

## 2018 FIRST QUARTER REPORT

To the Board of Commissioners,

Please find below a summary of sustained investigations, investigation and audit data, and employment monitoring activity from the first quarter of 2018.

### **I. COMPLETED INVESTIGATIONS**

#### **A. EMPLOYEES DRIVING PARK DISTRICT VEHICLES WITHOUT DRIVERS LICENSES**

Investigations completed during the first quarter of 2018 revealed several cases of employees who were regularly driving Park District vehicles without valid driver's licenses. The investigations revealed a systemic problem in the Park District of failing to verify and monitor the license status of its employees driving Park District vehicles. Below are summaries of investigations that were completed in the first quarter of 2018. Other similar investigations are still pending.

##### **1. Employee Hired with a Revoked Driver's License for DUI and Drove Park District Vehicles Because License Status Was Never Verified**

A landscape employee (Driver 1) had regularly been driving a Park District vehicle although his driver's license had been revoked for a DUI conviction before the employee was hired in late 2016. The Park District apparently never checked the status of Driver 1's license before placing him in a position that may have called for him to drive one of its vehicles.

Not even Driver 1's failure to fill in a space on the job application form that requested driver's license information seemed to have alerted anyone that the status of his license may have been an issue.

Although Driver 1 disputed whether his license was suspended or revoked at the time his Park District employment started, Driver 1 told OIG that he knew he should not have been driving at work but was afraid of disclosing that fact to his supervisors.

OIG recommended the termination of Driver 1's employment. The Park District initiated termination proceedings.

## **2. Foreman Drove Park District Vehicles with an Expired License for 11 Years**

An OIG investigation established that a foreman (Driver 2) had been driving Park District vehicles every day (by his own account) without a valid driver's license for nearly 11 years.

What was especially puzzling about Driver 2's case was that his driver's license had only expired – it had not been revoked or suspended and there appeared to be no reason why he could not have renewed it at any point since mid-2007. Put another way, Driver 2 jeopardized his employment and exposed the Park District to liability every time he operated a Park District vehicle simply because he had not renewed his driver's license in nearly 11 years.

The Park District had a copy of the license that expired in 2007 but apparently never requested Driver 2 to show that he renewed his license since that time.

During the investigation, Driver 2 gave OIG bogus vehicle sign-out sheets for the last several years because, as he admitted, Driver 2 had not been completing the forms on a regular basis.

OIG recommended the termination of Driver 2's employment. The Park District has started the process of employment termination.

## **3. Motor Truck Driver Allowed His Commercial Driver's License to Lapse in 2014; Continued Driving Park District Commercial Vehicles**

An OIG investigation has established that a Motor Truck Driver (Driver 3) had been driving since 2014 without the required commercial driver's license.

Because Driver 3 was over the age of 75 when his license expired in 2014, he would have needed to perform a skills and driving test to renew his CDL. Driver 3 told OIG that he did not take the test because he had been planning to retire and no longer needed a CDL. Nevertheless, Driver 3 continued driving Park District commercial vehicles for nearly four more years without the required license and associated endorsements. Driver 3 told OIG that none of his supervisors checked to determine whether his CDL was current.

Driver 3 admitted that he lacked the required driving credentials and retired within a few days of his OIG interview. Had he not resigned, OIG would have recommended his termination.

As part of the review, Department of Risk Management and OIG collected the license status of Park District employees who are required or may be expected to drive for work.

In addition to the disciplinary recommendations related to the individual employees, OIG recommended that the Park District institute measures to actively monitor that the employees who drive its vehicles have current driver's licenses.

#### **B. EMPLOYEE FORGED PAY STUBS TO HELP A RELATIVE BUY A CAR**

An OIG investigation established that an employee doctored two of her pay stubs so that a family member could fraudulently obtain financing to buy a vehicle. Submitting false documents to obtain a loan, conspiring to submit false documents to obtain a loan, and forgery are felonies in Illinois.

The employee admitted using Photoshop to place the relative's name on electronic images of two Park District pay stubs. The relative presented printouts of the fake pay stubs at an auto dealership in an unsuccessful attempt to get a loan for a vehicle. The fraud was discovered when the auto dealership contacted the Park District to verify the relative's employment.

OIG recommended the employee's termination and for the Park District to offer the dealership its assistance in a criminal prosecution. The Park District has started to pursue the employee's termination.

#### **C. RESIDENCY CASES: THREE SECURITY GUARDS SURRENDER ILLINOIS DRIVER'S LICENSES FOR OUT-OF-STATE LICENSES, ESTABLISH RESIDENCY IN OTHER STATES**

Three Park District security guards on the active roster established residency in other states by, among other actions described below, surrendering their Illinois driver's licenses and obtaining new licenses in the other states.

One of the minimum qualifications for the Security Guard position is that an employee in that title "Must have a valid State of Illinois Driver's License."

Chapter Five of the Park District Code also states that "Any ... Employee of the Park District who resides outside the City of Chicago ... shall be terminated from his/her office or position of employment ..."

Background: Many of the Park District's Security Guards are part-time employees who are full-time law enforcement officers for other agencies or who are retired law enforcement officers. Security Guards often have itinerant work schedules and it is not unusual for there to be months-long gaps between their shifts depending on their

availability and the Park District's security staffing needs. Security Guards are hourly employees.

The flexibility in scheduling means that a Security Guard can live in another state for several months out of the year (especially in the winter) and not be missed by the Park District. There is, however, no official waiver of the Park District employee residency requirement for Security Guards no matter how frequently (or infrequently) they work.

**1. Security Guard Became a Full-Time Law Enforcement Officer in Tennessee While Still an Active Park District Security Officer**

A Park District Security Guard (Security Guard 1) left Illinois for Tennessee in August 2017 to become a full-time law enforcement officer there but never resigned as a Park District employee. Security Guard 1 obtained a Tennessee driver's license and surrendered his Illinois driver's license shortly thereafter.

Because Security Guard 1 never worked a shift at the Park District after moving to Tennessee, OIG recommended that he be allowed to resign rather than be terminated. The employee resigned from the Park District.

**2. Security Guard Hired in 2011 Obtained Florida Driver's License, Surrendered Illinois Driver's License and Claimed Florida Homestead Exemption on Residence Owned There**

Security Guard 2 had an Illinois driver's license when hired by the Park District in 2011. However, Security Guard 2 obtained a Florida driver's license in February 2017 and surrendered the Illinois license in March 2017. And Security Guard 2 had continued to work at the Park District; his most recent shift was in January 2018.

To obtain a Florida driver's license, an applicant must show two documents that identify his/her Florida residence. And, in addition to holding a Florida's driver's license, Security Guard 2, a retired Chicago law enforcement officer, has claimed the Florida homestead property tax exemption on the residence that he owns there. To be eligible for the homestead exemption under Florida law, the subject residence must be the taxpayer's primary residence.

Through his own declarations, Security Guard 2 became a Florida resident and surrendered his Illinois driver's license in early 2017. Each of these facts made Security Guard 2 ineligible to work as a Park District employee.

OIG recommended the termination of Security Guard 2's Park District employment and the Park District has initiated termination actions. Security Guard 2, who re-



acquired an Illinois driver's license after the investigation was completed, has requested a hearing.

### **3. Security Guard Surrendered Illinois Driver's License and Obtained a Florida Driver's License, Has a Vehicle Registered to a Florida Residence**

Security Guard 3 had an Illinois driver's license when he was hired by the Park District in 2016. He obtained a Florida driver's license in July 2017 and surrendered his Illinois driver's license in August 2017. Security Guard 3 continued to work after he surrendered his Illinois driver's license. Security Guard 3's last shift was in November 2017 but he remained a current Park District employee.

To obtain a Florida driver's license, Security Guard 3 was required to show two documents that identified his Florida residence. Further, Security Guard 3 registered a vehicle that he owned to the Florida residence.

Through his own declarations, Security Guard 3 became a Florida resident in July 2017 and surrendered his Illinois driver's license after that date. Each of these facts made Security Guard 3 ineligible for the Security Guard position.

OIG recommended termination. Security Guard 3 resigned pending the Park District's response to the recommendation. Security Guard 3's separation, however, has been coded a resignation instead of termination.

## **II. 2018 CASELOAD INFORMATION**

<b>Investigations by Quarter</b>					
	<b>First Quarter</b>	<b>Second Quarter</b>	<b>Third Quarter</b>	<b>Fourth Quarter</b>	<b>2018 Total</b>
Opened	18				
Closed	13				
Pending	69*				

♦ Includes carry-over from previous quarter.

\* Includes 132 closely related investigations closed together.

**Reviews by Quarter**

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	2018 Total
Opened	9				
Closed	1				
Pending	8*				

\* Includes carry-over from previous quarter.

**Nature of Investigations and Reviews Initiated by Quarter**

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	2018 Total
Criminal Misconduct or Fraud	4				
Waste, Inefficiency, Compliance	--				
Other Rule, Code, Ordinance Violations	14				

**Audits by Quarter**

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	2018 Total
Opened	2				
Closed	3				
Pending	3*				

\* Includes carry-over of four audits from previous quarter. Revises Fourth Quarter '17 Report that stated one audit was pending at end of 2017.

**Investigated Parties**

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	2018 Total
Officers	0				
Employees	17				

**Investigated Parties**

	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	2018 Total
Other (Agents, concessionaires, contractors, other parties, unknown)	1				

**Cases Pending Over Six Months**

[5]

**Reason**

Complex investigation. Generally involve difficult issues or multiple subjects: 3

Available Resources: 2

**III. COMPLIANCE MONITORING ACTIVITY — FIRST QUARTER 2018**

Under the Chicago Park District Employment Plan, OIG reviews and monitors the Park District’s hiring and assignment determinations to ensure that impermissible political factors have not played a role. OIG reports on its compliance monitoring activities in each its quarterly reports.

**A. MONITORING CONTACTS BY HIRING DEPARTMENTS**

OIG reviews all reported or discovered instances where hiring departments contacted Human Resources to lobby for or advocate on behalf of actual or potential applicants or bidders for positions that are covered by the Employment Plan or to request that specific individuals be added to any referral or eligibility list for upcoming jobs at the Park District.

Human Resources did not report any contacts by hiring departments for the first quarter of 2018.

*1. Review of Exempt List Modifications*

OIG reviews the Park District’s adherence to exemption requirements and modifications to the list of job titles and number of positions that are Exempt from the

Employment Plan procedures. There were no modifications to the Exempt List in the first quarter of 2018.

*2. Review of Exempt Management Hires*

Human Resources reported no Exempt hires made during the first quarter of 2018.

*3. Review of Written Rationales*

OIG reviews written rationales when no consensus selection (no one from the approved candidate pool was selected) was reached during a consensus meeting.

Human Resources did not submit any “no consensus” letters during the first quarter of 2018.

*4. Review of Emergency Appointments*

OIG reviews circumstances and written justifications for any emergency hires made pursuant to the Personnel Rules of the Park District Code.

Human Resources reported no emergency appointments in the first quarter of 2018.

*5. Review of “Acting Up” Activity*

OIG reviews all circumstances where employees are “acting up” (performing all or substantially all of the duties of an employee in a higher-paid classification).

Human Resources reported that nine employees “acted up” in the first quarter of 2018:

- Six Security Guards acted up as Security Supervisors
- A Physical Instructor acted up as a Park Supervisor
- A Physical Instructor acted up as a Playground Instructor
- A Playground Instructor acted up as a Park Supervisor

**B. COMPLIANCE HIRING MONITORING AND AUDITS OF PREVIOUS QTR. (4Q 2017)**

OIG audited a random sample of seven Park District’s hires from the fourth quarter of 2017 for compliance with the Employment Plan’s procedures.

*1. Review of Notices of Job Opportunities*

OIG audits modifications to minimum requirements and screening and hiring criteria and modifications of class specifications, minimum requirements, or screening and hiring criteria. OIG found no compliance violations with the posted minimum



requirements and other criteria in the corresponding Notices and Job Opportunities during 4Q '17.

*2. Review of Qualified Applicants/Bidders Lists*

OIG audits the lists of applicants/bidders who meet the predetermined minimum qualifications for the position (as generated by Human Resources). The 4Q '17 sequences OIG reviewed revealed no compliance violations.

*3. Review of Candidate Testing*

OIG found no compliance violations related to testing of Park District job candidates in 4Q '17.

**C. NO ARBITRATIONS OR GRIEVANCES REPORTED**

OIG audits all arbitration and grievances involving hiring, promotions, transfers or involving allegations of unlawful political discrimination. Human Resources did not report any arbitrations or grievances in the first quarter of 2018.