

**ADMINISTRATIVE HEARING PROCEDURES  
HUMAN RESOURCES BOARD**

**CITY OF CHICAGO**

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**ADMINISTRATIVE HEARING PROCEDURES, HUMAN RESOURCES BOARD, CITY OF CHICAGO**

**Section 1. Applicability.** These procedures shall apply to all disciplinary hearings conducted under the jurisdiction of the Human Resources Board of the City of Chicago pursuant to Municipal Code of Chicago Chapter 2-74 in effect as of the date of the filing of the appeal and City of Chicago Personnel Rules ("Rules") in effect at the time of the alleged conduct.

**Section 2. Definitions.**

- (a) Ordinance - Chapter 2-74 of the Municipal Code of Chicago ("MCC").
- (b) Board - Human Resources Board of the City of Chicago and its individual Commissioner members.
- (c) City - City of Chicago
- (d) Rules - City of Chicago Personnel Rules in effect at the time of alleged conduct (or time of filing of appeal if regarding the appeals process)
- (e) Procedures - Administrative Hearing Procedures, Human Resources Board, City of Chicago
- (f) Notice - Notice prescribed by Ordinance, Rules, or Procedures, as applicable.
- (g) Chief Hearing Officer - Designated by the Board to supervise hearings and Hearing Officers.
- (h) Hearing Officers - Designated by the Board to conduct a hearing.
- (i) Employee or Respondent - A person with career service status employed or formerly employed by the City and who has filed an appeal of discipline to the Board.
- (j) they/them/theirs - gender neutral pronoun used in singular and plural

- (k) Department Head – Supervisory personnel in charge of a designated department of the City of Chicago.
- (l) Business Day – a day in which City offices are open for conducting City business
- (m) Holiday – a national, state, county or City legal holiday in which City offices are not open for conducting City business.
- (n) Party(ies) – Employee(s) receiving discipline and City Department(s) that issued the discipline that are named in the caption of a specific appeal
- (o) Motion – request to the Hearing Officer or Board to take action or order a party to do something
- (p) Petition – a written pleading sometimes used to initiate a proceeding
- (q) Brief – a written document that sometimes accompanies a Motion or Answer to a Motion that sets out legal arguments and authorities relied upon in the Motion or Answer to a Motion.
- (r) Appeal Form – City of Chicago Human Resources Board Appeal Form IS REQUIRED to be completed and TIMELY FILED (within FIVE (5) Business Days of the Notice of Discipline or receipt of Notice of Discipline if mailed and Employee provides the post-marked envelope in which the Notice of Discipline was received) to initiate an appeal of discipline. The form is available in Room 1100, City Hall, 121 North LaSalle Street, Chicago, Illinois 60602 or online: [www.chicago.gov/city/en/depts/drh/provdrs/Human\\_Resources\\_Board.html](http://www.chicago.gov/city/en/depts/drh/provdrs/Human_Resources_Board.html)

**Section 3. Filing Appeal Form and Documents Other Than Evidence.**

Employee must complete and timely file an Appeal Form to start an appeal. The Appeal Form and supporting documents, permitted or required to be filed with the Board in connection with a hearing, shall be addressed to and filed with the Human Resources Board, Room 1100, City Hall, Chicago,

Illinois 60602, in duplicate. Filing is deemed to be made when received by the Board. Email filings will be accepted. Phone 312-774-4966 for contact email address for Human Resources Board Project Coordinator ("Project Coordinator"), or visit online [www.chicago.gov/city/depts/dhr.html](http://www.chicago.gov/city/depts/dhr.html) for additional contact information. The office of the Board is generally open for filing, inspection and copying of public documents from 9:00 a.m. to 4:30 p.m., Monday through Friday, except on Holidays. Inspections and copying of public documents must be arranged in advance by contacting the Project Coordinator or their designee. As some items may be in storage or there may be simultaneous requests for material, walk-ins cannot be accommodated.

**Section 4. Form of Documents.**

- (a) Documents, other than evidence, shall clearly show the title of the proceedings in connection with which they are filed;
- (b) Except as otherwise provided, two (2) copies of all documents including Notices, Motions and Petitions, shall be filed with the Board;
- (c) Documents filed, other than evidence, shall be typewritten or reproduced from typewritten copy, or neatly printed on letter size white paper; and
- (d) Each document so filed shall be signed by the party or by his authorized representative or attorney.

**Section 5. Computation of Time.** Computation of any period of time prescribed by these Procedures shall begin with the first Business Day following the date of filing of the documentation with the Board pursuant to Section 3 of these Procedures, and shall run until the end of the last day, or the next following Business Day if the last day is Saturday, Sunday or a Holiday. Where the period of time is five (5) days or less,

Saturdays, Sundays, and Holidays shall be excluded in the computation of time. Notice requirements shall be construed to mean Notice received, but proof that Notice was dispatched by means reasonably calculated to be received by the prescribed date shall be prima facie proof that Notice was timely received. A hearing is not concluded until the Board has had the opportunity to discuss the matter during a regularly scheduled meeting after receiving the Hearing Officer's Report, hearing oral argument or requesting, receiving and discussing additional information from the Parties, and provided said request for oral argument is made 10 or more calendar days prior to the next regularly scheduled meeting, and/or information is received more than seven (7) calendar days prior to the next regularly scheduled Board meeting. If information is received seven (7) calendar days or fewer before the next regularly scheduled meeting or a request for oral argument is made fewer than 10 days prior to the next regularly scheduled meeting, the matter will be placed on the Agenda for the following regularly scheduled meeting.

**Section 6. Appearances.**

(a) Any person entitled to participate in proceedings may appear as follows:

(1) Employee may appear on their own behalf, by an attorney licensed to practice in the State of Illinois or by the bona fide union representative designated by Employee;

(2) City will appear by the Office of Corporation Counsel ("Corporate Counsel") or any bona fide representative thereof, or may be represented by an attorney licensed to practice in the State of Illinois and designated by Corporation Counsel.

(b) Employee's attorney, or designated union representative appearing in a representative capacity shall file a written Appearance. Upon receipt of Appearance, the Board or its designee will provide a copy of the Appearance and/or the attorney or representative contact information to Corporation Counsel or its designee.

**Section 7. Notice of Hearing.** After Employee has completed and timely filed a City of Chicago Human Resources Board Appeal Form ("Appeal"), an administrative hearing shall be initiated through the issuance by the Board of a written Notice of Hearing, which shall be served upon the Parties, their attorneys or designated representatives.

**Section 8. Service of the Notice of Hearing.** Service shall be complete when the Notice of Hearing is served in person or deposited in the United States mail, postage prepaid, registered or certified, or by commercial carrier, or email with proof of transmission and addressed to the last known address of the Parties, their attorneys or designated representatives of record, not less than 10 days before the date designated for the Hearing.

**Section 9. Motion and Answers to Motions.**

(a) All Motions and Answers to Motions together with an affidavit showing service, and an Appearance if one is required and has not yet been filed, shall be served in person, or deposited in the United States mail postage prepaid, registered or certified, or by commercial carrier, or email with proof of transmission and addressed to the last known address of the intended recipient, their attorneys or designated representatives of record.

(b) Unless made orally on the record during a hearing, a Motion shall be in writing and shall be accompanied by any documentation, affidavits or other evidence relied upon or deemed appropriate, by order of a Board Commissioner or Hearing Officer. At least two copies of all such motions shall be filed with the Board (one for the Board and one for the Hearing Officer) and a least one copy served on each additional Party, if any, to the hearing.

(c) No oral argument will be heard on a Motion unless a Board Commissioner or Hearing Officer directs otherwise. A written Brief may be filed with a Motion or an Answer to a Motion, stating the arguments and authorities relied upon.

(d) A written Motion will be disposed of by written order and on Notice to all parties.

(e) The Hearing Officer shall rule upon all motions except that he shall have no authority to dismiss or decide a hearing on the merits. All parties to the proceeding shall have a right to be heard and to establish a record. All Motions to Dismiss, and other Motions that would dispose of the case in its entirety shall be decided by the Board.

(f) Unless otherwise ordered, the filing of a Motion(including Motions to Dismiss, for Summary Judgment and any other Motion that would dispose of the matter) or Answer to a Motion shall not stay the proceeding or extend the time for the performance of any act.

**Section 10. Consolidation and Severance of Matters -- Additional Parties.** In the interest of convenient, expeditious and complete determination of matters, the Hearing Officer may on due cause shown consolidate or sever hearing proceedings involving any number of Parties provided said actions can be done without substantial and undue prejudice to a right of any Party to the hearing.

**Section 11. Postponement or Continuance of Hearing.** For good cause shown, a hearing may be postponed or continued by the Board or one of its Commissioners prior to the appointment of a Hearing Officer or by the Hearing Officer after their appointment upon their own Motion or upon Motion of a Party to the hearing; such Motion of the Party shall set forth facts attesting that the request for continuance is not for the purpose of delay. Notice of any postponement or continuance shall be given in writing to all parties to the hearing within a reasonable time in advance of the previously scheduled hearing date. All Parties shall avoid undue delay caused by repetitive postponements or continuances so that the matter may be resolved expeditiously.

**Section 12. Chief Hearing Officer.** The Chief Hearing Officer is designated by the Board and is responsible solely to the Board. They shall

supervise all hearings and Hearing Officers and shall insure that all hearings are conducted in full compliance with procedures adopted by the Board. They shall also review all petitions for rehearing and shall make recommendations to the Board with reference thereto and to determine the adequacy of the record. The Chief Hearing Officer, or designee, shall be responsible for the assignment of cases to a specific Hearing Officer. The Board may assign other duties to the Chief Hearing Officer as needed and in keeping with the types of duties which might generally fall within those described herein.

**Section 13. Authority of Hearing Officer.** The Hearing Officer has the authority to conduct a hearing, take all necessary action to avoid delay, maintain order and insure the development of a clear and complete record. They shall have all powers necessary to conduct a hearing including the power to:

(a) Administer oaths and affirmations;

(b) Regulate the course of hearings, set the time and place for continued hearings, fix times for filing of documents, provide for the taking of testimony by deposition, if necessary, and generally conduct the proceedings according to generally recognized administrative law and this rule;

(c) Examine witnesses and direct witnesses to testify, limit the number of times any witness may testify, limit repetitious or cumulative testimony and set reasonable limits on the amount of time each witness may testify;

(d) Rule upon offers of proof and receive relevant evidence;

(e) For good cause shown receive and rule upon motion to quash, modify or to pay reasonable production costs in advance.

(f) Sign and issue subpoenas as provided in Section 17. Subpeonas herein that require attendance, giving testimony and the production of books, papers and other documentary evidence;

(g) Direct parties to appear and confer for the settlement or simplifications of issues, stipulation of facts and to otherwise conduct pre-hearing conferences;

(h) Dispose of procedural requests or similar matters;

(i) Render Findings of Fact and Recommendation for an Order to the Board;

(j) Enter any Order that further carries out the purpose of this rule; and

(k) At his discretion, accept probative, relevant, material evidence from any party.

**Section 14. Bias or Disqualification of Hearing Officer.**

(a) Immediately upon receipt of information concerning personal bias, prejudice or disqualification of a Hearing Officer, any party may file prior to any further action in the hearing a sufficient affidavit setting forth allegations of personal bias, prejudice or disqualification of a presiding Hearing Officer. The Hearing Officer shall then rule on said petition. At the conclusion of the hearing, the Board shall determine this issue as part of the record of the case. When a Hearing Officer is disqualified, or it becomes impractical for them to continue, another Hearing Officer may be assigned.

(b) The Hearing Officer may at any time voluntarily disqualify themselves.

**Section 15. Pre-hearing Conferences.**

(a) The Hearing Officer in any proceeding, or upon written request by any party, may direct parties or their attorneys to appear at a specified time and place for a conference, at any time during the hearing and shall be considered the beginning of the hearing, for the purpose of formulating issues and considering:

(1) The simplification of issues;

(2) The necessity or desirability of amending the pleadings for the purpose of clarification,

- amplification or limitation;
- (3) The possibility of making admissions of certain averments of fact or stipulations concerning the use by either or both parties of matters of public record to avoid unnecessary introduction of proof;
  - (4) The limitation of the number of witnesses;
  - (5) The propriety of prior mutual exchange between or among the parties of prepared testimony and exhibits; and
  - (6) Such other matters as may aid in the simplification of the evidence and disposition of the proceeding.

(b) Opportunity shall be afforded all parties to be represented by legal counsel and to dispose of the case by stipulation, agreed settlement or consent order, unless otherwise precluded by law. Any stipulation, agreed settlement or consent order reached between the parties before a final determination by the Board, shall be submitted in writing to the Hearing Officer and shall become effective only if approved by the Board.

(c) The Hearing Officer shall at the completion of the pre-hearing conference enter an order which recites any action taken by the Hearing Officer and the agreements made by the parties as to any of the matters considered. The order controls the subsequent course of the hearing unless subsequently modified.

**Section 16. Discovery.** Employee may, upon written request made prior to the hearing and filed with the Hearing Officer and served upon the Office of Corporation Counsel within 10 days of a Pre-Hearing Conference or Hearing if there is no Pre-Hearing Conference, be entitled to:

(a) Any and all written statements made by the Employee concerning the charges filed, which are within the custody and control of the City of Chicago;

(b) Any and all oral statements made by the Employee concerning the charges filed which have been reduced to writing or

summaries of which have been reduced to writing which are within the custody and control of the City of Chicago;

(c) Any and all written statements or written summaries of oral statements of any witness to be produced by the City in the City's case-in-chief at the hearing of said charges;

(d) Results or reports of physical or mental examinations, and of scientific tests or experiments made in connection with the particular case which are within the custody and control of the City of Chicago; and

(e) Any evidence within the custody or control of the City of Chicago which is favorable to the Employee in terms of his culpability for the conduct that led to the charges filed against them.

#### **Section 17. Subpoenas.**

(a) The Hearing Officer may sign and issue subpoenas presented by parties that require attendance, giving testimony and the production of books, papers and other documentary evidence or tangible things designated therein which are reasonably necessary to the resolution of the matter under consideration, after a request and reasonable efforts without a subpoena have been made by parties to secure the above from a witness records under their control and subject to the limitations on discovery prescribed by these Procedures.

(b) Every subpoena shall state the title of the action and shall command each person to whom it is directed to attend and give testimony at the time and place therein specified.

(c) The Hearing Officer or a Board Commissioner, upon motion made promptly and in any event at or before the time specified in the subpoena for compliance therewith, may quash or modify the subpoena if it is unreasonable or oppressive.

#### **Section 18. Conduct of the Hearing.**

(a) Hearings shall be public unless required by statute or Rule of the Board to be otherwise. Any person called by a party may submit written statements relevant to the subject matter of the hearing.

The Hearing Officer may take such evidence from any person whether or not such person is a party to the proceedings after entertaining any objections or proposed limitations and considering general principles of fairness and reviewing it for its purpose and whether it would be relied upon by a reasonably prudent person in the conduct of serious affairs and which is reasonably reliable and reasonably necessary to resolution of the issue for which it is offered; provided that the rules relating to privileged communications and privileged topics shall be observed.. If accepted, the Hearing Officer will consider and weigh such statement along with the rest of the evidence in the case.

(b) The following shall be the order of proceedings of all hearings, subject to modification by the Hearing Officer for good cause:

- (1) Presentation, argument and disposition of motions preliminary to a hearing on the merits of the matters raised in the Notice or Answer;
- (2) Presentation of opening statements;
- (3) City of Chicago's case-in-chief;
- (4) Employee's case-in-chief;
- (5) City of Chicago's case in rebuttal;
- (6) City of Chicago's closing statement;
- (7) Employee's closing statement.

**Section 19. Default.** Failure of a party to appear on the date set for hearing, or failure to proceed as ordered by the Hearing Officer, shall constitute a default. The Hearing Officer shall thereupon enter such findings and recommendations as is appropriate under the pleadings and such evidence as they shall receive into the record.

**Section 20. Evidence.**

(a) A party may conduct examinations or cross-examinations without rigid adherence to formal rules of evidence, provide the examination or cross-examination can be shown to be necessary and

pertinent to a full and fair disclosure of the subject matter of the hearing. In addition, the Hearing Officer may receive material, relevant evidence, which would be relied upon by a reasonably prudent person in the conduct of serious affairs, which is reasonably reliable and reasonably necessary to resolution of the issue for which it is offered; provided that the rules relating to privileged communications and privileged topics shall be observed.

(b) The Hearing Officer shall exclude immaterial, irrelevant and repetitious evidence.

(c) When the admissibility of disputed evidence depends upon an arguable interpretation of substantive law, the Hearing Officer shall admit such evidence.

**Section 21. Official Notice.** Official notice may be taken of all facts of which judicial notice may be taken.

**Section 22. Hostile Witnesses and Adverse Party.**

(a) If the Hearing Officer determines that a witness is hostile or unwilling, they may be examined by the party calling them as if under cross-examination.

(b) The party calling such a witness, upon the showing that the witness was called in good faith and is surprised by their testimony, may impeach the witness by proof of prior inconsistent statements or any other appropriate means.

(c) Any party to the hearing, may be called and examined as if under cross-examination at the instance of any adverse party. The party calling for the examination is not concluded thereby but may rebut the testimony thus given by counter testimony and may impeach the witness by proof of prior inconsistent statement or any other appropriate means.

**Section 23. Transcription of Proceedings.**

(a) Oral proceedings at which evidence is presented shall be recorded by a certified court reporter. Any transcription will be retained

through and including the time allotted for appeal, revision, rehearing or other manner of review prior to final disposition as provided for by the Board or by law. Copies of transcripts may be ordered by the Employee at their own expense.

(b) The transcript made in connection with the hearing shall constitute the official transcript.

(c) The record in an administrative hearing shall include:

- (1) Pre-hearing records;
- (2) All pleadings (including all Notices and Answers, Motions, Briefs and Rulings);
- (3) Evidence received;
- (4) A statement of matters officially noticed if not part otherwise noted in the transcript or written record;
- (5) Offers of proof, objections and rulings, if not otherwise note in the transcript or written record;
- (6) Official transcript; and
- (7) Findings and Recommendations of the Hearing Officer and the Findings and Decision of the Board

**Section 24. Hearing Officer's Findings and Recommendations.**

(a) The Hearing Officer's Findings and Recommendations shall be in writing.

(b) After the close of evidence and any post-hearing filings as allowed by applicable law, procedures or custom and practice as determined by the Hearing Officer or the Board, the Hearing Officer shall then submit the Findings and Recommendations to the Board within the 30 days.

(c) The Hearing shall conclude once the Findings and Recommendations are submitted and presented and any opportunity for final arguments before the Board has passed. Oral arguments are only allowed in cases of discharge and may be requested by either Party, the Hearing Officer or at least one Board Commissioner. If a time is set for Oral Argument, the Parties will be notified by any reasonable means no less

than seven (7) days prior to the time set for Oral Argument. If assigned a time, City and/or Employee may choose to waive Oral Argument, however, presentation of Oral Argument by either Party will not be considered ex parte if the other side waives or fails to appear.

**Section 25. Rehearings.**

(a) Except as otherwise provided by law, and for good cause shown, the Board may in its discretion, order a rehearing or the reopening of a hearing in a contested case on petition of the City or Employee.

(b) Where the record of hearing is found by the Board to require further information which could not have been presented at the original hearing or that is so necessary to the Board's consideration in the case, the Board may order a reopening of the Hearing.

(c) A motion for a rehearing or a motion for the reopening of a hearing shall be filed with the Board within 10 days of the date of mailing of the Board's Orders. If a rehearing is ordered by the Board, a rehearing or reopening of a hearing shall be noticed and conducted in the same manner as an original hearing. The evidence received at the rehearing or reopening of a hearing shall be included in the record for the Board's reconsideration. A decision or order may be amended or vacated after rehearing.

**Section 26. Existing Statutory or Agency Procedures and Practices.**

This Rule shall not be construed to limit or repeal additional requirements imposed by an act of law.

**Section 27. Post Discipline Hearing Procedure.**

(a) Where specifically provided for by ordinance or labor agreement, an employee with Career Service status may be discharged, demoted or suspended for a period exceeding thirty days before a Human Resources Board hearing in accordance with these procedures. In accordance with Personnel Rule XVII Section 4(b) a Career Service Employee

is also entitled to a hearing before the Board for suspension(s) of any length within six (6) months of (an)other suspension(s).

(b) Prior to discharge, demotion or suspensions referenced in (a) above, Employee must be given written notice of the charges against him or her and an explanation of the evidence supporting said charges. Said charges and explanation need not be in any particular form, but must be sufficient to apprise Employee of the matters on which discipline may be based.

(c) The notice of charges and explanation of evidence shall also state that Employee may respond in writing to the charges and evidence before action is taken. The notice shall specify the deadline for submitting the response and the person to whom the response shall be directed.

(d) The notice and explanation, together with Employee's response, if any, shall be delivered to the department head, who shall review the same and make a decision, which shall be disclosed to Employee.

(e) If the department head decides to discipline the employee, the employee shall be given written notice of such decision. The employee may appeal the department head's decision to the Human Resources Board by making a written request therefor within five (5) calendar days of the effective date of discipline. An appeal shall not affect the effective date of discipline. The written notice must contain the following statement: "If you desire a hearing on this disciplinary action, you must file a written request for the hearing with the Human Resources Board of the City of Chicago, Room 1100, City Hall, Chicago, Illinois. Your written request must be received by the Human Resources Board within five (5) calendar days of your receipt of this notice. Late request will not be accepted." \*\*\*\*

(f) If the employee requests a hearing, a date therefor shall be set, not more than forty-five (45) days following receipt of the request for hearing by the Human Resources Board. Either party may request a continuance for good cause shown, but the hearing must be completed within sixty (60) calendar days of the initial hearing date, unless

further delay is caused by the employee. The Human Resources Board shall render a decision on the appeal not more than sixty (60) calendar days after the close of the hearing. If the time limitations provided for herein are not met, the employee shall be entitled prospectively to the pay and benefits of the position held before the imposition of suspension or discharge, or in the case of a demotion the difference in pay between the former and current position, beginning with the first day after the failure to meet the time limit, pending decision of the Human Resources Board, but the employee shall have no right to be returned to work except by order of the Human Resources Board. Nothing herein shall deprive the Human Resources Board of jurisdiction to decide the merits of the disciplinary action.

(g) An employee whose discipline is not upheld shall receive full back pay for any period when he or she was off work, less any lesser disciplinary action imposed by the Board. Said employee shall be reinstated to his or her position or such lower position as determined by lesser discipline as may be imposed by the Board, as appropriate.

(h) Except as may be inconsistent with this Section, these Administrative Hearing procedures shall apply to appeal hearings.

**Section 28. Use of Recording Devices at Public Meetings and Hearings**

The following rules govern the use of audio and video recording devices in meetings and hearings and are issued by the Human Resources Board pursuant to the Illinois Open Meetings Act:

(a) Written Notice Required

Any person wishing to use a recording device must provide written notice to the Human Resources Board via mail or facsimile to:

Human Resources Board  
City Hall, Room 1100  
121 N. LaSalle Street  
Chicago, Illinois 60602  
Fax No. (312) 744-1521

**Email Notice: You may also phone 312-744-4966 for contact email address for Human Resources Board Project Coordinator.**

Such written notice must include the name, address and telephone number of the person wishing to record the meeting or hearing; state the date and time of the meeting or hearing; and describe the type of recording device that will be used. **Written notice must be received by the Human Resources Board at least 24 hours in advance of the meeting or hearing sought to be recorded.**

(b) Small Hand-Held Devices

Small hand-held devices may be used in a seated position as long as use of those devices does not interfere with the view or hearing of those seated by or near those persons in spectator seats.

(c) Large Devices

Large devices requiring a tripod or other support, or those devices that would interfere with the viewing or hearing of those seated by or near the user, may only be used in the rear of the meeting or hearing room.

(d) General Specifications/Requirements

A maximum of three (3) large devices may be permitted in the meeting and/or hearing room. Space shall be allocated on a first reserved and first come basis.

All setting up, testing, adjusting, etc. of equipment must be completed at least ten (10) minutes prior to the start of the meeting or the hearing.

The presiding officer at the meeting or hearing will advise each individual speaking at the meeting or testifying at the hearing that they have the right not to be recorded. The presiding officer will prohibit the recording of any individual who refuses to be recorded. The right to refuse being recorded does not extend to public officials presiding over the meeting, attorneys representing clients in hearings or any individual who is recording the proceeding. Closeups, zoom-ins or other magnification of individuals, evidence or the proceedings are forbidden. The presiding officer shall also instruct all recordings not

essential to preparation of the Report of Proceedings (official transcription) to cease when privileged information is being presented.

**Section 29. Use of Tele and Video Conferencing**

Upon motion or sua sponte, when deemed appropriate by and at the discretion of the Hearing Officer or Board, testimony via tele and video conferencing may be allowed, and/or the proceeding in whole or in party may be conducted via video conferencing. Considerations of health, safety, unfair prejudice and access should be considered. This is not an exhaustive list of considerations.

**The Human Resources Board and its hearing officers reserve the right to take appropriate action to preserve safety, decorum and quiet.**