her coworker made an inappropriate comment to her in front of a customer. The complainant stated that as she was servicing a customer the Frontline Cashier stopped to talk with the customer. When she asked the Frontline Cashier to not speak to the customer as she was in the process of recording his documents, he responded, “I’m not talking to you, shut up.” Independent of the complaint, I received information from the Frontline Cashier. He stated that he knew this particular male customer for a long time and that they discuss cars, so he wanted to tell him what happened to his car. When the Frontline Cashier saw the customer, he stopped to talk to him. He stated that the complainant said to him, “Please don’t talk to my customer, I’m helping him.” In response, he told her to “shut up.” The customer and a witness to the incident, another Frontline Cashier, corroborated the incident. Additionally, video footage, without audio, corroborated the interaction.



EDWARD M. MOODY

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

This matter was referred to the Director of Operations on October 19, 2018 who found that the Frontline Cashier violated the courtesy policy and recommended that he receive discipline. An Incident Report was issued to the Frontline Cashier on November 16, 2018.

Following the issuance of the Incident Report, the Frontline Cashier did not receive a Notice of Hearing and therefore was not effectively disciplined related to this matter. As this matter dates back to 2018, disciplinary action for the Frontline Cashier is not possible due to untimeliness. Therefore, I recommended that, consistent with the training provided to CCRD management staff, whenever Labor Counsel receives an email or becomes aware of information involving Incident Reports, ongoing or outstanding discipline, he reviews the information, and ensures that matter is properly responded to and any requirements of the Plan and/or Manual are completed and in timely manner. The Recorder's Response to this report was originally due on June 4, 2020 but extended to July 4, 2020 upon request. This matter will be discussed further in my next report.

18-008 Referral Summary Report (issued on May 5, 2020):

This referral involved allegations regarding a physical altercation at one of the office timeclocks. The consistent account from complainants and witnesses alike included that a male Plat and Declaration Review Clerk pushed his coworker at the timeclock.

Following the multiple interviews of involved Plat and Declaration Review Clerks and witnesses, this matter was referred to the Deputy Recorder of Operations on December 28, 2018. The Deputy Recorder found that the male Plat and Declaration Review Clerk violated the violence in the workplace policy. An Incident Report citing the major cause infraction of violence in the workplace was issued to the Employee on January 3, 2019. The discipline was upheld following a Pre-Disciplinary Hearing on January 10, 2019 and the Employee was terminated effective January 15, 2019.¹⁶

18-009 Referral Summary Report (issued on May 5, 2020):

This referral involved customer complaints against a Plat and Declaration Review Clerk IV. The first complainant reported that the Clerk IV was upset because another Employee did not make copies of the customer's documents. The Clerk IV said to the customer, "If they reviewed [your documents] they're supposed to give you copies." The Clerk IV agreed to make the customer's copies but only after he complained to her. The Clerk IV stated, "You gotta get used to the way it should be." The customer felt that that statement was uncalled for and added that this Clerk IV always acts like that. The customer's colleague also complained about the Clerk IV stating that she has witnessed the way he interacts with other people. The colleague stated that, "It's just the way he interacts with people, he could be kinder." She explained that "people who

¹⁶ As a result of a union grievance, the Employee returned to work effective August 14, 2019.



EDWARD M. MOODY

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

would approach him and ask him questions, he talks to them abruptly like, ‘you need to go here, you need to do this.’”

This matter, including the interviews cited above, was referred to the Director of Operations on December 28, 2018 who found that the Clerk IV violated the Courtesy policy. I agreed with the Director’s assessment and an Incident Report was issued to the Clerk IV on January 23, 2019. The Clerk IV was counseled by the Director on February 8, 2019. In response to the counseling, the Clerk IV provided a written response regarding this matter to be included in his file. In his response, he documented that he “was flustered with the customers” and “suggested that [the customer] return to the lady that reviewed her and that’s the way it is done.”

19-001 Referral Summary Report (issued on May 6, 2020):

This referral involved an allegation that a female Frontline Cashier made inappropriate comments to customers regarding a male coworker, another Frontline Cashier. The complainant, a third Frontline Cashier, witnessed the subject of the complaint tell customers that her coworker had to be escorted out of the office by the Sheriff’s Office because he was drunk. The complainant stated that she was aware that the Employee was feeling sick and Human Resources was involved.

I interviewed a female CCRD customer regarding this incident.¹⁷ The customer stated that the female Frontline Cashier is unprofessional in that she talks about other CCRD Employees and customers. The customer stated that she does not want to be serviced by the female Frontline Cashier and another female Frontline Cashier because “they are dramatic, and they talk a lot of crap about people.”

This matter, including the interviews cited above, was referred to the Deputy Recorder of Operations on January 28, 2019 who found that the two female Frontline Cashiers committed violations. Specifically, the first female Frontline Cashier violated the Major Cause Infraction “Conduct including dishonesty or that otherwise reflects negatively on the CCRD” and she violated the Minor Cause Infraction “Code of Conduct – Courtesy” and the second female Frontline Cashier violated the Minor Cause Infraction “Code of Conduct – Courtesy.” I agreed with the Deputy Recorder’s assessment and Incident Reports were issued on February 14, 2019 and February 15, 2019. A Pre-Disciplinary Hearing was held on March 12, 2019 for the first Frontline Cashier. The Hearing Officer, the Chief Counsel, dismissed the Major Cause Conduct infraction and the Frontline Cashier received a Verbal Reprimand for the Minor Cause Courtesy infraction.¹⁸ Additionally, while the second Frontline Cashier’s Incident Report was ultimately dismissed by Labor Counsel, she was counseled by the Frontline Supervisor on March 13, 2019

¹⁷ I interviewed this female customer regarding an investigation unrelated to this incident. Upon the conclusion of that interview, she provided the information cited above.

¹⁸ Based on the discipline policy in place at the time of this incident, as the first step of progressive discipline, the Frontline Cashier should have received a Counseling for the Minor Cause Courtesy infraction.



EDWARD M. MOODY

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

regarding the need to maintain a professional demeanor while working as directed by Labor Counsel.

19-002 Referral Summary Report (issued on May 7, 2020):

This referral involved an allegation that the former Director of HR witnessed the Security Supervisor make comments that were sexist and intimidating. I interviewed the female Security Officers who were present for the meeting and they corroborated the former Director of HR's allegations. Specifically, one of the Security Officers reported that the Security Supervisor was angry, hostile and unprofessional during the meeting in that he hollered and told female staff that they could not have earpieces (Bluetooth devices) under their wigs. Another Security Officer reported that the overall tone of the meeting was unprofessional, and the Security Supervisor was aggressive and that he yelled at the former Director of HR during the meeting. She stated that the Security Supervisor frequently said that Security is not a job where one should be worried about their hair and nails.

This matter, including the former Director of HR's complaint and the interviews cited above, was referred to the Chief Deputy Recorder on February 22, 2019 who found that the Security Supervisor violated the intimidation policy (a minor cause infraction) and violated the harassment policy (a major cause infraction). I agreed with the Chief Deputy Recorder's assessment and an Incident Report was issued to the Security Supervisor on March 13, 2019. A Pre-Disciplinary hearing was held on April 11, 2019 regarding the harassment infraction. On April 25, 2019, the Hearing Officer found that the Security Supervisor did violate the harassment policy and recommended that the Security Supervisor receive a Written Reprimand. Additionally, the Security Supervisor received Counseling for the intimidation infraction on May 31, 2019.

19-003 Referral Summary Report (issued on May 7, 2020):

This referral involved another allegation from the former Director of HR regarding an interaction she had with the Security Supervisor. The former Director of HR characterized the conversation to be "another unprofessional tirade in which he was disrespectful, loud, argued/yelled and belligerent." The former Director of HR documented that she cautioned the Security Supervisor about his tone and that his words were unprofessional to which he responded, "I don't care if you're a Director. Like I told you before, I report to the Chief. I don't care what none of you all say."

I requested that the Executive Assistant to the former Director of HR document what he heard and saw as he was named as a witness by the former Director of HR. He characterized the Security Supervisor's demeanor as becoming "more vocal" while the former Director of HR "seemed to maintain her composure." The Executive Assistant documented that the Security Supervisor got "more aggravated" over him having to answer to the HR Department, in writing, about his Employees' attendance and that the Security Supervisor "left very upset."



EDWARD M. MOODY

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

This matter was referred to the Chief Deputy Recorder on February 25, 2019 who found that the Security Supervisor violated the Courtesy policy.¹⁹ I agreed with the Chief Deputy Recorder's assessment. The Incident Report was issued to the Security Supervisor on March 13, 2019 and he received Counseling on May 31, 2019.

19-004 Referral Summary Report (issued on May 21, 2020):

This referral involved an allegation that the Director of Operations made comments to a Certified Copies Cashier that she found to be insulting. When seeking guidance regarding a new duty, the Director of Operations said that the Certified Copies Cashier needed to be "more computer savvy," instructed her to "go to a Park District" like his mother did in the past to attend a free class for seniors. The Certified Copies Cashier documented that the Director of Operations had a "smirk on his face like he was being funny while [she was] feeling insulted and stressed."

This matter was referred to the Chief Deputy Recorder of Operations on February 25, 2019 who found that the Director of Operations committed two violations: 1) Major Cause Infraction "Conduct including dishonesty or that otherwise reflects negatively on the CCRD" and 2) Minor Cause Infraction "Code of Conduct – Courtesy." I agreed with the Deputy Recorder's assessment that violations did occur. The Incident Report was issued to the Director of Operations on March 15, 2019.²⁰

On April 5, 2019 Labor Counsel requested that the Deputy Recorder provide Counseling to the Director of Operations regarding the Minor Cause Courtesy infraction. Also, on April 5, 2019 Labor Counsel provided a Notice of Pre-Disciplinary Hearing regarding the Major Cause Conduct infraction.

The Pre-Disciplinary Hearing was held on April 11, 2019. On May 3, 2019 the Hearing Officer did not sustain the Major Cause Conduct infraction "after having deeply considered the facts and testimony."²¹ On May 24, 2019 the Deputy Recorder provided Counseling to the Director of Operations regarding the Minor Cause Courtesy infraction.

¹⁹ As referenced earlier in this report, at the time of this complaint, the Manual included a Courtesy Policy which was removed upon edits to the Manual in 2019.

²⁰ Following the issuance of the Incident Report, I verbally requested that the Deputy Recorder document the differentiating facts to support both infractions as seemingly the same facts were used to support both infractions simultaneously. I reiterated my request to Labor Counsel on March 21, 2019 during a Discipline Meeting and again on April 11, 2019 at the Pre-Disciplinary Hearing. However, no additional information was provided nor were amendments made to the Incident Report. This matter illustrates an instance of missteps in the disciplinary process, including a breakdown of the safeguards in place and a disregard from senior management for real-time opportunities to correct compliance concerns raised by both the DOC and RCA.

²¹ Prior to the Hearing Officer's decision, the RCA met with the Recorder and the Chief Deputy Recorder and reiterated her concerns regarding this Incident Report.



EDWARD M. MOODY

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

19-006 Referral Summary Report (issued on May 8, 2020):

This referral involved allegations from two customers that the Staff Attorney was rude. Other than the brief written complaints I received from the customers, I received no additional information from the customers after failed attempts to contact them.

This matter was referred to the Chief Counsel on March 26, 2019 who found that, per his review, no action was to be taken regarding the two matters. In his analysis, the Chief Counsel noted that “the complainants failed to provide any substantive matters for review and only contain ad hominem attacks against the Staff Attorney. Therefore, after reviewing the information, the Chief Counsel found that no violation(s) occurred and concluded that no action be taken. Based on the available information and lack of cooperation from the complainants, I agreed with the Chief Counsel’s assessment and the matter was closed.

Referral Summary Report – Plat of Vacation (issued on June 23, 2020):

This referral involved allegations from two Plat and Declaration Review Clerks that the Supervisor of Plat and Declaration Review made an error in reviewing a plat, was notified of the error and attempted to correct the error by purchasing a stamp, affixing it on the document, altering it in doing so. The Clerks reported that they informed the Director of Operations of the issue and he did not take the corrective measures that were required.

I interviewed the Supervisor of Plat and Declaration Review who admitted that he made an error in reviewing the document and that he attempted to fix the error by purchasing the stamp himself. I interviewed the Director of Operations who stated that the Supervisor did not handle the situation in a normal way. The Director stated that he did not find anything that would indicate that the Supervisor committed any violations by having the stamp affixed to the document or using his own funds to do so.

This matter involving the Supervisor of Plat and Declaration Review and the Director of Operations was referred to the Deputy Recorder of Operations in April 2019. The Deputy Recorder found that the Supervisor committed three violations: Count 1: Minor Cause Infraction, Failing to follow instructions, failing to follow organizational hierarchy, or failing to work in accordance with written CCRD policies, procedures or directives;²² Count 2: Major Cause Infraction, Conduct including dishonesty or that otherwise reflects negatively on the CCRD; and

²² To my knowledge, the Supervisor did not receive Counseling/Discipline related to the Minor Cause Infraction, Count 1, “Failing to follow instructions, failing to follow organizational hierarchy, or failing to work in accordance with written CCRD policies, procedures or directives.” It should be noted that following the issuance of the Incident Report to the Supervisor, Labor Counsel requested that the Deputy Recorder provide the established procedures that the Supervisor did not follow to correct the error. The Deputy Recorder provided Section 5.0 of Standard Operating Procedures and instruction documents regarding “Options to Correct a Mistake on a Previously Recorded Document.” This information was later incorporated in the packet related to the Supervisor’s Pre-Disciplinary Hearing.



EDWARD M. MOODY

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

Count 3: Major Cause Infraction, Falsifying employment records or any other CCRD record through misstatement or omission of pertinent facts or information. The Incident Report was issued to the Supervisor on April 11, 2019. I agreed with the Deputy Recorder's assessment. The Supervisor's Pre-Disciplinary Hearing regarding the two Major Cause Infractions (Counts 2 & 3) was held on May 1, 2019. The Hearing Officer sustained the charges and issued a one-day suspension.

The Deputy Recorder also found that the Director committed the Minor Cause Infraction "Poor Work Performance."²³ I agreed with the Deputy Recorder's assessment. The Incident Report was issued to the Director on April 18, 2019 and he was Counseled on May 24, 2019.

As of the date of this report, I am currently reviewing approximately ten matters at various stages. Whether these matters result in Investigations, Notices of Violation, or Referrals, the status/findings of the matters will be addressed in my next report.

Relations / Conclusion:

I continue to work well with the RCA and the OIIG. I continue to have a positive working relationship with Non-Exempt/Union CCRD staff.

Meetings with the Recorder and his compliance team consisting of the Chief Deputy Recorder, the Chief of Human Resources and Labor Counsel decreased in 2020. Additionally, communications with Labor Counsel became less frequent and communications with the Chief of HR became more strained. I met with the Recorder three times early in this reporting period and was always encouraged by his support and unwavering commitment to moving towards substantial compliance. I frequently reminded him that we needed to meet more regularly to discuss the complexities of various compliance matters. Unfortunately, following the office closure, requests on June 1, 2020 and June 2, 2020 to discuss compliance matters that are in this report with the Recorder and his compliance team went unanswered until I received a call from the Chief Deputy Recorder on June 30, 2020. I was able to speak to the Chief Deputy Recorder and Recorder Moody on July 1, 2020, the date this report was filed.

Our progress towards substantial compliance again slowed significantly during this reporting period. CCRD faced unprecedented times yet did not capitalize on the gift of time that it was given to make progress on longstanding pending Shakman compliance items and new ones arose. Despite the continued support and resource of me and the RCA, CCRD chose to operate in a vacuum. I diligently completed longstanding reports, assisted with Performance Evaluations whenever consulted, and continually offered to assist in all other areas at every turn. As evident

²³ This IR was revised from a draft which was circulated by the Deputy Recorder on April 16, 2019. That draft IR cited a Minor Cause Infraction "Failure to follow written CCRD Policies" in that the Director failed to initiate discipline as "Supervisors are responsible for disciplining employees in compliance of this Manual." After compliance concerns were raised by me regarding the infraction cited, Labor Counsel and I agreed that the proper infraction to be cited was Poor Work Performance.



EDWARD M. MOODY

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

throughout this report, I was met with blatant resistance, minimal responses, or no response at all. In some cases, even a simple acknowledgement that communications had been received would have been welcomed. Similarly, the RCA assisted in areas they committed to by providing policy edits and draft forms which was no easy task. At the beginning of this rating period, CCRD set out to make great progress regarding policy finalization, job description updates, training needs, Performance Management issues, and Discipline/Time and Attendance issues. Communication with regards to these policy areas was not a difficult task to achieve while working remotely. Great progress was possible, but opportunities were missed. Going forward, our first steps must be newfound commitments to collaboration and transparency.

Sincerely,

/s/ Alexis L. Serio

Alexis L. Serio

Director of Compliance

Cook County Recorder of Deeds

Cc: Matt Pryor, Counsel to the Recorder Compliance Administrator