

January 17, 2014

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
January 17, 2014

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 1:30 P.M. AT 607 EAST ADAMS STREET, SUITE 801, SPRINGFIELD, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD DECEMBER 20, 2013

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD DECEMBER 20, 2013?

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	136.....	16
Agriculture	325.....	17
Arts Council	16.....	2
Capitol Development Board.....	46.....	0
Central Management Services.....	1,437.....	113
Children and Family Services	2,699.....	50
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	365.....	66
Commerce Commission	74.....	0
Corrections.....	10,776.....	99
Criminal Justice Authority	56.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	84.....	5
Employment Security.....	1,405.....	30
Environmental Protection Agency.....	800.....	17
Financial & Professional Regulation.....	406.....	45
Gaming Board	146.....	6
Guardianship and Advocacy	102.....	7
Healthcare and Family Services	2,046.....	25
Historic Preservation Agency.....	153.....	15
Human Rights Commission.....	13.....	2
Human Rights Department.....	140.....	9
Human Services	11,195.....	76
Illinois Torture Inquiry Relief Commission	4.....	1
Insurance	213.....	16
Investment Board	3.....	2
Juvenile Justice.....	976.....	21
Labor	87.....	11
Labor Relations Board Educational.....	9.....	2
Labor Relations Board State.....	17.....	2
Law Enforcement Training & Standards Bd.	18.....	2
Lottery.....	138.....	6
Military Affairs	122.....	3
Natural Resources	1,087.....	30
Pollution Control Board	21.....	2
Prisoner Review Board.....	16.....	0
Property Tax Appeal Board.....	28.....	1
Public Health.....	1,059.....	41
Racing Board.....	2.....	1
Revenue.....	1,678.....	51
State Fire Marshal	129.....	12
State Police.....	1,063.....	5
State Police Merit Board	5.....	1
State Retirement Systems.....	96.....	2
Transportation	2,158.....	0
Veterans' Affairs	1,269.....	9
Workers' Compensation Commission.....	134.....	10
TOTALS	42,771.....	838

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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C1. Illinois Department on Aging – Proposed exemption

Position Number	40070-47-00-020-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of Transition and Community Relations
Functional Title	Senior Colbert Administrator (related to the Colbert Decree)
Incumbent	Vacant
Supervisor	Deputy Director who reports to the Director
Location	Cook County

C2. Illinois Department on Aging – Proposed exemption

Position Number	40070-47-00-020-10-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of Transition and Community Relations
Functional Title	Transition and Research Administrator (related to the Colbert Decree)
Incumbent	Vacant
Supervisor	Senior Colbert Administrator who reports to the Deputy Director who in turn reports to the Director
Location	Cook County

CMS Recommendation: “The positions do meet the reporting criteria of the Commission Rules and considering the similarities of these positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Illinois Department of Agriculture – Proposed Exemption

Position Number	40070-11-12-000-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Illinois State Fair
Functional Title	Assistant Illinois State Fair Manager
Incumbent	Vacant
Supervisor	Illinois State Fair Manager who reports to the Assistant Director, who in turn reports to the Director
Location	Sangamon County

CMS Recommendation: “This position meets the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

E. Illinois Department of Central Management Services – Proposed Exemption

Position Number	40070-37-30-000-01-01
Position Title	Senior Public Service Administrator
Bureau/Division	Benefits
Functional Title	Assistant Deputy Director
Incumbent	Vacant
Supervisor	Deputy Director who reports to Chief Administrative Officer, who in turn reports to the Acting Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

F. Illinois Department of Children & Family Services – Proposed Exemption

Position Number	40070-16-07-100-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Labor Relations
Functional Title	Chief Labor Relations Administrator ^A
Incumbent	Vacant
Supervisor	Deputy Director of Human Resources who reports to the Acting Director
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

G. Illinois Dept. of Commerce & Economic Opportunity – Proposed Exemption

Position Number	37015-42-00-230-00-01
Position Title	Public Service Administrator
Bureau/Division	Legislative Affairs
Functional Title	Manager of Legislative Research and State Mandates
Incumbent	Vacant
Supervisor	Manager of Legislative Affairs who reports to the Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

^A The exemption for this position was previously rescinded on November 15, 2013.

H. Illinois Department of Public Health – Proposed Exemption

Position Number	40070-20-31-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of Health Promotion-Medical Cannabis
Functional Title	Medical Cannabis Division Chief
Incumbent	Vacant
Supervisor	Deputy Director-Health Promotion, who reports to the Deputy Director, who in turn reports to the Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

I. Illinois Department of Revenue – Proposed Exemption

Position Number	40070-25-00-100-30-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Policy Advisor
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

J. Illinois Department of Revenue – Proposed Exemption

Position Number	40070-25-07-100-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Legal Services Office/Administrative Office
Functional Title	Assistant General Counsel
Incumbent	Vacant
Supervisor	General Counsel, who reports to the Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

C1: Senior Colbert Administrator, Aging

C2: Transition and Research Administrator, Aging

D: Assistant Illinois State Fair Manager, Agriculture

E: Assistant Deputy Director-Benefits, Central Management Services

F: Chief Labor Relations Administrator, Children & Family Services

G: Manager of Legislative Research and State Mandates, Commerce and Economic Opportunity

H: Medical Cannabis Division Chief, Public Health

I: Policy Advisor, Revenue

J: Assistant General Counsel, Revenue

VI. CLASS SPECIFICATIONS

- None submitted.

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VII. MOTION TO CLOSE A PORTION OF THE MEETING

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

VIII. RECONVENE THE REGULAR OPEN MEETING

IX. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	11/30/13	12/31/13	12/31/12
Aging	1	0	1
Agriculture	0	0	0
Central Management Services	0	0	1
Children and Family Services	1	0	4
Healthcare and Family Services	0	0	5
Historic Preservation Agency	0	0	0
Human Services	0	0	2
Natural Resources	1	0	3
Revenue	0	0	2
Transportation	0	0	0
Veterans' Affairs	0	0	0
Totals	3	0*	18

*Report not received as of January 8, 2014.

X. INTERLOCUTORY APPEALS

S-10-14

Employee	Michelle M. Barber	Appeal Date	12/02/13
Agency	Human Services	Decision Date	12/18/13
Type	Suspension	ALJ	Andrew Barris
Issue(s)	Motion To Dismiss filed for no jurisdiction	Proposal for Decision	Grant the Motion to Dismiss subject to approval of Commission; no jurisdiction.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

S-11-14

Employee	Kamil Jackson	Appeal Date	12/09/13
Agency	Corrections	Decision Date	01/07/14
Type	Suspension	ALJ	Andrew Barris
Issue(s)	Failure to file requested materials and no show at scheduled hearing date	Proposal for Decision	Dismiss subject to approval of Commission; default.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

DA-4-14

Employee	Edward D. Dotson	Appeal Date	08/30/13
Agency	Human Services	Decision Date	01/03/14
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XII. APPEAL DISMISSED WITH NO DECISION ON MERITS

DA-9-14

Employee	Shieata M. Taylor	Appeal Date	12/02/13
Agency	Human Services	Decision Date	12/24/13
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Daniel Stralka		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XIII. STAFF REPORT

January 17, 2014

XIV. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held on Friday, February 21, 2014 at the new start time of 11:00 a.m. in the Commission's Chicago office.

XV. MOTION TO ADJOURN