

POLICY AND GUIDELINES FOR USE OF ACTING UP

A. GENERAL CONSIDERATIONS

The City and the Hiring Monitor have worked to create a process to guide departments in administering acting up into Shakman-protected titles. *Acting Up is the Exception, not the Rule.* Acting up for temporary periods is sometimes unavoidable. However it should never be the option of first resort and departments are expected to take every reasonable step to ensure that vacancies are filled in a timely and appropriate fashion.

These guidelines relate to Shakman-protected titles. Because of this, it is never appropriate for political considerations to play any part in determining whether an employee will act up.

Please note that no individual is permitted to act up in any position or positions, for more than 520 hours in any calendar year, unless they have received an approved waiver from the Commissioner of the Department of Human Resources. See section G below.

Each department must also maintain a copy of this documentation in accord with its document retention policy. Copies of all documentation described in this policy should also be submitted to the Department of Human Resources and the Department of Law Compliance and Internal Audit Division.

These guidelines and instructions are by necessity general. It is each department's responsibility to disclose any operational problems with implementing this policy and seek guidance and approval before taking any action not in compliance with this policy. Any such requests must be made to:

Theresa Hill, Asst. Commissioner
Department of Human Resources,
Division of Workforce Compliance

City Hall, Room 1100
(312) 747-8961
Theresa.Hill@cityofchicago.org

B. DEFINITIONS

For the purposes of this acting up policy, the following terms have the meaning noted below:

Acting Up – Acting up is where an employee is directed to, and does perform, or is held accountable for, substantially all of the responsibilities of a higher-level Shakman-protected title.

Bargaining Unit employee – A bargaining unit employee is any employee whose terms and conditions of employment are governed by a collective bargaining agreement between the City and a labor union.

Hour – An hour is any incident of acting up regardless of duration within a working hour, whether paid or unpaid. For instance, acting up in a 30 minute increment would count as an hour under this policy.

Hiring Official – A hiring official is the manager who has final authority to select which employee shall act up.

Relevant Pool – A relevant pool is a list of employees and their seniority dates in a bargaining unit who are eligible to act up in a higher rated title. Generally, this includes all employees in the title directly below the acting up title. However, please consult any applicable collective bargaining agreements in determining which employees must be included in a relevant pool.

Screening and Eligibility List – A Screening and Eligibility List is a listing of all employees who expressed interest in acting up and it describes which employees are actually eligible to act up in the higher rated title.

Shakman Certification – A Shakman Certification is a certification that political considerations played no role in the decision to act up.

C. USE OF ACTING UP FOR NON-BARGAINING UNIT EMPLOYEES

If the employee is in a Shakman-protected position, which is **not in a bargaining unit**:

- 1) If an employee will act up for a period of 168 hours or less, the hiring official may select an employee to act up in the position at his/her discretion. Departments **MUST** report all acting up, including those who will act up less than 168 hours.
- 2) If an employee will act up for a period of greater than 168 hours but less than 520 hours, the hiring official must do the following:
 - a) Inform all employees eligible to act up in the higher position of the opportunity to act up *in writing*. The notice must include the criteria used to evaluate applicants