

METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO
2023 ANNUAL REPORT
OF THE
CIVIL SERVICE BOARD

The Civil Service Board ("Board") held twelve regular meetings and one special meeting during 2023. Four members served on the Board. John S. Kendall served as Chair from January 1, 2023 through December 31, 2023. John Kendall's term expires January 31, 2026. Mazie A. Harris served as Vice Chair from January 1, 2023 through October 4, 2023. Mazie Harris resigned on October 4, 2023. Karina Ayala-Bermejo served as Vice Chair from December 7, 2023 through December 31, 2023. Karina Ayala-Bermejo's term expires January 31, 2028. Donald J. Storino served as Secretary from January 1, 2023 through December 31, 2023. Donald Storino's term expires January 31, 2024.

At its regular meetings, the Board ratified 393 requests for leaves of absence.

During 2023, the District filed termination charges against eight employees. Of those eight discharge actions, one employee was discharged, four employees resigned, and three employees remain on suspension with their cases pending before the Board. Details of these cases are as follows:

- The District suspended one employee pending discharge in December 2022 for being under the influence of marijuana while at work, possessing a loaded firearm, failing to comply with orders of the District Police, and resisting a Police Officer. Charges were filed in January 2023. This case is currently pending before the Board.
- The District suspended one employee pending discharge in March 2023 for making decisions to fill vacant positions based on ethnicity or perceived ethnicity. Charges were filed in April 2023. This case proceeded to hearing before the Board. The Board issued a decision on August 2, 2023 discharging the employee.
- The District suspended one employee pending discharge in May 2023 for driving a District vehicle at excessive speeds on multiple occasions. Charges were filed in June 2023. The employee resigned effective August 7, 2023.
- The District suspended one employee pending discharge in May 2023 for using District time and resources for personal activities, failing to follow directives from the chain of command, falsifying times sheets, violating the sick leave usage policy, and failing to disclose a potential conflict of interest in the course of conducting District business. Charges were filed in June 2023. The employee resigned effective July 11, 2023.
- The District suspended one employee pending discharge in July 2023 as a result of an investigation by the Office of the Independent Inspector General (OIIG) determining the employee engaged in fraud with respect to a federal Paycheck Protection Program (PPP) loan. Charges were filed in August 2023. The employee resigned effective August 23, 2023.
- The District suspended another employee pending discharge in August 2023 as a result of an investigation by the OIIG determining the employee engaged in fraud with respect to a federal PPP loan and failing to disclose secondary employment. Charges were filed in August 2023. The employee resigned effective September 11, 2023.

- The District suspended one employee pending discharge in October 2023 for failing to maintain the minimum standard of performance. Charges were filed in October 2023. This case is currently pending before the Board.
- The District suspended one employee pending discharge in October 2023 for being absent without leave on multiple occasions. Charges were filed in November 2023. This case is currently pending before the Board.

One discharge case was carried over from 2020 and three discharge cases were carried over from 2022. In the 2020 case, the employee returned to work pursuant to an Agreed Order and Stipulation, but was subsequently out on ordinary disability and has not satisfied the terms of the Stipulation. In the 2022 cases, one employee resigned and two employees were discharged. Details of these cases are as follows:

2020 Discharge Case

- The District suspended one employee pending discharge in November 2020 for being absent without leave. Charges were filed in December 2020. The employee entered into a Stipulation with the District and was reinstated. The employee was subsequently out on ordinary disability. On October 26, 2022, the Board entered an order extending the Stipulation for nine months from the date the employee returns to work. The Board will monitor the employee's compliance with the Stipulation.

2022 Discharge Cases

- The District suspended one employee pending discharge in December 2021 for excessive tardiness, being absent without leave and unacceptable performance. Charges were filed in January 2022. This case proceeded to hearing before the Board. The hearing concluded in December 2022. The Board issued a decision on January 18, 2023 discharging the employee.
- The District suspended one employee pending discharge in January 2022 for leaving the Plant during work hours on several occasions without notifying supervisors. Charges were filed in February 2022. The employee entered into a Stipulation with the District and was reinstated. The District filed a motion for discharge in August 2022 alleging that the employee violated the terms of the Stipulation. This case proceeded to hearing before the Board. On February 8, 2023, the Board issued a decision denying the District's Motion for Discharge. The District again suspended the employee in April 2023 for failing to comply with required drug and alcohol testing. The employee resigned effective April 24, 2023.
- The District suspended one employee pending discharge in May 2022 for being absent without leave. Charges were filed in May 2022. The employee failed to attend the discharge hearing. The Board entered an order granting the District's request to discharge on September 13, 2023.

In 2023, eleven employees filed a total of thirteen appeals with the Board in which they challenged some action regarding their employment. Eight of these appeals are currently pending. The details of these cases are as follows:

- One employee filed two appeals, both of which were denied. The employee appealed the reassignment of a position and the eligible list used to fill a vacancy. On July 12, 2023, after hearing arguments, the Board dismissed the appeal. This employee also appealed for additional compensation for performing some duties of a higher-level position. This appeal proceeded to hearing before the Board. On November 22, 2023, the Board rendered a decision denying this appeal.
- One employee appealed a 1-day suspension. In May 2023, the District disciplined this employee for submitting expenses without supervisor approval. This matter was settled, and the employee withdrew his appeal on September 13, 2023.
- One employee appealed the District's acceptance of her resignation. This appeal is currently pending before the Board.
- One employee appealed to the Board alleging discrimination, retaliation, and harassment by her supervisor. The District filed a Motion to Dismiss. After the Board heard arguments, the Board granted the District's Motion to Dismiss due to lack of jurisdiction.
- One employee appealed her performance review. This appeal is currently pending before the Board.
- One employee appealed her performance review. This appeal is currently pending before the Board. This appeal involves the same subject matter as a 2023 discharge case described above.
- One employee appealed his performance review. This appeal is currently pending before the Board.
- One employee appealed a 3-day suspension. In August 2023, the District disciplined this employee for inappropriate conduct toward a co-worker. This appeal is currently pending before the Board.
- One employee appealed the qualification requirements for an examination. This case proceeded to hearing before the Board. On December 13, 2023, the Board granted the District's motion for directed finding and denied the appeal.
- One employee appealed the qualifications of other candidates on an eligible list. This appeal is currently pending before the Board.
- One employee appealed his timecoding. This appeal is currently pending before the Board.
- One employee appealed her performance review. This appeal is currently pending before the Board.

Three appeals to the Board were carried over from 2022. Details of these cases are as follows:

- One employee appealed the scoring of an exam. This appeal proceeded to hearing before the Board. On March 15, 2023, the Board rendered a decision denying the appeal.
- One employee appealed a 30-day suspension pending discharge issued in 2022. This appeal involves the same subject matter as the 2022 discharge case described above. The Board dismissed this appeal for want of prosecution on September 13, 2023.
- One employee appealed not being selected for an appointment. The employee withdrew his appeal on May 10, 2023.

The District presented and requested the Board's approval of six Amendments to the District's Classification Plan and Lines of Promotion. The Board approved five of these proposed Amendments and one Amendment was withdrawn. The Board also approved one Amendment to the Personnel Rules.

John Kendall

John S. Kendall
Chair of the Civil Service Board