# REGULAR MEETING MINUTES ILLINOIS CIVIL SERVICE COMMISSION January 17, 2019

#### I. <u>CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 N.</u> <u>LASALLE STREET, SUITE S-901, CHICAGO, IL AND 607 E. ADAMS STREET, SUITE</u> <u>801, SPRINGFIELD, IL BY INTERACTIVE VIDEO CONFERENCE</u>

### II. <u>PRESENT</u>

Chairman Timothy D. Sickmeyer; G.A. Finch, David Luechtefeld, Jane Ryan, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director, Andrew Barris, Assistant Executive Director, and Sabrina Johnson, Exemption Monitor; Sarah Kerley, John Logsdon, Chris Nickols and Sherry Campbell, Illinois Department of Central Management Services; Kevin Moore, Illinois Emergency Management Agency; Scott Viniard and Jayne Bethard, Illinois Department of Human Services; Beth Duesterhaus, Christina Griffin and Tyler Clark, Illinois Department of Innovation and Technology; Julie Moscardelli, Vince Cacioppo and Lance Kaidell, Illinois Department of Revenue; and Daniel Dykstra and Jenny Thornley, Illinois State Police Merit Board.

#### III. <u>APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD DECEMBER 20,</u> 2018

# IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD DECEMBER 20, 2018.

# IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

In accordance with the Open Meetings Act and the Rules of the Civil Service Commission, Executive Director Daniel Stralka offered an opportunity for any person to address members of the Commission. Hearing no response, the meeting proceeded to the next agenda item.

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

# A. <u>Report on Exempt Positions from Department of Central Management Services</u>

| Agency  | Total<br><u>Employees</u> | Number of Exempt<br><u>Positions</u> |
|---|---------------------------|--------------------------------------|
| Abraham Lincoln Presidential Library & Museun | n 73                      |                                      |
| Aging   |                           |                                      |
| Agriculture                                   |                           |                                      |
| Arts Council                                  |                           |                                      |
| Capitol Development Board                     |                           |                                      |
| Central Management Services                   |                           |                                      |
| Children and Family Services                  |                           |                                      |
| Civil Service Commission                      |                           |                                      |
| Commerce & Economic Opportunity               |                           | 0<br>66                              |
| Commerce Commission                           |                           |                                      |
|   |                           |                                      |
| Corrections                                   |                           |                                      |
| Criminal Justice Authority                    |                           | /                                    |
| Deaf and Hard of Hearing Comm.                | ·····                     | l                                    |
| Developmental Disabilities Council            |                           |                                      |
| Emergency Management Agency                   |                           | 9                                    |
| Employment Security                           |                           |                                      |
| Environmental Protection Agency               | 601                       | 17                                   |
| Financial & Professional Regulation           |                           | 48                                   |
| Gaming Board                                  | 151                       | 7                                    |
| Guardianship and Advocacy                     |                           | 8                                    |
| Healthcare and Family Services                | 1,531                     |                                      |
| Human Rights Commission                       |                           |                                      |
| Human Rights Department                       |                           |                                      |
| Human Services                                |                           |                                      |
| Illinois Torture Inquiry Relief Commission    | 3                         | 1                                    |
| Independent Tax Tribunal                      | 1                         | 0                                    |
| Innovation and Technology                     |                           |                                      |
| Insurance                                     |                           |                                      |
| Investment Board                              |                           |                                      |
| Juvenile Justice                              |                           |                                      |
| Labor   |                           |                                      |
|   |                           |                                      |
| Labor Relations Board Educational             |                           |                                      |
| Labor Relations Board State                   |                           |                                      |
| Law Enforcement Training & Standards Bd       |                           |                                      |
| Lottery                                       |                           | 8                                    |
| Military Affairs                              |                           |                                      |
| Natural Resources                             |                           |                                      |
| Pollution Control Board                       |                           |                                      |
| Prisoner Review Board                         |                           | 1                                    |
| Property Tax Appeal Board                     |                           |                                      |
| Public Health                                 | 1,154                     | 40                                   |
| Racing Board                                  |                           | 1                                    |
| Revenue                                       |                           |                                      |
| State Fire Marshal                            |                           |                                      |
| State Police                                  |                           |                                      |
| State Police Merit Board                      |                           |                                      |
| State Retirement Systems                      |                           |                                      |
| Transportation                                |                           |                                      |
| Veterans' Affairs                             |                           |                                      |
| Workers' Compensation Commission              |                           |                                      |
|   | 113                       | 11                                   |
| TOTALS  | 45,132                    |                                      |

### B. <u>Governing Rule – Section 1.142 Jurisdiction B Exemptions</u>

- 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)

\* \* \*

# C. <u>Requests for 4d(3) Exemption</u>

Exemption Monitor Sabrina Johnson reported the following:

As to Item C, this request is for a Chief of Staff for the Division of Family and Community Services at the Department of Human Services (DHS), a position that reports to the Director of Family and Community Services, who reports to the Assistant Secretary, who reports to the Secretary. This position was first presented at last month's meeting and approved for one month to give the Agency more time to respond to Staff inquires. Based on the inquiries, this position will handle staffing needs and staffing issues with internal process in relationship to operation needs, approved headcount and contractual agreements and oversee staff training, policy revisions and program development to keep the Division in compliance with goals and agency directives.

To clarify, DHS has a Chief of Staff. There is also a Chief of Staff for the Mental Health Division of DHS. The requested position, along with two other Chief of Staff positions pending with the Special Master, will be within divisions of DHS. The Division of Family and Community Services is the largest division within DHS, with approximately 4,000 employees. This position is currently filled with an exempt appointment that expires January 19, 2019. Staff recommended approval of this exemption request.

Scott Viniard and Jayne Bethard concurred with the Staff presentation. Commissioner Ryan inquired about the number of employees the division has and its financial impact. Scott Viniard replied that Family and Community Services has almost 4,100 employees at over 60 locations throughout the State. He added that the division has high turnover due to the requirement that entry level employees have college degrees. Commissioner Ryan noted that number was larger than other entire agencies. Commissioner Ryan also inquired if the new administration was planning to look at this position and if so, maybe the exemption could be for six months.

Sarah Kerley, Acting Director, Central Management Services (CMS), explained to the Commissioners that the transition team is aware of the work that CMS has been doing with the Special Master for the Shakman case. CMS anticipates filing its Exempt List with the court by the end of the week. The requested position is on this Exempt List which has been shared with the transition team. The new administration is free to hire and fire into this "at will" position. Acting Director Kerley added that the transition team is pleased with the work CMS has done on this Exempt List. Commissioner Luechtefeld indicated this position would be legitimate if backed up by state. Commissioner Ryan then reiterated that this division has 4000 employees and she wanted that to be on record before other agencies come forth with exemption requests for similarly titled positions. Chairman Sickmeyer indicated his agreement with Commissioner Luechtefeld and noted how this is supposed to be a streamlining of the agency. He wants to be cautious about approving exemption requests for this title. Other agencies have division heads that perform similar functions.

As to Item D, this request is for a Manager for Private Sector Partnerships in the Director's Office at the Illinois Emergency Management Agency (IEMA), a position that reports to the Public Information Officer, who reports to the Director. This position develops policies and procedures for improving partnerships and communications between private sector and public entities during times of emergency or crisis. This position will serve as an agency spokesperson during disaster response and recovery operations.

Currently, this position is filled with a provisional appointment that expires January 22, 2019. Staff asked if this position has handled any emergency situations within the provisional appointment of this employee and IEMA indicated there was only one significant disaster, the tornado in Christian County/Taylorville. According to IEMA, the state's response to this disaster and recovery operations went well. Staff recommended approval of this exemption request.

Kevin Moore concurred with the Staff presentation.

As to Item E, this request is for a Chief Service Officer for the Division of Service Management at the Department of Innovation & Technology (DoIT), a position that reports to the Secretary. This position complies with Public Act 100-0611, Section 1-15, which requires DoIT to provide state agencies with best in class innovation and technology. It will also be responsible for meeting with new agencies to manage and recommend the resources and services they will need and evaluate if a Service Level Agreement is needed. This position is currently filled with a provisional appointment that expires February 15, 2019. Staff recommends approval of this exemption request.

Tyler Clark concurred with the Staff presentation. Commissioner Ryan inquired about the legal end of the position. Sabrina Johnson indicated it was for Service Level Agreement not Service Legal Agreement. Tyler Clark replied that this position was focused on service delivery. DoIT already has an exempt Chief Customer Officer position that is responsible for the day-to-day needs of client State agencies. The requested Chief Service Officer position has broader responsibilities focus on providing guidance to State agencies on Service Level Agreements. He provided an example with the Illinois State Police of the type of work the position will be doing. Clark added that DoIT is committed to minimizing the number of principal policy exempt positions in the agency.

As to Item F, this request is for a Chief of Enforcement at the Department of Revenue, a position that reports to the Director. This position was 4d(3) exempt from December 20, 2001 to November 18, 2011, when it was rescinded due to the agency's failure to respond to the proposed rescission notice and several subsequent reminders. Revenue is now requesting exemption based on similar duties from when it was previously approved for exemption. The duties involve implementing and evaluating policy and procedures relative to tax enforcement for the Audit Bureau and Collections Bureau. It also implements investigative case development, management and resolution between these Bureaus. The position will monitor tax enforcement processes, review information that will be submitted to the Informal Conference Board and determine

what debt should be assigned highest priority, and which resources should be allocated, based on that priority. This position is currently filled with a provisional appointment that expires January 31, 2019. Staff recommended approval of this exemption request.

Julie Moscardelli concurred with the Staff presentation. Commissioner Ryan inquired if this position has statewide responsibility since it was located in Williamson County. Julie Moscardelli replied that it would. Commissioner Ryan questioned why the agency selected Williamson County and Moscardelli replied that the Department of Revenue has offices throughout the state including in Williamson County. Chairman Sickmeyer asked if this position was going to be the Chief of the program. Julie Moscardelli replied that it was.

The following positions were granted 4d(3) exemption on January 17, 2019:

| Position Number  | 40070-10-90-000-10-02                                    |
|------------------|--|
| Functional Title | Chief of Staff, Family & Community Services              |
| Incumbent        | Javon Gregoire   |
| Supervisor       | Director, Family & Community Services who reports to the |
| Supervisor       | Assistant Secretary who reports to the Secretary         |
| Location         | Cook County  |

#### C. Illinois Department of Human Services

#### **D.** Emergency Management Agency

| Position Number  | 37015-50-17-000-00-02                                  |
|------------------|--|
| Functional Title | Private Sector Partnerships Manager                    |
| Incumbent        | Elizabeth Findley                                      |
| Supervisor       | Public Information Officer who reports to the Director |
| Location         | Sangamon County  |

#### E. Illinois Department of Innovation and Technology

| Position Number  | 40070-28-10-000-00-01 |
|------------------|-----------------------|
| Functional Title | Chief Service Officer |
| Incumbent        | Robert Kashmer        |
| Supervisor       | Secretary             |
| Location         | Sangamon County       |

| Position Number  | 40070-25-00-000-01-03 |
|------------------|-----------------------|
| Functional Title | Chief of Enforcement  |
| Incumbent        | Vincent Cacioppo      |
| Supervisor       | Director              |
| Location         | Williamson County     |

#### F. Illinois Department of Revenue

# IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER RYAN, AND THE MOTION ADOPTED 5-0 TO GRANT 4d(3) EXEMPTION FOR THE FOLLOWING POSITIONS:

- C: Chief of Staff, Family & Community Services (DHS)
- D: Private Sector Partnerships Manager (EMA)
- E: Chief Service Officer (DoIT)
- F: Chief of Enforcement (DOR)

Sarah Kerley, Acting Director of Central Management Services, appeared to update the Commissioners on activity that has occurred with the Special Master for the Shakman litigation about identifying Shakman exempt positions and changes in hiring procedures being implemented by CMS. A copy of her presentation to State agency personnel managers on January 9, 2019 was provided to all the Commissioners. Kerley informed the Commissioners that on January 7, 2019 the Shakman court entered an Agreed Order regarding establishing a Shakman Exempt List and a Plan of Compliance. This Agreed Order encompassed a streamlined process when it comes to filling vacant Shakman exempt positions. CMS has created a single page verification form for agencies to ensure that applicants for these positions possess the minimum qualifications for the position.

Sarah Kerley then addressed the Civil Service Commission's role regarding the Shakman Exempt List. She noted that the prior Rutan exempt process did not mesh well with the idea of creating a single Shakman Exempt List. The goal of the Shakman Exempt List is to create two classes of State positions: those that are "at will" and those that are job protected. When it comes to the Section 4d(3) exempt positions, she went through the process how any such request will first be evaluated by both CMS and the Special Master to ensure it qualifies as being Shakman exempt. It is only at that time that a request for a Section 4d(3) exemption would be forwarded to the Civil Service Commission for its consideration. If the Civil Service Commission determines that the position does not meet the Section 4d(3) criteria, that position would then be removed from the Shakman Exempt List. Sarah Kerley reiterated that this preserves the ultimate authority of the Civil Service Commission when it comes to Section 4d(3) exemptions.

Kerley also explained that to get to the point that the Shakman Court would find the state in substantial compliance, two things are needed: an Exempt List and a Comprehensive Employment Plan. As to the latter, CMS is in the initial stages of developing an online application process. It is currently piloting a program with four positions. This will allow CMS to exclude unqualified candidates on the front end. CMS would then be able to provide

agencies with list of pre-qualified candidates for them to interview. She cited examples how the failure of CMS to ensure that the list of candidates it has provided to agencies are prequalified has led to undesirable outcomes.

Sarah Kerley then referenced her provided presentation and how changes to the process set forth therein are already being considered. She pointed to the Personnel Code requirement that a selection must be made from the three highest candidates on an eligible list and issues that arose as to when that determination must occur at the CMS level or the agency interview level. In any event, the overall goal is to allow agencies to be able to ask more job specific questions of candidates during the interview process. Commissioner Ryan indicated this is a long time coming. Sarah Kerley replied that CMS is using this as an opportunity to reset the way the state operates. It will result in CMS providing better service to State agencies.

Executive Director Stralka brought up an issue with exemption requests that have provisional appointments pending Special Master review. The practice has been for CMS to release those for consideration by the Commission only after the Special Master makes her determination if they will be included on the Shakman Exempt List. The problem, as reflected last month with the Department of Human Services position, is that the Special Master appears to be using most of the six-month period to conduct its review. The release comes the same month the provisional appointment is expiring. That puts a time constraint of only one to two weeks on the Staff's ability to analyze the requests and resolve any issues before the provisional appointment expires. Sarah Kerley replied that this practice should cease with the adoption of the Shakman Exempt List. There will be fewer provisional appointments as they work through the list.

Kerley raised the issue of upcoming rescission requests. She indicated there are approximately 100 Section 4d(3) exempt positions that the parties have agreed are no longer appropriate to hold Shakman exempt status. She reviewed how the state created a questionnaire for agencies to provide information about various exempt positions and used that to determine whether they should be included on the Shakman Exempt list or not. For the ones that are no longer being included and are vacant, Central Management Services will proceed with their rescissions first. For any such position that is filled, a process has been developed in the Comprehensive Employment Plan to address them. Executive Director Stralka noted that determinations about the Shakman Exempt List are different from the Commission's determinations about whether a position qualifies for a principal policy exemption. Kerley agreed and indicated that all parties recognize that.

Sarah Kerley concluded by informing the Commissioners that Janel Forde is being appointed as the new Director of Central Management Services effective January 21, 2019. Chairman Sickmeyer asked about setting up a quarterly meeting for February and Kerley indicated she would look into it and let the Commission know.

# VI. <u>CLASS SPECIFICATIONS</u>

#### A. Governing Rule – Section 1.45 Classification Plan

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work; and
- f) The relation of the class specifications to any applicable collective bargaining agreement.

The following class titles were submitted for creation and revision by the Director of the Illinois Department of Central Management Services:

# B. <u>Contract Specialist I (create)</u> <u>Contract Specialist II (create)</u> <u>Contract Specialist III (create)</u>

- C. <u>Electrician (revise</u>)
- D. <u>Guard I (revise)</u> <u>Guard II (revise)</u> <u>Guard III (revise)</u>
- E. <u>Brickmason (revise)</u> <u>Carpenter (revise)</u> <u>Carpenter Foreman (revise)</u> <u>Laborer (building) (revise)</u> <u>Machinist (revise)</u> <u>Maintenance Worker (power plant) (revise)</u> <u>Sign Painter (revise)</u> <u>Tinsmith (revise)</u> <u>Trades Tender (revise)</u>

# F. <u>Lottery Drawing Specialist (create)</u> <u>Lottery Drawing Senior Specialist (create)</u>

G. <u>Plumber (revise</u>)

# H. <u>Well Inspector I (revise)</u> <u>Well Inspector II (revise)</u> <u>Well Inspector Specialist (create)</u>

<u>Staff Analysis</u>: Assistant Executive Director Andrew Barris indicated that most of the proposed revisions to the classes at issue involved updating current language regarding the educational requirement of a high school degree, or an equivalent. Barris noted that CMS' Classification analysis for Item C (Electrician) was vague considering the last time the class was addressed was in 1970 but necessary changes are self-evident given the technological changes in this field in the last 50 years and these changes are reflected in the proposed revision. Regarding Item B (Contact Specialist I, II and III) and Item F (Lottery Drawing Specialist and Lottery Drawing Senior Specialist), Barris noted that the proposals would result in an increase in compensation for some classes and reiterated the Commissioners' concerns regarding the financial condition of the State of Illinois. Barris inquired why the proposed classes yet they took an opposite direction regarding promotional opportunities. In other words, the promotional opportunities for Item B would increase while the promotional opportunities for Item F would decrease yet both proposals would provide an increase in compensation for some positions within the classes.

Chris Nickols and John Logsdon from CMS Technical Services explained that the levels of responsibilities only required two classes for Item F (as opposed to three classes for Item B) based upon an audit from the Department of Innovation and Technology (DoIT) indicating data entry should not be included in the class. Barris inquired whether CMS insured that an agency would not try to use a class revision and/or creation as a backdoor means to get incumbents higher salaries outside of the normal processes. Nickols and Logsdon indicated that CMS was aware of this possibility and while their analysis was not focused on individual incumbents, they insured that appropriate factors were used to determine rates of pay such as the salary ranges in other similar classes, industry standard salaries and the salary range of the anticipated collective bargaining unit. All the proposed classes in the agenda were agreed to through collective bargaining.

# IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 5-0 TO APPROVE THE CREATION AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON FEBRUARY 1, 2019:

- B. Contract Specialist I (create) Contract Specialist II (create) Contract Specialist III (create)
- C. Electrician (revise)

- D. Guard I (revise) Guard II (revise) Guard III (revise)
- E. Brickmason (revise) Carpenter (revise) Carpenter Foreman (revise) Laborer (building) (revise) Machinist (revise) Maintenance Worker (power plant) (revise) Sign Painter (revise) Tinsmith (revise) Trades Tender (revise)
- F. Lottery Drawing Specialist (create) Lottery Drawing Senior Specialist (create)
- G. Plumber (revise)
- H. Well Inspector I (revise) Well Inspector II (revise) Well Inspector Specialist (create)

# IT WAS MOVED BY COMMISSIONER RYAN, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 TO DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS AGENDA TO ALLOW ADEQUATE STUDY.

# VII. <u>PERSONNEL RULES</u>

# A. <u>Civil Service Commission Governing Rule – Section 1.310 Personnel Rules</u>

The Commission has power to disapprove new rules or amendments to existing rules submitted by the Director of Central Management Services. Such proposed new rules or amendments of existing rules submitted to the Commission shall be accompanied by a report of proceedings attending the prior public hearing required by law with respect to them. If the Commission does not disapprove new rules or any amendment to existing rules within 30 days following the receipt from the Director of Central Management Services, the new rules or amendments have the force and effect of law after filing by the Director with the Secretary of State.

# B. None submitted

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 TO DISAPPROVE ANY AMENDMENTS TO PERSONNEL RULES RECEIVED BY THE COMMISSION STAFF BUT NOT CONTAINED IN THIS AGENDA TO ALLOW ADEQUATE STUDY.

#### VIII. MOTION TO CLOSE A PORTION OF THE MEETING

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER RYAN, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 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.

| SICKMEYER   | YES | FINCH | YES |
|-------------|-----|-------|-----|
| LUECHTEFELD | YES | RYAN  | YES |
| URLACHER    | YES |       |     |

#### IX. <u>RECONVENE THE OPEN MEETING</u>

Upon due and proper notice, the regular open meeting of the Illinois Civil Service Commission was reconvened at 160 N. LaSalle Street, Suite S-901, Chicago, IL and 607 E. Adams Street, Suite 801, Springfield, IL by interactive video conference at 12:13 p.m.

#### PRESENT

Chairman Timothy D. Sickmeyer; G.A. Finch, David Luechtefeld, Jane Ryan, and Casey Urlacher, Commissioners; and Daniel Stralka, Executive Director, Andrew Barris, Assistant Executive Director and Sabrina Johnson, Exemption Monitor.

#### X. <u>PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS</u>

#### <u>DA-34-18</u>

| Employee    | Percy V. Coleman | Appeal Date   | 4/03/18           |
|-------------|------------------|---------------|-------------------|
| Agency      | Corrections      | Decision Date | 1/04/19           |
| Appeal Type | Discharge        | Proposal for  | Discharge unheld  |
| ALJ         | Daniel Stralka   | Decision      | Discharge upheld. |

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL OF THE ADMINISTRATIVE LAW JUDGE THAT THE CHARGES WERE PARTIALLY PROVEN AND WARRANT DISCHARGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.

| SICKMEYER   | YES | FINCH | YES |
|-------------|-----|-------|-----|
| LUECHTEFELD | YES | RYAN  | YES |
| URLACHER    | YES |       |     |

<u>DA-3-19</u>

| Employee    | Julie Webster            | Appeal Date   | 7/13/18           |
|-------------|--------------------------|---------------|-------------------|
| Agency      | State Police Merit Board | Decision Date | 1/04/19           |
| Appeal Type | Discharge                | Proposal for  | Disaharga unhald  |
| ALJ         | Andrew Barris            | Decision      | Discharge upheld. |

IT WAS MOVED BY COMMISSIONER RYAN, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL OF THE ADMINISTRATIVE LAW JUDGE THAT THE CHARGES WERE PARTIALLY PROVEN AND WARRANT DISCHARGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.

| SICKMEYER   | YES | FINCH | YES |
|-------------|-----|-------|-----|
| LUECHTEFELD | YES | RYAN  | YES |
| URLACHER    | YES |       |     |

#### XI. <u>STAFF REPORT</u>

Executive Director Stralka reported that regarding the presentation by Sarah Kerley, Central Management Services will be transitioning from a category grading system to a numerical grading system. Commissioner Ryan noted that this has already been done at the Secretary of State. Stralka added that this has been discussed numerous times over the past several years. Commissioner Ryan clarified that this conversion will only be for Merit Compensation titles.

Executive Director Stralka reported that the Commission's fiscal year 2016-2017 audit report was accepted by the Legislative Audit Commission.

Exemption Monitor Sabrina Johnson reported on the results of her first six months of tracking her reviews of clarifications to Section 4d(3) exempt positions. A total of 217 Form 104s were received, with three being abolished, one pending with questions to the Agency, one being placed on the May 2019 Rescission List and seven needing to be reviewed.

Assistant Executive Director Barris thanked the Commissioners for completing and submitting their acknowledgement forms for Ethics Training and Sexual Harassment Training for 2018. Barris informed the Commissioners that both forms of training are now available for 2019. Barris invited the Commissioners to complete the training online but he would also be sending them the paper version. Barris stated that the due date for both forms of training was at the end of 2019 and advised the Commissioners to complete the training by whatever means was easiest for each Commissioner as there were some technical difficulties last year for some in completing the online training. Chairman Sickmeyer inquired about submitting Statements of Economic Interest and Supplemental Statements of Economic Interest that would be due in the spring and he indicated that they should submitted to Barris for review before tendering to the Secretary of State's office.

Executive Director Stralka reported that the mileage reimbursement rate increased to 58 cents per mile effective January 1, 2019.

#### XII. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held at 11:00 a.m. on Thursday, February 21, 2019 in the Chicago and Springfield offices of the Commission by interactive video conference.

# XIII. MOTION TO ADJOURN

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 5-0 TO ADJOURN THE MEETING AT 12:21 P.M.