



**COOK COUNTY BUREAU OF HUMAN RESOURCES
EMPLOYMENT PLAN - SUPPLEMENTAL POLICIES**

POLICY TITLE: DEMOTION		PAGE 1 of 2
Date of Approval: July 24, 2013 Effective Date: August 1, 2013	Policy Number: 2013-2.9 Associated Personnel Rule: 2.09	Policy Form: Demotion Request Form

PURPOSE: To provide guidelines for implementing the Demotion of all employees holding Non-Exempt Positions under the jurisdiction of the Cook County Board President and the Plan.

AREAS/EMPLOYEES COVERED: This Policy applies to all Departments and to all employees holding Non-Exempt Positions that are under the jurisdiction of the County Board President or Departments covered under the Employment Plan. To the extent that any provision in this Policy conflicts with a specific provision in any collective bargaining agreement or the Plan, the provision in the collective bargaining agreement or the Plan shall govern. Employees holding an Exempt Position may not be demoted to a Non-Exempt Position.

POLICY AND PROCEDURE: The County may demote employees holding Non-Exempt Positions pursuant to the Personnel Rules and the Plan, in accordance with the following procedures:

No Political Reasons or Factors. Employees holding Non-Exempt Positions may be subject to Demotion in accordance with this Policy, the Personnel Rules and the Plan, as and if applicable. No employee holding a Non-Exempt Position may be subject to a Demotion based on any Political Reasons or Factors.

Conditions for Demotion. An employee promoted to a Non-Exempt Position may be involuntarily or voluntarily demoted to his/her former Position within his or her current Department or, in the case of a voluntary demotion, such other Position as allowed pursuant to this Policy, during the six-month promotional probationary period and provided such Position is vacant and funded. Employees may not be demoted if the probationary period has expired. A Position will not be considered vacant if it has been posted and offered to any Candidate for employment or otherwise filled. All demotions must be based on the employee's inability to perform the duties of the promoted Position. Demotions may not be based on a willful failure to perform acceptably, the refusal to perform job duties, or any other disciplinary reasons or to avoid Discipline.

Involuntary Demotions. If during a promotional probationary period an employee's work performance is deemed unsatisfactory for any reason, the employee's direct supervisor shall give written notice of such failure to the employee. If the immediate supervisor issues two written notices of such failure during the promotional probationary period and the employee's performance continues to be unsatisfactory, the direct supervisor shall submit a Demotion Request Form, including copies of the notices of unsatisfactory performance, to his or her Department Head for approval. Upon approval, the Department Head shall forward the Demotion Request Form to the Chief of BHR or his or her designee for approval and shall provide a copy to the Compliance Officer.

The Chief of BHR or his or her designee shall confirm whether the Demotion is appropriate and in compliance with this Policy, the Personnel Rules and the Plan. The Chief of BHR may consult with the Department Head and request additional information regarding the request prior to making his or her determination. The Chief of BHR or his or her designee shall also determine whether the employee's former Position remains vacant and funded. If, vacant, the Chief of BHR or his or her designee shall approve or deny request for involuntary demotion and send written notice of his or her determination to the Department Head, with a copy to the Compliance Officer and the Compliance Administrator, while acting. If approved, BHR shall take appropriate action to complete the Demotion.

Voluntary Demotions. An employee previously holding a Non-Exempt Position who was promoted to a Non-Exempt Position may request to be voluntarily demoted to his or her previous Non-Exempt Position at any time during the promotional probationary period by submitting a written request to his or her Department Head. Upon approval, the Department Head shall complete a Demotion Request Form, including the employee's written request to the Chief of BHR or his or her designee for approval. He or she shall also send a copy to the Compliance Officer.

The Chief of BHR or his or her designee shall confirm whether the employee's former Position remains vacant and funded. If vacant, the Chief of BHR or his or her designee shall approve or deny the request for voluntary demotion and send written notice of his or her determination to the Department Head, with a copy to the Compliance Officer. The Chief of BHR may consult with the Department Head and request additional information regarding the request prior to making his or her determination. If approved, BHR shall take appropriate action to complete the Demotion.

NPCC. All employees subject to voluntary Demotion pursuant to this Policy and all employees participating in any Employment Action related to any voluntary or involuntary Demotion must also sign a NPCC certifying that no Political Reasons or Factors were considered.