



CITY OF CHICAGO

# Memorandum

**TO:** Jonneida Davis, Chief of Hiring Oversight  
Office of the Inspector General

**FROM:** Soo Choi, Commissioner  
Department of Human Resources

Reshma Soni, Comptroller  
Department of Finance

**RE:** Director of Workers' Compensation

**DATE:** June 10, 2020

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We are writing in response to your e-mail dated May 29, 2020 wherein your requested information related to the request by the Department of Finance to add the position of Director of Workers' Compensation to the Exempt List. We address each of the requested items below.

- *The original Department of Finance request to add Director of Workers' Compensation*

Please find attached a copy of the memorandum from the Department of Finance requesting that the position be added to the Exempt List. DHR failed to provide OIG Hiring Oversight with a copy of the memorandum at the time the request was made and that was an oversight on our part. We will make sure to be more mindful of providing notice of such requests to OIG Hiring Oversight in the future.

We are also attaching a copy of the finalized job specification as it also came to our attention as we were pulling together information to answer your questions that the job specification hadn't been finalized due to a miscommunication with our Classification team. This likely also contributed to the confusion related to this request.

- *A description of the basis on which the Exempt status should be changed.*

This description is included in the memorandum from the Department of Finance where the requested the addition of the title to the Exempt List. DHR reviewed their request, and the reasons for adding the position to the Exempt List, and we agreed with their reasoning as noted in our response memo.

- *Clarification on whether this position is currently filled? If so, who is in the position?*

The Director of Workers' Compensation is currently occupied by Luana Montoya. Ms. Montoya has been in the position since the position moved from City Council's Committee on Finance to the Department of Finance in May 2019.

- *The CoC Hire Plan provides an explicit timeline which includes simultaneous notification DHR and HO of requests for additions, and for OIG to submit written objections. The timeline for this particular request is unclear. DHR's memo is dated for May 1, but references a May 21 memo from DOF requesting the addition, and OIG didn't receive the memo until May 28, 2020. Can you please clarify the timeline related to this request. Is the May 1<sup>st</sup> date on the DHR response a typo?*

As stated above, DHR failed to provide OIG Hiring Oversight with a copy of the memo requesting that the position be added to the Exempt List at the time the request was made. As you'll see in the memo from the Comptroller, the request was made on May 21, 2020. The memorandum from DHR was issued on May 28, 2020 and should have reflected that date. The May 1, 2020 date is a typo. We apologize for the confusion that this caused.

- *The Director of Workers' Compensation was previously included on the Shakman Exempt list and was removed on March 1, 2019. Please see attached red line of the Shakman Exempt List which removed the title. Please provide some rationale or justification to explain why this position is now being reinstated to the Exempt List.*

The Director of Workers' Compensation was included on the Exempt List on Schedule C, which covers the City Council. When the Workers' Compensation function moved from City Council's Committee on Finance to the Department of Finance, the title was removed from Schedule C of the Exempt List along with several other titles that also were previously exempt because they were in City Council.

The process outlined in your e-mail concerning adding a title to the Exempt List needed to be followed before any of the titles that were on Schedule C of the Exempt List could be added to Schedule G of the Exempt List. The removal from Schedule C wasn't based on a determination that the duties of the position didn't meet the requirements for being Exempt but was only done in recognition that the position no longer existed in City Council. As we've stated above, the Comptroller outlined the reasons why the position should be deemed Exempt in her memorandum, and DHR agrees with that analysis.

DHR again wishes to apologize for failing to provide the request from the Comptroller at the time that it was made. We will make sure that doesn't happen in the future. Should you have any additional questions, please let us know.

