

HIRING & EMPLOYMENT MONITORING REPORT

SECOND QUARTER | 2024

OFFICE OF EXECUTIVE INSPECTOR GENERAL

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UPDATES

The Office of Executive Inspector General for the Agencies of the Illinois Governor (OEIG) provides this report each quarter on its hiring-related investigative and compliance work.

This quarter, the Hiring & Employment Monitoring (HEM) Division issued 23 Advisories, the most Advisories issued in a quarter since 2020. This increase is mainly due to HEM's expansion of its desk audit review process, including identifying and reviewing certain agency positions for the first time, in addition to revisiting prior reviews to ensure compliance with recommendations and current guidance.

While the number of Advisories issued has increased, the number resulting in recommendations has not. This quarter, 14 Advisories contained no recommendations or 61% of the issued Advisories.

Previous quarters reflect that this trend is consistent. HEM did not make recommendations in 70% of the Advisories issued in the first quarter of 2024 and 56% of the Advisories issued in the fourth quarter of 2023.

HEM looks forward to continuing its work with agencies, and CMS Compliance, as the State continues its SuccessFactors rollout.



HEM Compliance Reviews

Between April 1 and June 30, 2024, HEM’s work included the following.

Actions Taken During the Second Quarter 2024	Count
Hiring-related reviews opened	24
Complaints referred to HEM	14
Hiring sequences monitored	2
Desk audits completed	15
Hiring reviews transferred to the OEIG Investigative Division	0
Hiring reviews administratively closed	6
Advisories issued	23

HEM Exempt List Reviews

The following chart represents the Exempt List reviews conducted this quarter.

HEM Exempt List Reviews	Count
Exempt appointment notifications/certifications received and reviewed for positions on the Exempt List	65 (No objections)
Exempt position description clarifications received	1 (No objections)
Exempt List addition requests received this quarter	21
Exempt List addition requests approved or not objected to this quarter	16
Agency withdrawal of Exempt List requests this quarter	0
Exempt List deletion requests received this quarter	3*
Exempt List deletion requests approved this quarter	3
Exempt List modification requests received this quarter	1
Exempt List modification requests approved this quarter	0
Exempt List pending requests	11

* One exempt deletion request made this quarter was prompted by HEM.

Exempt List Additions and Deletions by Agency - Second Quarter 2024		
Agency/Entity	Working Title	OEIG Determination
Illinois Department of Corrections	Privacy Officer/FOIA Counsel	Approved Addition
Illinois Department of Early Childhood	Chief of Staff	Approved Addition
Illinois Department of Early Childhood	General Counsel	Approved Addition
Illinois Department of Early Childhood	Human Resources Director	Approved Addition
Illinois Department of Early Childhood	Chief Fiscal Officer	Approved Addition
Illinois Department of Employment Security	Deputy Legal Counsel, Administration	Approved Addition
Illinois Department of Healthcare and Family Services	Special Assistant for Maternal and Child Health	Approved Addition
Illinois Department of Healthcare and Family Services	Special Assistant for Health Related Social Needs	Approved Addition
Illinois Department of Healthcare and Family Services	Special Assistant for HIPAA and Computer Security	Approved Deletion
Illinois Department of Healthcare and Family Services	Special Assistant for All Kids Program	Approved Deletion
Illinois Department of Insurance	Marketplace Chief Operating Officer	Approved Addition
Illinois Department of Insurance	Marketplace Communications & Marketing Director	Approved Addition
Illinois Department of Insurance	Marketplace Eligibility & Enrollment Director	Approved Addition
Illinois Department of Insurance	Marketplace Plan Management & Carrier Relations Director	Approved Addition
Illinois Department of Insurance	Healthcare Insurance Exchange Program Director	Approved Deletion
Illinois Department of Juvenile Justice	Assistant Superintendent of Programs	Approved Addition
Illinois Department of Juvenile Justice	Assistant Superintendent of Operations	Approved Addition
Illinois Department of Juvenile Justice	Superintendent	Approved Addition

HEM Exempt PSC Reviews

The following chart represents the exempt personal services contract (PSC) reviews conducted by HEM this quarter pursuant to paragraph 68 of the Comprehensive Employment Plan (CEP).

HEM Exempt PSC Reviews	Count
Exempt PSCs received for review	1
Exempt PSCs approved or not objected to this quarter	1
Exempt PSCs withdrawn this quarter	0

Approved Exempt PSCs by Agency - Second Quarter 2024	
Agency/Entity	Position Title
Illinois Department of Commerce and Economic Opportunity	Governor’s Trade Mission, Canada

Non-Exempt PSC Reporting

On July 9, 2024, the Illinois Department of Central Management Services (CMS) Compliance Office provided the State’s PSC Report for the first quarter of calendar year 2024. The following table summarizes this information:

Data from the State’s PSC Report – 1 st Qtr. Of 2024	Count
State entities that submitted a PSC report to CMS	51
State entities that decreased their use of PSCs from the previous quarter	11
State entities that increased their number of PSCs	14
State entities that did not have a change in PSCs	27
State entities that reported not utilizing any PSCs	15

Political Contact Reporting

This quarter, HEM received **2** Political Contact reports, summarized below.

- One report stated that an applicant for a Mental Health Technician Trainee position at the Illinois Department of Human Services (IDHS) provided two recommendation letters from staff at the Arizona Governor’s Office. CMS Compliance responded that IDHS should disregard the letters.
- One report filed by the Legislative Liaison at the Illinois Department of Central Management Services (CMS) stated that a staffer for a State Representative had inquired about the status of an applicant’s appeal regarding an Egg Inspector position. The Legislative Liaison stated that he had not seen the inquiry until the legislative session was over and did not know the report needed to be made within 48 hours. The Liaison told the staffer he would forward the information on to personnel. CMS Compliance agreed with this response.

HEM Advisories

The following chart lists out the Advisories issued this quarter that resulted in HEM finding that the agency’s selection for the position was merit-based and justifiable without any recommendations.

Advisories with No Recommendations – Second Quarter 2024			
Advisory	Agency	Position Title	Type of Review
24-HEM-0021	DoIT	Application Development Manager	Desk Audit
24-HEM-0022	IDHS	Public Aid Eligibility Assistant	Desk Audit
23-HEM-0057	AGR	Deputy Bureau Chiefs	Complaint Referrals
23-HEM-0072	GAC	Guardianship Managing Administrator	Desk Audit
24-HEM-0014	IEPA	Electric Vehicle Program Administrator	Desk Audit
24-HEM-0006	IWCC	Court Reporting and Transcripts Administrator	Desk Audit
24-HEM-0020	DoIT	PC Applications Developer	Desk Audit
24-HEM-0025	DCEO	Human Services Grants Coordinator II	Desk Audit

(cont'd) Advisories with No Recommendations – Second Quarter 2024			
Advisory	Agency	Position Title	Type of Review
24-HEM-0016	IDJJ	Secretary to Superintendent	Desk Audit
24-HEM-0023	IDHS	Rehabilitation Case Coordinator I	Desk Audit
24-HEM-0010	IDPH	Trainer – Springfield	Desk Audit
24-HEM-0030	IDOI	Analyst Supervisor	Desk Audit
24-HEM-0027	CDB	Administrative Assistant II	Desk Audit
24-HEM-0029	IDOI	Actuary I	Desk Audit

HEM Advisory Summaries

Advisories that included a HEM recommendation are summarized below. In some cases, HEM requested a formal response from the agency, which is also summarized.

20-HEM-0106 & 22-HEM-0049

In response to multiple complaint referrals, HEM reviewed the screening process for the Shift Supervisor position at the Illinois Department of Corrections (IDOC). HEM worked with IDOC and the Illinois Department of Central Management Services (CMS) to improve screening, which included adding clarifying language to the minimum requirements requiring five years of experience supervising correctional “employees.” Additionally, Box 19 was updated to include four preferred qualifications. HEM then reviewed the first six requisitions to use the new screening guidance via SuccessFactors. During the monitoring, CMS provided HEM with a document containing a list of IDOC titles that CMS and IDOC agreed included experience supervising correctional employees, which provided additional clarity and consistency to the screening process.

During the validation monitoring, it appeared some applicants who previously received “A” and “B” grades for the Shift Supervisor title no longer met the minimum requirements as now clarified. In response, CMS determined that applicants who had previous “A” and “B” grades but did not meet the required years of experience should still move forward to the subject matter expert (SME)

review, citing the *Shakman* Memorandum of Understanding. HEM monitored the interviews for one of the requisitions in real-time. HEM found that there remained confusion amongst both applicants and IDOC employees on why some applicants were not being disqualified for not meeting the minimum requirements – even after clarified language was added. Thus, HEM recommended that CMS and IDOC provide further communication to all IDOC employees, or at least to Correctional Officers, explaining the use of grades for employees who previously obtained them. HEM also requested that CMS confirm its process for utilizing legacy grades and the length of time that process will continue to be applicable. HEM recommended that, if legacy grades will continue to be used, CMS and IDOC consider other ways to mitigate the issues raised. HEM also requested that CMS respond with the status of the proposed Shift Supervisor Classification update. HEM requested a response from IDOC and CMS to this Advisory.

In response, CMS and IDOC confirmed that following the receipt of the HEM Advisory, the class specification clarification was submitted to the Illinois Civil Service Commission, who approved the clarification on May 16, 2024. The response stated that the change to the class specification negates all legacy grades and validations issued under the previous class specification. In addition, the CMS Hiring Resource Team will provide written notification to any employee with an existing promotional grade maintained in the legacy mainframe, and IDOC will provide the following information in postings for Shift Supervisor positions:

Due to updates to the Shift Supervisor class specification, legacy grades and/or applicant validations completed prior to May 15, 2024, are no longer valid. All applications will be validated against the update[d] Shift Supervisory class specification.

23-HEM-0048

In response to a complaint referral that was initially referred to IDHS, HEM reviewed three successive hiring sequences for a Fiscal and Support Services Manager position at the Illinois Department of Human Services (IDHS). The position was posted twice in Cook County (Sequences 1 and 2), but both resulted in failed sequences, and then in Randolph County (Sequence 3), which resulted in an accepted offer by the selected candidate (Candidate A). IDHS's initial response stated that the allegations were unsubstantiated without sufficient explanation. The allegations were then referred to HEM for further review. HEM found there were several decisions in these three sequences that gave the appearance of the hire being steered to Candidate A.

First, in Sequences 1 and 2, two candidates scored just below the 70-threshold score with scores of 69.09 and 69.36, respectively; these scores were not far from those of two other candidates who were offered the position with respective scores of 71.07 and 70.33. HEM questioned the decision not to request to lower the threshold, given the minute difference in scores and the time and resources needed to post the position a third time.

Second, in both Sequences 1 and 2, two of the candidates stated their reason for declining the position was due to the salary offer, which was \$8,000/month, the minimum salary listed in the posting. Rather than offering any of the candidates a higher salary, IDHS chose to repost the position. In Sequence 3, however, IDHS made a special salary request to offer Candidate A \$8,320/month.

A third area of concern for HEM was the change in location from Cook County to Randolph County, Candidate A's county of residence. According to IDHS's initial response, the position was moved to a county where at least one candidate was qualified and interested. Later, IDHS further explained that it moved the position to obtain a broader applicant pool. However, HEM's understanding of this criteria is that the move would be to a county with a larger, more diverse pool. HEM's review of the data for these hiring sequences showed that the Cook County sequences had more applicants, candidates interviewed, and other individuals besides Candidate A who were qualified to receive job offers. HEM was also unclear why the position was posted several times without noting that the work could be done remotely.

All of these factors, when combined, gave the appearance that the process was not appropriate and done to hire a particular person. HEM stated that it was willing to consider further follow-up information and discuss whether the position should be reposted. HEM requested a response from both IDHS and CMS.

In a joint response, IDHS and CMS acknowledged that the justification selected from the drop-down menu for moving the location – to seek a more diverse pool – should not have been used. The response also stated that positions at facilities can be moved from facility to facility without CMS approval.

CMS stated that the sequences occurred during and immediately after the implementation of cost of living adjustments for merit compensation employees, which is why there was an automatic 4% increase to all offers without additional processing. The response did not provide additional information on why the prior candidates were not offered anything above the minimum salary to avoid a repost.

In response to HEM's questioning why the interview score threshold was not lowered, IDHS and CMS stated that IDHS has a strict policy on not lowering the threshold from 70.

Finally, the response concluded with the following, "Posting this position at a State facility in the geographic area where the two-time competitively selected candidate resides is consistent with this position's treatment in the past, is not in violation of the statutory construct related to county location, and is not inconsistent with competitive selection. Therefore, the hire – taken as a whole – is justifiable. CMS respectfully disagrees with HEM's conclusion and believes cancelling and reposting this position for a fourth time, and potentially at a different facility, would be harder to justify, particularly when considering fundamental fairness to an existing State employee who, after stepping up and into a statewide role to help DHS meet operational needs, and successfully competed for and was the top candidate for the job three times." HEM will be further discussing this issue with CMS and IDHS to ensure an understanding of the issues involved and that a consistent policy is in place for IDHS and across agencies when changing the location of a position, particularly after canceling a hiring sequence.

23-HEM-0046

In response to a complaint referral, HEM reviewed the hiring sequence for a Business Manager position at an IDOC Correctional Center. The complaint alleged that while the sequence was active, the employee assigned to serve as the Subject Matter Expert (SME) improperly shared information about the sequence with co-workers, including one who was an applicant for the position. At HEM's request, IDOC canceled the Business Manager sequence, reposted the position, and assigned a different employee to serve as the SME. HEM monitored the interviews for the reposted sequence and confirmed the original SME was not involved. While HEM did not identify any issues with the reposted sequence, HEM recommended that if the original SME is assigned to serve in this capacity again, IDOC first ensure the employee understands it is inappropriate for a SME to discuss details about their review with employees not assigned to the hiring sequence, especially while a sequence is still active. HEM also suggested IDOC consider adding information to the training it provides to SMEs regarding their duty to keep hiring sequence information confidential.

24-HEM-0024

HEM conducted a desk audit of a State Mine Inspector at the Illinois Department of Natural Resources (IDNR). While HEM found the selection decision to be merit-based and justifiable, HEM noted that the training certifications for two human resources (HR) staff assigned to this sequence had expired. In response to HEM's follow-up, the IDNR HR Director explained her misunderstanding of the requirement that HR Certification training was to be completed on an annual basis. The HR staff identified by HEM, and several other IDNR HR staff, completed the 2024 training within one day of HEM's follow-up.

HEM appreciated the agency's responsiveness to this issue and recommended that it ensure all HR staff complete the training on an annual basis. HEM also appreciates CMS's reminder to agencies, issued as a result of this Advisory, regarding complying with training requirements for HR employees.

24-HEM-0015

HEM conducted a desk audit of a 2023 hiring sequence for a Chief Administrative Law Judge (Chief ALJ) at the Illinois Property Tax Appeals Board (PTAB). While HEM found the selection decision to be merit-based and justifiable, HEM made two recommendations. Also, upon learning the candidate hired had recently announced her resignation, HEM requested to monitor the hiring sequence when the position was reposted.

HEM recommended that prior to reposting the position, PTAB modify the Chief ALJ position description to include the professional experience requirement. Although the Chief ALJ is classified as a Senior Public Service Administrator (SPSA), Option 8L (Licensed Attorney) position, the posting and position description for the 2023 sequence did not identify any required professional experience.

In the Advisory, HEM also addressed with PTAB and CMS issues with one of the interviewer scoresheets, as the scoresheet for this interviewer was incomplete, with notes and scores for most candidates missing. PTAB's HR Manager explained that the issues with the interviewer's scoresheet were likely due to technical issues. HEM discussed with the HR Manager and the CMS Hiring Lead the need for preserving the complete scoring information going forward.

23-HEM-0066

In response to a complaint referral regarding the cancellation of a hiring sequence for two HR Representative positions at the Illinois Department of Veterans' Affairs (IDVA), HEM reviewed the canceled sequence and monitored the interviews for the reposted sequence. HEM learned the original sequence was canceled in response to a candidate's internal complaint about his interview, and discussed the cancellation decision with IDVA's HR Manager, Chief of Staff, and Chief Legal Counsel. HEM found the selection decisions in the monitored sequence to be merit-based and justifiable but made two recommendations.

First, HEM recommended that going forward, IDVA timely upload required documentation, such as Relationship Disclosure and Conflict of Interest Certification Forms, to SuccessFactors. HEM also recommended IDVA schedule candidate interviews at least 90 minutes apart to allow for unforeseen issues that might arise, such as a candidate or an interviewer having technological difficulties, and to ensure the interviewers adequately finish scoring a candidate prior to the start of the next candidate's interview. While HEM did not request a response to this Advisory, IDVA responded, agreeing to implement both recommendations, which it further indicated would be included in its onboarding process for new HR employees.

24-HEM-0032

In June 2023, the OEIG received a complaint regarding the temporary assignment of an employee (Employee A) to a "Center Investigator" position at an IDHS Developmental Center. The OEIG originally referred the complaint to IDHS, with a response requested. In its response, IDHS identified the minimum qualifications of the position to which Employee A was temporarily assigned and Employee A's qualifications. While Employee A's experience, as summarized by IDHS, did not seem to meet the minimum qualifications IDHS identified for the position, IDHS nevertheless concluded she was qualified for the temporary assignment. Based on IDHS's response, the complaint was subsequently referred to HEM to confirm whether Employee A was qualified for the temporary assignment and whether she was still temporarily assigned. In following up with IDHS, HEM learned Employee A was temporarily assigned to a different position (Quality Assurance Manager/Facility Investigator) than the Internal Security Investigator position IDHS stated she was temporarily assigned to in the complaint response. In

addition, the Quality Assurance Manager had different minimum qualifications than those identified for the Internal Security Investigator position. Nevertheless, based on IDHS's description of Employee A's qualifications, HEM determined she did not meet the requirements of either position. IDHS confirmed Employee A's temporary assignment ended in the fall of 2023.

In the Advisory, HEM requested a response from IDHS for further clarification on the actual position Employee A was temporarily assigned to; a more detailed explanation of how Employee A's qualifications met the applicable minimum requirements; confirmation on whether she met the manual communication skills requirement; and an explanation for why the Temporary Assignment Authorization form indicated bilingual skills were not required for the temporary assignment, which appeared at odds with the position description for the Quality Assurance Manager. HEM also recommended that in making future temporary or interim assignment decisions, IDHS should select employees who qualify for fulltime hire into the temporarily assigned position, including ensuring they meet the minimum requirements and any bilingual communication requirements. HEM further recommended IDHS consider enhancing its Temporary Assignment Authorization form to include additional information, such as the working title and position number of the position to which the employee is being temporarily assigned, and a brief explanation for the selection decision, including whether/how the employee is qualified.

In response, IDHS confirmed that Employee A was temporarily assigned to the Quality Assurance Manager/Facility Investigator position and agreed she did not meet the minimum qualifications of this position, including the bilingual skills requirement, and should not have been temporarily assigned. IDHS also acknowledged the Temporary Assignment Authorization form was incomplete, and stated IDHS Central Payroll had sent facility payroll staff an email reminder indicating the form must be fully completed, and staff should not be temporarily assigned to a position requiring bilingual skills unless they pass the requisite bilingual skills test. IDHS further stated it would provide additional training on temporary assignments to payroll staff. IDHS also indicated it would work with CMS on modifying its Temporary Assignment Authorization form to include a section assessing the qualifications of temporarily assigned staff, ensuring such employees are minimally qualified for the temporary assignment opportunity. Finally, IDHS stated it inadvertently included inaccurate information in its initial response to the OEIG complaint about the position to

which Employee A was temporarily assigned and how she was qualified, acknowledging Employee A's temporary assignment and IDHS's review of the OEIG complaint were "not handled correctly."

24-HEM-0026

In response to a complaint referral, HEM reviewed the hiring sequence for an IDHS HR Representative with three vacancies. While HEM found the selection decisions to be merit-based and justifiable, HEM made one recommendation regarding the prolonged length of time that passed between various steps in the process. In this sequence, IDHS made employment offers to applicants with contractual rights eight months after the posting closed and held interviews more than a year after the posting closed. While the CEP does not provide a maximum amount of time between posting and interviews, HEM asked that IDHS consider the appropriateness of proceeding after such a lengthy delay to avoid issues such as: losing the interest of qualified candidates; perceptions of favoring particular candidates; and ensuring contractual rights candidates are appropriately moved to other means or invited to interview.

Investigative Division

The OEIG's Investigative Division typically receives over 2,500 complaints every fiscal year from members of the public, State employees, contractors, bidders, and anonymous sources. The OEIG evaluates all new complaints to determine the appropriate action, including opening an investigation, referring the allegations to the appropriate entity, or making a referral to HEM. In addition, the OEIG also has the authority to self-initiate an investigation based on information discovered in other investigations or available via public sources. Cases may also be transferred to the Investigative Division from HEM when a HEM review reveals evidence of intentional wrongdoing that requires a more in-depth inquiry or evidence of unlawful political discrimination.

Hiring-Related Complaints

For the second quarter of 2024, the OEIG received 34 hiring-related complaints. The following chart reflects the actions that were also taken with regard to hiring-related complaints during this quarter.



Hiring-Related Investigations

The following are the Investigative Division’s numbers at the close of this quarter.

Hiring-related Investigations	Count
Hiring-related investigations pending at the close of the quarter	13
Hiring-related investigations closed this quarter	6
Founded reports related to hiring issued this quarter	0
Founded reports related to hiring made available to the public this quarter	0

HIRING-RELATED REFERENCES

OEIG Hiring & Employment Monitoring Quarterly/Annual Reports

<https://oeig.illinois.gov/hem/hem-reports.html>

The Governor's Comprehensive Employment Plan for Agencies Under the Jurisdiction of the Governor (CEP)

<https://cms.illinois.gov/content/dam/soi/en/web/cms/personnel/employeeresources/documents/comprehensive-employment-plan.pdf>

CMS Exempt List

<https://cms.illinois.gov/content/dam/soi/en/web/cms/documents/exemptlist-w-incumbents.pdf>

CMS Political Contact Reporting (For State Employees)

<https://ilgov.sharepoint.com/sites/CMSPoliticalContactReporting>

Personnel Code

<https://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=236&ChapterID=5>

OneNet Trainings

<https://onenettraining.illinois.gov/onenettraining/page.aspx>

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