

**COMMISSION ON HUMAN RIGHTS
URBANA, ILLINOIS**

In re Christopher Hansen)	
Human Rights Ordinance Complaint)	
Dated September 14, 2020)	
)	
Christopher Hansen,)	Matter No. 001-09-20
Complainant)	Employment Discrimination
)	Job Application Content
Marion Knight, Jr., Tom Betz, Traci E.)	
Nally, Elizabeth Borman, Elizabeth)	
Hannan, Respondents.)	

INITIAL DETERMINATION AND ORDER

Pursuant to Urbana City Code (“UCC”), Section 12-82(a) of the City of Urbana’s (“City”) Human Rights Ordinance (UCC Sec. 12-16 *et seq.*, hereinafter, “Ordinance”) and by designation of Diane Wolfe Marlin, Mayor, James L. Simon, City Attorney, has been directed to serve as “Officer” for purposes of conducting this initial investigation of, entering an initial order regarding, and handling any hearing in connection with the complaint (“Complaint”) that Mr. Christopher Hansen (“Complainant”) submitted to the Human Rights Commission (“Commission”) on or about September 14, 2020.

Pursuant to UCC Sections 12-82(b) and (c), the Officer is charged with (i) undertaking a preliminary investigation into the Complaint; (ii) making an initial determination whether the Commission has jurisdiction over Respondents; (iii) making an initial determination whether probable cause exists to proceed against Respondents; (iv) making written findings on the aforesaid; (v) entering an initial order based on those finds; and (vi) serving those written findings and the initial order on Complainant and Respondents.

As of the submission of this preliminary determination and initial order, Respondents have not submitted written responses to the Complaint and are presumed to be willing to stand on the two job descriptions about which Complainant complains.

Based on the findings discussed below, pursuant to UCC Sec. 12-82(b), the Officer makes the following preliminary determinations:

A. The Commission lacks jurisdiction over Respondents because they are exempt under the Ordinance since they are employees of and appointees to a commission created and operated by the City.

B. There is no probable cause that Respondents violated the Ordinance because Complainant lacks standing to bring and prosecute his Complaint.

C. The City’s Civil Service Commission did not violate the Ordinance when including in

two job descriptions the requirement that applicants for those positions must “pass a criminal background check” as a pre-condition for employment.

INITIAL FINDINGS

A. AUTHORITY OF CITY ATTORNEY TO SERVE AS INVESTIGATING OFFICER.

The Ordinance defines “Officer” as the City’s Human Relations Officer or that person’s designee. UCC Sec. 12-39. The Officer is charged with (i) undertaking preliminary investigations of complaints brought under the Ordinance; (ii) determining whether the Commission has jurisdiction over respondents named in complaints; (iii) determining whether probable cause exists to proceed against the respondents; (iv) preparing findings and an initial order; (v) serving those findings and initial orders on complainant(s) and respondent(s); and (vi) advising complainants of their right to appeal the initial findings and order. UCC Sec. 12-82(a), (b), (c). At the time when the Complaint was submitted to the Commission, the City’s position of Human Relations Officer was vacant. Therefore, on September 25, 2020, the Mayor designated the City Attorney to handle the duties the Ordinance requires of the Human Relations Officer as provided in UCC Sec. 12-82 in connection with Complainant’s Complaint.

B. THE COMPLAINT.

On or about September 14, 2020, Complainant sent his Complaint to the Commission. The Complaint, in full, states:

Dear Members of the Urbana Human Relations Commission,

I am writing to formally file a Human Rights Complaint against Marion Knight Jr., Tom Betz, Traci E. Nally, Elizabeth Borman, and Elizabeth Hannan. These individuals are in violation of the Urbana Human Rights Ordinance by discriminating against individuals in regards to employment.

On July 29 of 2020, the Urbana Civil Service Commission held a public meeting wherein they discriminated and conspired with city staff to further discriminate against individuals on the basis of an applicant’s prior arrest or conviction record.

The individuals listed above violated the Urbana Human Rights Ordinance by creating, voting for, and disseminating a job listing for the position “Human Resources Assistant” which includes the requirement to “pass a criminal background check.” This item is attached.

The individuals listed above violated the Urbana Human Rights Ordinance by creating, voting for, and disseminating a job listing for the position “Human Resources Coordinator” which includes the requirement to “pass a criminal background check.” This item is attached.

Thank you for carefully reviewing this matter.

Kind Regards,
Christopher Hansen
[Signature]
September 14th, 2020

See Complaint and the two job descriptions included herewith. As stated above, the Officer must find whether the Commission has jurisdiction over Respondents and whether there is probable cause to proceed against them.

The Officer reviewed the complaint, reviewed the video of the July 29, 2020 Civil Service Commission during which the two job descriptions about which Complainant complains, and communicated with Respondent Elizabeth Borman about how the City uses, if at all, criminal background checks in City hiring processes.¹

C. COMMISSION LACKS JURISDICTION TO CONSIDER THE COMPLAINT.

For the reasons discussed below, the Officer concludes that the Commission lacks jurisdiction over Respondents because they are employees and appointees of the City.

1. Complainant Failed Previously to Apply the Ordinance to the City and Its Employees.

Complainant, on a previous occasion, litigated the issue of whether the Commission can exercise jurisdiction over the City and one of its employees – the former Human Relations Officer, Vacellia Clark. In spring 2020, Complainant submitted a complaint to the Commission alleging that Ms. Clark had discriminated against him on a number of occasions in connection with “accommodations” under UCC Sec. 12-63. Complainant contended that the Ordinance itself provided an “accommodation” under Section 12-63 and that Ms. Clark had failed to find merit in a number of Complainant’s prior complaints under the Ordinance and the City’s Civilian Police Review Board ordinance (UCC Secs. 19-20 *et seq.*).

Based on the then current language in the Ordinance, the investigating officer determined that the Commission lacked jurisdiction over the City and Ms. Clark on grounds that they were exempt under UCC Section 12-105(d). Thereafter, Complainant exercised his right to appeal under UCC Section 12-82(d). Pursuant to UCC Section, an informal hearing was conducted. At the conclusion of the information hearing, a majority of the three member hearing panel found that the City and Ms. Clark were not subject to the jurisdiction of the Commission. Complainant seeks to relitigate that issue through the current Complaint.

The language on which the prior order was based has not changed.

2. The Ordinance Does Not Contemplate Jurisdiction Over Respondents.

The Officer finds that the Commission lacks jurisdiction over Respondents.

¹ As of the date of this preliminary investigation, one of positions, the description about which Complainant complains, has been filled.

There is no dispute that the Complaint names as Respondents two City employees (Elizabeth Hannan and Elizabeth Borman) and three Urbana Civil Service Commission members (Marion Knight, Jr., Tom Betz, Traci E. Nally). Further, the Complaint alleges that the three Respondent Civil Service Commission members approved job descriptions for the positions of “Human Resources Assistant” and “Human Resources Coordinator.” The Complaint also alleges that those two job descriptions contain a statement that applicants must “pass a criminal background check” and that the two City employee Respondents disseminated these approved job descriptions for purposes of filling these positions.

Ordinance Section 12-105 provides several exceptions insofar as who is amenable to the Commission’s jurisdiction. UCC Sec. 12-105(d) states:

The provisions of this article shall not apply to other units of government, including the Federal government or any of its agencies, the State of Illinois and any other political subdivision, municipal corporation or their agencies.

UCC Sec. 12-105(d), emphasis supplied. The City is a “municipal corporation” and the Commission is one of the City’s “agencies.”

A review of the Ordinance’s penalty provision (UCC Sec. 12-101) demonstrates that the Ordinance was not intended to apply to City employees or appointed officials UCC Section 12-101 states:

Any person found in violation of any provision of this article by the commission, or in subsequent judicial proceedings in a court of law, shall be fined not more than five hundred dollars (\$500.00) for each violation.

UCC Sec. 12-101.

Given that a violation of the Ordinance constitutes an ordinance violation, the City would be required to initiate proceedings in the Ordinance Violation Court, a division of the Circuit Court for the Sixth Judicial Circuit, Champaign County, Illinois if Respondents refused to voluntarily pay any fines levied by the Commission. Further, the City has an obligation to indemnify and defend any City employee and/or individual appointed to serve on a City board or commission who is sued or threatened with a suit for damages allegedly caused in the performance of their duties as an employee and/or appointee. UCC Secs. 2-171, 2-173(a) and 2-174(a).² Thus, by reason of its duty to defend Respondents, the City would be required to both prosecute and defend Respondents in the same proceeding. Likewise, by reason of its duty to indemnify Respondents, the City would be required to pay any fines the court or the Commission levied to itself since ordinance violation fines are payable to the City, not complainants.

The Officer finds that it would place the City in an untenable position and in serious conflict of interest with its employees and appointees to its boards and commission if the Commission had

² The City’s indemnity and duty to defend ordinances provide that it would be up to the City Attorney to decide whether the City should defend Respondents against complaints involving performance of their duties as employees and commissioners. UCC Secs. 171 et seq.

jurisdiction over such individuals. The only logical conclusion that can be drawn is that the Ordinance was not intended to confer jurisdiction on the Commission over City employees and appointees to its boards and commissions.

3. Enforcement of the Ordinance as Requested Would Place the Commission in an Untenable Procedural Conflict of Interest with the City.

The Officer finds that application of the Ordinance to the City and its employees and appointed officials would create an untenable procedural conflict of interest for several reasons.

First, the Mayor, with the advice and consent of the City Council, appoints members of City boards and commissions including the Human Rights Commission and the Civil Service Commission. UCC Secs. 12-17, 2-98. Second, the City provides staff support to the Commission (UCC Sec. 12-22(e)). Third, the City provides staff support to the Civil Service Commission.³ Fourth, the Commission is charged with cooperating with “the mayor, city council, city departments, agencies and officials in securing the furnishings of equal services to all residents.” UCC Sec. 12-22(a). Fifth, the services of “all city departments and agencies shall be made available ... to the commission at its request.” UCC Sec. 12-22(e).

The Commission’s exercise of jurisdiction over City employees and appointed officials would place the Commission and those employees and appointed officials in conflict. Such exercise of jurisdiction would require City employees and appointed officials to cooperate with provide assistance to the Commission while, at the same time, they may be defending complaints such as the present Complaint now before the Commission.

4. Complainant Has Other Remedies.

The Complainant is not without other remedies should he feel that he has suffered discrimination by Respondents or the City. Complainant can bring a charge of discrimination before the Illinois Department of Human Rights and/or the federal Equal Employment Opportunity Commission. Further, Complainant has the right to initiate a lawsuit for discrimination in the Circuit Court for the Sixth Judicial Circuit, Champaign County, Illinois or the United States District Court for the Central District of Illinois if he can meet the threshold requirements for doing so. In short, the Ordinance does not create a sole and an exclusive remedy to address alleged discriminatory actions. It should also be noted that UCC Sections 12-82(a), (b) and (c) do not provide that the investigating officer must take into consideration when undertaking a preliminary investigation the costs, if any, of pursuing any of these other remedies.

D. THERE IS NO PROBABLE CAUSE TO PROCEED AGAINST RESPONDENTS

The Officer finds that there is no probable cause for the Commission to proceed against Respondents since Complainant cannot establish his standing to complain of discrimination in this instance.

³ City staff support to the City’s Civil Service Commission was clearly evident at the Civil Service Commission’s July 29, 2020 at which Complainant was present and provided public input.

1. The Complaint Does Not Allege that Complainant Suffered Any Harm from Any Discrimination.

The Complaint asserts that Respondents discriminated in connection with employment by including within the two job descriptions in question a requirement that applicants must “pass a criminal background check.” See Exhibits. Such allegation must be considered under UCC Section 12-62 regarding discrimination in employment. UCC Sec. 12-62.

UCC Section 12-62(a) states:

By an employer. It shall be an unlawful practice for an employer to do any of the following acts for a reason based wholly or partially on discrimination:

- (1) To fail or refuse to hire, to discharge or to accord adverse, unlawful and unequal treatment to any person with respect to his/her application, hiring, training, compensation, tenure, upgrading, promotion, layoff or any other terms, conditions or privileges of employment;

UCC Sec. 12-62(a). UCC Section 12-62(c) states:

By an employer or employment agency. It shall be an unlawful practice for an employer or employment agency to make or use a written or oral inquiry or form of application that elicits or attempts to elicit information for a reason based wholly or partially on discrimination;

UCC Sec. 12-62(c)

UCC Section 12-39 defines “discrimination” as:

Any practice or act which is unlawfully based wholly or partially on the race, color, creed, class, national origin, religion, sex, age, marital status, physical or mental disability, personal appearance, sexual preference, family responsibilities, matriculation, political affiliation, prior arrest or conviction record or source of income of any individual, or any subclass of the above groups.

UCC Sec. 12-39, emphasis supplied.

It is important to note that the Complaint does **not** allege that:

- i. Complainant requested a copy of either job description for the purpose of applying for either of the positions approved by Respondent Civil Service Commission members.
- ii. Complainant applied for either position described in the job descriptions at issue.
- iii. Complainant was given an offer of employment contingent on “passing a criminal

background check.”

- iv. Complainant was forced or asked to submit to a criminal background check in connection a contingent offer of employment with the City.
- v. The City conducted a criminal background check on Complainant in connection with a contingent offer of employment with the City.
- vi. The City revoked a contingent offer of employment for one of the positions based on a criminal background check.
- vii. The City used or relied on an employment agency for the purpose of finding candidates for either position described in the job descriptions that included Complainant.
- viii. The City used a requirement of a criminal background check to discriminate against Complainant in employment.
- ix. Complainant suffered a cognizable injury as a result of Respondents’ acts or omissions.
- x. The City will discriminate in terms of who must submit to a criminal background check and for whom such requirement will be waived.
- xi. The City will use the information derived in a criminal background check in a discriminatory manner.
- xii. The City has used criminal background checks in a discriminatory manner.

Clearly, UCC Sections 12-39 and 12-62 contemplate that the Complainant himself must have been subject to discrimination in employment. However, there are no allegations whatsoever that Complainant in way suffered a cognizable injury, by reason of discrimination or otherwise, due to the job descriptions’ requirement of passing a criminal background check. Thus, Complainant has no standing to bring his Complaint.

As part of his investigation, the Officer communicated with Respondent Elizabeth Borman who, among other duties, handles hiring practices for the City including drafting job descriptions, submitting them to the Civil Service Commission for review and approval, and using those descriptions for hiring purposes. Ms. Borman advised this Officer of the following.

- i. The City’s Human Resources/Finance Department (hereinafter, “HR”) is responsible for hiring individuals to fill vacant or newly-created City employment positions.
- ii. The City uses criminal background checks where individuals filling those positions have or will have access to sensitive, personal or confidential information (e.g., bank account and other financial information, Social Security numbers, home addresses, information regarding employee family members, health information, etc.) or due to the nature of the duties of a position (e.g., handling City finances, having access to private residences and businesses,

working in schools, handling employee disciplinary matters, handling information that likely would be deemed confidential and/or exempt from disclosure or production under state or federal laws).

iii. HR requests a criminal background check only after a contingent offer of employment has been extended to a candidate. Thus, no applicant is eliminated for consideration until a decision is made to extend a contingent offer of employment to a particular candidate.

iv. If a criminal background check is required and generates concerns, HR relies on guidance provided by the federal Equal Employment Opportunity Commission, specifically *Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act* (2012).

v. The City endeavors to confirm whether the criminal background information it received from the background check is accurate.

vi. If the information in the criminal background check is accurate, HR analyzes the findings of that check in relation to the functions of the position to see whether the City would be taking a risk by proceeding with hiring the candidate. HR uses the requirements specified in *Green v. Missouri Pacific Railroad*, 549 F.2d 1158 (8th Cir. 1977) (commonly referred to as the Green Factors) when undertaking these assessments.

vii. HR also consults with the City's Legal Division and/or the Assistant City Attorney within the HR/Finance Department if questions arise insofar as whether a criminal background check finding might disqualify the candidate to whom the contingent job offer was made.

viii. If the findings of the criminal background check raises concerns, HR affords the candidate with an opportunity to discuss those findings. HR has found that candidates, on their own, often share information with HR that might disqualify them for the job. However, HR still relies on the guidance provided by the Equal Employment Opportunity Commission.

ix. Ms. Borman and Elizabeth Hannan, HR/Finance Department Director, discussed whether the two job descriptions in question should include a requirement for passing a criminal background check. They determined that both positions will require the successful candidates to handle highly sensitive information such as banking information for direct deposit of payroll checks; pension information, payroll tax and withholding information; Social Security numbers; health information when applying for or receiving health insurance and health services as part of one or more City benefits; information regarding employee dependents if they are covered under a City benefit; and access to other employees' personnel records.

2. The Pre-Employment Requirement of a Criminal Background Check is Lawful.

The City can lawfully require that a criminal background check may be required for the job applicant who receives a contingent offer of employment so long as the information derived from that check is not used in a discriminatory manner.

In *National Aeronautics and Space Administration v. Nelson*, 562 U.S. 134 (2011), the United States Supreme Court stated that “[t]ime and again our cases have recognized that the Government has a much freer hand in dealing ‘with citizen employees than it does when it brings its sovereign power to bear on citizens at large.’” *Id.* at 148. Further,

As this long history suggests, the Government has an interest in conducting basic employment background checks. Reasonable investigations of applicants and employees aid the Government in ensuring the security of its facilities and in employing a competent, reliable work force. [Citation omitted.] Courts must keep those interests in mind when asked to go line by line through the Government's employment forms and to scrutinize the choice and wording of the questions they contain.

Id. at 150, brackets supplied.

In *Hernandez V. William Rainey Harper College*, 2011 WL 5122698 (N.D. Ill. 2011), the court considered a challenge to the college's requirement that new hires submit to a criminal background check. The court recognized that at that time, the Seventh Circuit Court of Appeals had not directly addressed the issue of mandatory criminal background checks as a condition of employment. However, the court believed that the Seventh Circuit's opinion in a case involving mandatory drug testing as a condition for employment provided guidance. The court concluded that:

... [criminal] background checks at issue in this case share relevant characteristics with the required drug tests and medical examinations addressed in *Stockett* and *Place* and therefore adopts the analysis from these cases. Hernandez concedes that Harper's written policy states that any new employee whose name returns conviction hits must undergo a fingerprint check. Hernandez claims that he nonetheless felt harassed by the fingerprint request, and the Court must draw reasonable inferences in his favor. There is no evidence, however, that Harper did anything other than follow this policy.

Id. at 5, brackets supplied.

The requirement of passing a criminal background check as a condition of hiring and employment makes sense. For example, would it be unreasonable for the City to revoke an offer of employment to a person who will be handling personal information if the check accurately discloses that the candidate has one or more convictions for identity theft? Would it be unreasonable for the City to revoke an offer of employment to a person who will be handling personal financial information (e.g., bank deposit information) where the criminal background check has disclosed that the candidate has a conviction for embezzlement or theft from another person's bank account? Would it be unreasonable for the City to revoke an offer of employment to a person who will be deployed as a School Resource Officer (SRO) where that candidate's background check discloses that they have a conviction for pedophilia or are on the State's sexual predator registry?

The Officer finds that the City has a lawful right to require that a candidate to whom a contingent offer of employment is made undergo a criminal background check so long as the City

does not use the findings of that check in a discriminatory manner. The Officer also finds that the City's use of criminal background checks as part of the hiring process conforms to the federal Equal Employment Opportunity Commission's *Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act* (2012). As noted above (see footnote 1 above), the City has filled one of the positions provided for in one of the job descriptions about which Complainant complains. As part of the process, the City conducted a criminal background check.

INITIAL ORDER

UCC Section 12-82(c) states:

If the officer finds, with respect to any respondent, that the commission lacks jurisdiction or that probable cause does not exist, the officer shall issue and cause to be served on the respondent and the complainant an order dismissing the allegations of the complaint, along with a copy of this section explaining the complainant's right to appeal.

Pursuant to UCC Section 12-82(c) and having conducted this preliminary investigation of the Complaint, the Officer finds that:

- a. the Commission lacks jurisdiction over Respondents; and
- b. probable cause does not exist to proceed against Respondents since Complainant cannot establish standing to bring the Complaint he has brought.

For the foregoing reasons, the allegations in Complainant's Complaint are dismissed.

Respectfully submitted,
James L. Simon
James L. Simon
Interim Investigative Officer
City Attorney

**COMPLAINANT'S RIGHTS TO APPEAL
DISMISSAL OF ALLEGATIONS IN COMPLAINT**

Complainant is advised that UCC Section 12-82(d) provides him with an opportunity to appeal the dismissal of the allegations in his Complaint.

An order dismissing the allegations of the complaint for lack of jurisdiction or lack of probable cause may be appealed to the commission by the complainant within twenty-eight (28) days of the date on which the order was served, by mailing to the chair of the commission a written request for an informal public hearing.

(1) The chair shall appoint one (1) member of the commission and two (2) other persons familiar with this chapter to hear the appeal.

(2) The informal hearing shall be held within twenty-eight (28) days of the date a written request is received by the chair of the commission.

(3) Notice of the informal hearing date shall be served upon the complainant and the respondent no less than seven (7) days in advance of the hearing date.

(4) The commissioner appointed to hear the appeal shall preside at the informal hearing at which time the officer will state the reasons for his/her initial determination of no probable cause and the complainant will state his/her objections to the determination. The respondent shall have the opportunity, but shall be under no obligation, to comment in support of the officer's determination.

Dear Members of the Urbana Human Relations Commission,

I am writing to formally file a Human Rights Complaint against Marion Knight Jr., Tom Betz, Traci E. Nally, Elizabeth Borman, and Elizabeth Hannan. These individuals are in violation of the Urbana Human Rights Ordinance by discriminating against individuals in regards to employment.

On July 29 of 2020, the Urbana Civil Service Commission held a public meeting wherein they discriminated and conspired with city staff to further discriminate against individuals on the basis of an applicant's prior arrest or conviction record.

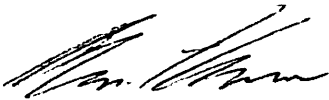
The individuals listed above violated the Urbana Human Rights Ordinance by creating, voting for, and disseminating a job listing for the position "Human Resources Assistant" which includes the requirement to "pass a criminal background check." This item is attached.

The individuals listed above violated the Urbana Human Rights Ordinance by creating, voting for, and disseminating a job listing for the position "Human Resources Coordinator" which includes the requirement to "pass a criminal background check." This item is attached.

Thank you for carefully reviewing this matter.

Kind Regards,

Christopher Hansen

A handwritten signature in black ink, appearing to read "Chris Hansen", with a stylized flourish at the end.

September 14th, 2020



HUMAN RESOURCES COORDINATOR

JOB DESCRIPTION

Department: Human Resources/Finance	Division: Human Resources
Work Location: City Building	Percent Time: Full-time (100%)
Job Type: Civil Service	FLSA Status: Non-exempt
Reports To: Human Resources Manager	Union: Non-union

JOB SUMMARY

The Human Resource Coordinator is responsible for supporting all aspects of the human resources function, but specializes in administering and coordinating employee benefit plans. The Human Resources Coordinator acts as liaison between employees and insurance providers. This position resolves benefits-related problems and ensures effective use of plans and positive employee relations. The Human Resources Coordinator ensures that certain plans are administered in accordance with federal and state regulations and that plan provisions are followed. This role also provides professional-level administrative support to the human resource function as needed, including record keeping, file maintenance, and data entry.

Distinguishing features

The Human Resources Coordinator is distinguished from the Human Resources Assistant by the former demonstrating thorough knowledge and understanding of benefit plan administration, policies, practices, and legal requirements governing employee benefit plans and health and welfare plans; in-depth working knowledge of HRIS systems; and knowledge and understanding of trends and innovations in the area of benefit administration. The Human Resources Coordinator is distinguished from the Human Resources Generalist by the latter demonstrating professional-level work in recruitment and selection, classification and compensation, organizational development, human resources compliance, and employee and labor relations.

ESSENTIAL FUNCTIONS

Benefits

- Administers various employee benefits programs, such as group health, flexible spending accounts, dental and vision, accident and disability, life insurance, and retirement benefits.
- Assists employees and retirees with complex benefits-related matters include providing explanations of benefit policies and assisting employees with benefit payments in order to continue benefits through COBRA; coordinating benefits claims and assisting with completing various benefits forms. Coordinates employee claims for short and long-term disability with the disability carrier and the employee in order to process short and long-term disability checks. Distributes all benefits enrollment materials and determines eligibility. Enrolls employees with carriers and processes life-status changes.

Human Resources Coordinator

City of Urbana

- Work closely with the Accounting team to ensure that levels of coverage for all employees on benefits plan is accurate.
- Maintains documents related to employee benefits and ensures benefits changes are entered appropriately in payroll system for payroll deduction.
- Reviews utilization data from the Employee Assistance Program to determine areas of special need. Coordinates yearly mailing of Employee Assistance program materials.
- Schedules and conducts employee benefits orientations.
- Administers FMLA leave and COBRA.
- Reviews and responds to unemployment claims with appropriate documentation. Reviews monthly unemployment statements.
- Coordinates workers' compensation claims with third-party administrator. Follows up on claims.
- Responds to benefits inquiries from managers and employees on plan provisions, benefits enrollment, status changes and other general inquiries.
- Processes and administers all leave-of-absence requests and disability paperwork: medical, personal, disability and FMLA.
- Verifies the calculation of the monthly premium statements for all group insurance policies and maintain statistical data relative to premiums, claims and costs. Resolves administrative problems with the carrier representatives.
- Reviews and responds to unemployment claims with appropriate documentation. Review monthly unemployment statements.
- Obtains statistics and information in renewal process of health, life and other relevant benefit plans.
- Prepares and coordinates meetings designed to help employees obtain information and understand company benefits and other related incentive programs. Ensures distribution of required employee notices.
- Prepares and maintains employee reports, new-hire and other reports. Maintain and updates phone directory and other requested reports as needed.
- Distributes all benefits enrollment materials and determines eligibility.
- Coordinates the Citywide benefits open enrollment period to include the design and preparation of benefit material and literature; organizing, maintaining and updating benefits records and assists with the preparation of employee and retiree workshops. Implements Munis functionality for online open enrollment.
- Prepares benefit cost projections for the annual budget.
- Prepare other benefit cost projections, as needed.
- Leads special projects and attend benefits seminars and conferences.

General Administration

- Actively supports and upholds the City's mission and values.
- Serves as a primary point of contact to assist employees, applicants and other external customers; screens and responds to general inquiries; provides general information on departmental policies and procedures or refers to appropriate staff member; responds to

Human Resources Coordinator

City of Urbana

- calls and emails; ascertains nature of the inquiry and refers to appropriate individual or provides assistance based on knowledge of situation.
- Coordinates City's drug and alcohol testing program in compliance with DOT requirements. Coordinates and manages record program for all drug and alcohol testing (pre-employment, random, reasonable suspicion, return to duty, and follow-up) drug.
 - Performs administrative support work such as word processing, data entry and retrieval, creating spreadsheets and file maintenance; reviews forms, data and other information to ensure accuracy and conformance to established procedures and policies. Functions may include completing forms, reports, and questionnaires, and coordinating all incoming and outgoing mail.
 - Processes personnel actions to effect changes in employee status such as pay increases, promotions, leave of absences, etc.; computes salary changes or adjustments and retroactive pay according to established policies and procedures; enters payroll into the computerized system in accordance with established procedures and deadlines.
 - Updates and maintains position control information, and prepares position control information for annual budget.
 - Prepares salary cost projections for annual budget.
 - Prepares other salary cost projections, as needed.
 - Prepares and maintains employee records, including creating and maintaining employees' personnel, medical, workers' compensation, and I-9 files.
 - Conducts audits of benefits, personnel files, and other HR programs and recommends corrective action.
 - Balances and reconciles invoices and processes unemployment claims.
 - Manages compliance matters as related to administration of employee benefits, including but not limited to HIPAA, COBRA, ACA Employer Mandate, Medicare data reporting, nondiscrimination testing, procurements, policy revisions, audits, surveys, subpoenas, and leave of absences.
 - Prepares annual compensation report, as required by Illinois Public Act 097-0609.
 - Performs other related duties as assigned.

JOB REQUIREMENTS

Education & Experience

Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

- Bachelor's degree AND two years of professional experience in Human Resources or a related field; OR
- Associate's degree/60 hours of post-secondary educational credit AND four years of professional experience in human resources and/or benefits administration.

Knowledge of

- Business English, punctuation, spelling, office practices and procedures, and operation of standard office equipment.

Human Resources Coordinator

City of Urbana

- Demonstrated proficiency in Microsoft Office software (versions 2007 or above), especially in Word, Excel and Access, and Munis.
- Administrative and clerical procedures and systems such as word processing, managing files and records, designing forms, and other office procedures and terminology.
- Principles and procedures for personnel policies and procedures and compensation and benefits as it relates to payroll.

Skills

- Excellent verbal and written communication skills.
- Excellent interpersonal and customer service skills.
- Excellent organizational skills and attention to detail.
- Working understanding of human resource principles, practices and procedures.
- Excellent time management skills with a proven ability to meet deadlines.
- Ability to function well in a high-paced and at times stressful environment.
- Proficient with Microsoft Office Suite or related software.
- Proficient with complex HR/payroll management systems, preferably Munis.

Ability to

- Proficiently use a broad range of job related software and programs, including Munis, applicant tracking systems, and database management applications.
- Enter data quickly and accurately.
- Establish and follow detailed work procedures.
- Understand, explain, and apply laws, regulations, policies, and procedures related to human resources administration. Ensures compliance with and maintains knowledge of Civil Service rules and labor contracts.
- Conduct complex research, to keep abreast of and incorporate statistical studies, case law and/or legal requirements. Applies best practices as changes occur within the human resources field.
- Effectively listen, speak, write, and interact with a diverse group of individuals, coworkers, supervisors, departments, or the public in a cooperative, positive manner. Follows oral and written instructions.
- Maintain composure using calm, moderate tones, and appropriate language. Utilizes appropriate nonverbal mannerisms in handling difficult encounters.
- Work with a variety of City departments. Recognizes and protects confidential information.

Licenses, Certifications and Memberships Required

- None required

Special Requirements

- Pass a criminal background check.

Supplemental Information

Supervision received

- Works under limited supervision: general directions are given with periodic status checks.

Level and complexity of supervision exercised

- This position is not responsible for supervising any staff positions.

Physical Demands and Working Conditions

- While performing the duties of this job, the employee is regularly required to talk, hear and see, and adjust focus for both distance and close vision. The employee is frequently required to sit, stand, walk, and reach with hands and arms. The employee may occasionally lift and/or move up to twenty (20) pounds in dealing with records or files. Sedentary, works primarily in a climate controlled environment. Requires continuous visual ability for use of computer, files and reports. Requires stooping, bending and minimal lifting.

Job Dimensions

- Interactions with others are somewhat unstructured. The purpose may be to obtain information or to control situations and resolve problems. Interactions may be with individuals, or groups of co-workers, or the public, may be moderately unstructured, and may involve persons who hold differing goals and objectives. Individuals at this level often act as a liaison between groups with a focus on solving particular unstructured problems. Interactions at this level require considerable interpersonal skill and the ability to resolve conflict.
- The employee operates under general supervision expressed in terms of program goals and objectives, priorities and deadlines. Administrative supervision is given through statements of overall program or project objectives and available resources. Administrative guidelines are relatively comprehensive, and the employee need only to fill in gaps in interpretation and adapt established methods to perform recurring activities. In unforeseen situations, the employee must interpret inadequate or incomplete guidelines, develop plans and initiate new methods to complete assignments based on those interpretations. Assignments are normally related in function, but the work requires many different processes and methods applied to an established administrative or professional field. Problems are typically the result of unusual circumstances, variations in approach, or incomplete or conflicting data. Work may require the employee to develop new methods and to deal with many variables, including some that are unclear or conflicting.

The physical demands and work environment characteristics described herein are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

Human Resources Coordinator

City of Urbana

Class Specification History

New class:

For HR/Finance Use

Job Class Code 1216	Pay Grade 238
EEO Category 2-Professional	LVL



HUMAN RESOURCES ASSISTANT

JOB DESCRIPTION

Department: Human Resources/Finance	Division: Human Resources
Work Location: City Building	Percent Time: Full-time (100%)
Job Type: Civil Service	FLSA Status: Non-exempt
Reports To: Human Resources Manager	Union: Non-union

JOB SUMMARY

Under general supervision, this position is responsible for providing administrative support activities for the Human Resources team. This position serves as the first point of contact for benefits information and is responsible for assisting with the coordination of the City's benefits programs to include, medical, dental, vision, life insurance, deferred compensation, flexible spending accounts, and IMRF and is responsible for ensuring accurate and timely data entry of materials into Munis. This position also provides professional-level administrative support to the human resource function as needed, including record keeping, file maintenance, and data entry.

Distinguishing features

Work is performed under close-to-general supervision and is reviewed by a professional staff member for accuracy, completeness, and adherence to policies and standards. The Human Resources Assistant is distinguished from the Human Resources Coordinator by the latter performing more responsible, full performance duties requiring greater independent judgment and a broader knowledge of principles and practices relating to benefits administration. Employees in this class may progress by noncompetitive promotion to the Human Resources Coordinator classification upon meeting the specific criteria-based promotion requirements of education, experience and performance. This position is distinguished from the Human Resources Generalist by the latter performing more responsible, full performance duties requiring greater independent judgment and a broader knowledge of principles and practices relating to talent acquisition, classification and compensation, benefits administration, organizational development, human resources compliance, and employee and labor relations.

ESSENTIAL FUNCTIONS

Benefits

- Administers various employee benefits programs, such as group health, flexible spending accounts, dental and vision, accident and disability, life insurance, and retirement benefits.
- Serves as liaison between employees/retirees and benefits companies; resolve claim problems as necessary. Communicates with representatives from vendors to discuss benefits/claims issues. Assists employees with health, dental, life and other related benefit

Human Resources Assistant

City of Urbana

claims. Consults with retirees to review the process for continuing benefits after retirement.

- Works closely with the Accounting team to ensure that levels of coverage for all employees on benefits plan is accurate. Maintains documents related to employee benefits and ensures benefits changes are entered appropriately in payroll system for payroll deduction.
- Maintains documents related to employee benefits and ensures benefits changes are entered appropriately in payroll system for payroll deduction.
- Reviews utilization data from the Employee Assistance Program to determine areas of special need.
- Schedules and assists with employee benefits orientations.
- Verifies the calculation of the monthly premium statements for all group insurance policies and maintains statistical data relative to premiums, claims and costs.
- Assists with administering FMLA leave and COBRA.
- Assists with coordinating workers' compensation claims with third-party administrator. Follows up on claims.
- Coordinates meetings designed to help employees obtain information and understand company benefits and other related incentive programs. Ensures distribution of required employee notices.
- Prepares and maintains employee reports, new-hire and other reports. Maintain and updates phone directory and other requested reports as needed.
- Coordinates special events, such as flu shot clinics.
- Assists with the preparation of Citywide benefits open enrollment to include the design and preparation of benefit material and literature; organizing, maintaining and updating benefits records and assists with the preparation of employee and retiree workshops.
- Assists with preparation of benefit cost projections for the annual budget.
- Assists with preparation of other benefit cost projections.
- Performs administrative support work to include verifying, compiling and recording statistical and narrative information for the preparation of reports and records, utilizes word processing and spreadsheet software.
- May assists with special projects and attend benefits seminars and conferences.

General Administration

- Actively supports and upholds the City's mission and values.
- Serves as a primary point of contact to assist employees, applicants and other external customers; screens and responds to general inquiries; provides general information on departmental policies and procedures or refers to appropriate staff member; responds to calls and emails; ascertains nature of the inquiry and refers to appropriate individual or provides assistance based on knowledge of situation.
- Performs administrative support work such as word processing, data entry and retrieval, creating spreadsheets and file maintenance; reviews forms, data and other information to ensure accuracy and conformance to established procedures and policies. Functions may include completing forms, reports, and questionnaires, and coordinating all incoming and outgoing mail.

Human Resources Assistant

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- Assists with compliance matters as related to administration of employee benefits, including but not limited to HIPAA, COBRA, ACA Employer Mandate, Medicare data reporting, nondiscrimination testing, procurements, policy revisions, audits, surveys, subpoenas, and leave of absences.
- Coordinates City's drug and alcohol testing program in compliance with DOT requirements. Coordinates and manages record program for all drug and alcohol testing (pre-employment, random, reasonable suspicion, return to duty, and follow-up) drug.
- Prepares and maintains employee records, including creating and maintaining employees' personnel medical, workers' compensation, and I-9 files.
- Processes required documents through payroll and insurance providers to ensure accurate record-keeping and proper deductions.
- Collects information and discusses onboarding, payroll, benefits, and personnel processes and procedures with new and seasoned employees. Answers questions or direct individual to another resource; reviews and approves documents for accuracy.
- Balances and reconciles invoices and processes unemployment claims.
- Processes personnel actions to effect changes in employee status such as pay increases, transfers, promotions, Family Medical Leave Act (FMLA) leave, leave of absences, and terminations; computes salary changes or adjustments and retroactive pay according to established policies and procedures; enters payroll into the computerized system in accordance with established procedures and deadlines.
- Assists with maintaining position control information.
- Assists with salary cost projections for the annual budget.
- Assists with other salary cost projections, as needed.
- Supports HR staff with special projects, researches information application of policies and procedures.
- Performs other related duties as assigned.

JOB REQUIREMENTS

Education & Experience

Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

- Graduation from high school, possession of a GED, or equivalent and two years of professional experience performing increasingly responsible work. Professional experience in a relevant area of work is desirable.

Knowledge of

- Business English, punctuation, spelling, office practices and procedures, and operation of standard office equipment.
- Demonstrated proficiency in Microsoft Office software (versions 2007 or above), especially in Word, Excel and Access.
- Administrative and clerical procedures and systems such as word processing, managing files and records, designing forms, and other office procedures and terminology.

Human Resources Assistant

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- Principles and procedures for personnel policies and procedures and compensation and benefits as it relates to payroll.

Skills

- Excellent verbal and written communication skills.
- Excellent interpersonal and customer service skills.
- Excellent organizational skills and attention to detail.
- Excellent time management skills with a proven ability to meet deadlines.
- Ability to function well in a high-paced and at times stressful environment.
- Proficient with Microsoft Office Suite or related software.
- Mathematical reasoning and reading comprehension
- Customer service - Works with customers to assess needs, provides assistance, resolves problems, and satisfies expectations.
- Interpersonal skills – Demonstrates courtesy, tact, empathy, cooperation, concern, and politeness to others and relates well to different people from varied backgrounds and different situations.
- Cultural competence – ability to understanding the core needs of stakeholders and design services and materials to meet those needs strategically.

Ability to

- Learn and use a broad range of job related software and programs, including Munis, applicant tracking systems, and database management applications.
- Enter data quickly and accurately.
- Establish and follow detailed work procedures.
- Understand, explain, and apply laws, regulations, policies, and procedures related to human resources administration. Ensures compliance with and maintains knowledge of Civil Service rules and labor contracts.
- Conduct basic research, to keep abreast of and incorporate statistical studies, case law and/or legal requirements. Applies best practices as changes occur within the human resources field.
- Effectively listen, speak, write, and interact with a diverse group of individuals, coworkers, supervisors, departments, or the public in a cooperative, positive manner. Follows oral and written instructions.
- Maintain composure using calm, moderate tones, and appropriate language. Utilizes appropriate nonverbal mannerisms in handling difficult encounters.
- Work with a variety of City departments. Recognizes and protects confidential information.

Licenses, Certifications and Memberships Required

- None required

Special Requirements

- Pass a criminal background check.

Supplemental Information

Supervision received

- Works under general supervision, where non-routine work is checked occasionally.

Level and complexity of supervision exercised

- This position is not responsible for supervising any staff positions.

Physical Demands and Working Conditions

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Job Dimensions

- The purpose of interactions is to advise or counsel others to solve recurring and structured problems, and/or to plan or coordinate work efforts with other employees who are working toward common goals in situations where relationships are generally cooperative. Interactions are moderately structured and routine, and may involve employees in different functions, students, and/or the general public. These types of interactions require normal interpersonal skills.
- The employee carries out a group of procedures using the general methods and desired results indicated by the supervisor. Typically, standard operating procedures, handbooks and/or reference manuals exist for most procedures, but the employee must select from the most appropriate of several guidelines and make minor adjustments to methods. Unforeseen situations are normally referred to others for resolution. Assignments are related in function and objective, but processes, procedures or software varies from one assignment to another. Based on the assignment, the employee uses diverse, but conventional, methods, techniques or approaches. Employees in jobs at this level may perform work that is moderately complex, but normally performed within a fairly narrow and specific functional area.

The physical demands and work environment characteristics described herein are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

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Class Specification History

Human Resources Assistant

City of Urbana

New class:

For HR/Finance Use

Job Class Code	Pay Grade 230
EEO Category 6-Administrative Support	LVL