

October 18, 2013

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
October 18, 2013

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 10:30 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

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

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD ON SEPTEMBER 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.....	139.....	16
Agriculture	366.....	16
Arts Council	16.....	2
Capitol Development Board.....	46.....	0
Central Management Services.....	1,459.....	114
Children and Family Services	2,717.....	51
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	368.....	69
Commerce Commission	73.....	0
Corrections.....	11,033.....	104
Criminal Justice Authority	56.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	85.....	5
Employment Security.....	1,438.....	30
Environmental Protection Agency.....	799.....	17
Financial & Professional Regulation.....	426.....	44
Gaming Board.....	143.....	6
Guardianship and Advocacy	103.....	7
Healthcare and Family Services	2,093.....	25
Historic Preservation Agency.....	186.....	14
Human Rights Commission.....	13.....	2
Human Rights Department.....	142.....	9
Human Services	11,241.....	77
Illinois Sentencing Policy Advisory Council.....	2.....	2
Illinois Torture Inquiry Relief Commission	2.....	1
Insurance	220.....	16
Investment Board	3.....	2
Juvenile Justice.....	967.....	24
Labor.....	88.....	11
Labor Relations Board Educational.....	9.....	2
Labor Relations Board State.....	17.....	2
Law Enforcement Training & Standards Bd.	16.....	2
Lottery.....	142.....	7
Military Affairs	121.....	3
Natural Resources	1,113.....	30
Pollution Control Board	20.....	2
Prisoner Review Board.....	16.....	0
Property Tax Appeal Board.....	28.....	1
Public Health.....	1,069.....	41
Racing Board.....	2.....	1
Revenue.....	1,722.....	51
State Fire Marshal	133.....	12
State Police.....	1,096.....	7
State Police Merit Board	4.....	1
State Retirement Systems.....	103.....	2
Transportation	2,193.....	0
Veterans' Affairs.....	1,291.....	9
Workers' Compensation Commission.....	130.....	10
TOTALS	43,468.....	854

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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C. Illinois Department of Central Management Services – proposed exemption (continued from September 20, 2013 meeting)

Position Number	40070-37-00-000-40-01
Position Title	Senior Public Service Administrator
Bureau/Division	Information Technology
Functional Title	Chief Information Technology Officer
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.”

D. Illinois Historic Preservation Agency – proposed exemption (continued from September 20, 2013 meeting)

Position Number	40070-48-40-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administration
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.”

E. Illinois Department of Agriculture – proposed exemption

Position Number	40070-11-07-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Bureau Chief, Bureau of Medicinal Plants
Incumbent	Vacant
Supervisor	Chief of Staff 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.”

F. Illinois Dept. of Financial & Professional Regulation – proposed exemption

Position Number	40070-13-40-800-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Medical Cannabis Deputy Director
Incumbent	Vacant
Supervisor	Director who reports to the Secretary
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.”

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

C: Chief Information Technology Officer (CMS)

D: Policy Advisor (HPA)

E: Bureau Chief, Bureau of Medicinal Plants (DOA)

F: Medicinal Cannabis Deputy Director (FPR)

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	8/31/13	9/30/13	9/30/12
Aging	2	1	2
Agriculture	2	3	1
Arts Council	1	0	1
Central Management Services	2	0	1
Children and Family Services	12	2	6
Healthcare and Family Services	19	2	7
Historic Preservation Agency	11	11	15
Human Services	1	0	3
Natural Resources	0	10	11
Property Tax Appeal Board	3	0	0
Public Health	2	0	0
Revenue	5	3	1
State Police Merit Board	1	0	0
Transportation	0	0	13
Veterans' Affairs	5	0	1
Totals	66	32	62

X. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

DA-23-13

Employee	Jamara M. Rogers	Appeal Date	12/31/12
Agency	Children & Family Svcs.	Decision Date	10/07/13
Appeal Type	Discharge	Proposal for Decision	Charges are partially proven and warrant a 90-day suspension plus duration of suspension pending discharge.
ALJ	Daniel Stralka		

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

DA-47-13

Employee	Scott Grosboll	Appeal Date	06/05/13
Agency	Healthcare & Family Services	Decision Date	10/04/13
Appeal Type	Discharge	Proposal for Decision	Charges not proven; employee to be reinstated.
ALJ	Andrew Barris		

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

XI. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

RV-43-13

Employee	Shawn Wilcockson	Appeal Date	5/30/13
Agency	Natural Resources	Decision Date	9/26/13
Appeal Type	Rule Violation	Proposal for Decision	Dismissed subject to approval of the Commission; withdrawn.
ALJ	Daniel Stralka		

S-46-13

Employee	Robert W. Crowder	Appeal Date	6/04/13
Agency	Veterans' Affairs	Decision Date	9/25/13
Appeal Type	Suspension	Proposal for Decision	Dismissed subject to approval of the Commission; withdrawn.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSALS FOR DECISION IN THE ABOVE MATTERS?

October 18, 2013

XII. STAFF REPORT

XIII. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held on Friday, November 15, 2013 at 1:00 p.m. in the Commission's Springfield office.

XIV. MOTION TO ADJOURN