

October 21, 2016

REGULAR MEETING AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
October 21, 2016

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD SEPTEMBER 16, 2016

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD SEPTEMBER 16, 2016?**

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.....	146.....	18
Agriculture .....	425.....	20
Arts Council .....	9.....	2
Capitol Development Board .....	42.....	0
Central Management Services .....	1,372.....	109
Children and Family Services.....	2,586.....	54
Civil Service Commission.....	3.....	0
Commerce & Economic Opportunity .....	286.....	69
Commerce Commission .....	59.....	0
Corrections .....	11,719.....	103
Criminal Justice Authority.....	51.....	7
Deaf and Hard of Hearing Comm.....	5.....	1
Developmental Disabilities Council .....	8.....	1
Emergency Management Agency.....	67.....	5
Employment Security .....	1,124.....	31
Environmental Protection Agency.....	699.....	17
Financial & Professional Regulation .....	418.....	49
Gaming Board .....	168.....	6
Guardianship and Advocacy .....	95.....	8
Healthcare and Family Services .....	1,935.....	26
Historic Preservation Agency.....	143.....	17
Human Rights Commission.....	14.....	2
Human Rights Department .....	122.....	9
Human Services.....	13,065.....	77
Illinois Torture Inquiry Relief Commission .....	2.....	1
Independent Tax Tribunal .....	1.....	0
Innovation and Technology .....	9.....	12
Insurance .....	232.....	16
Investment Board .....	3.....	2
Juvenile Justice.....	1,049.....	27
Labor .....	81.....	11
Labor Relations Board Educational.....	9.....	3
Labor Relations Board State.....	15.....	2
Law Enforcement Training & Standards Bd. ....	20.....	2
Lottery .....	144.....	9
Military Affairs.....	134.....	3
Natural Resources.....	1,195.....	32
Pollution Control Board .....	20.....	2
Prisoner Review Board.....	22.....	1
Property Tax Appeal Board.....	31.....	1
Public Health .....	1,097.....	39
Racing Board.....	2.....	1
Revenue.....	1,526.....	52
State Fire Marshal .....	119.....	12
State Police.....	1,023.....	10
State Police Merit Board .....	7.....	2
State Retirement Systems .....	102.....	3
Transportation .....	2,141.....	0
Veterans' Affairs .....	1,322.....	10
Workers' Compensation Commission.....	128.....	11
<b>TOTALS.....</b>	<b>44,995.....</b>	<b>895</b>

**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 of Central Management Services – proposed exemption (continued from September 16, 2016)**

Position Number	40070-37-00-200-00-01
Functional Title	Deputy Director, Office of Operational Excellence
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

**C2. Illinois Department of Central Management Services – proposed exemption (continued from September 16, 2016)**

Position Number	40070-37-00-200-10-01
Functional Title	Assistant Deputy Director, Office of Operational Excellence
Incumbent	Vacant
Supervisor	Deputy Director, Office of Operational Excellence who reports to the Director
Location	Sangamon County

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

**D. Illinois Department of Lottery – proposed exemption**

Position Number	40070-45-00-200-00-01
Functional Title	Chief Transition Officer (exemption granted for 24 months in September 2014)
Incumbent	Timothy McDevitt
Supervisor	Director
Location	Cook County

**CMS Recommendation:** “This positions does meet the responsibility and reporting criteria of the Commission Rules and I recommend continuance of the 4d(3) exemption.”

**E. Illinois Department of Innovation and Technology – proposed exemption**

Position Number	40070-28-00-000-10-01
Functional Title	Affirmative Action/Equal Employment Opportunity Officer
Incumbent	Vacant
Supervisor	Secretary
Location	Sangamon County

**CMS Recommendation:** “This position does meet the responsibility and 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 Public Health – proposed exemption**

Position Number	37015-20-01-040-40-81
Functional Title	Chief Accountability Officer
Incumbent	Vacant
Supervisor	Deputy Director of Performance Management who reports to Director
Location	Cook County

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

**G1. Illinois Department of Human Services – proposed exemption**

Position Number	40070-10-89-260-00-01
Functional Title	Clinical Director, Prescription Monitoring Program
Incumbent	Vacant
Supervisor	Manager, Clinical Administrative & Program Support, who reports to the Assistant Secretary, who reports to the Secretary
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.”

**G2. Illinois Department of Human Services – proposed exemption**

Position Number	40070-10-90-111-00-01
Functional Title	Associate Director, Office of Family Wellness
Incumbent	Vacant
Supervisor	Assistant Director, Division of Family & Community Services who reports to the Director, Division of Family & Community Services, who reports to the Assistant Secretary, who in turn reports to the Secretary
Location	Cook County

**G3. Illinois Department of Human Services – proposed exemption**

Position Number	40070-10-90-222-00-01
Functional Title	Associate Director, Office of Early Childhood
Incumbent	Vacant
Supervisor	Assistant Director, Division of Family & Community Services who reports to the Director, Division of Family & Community Services, who reports to the Assistant Secretary, who in turn reports to the Secretary
Location	Sangamon County

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

**H. Illinois Emergency Management Agency – proposed exemption**

Position Number	40070-50-17-060-00-01
Functional Title	Urban Area Security Initiative (UASI) Administrator/Policy Advisor to the Director
Incumbent	Vacant
Supervisor	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.”

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

- C1: Deputy Director, Office of Operational Excellence (CMS)**
- C2: Assistant Deputy Director, Office of Operational Excellence (CMS)**
- D: Chief Transition Officer (Lottery)**
- E: Affirmative Action/Equal Employment Opportunity Officer (Department of Innovation and Technology)**
- F: Chief Accountability Officer (Public Health)**
- G1: Clinical Director, Prescription Monitoring Program (Human Services)**
- G2: Associate Director, Office of Family Wellness (Human Services)**
- G3: Associate Director, Office of Early Childhood (Human Services)**
- H: Urban Area Security Initiative (UASI) Administrator/Policy Advisor to the Director (Emergency Management)**

**VI. STAFF REPORT ON 4D(1) EXEMPT POSITIONS**

VII. CLASS SPECIFICATIONS

**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.

The following class titles were submitted for creation by the Director of the Illinois Department of Central Management Services (CMS):

**B. Corrections Treatment Officer**

**Corrections Treatment Officer Supervisor**

**Corrections Treatment Officer Trainee**

**Corrections Treatment Senior Security Supervisor**

CMS Class Specification Analysis: “As a result of a settlement agreement in the case of Rasha v. John Baldwin, the Department of Corrections agreed to boost staffing levels, to adopt new policies and procedures that provide clear direction on housing and treatment plans for mentally ill offenders and to enhance a training curriculum to help staff better interact with, communicate with, and understand the needs of those who require treatment. The Department has begun the construction of Residential Treatment Units (RTU's) at Dixon, Logan and Pontiac Correctional Centers and a Joliet Treatment Center on the grounds of the former Illinois Youth Center at Joliet. These sites will provide individualized care for offenders with serious mental illnesses.

The Department also seeks to create a number of positions which would provide treatment for offenders with mental illness, as well as, retaining security and safety. As no present classes exist within Corrections to address these concerns, we propose the establishment of four new classes: Corrections Treatment Officer Trainee, Corrections Treatment Officer, Corrections Treatment Officer Supervisor and Corrections Treatment Senior Security Supervisor. Requirements for these classes are built upon a bachelor's

degree in specific fields or a bachelor's degree and experience; all classes above the Corrections Treatment Officer Trainee class also require completion of an approved corrections treatment officer training program.

The Juvenile Justice (JJ) classes utilized by the Department of Juvenile Justice were used as a guide in creating the Corrections Treatment Officer (CTO) related classes; as duties performed are not identical, but are comparable. The chart below indicates the JJ classes and other classes primarily used in the development of the CTO classes.

<b>Proposed Class</b>	<b>Existing Classes</b>
Corrections Treatment Officer Trainee	Correctional Officer Trainee
	Juvenile Justice Specialist Intern
Corrections Treatment Officer	Correctional Officer
	Juvenile Justice Specialist
Corrections Treatment Officer Supervisor	Correctional Sergeant
	Correctional Lieutenant
	Juvenile Justice Supervisor
Corrections Treatment Senior Security Supervisor	Juvenile Justice Chief of Security

Creation of the new Corrections Treatment Officer related classes will aid in permitting the Department of Corrections to abide by the settlement agreement in providing more individualized care for offenders with serious mental illnesses.”

**WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED IN THIS AGENDA TO ALLOW ADEQUATE STUDY?**

VIII. PERSONNEL RULES

**A. Civil Service Commission Governing Rule – Section 1.310 Personnel Rules**

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**

**WILL THE COMMISSION DISAPPROVE ANY AMENDMENTS TO PERSONNEL RULES RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED IN THIS AGENDA TO ALLOW ADEQUATE STUDY?**



October 21, 2016

IX. 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?**

X. RECONVENE THE REGULAR OPEN MEETING

XI. 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.

<b>Agency</b>	<b>8/31/16</b>	<b>9/30/16</b>	<b>9/30/15</b>
Agriculture	2	2	6
Arts Council	0	0	1
Central Management Services	3	1	3
Children and Family Services	1	0	1
Emergency Management Agency	1	0	0
Employment Security	0	0	1
Financial and Professional Regulation	1	0	0
Healthcare and Family Services	3	1	4
Historic Preservation Agency	1	0	3
Human Rights Department	1	0	0
Human Services	8	6	12
Insurance	1	1	1
Natural Resources	21	15	40
Public Health	0	0	1
Revenue	0	0	6
State Fire Marshal	1	1	0
State Police	1	1	0
State Retirement Systems	1	1	3
Transportation	1	2	2
Workers' Compensation Commission	3	1	2
<b>Totals</b>	<b>50</b>	<b>32</b>	<b>86</b>

XII. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

**DA-36-16**

Employee	John B. Geary	Appeal Date	02/08/16
Agency	Human Services	Decision Date	10/06/16
Appeal Type	Discharge	Proposal for Decision	90-day suspension plus duration of suspension pending discharge.
ALJ	Andrew Barris		

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

**DA-2-17**

Employee	Tashun Martin	Appeal Date	07/06/16
Agency	Human Services	Decision Date	09/28/16
Appeal Type	Discharge	Proposal for Decision	Charge not proven; employee to be reinstated.
ALJ	Andrew Barris		

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

XIII. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

**DA-6-17**

Employee	Jeffrey Watson	Appeal Date	07/27/16
Agency	Central Management Services	Decision Date	10/13/16
Appeal Type	Discharge	Proposal for Decision	Dismissed; withdrawn.
ALJ	Andrew Barris		

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

XIV. STAFF REPORT

XV. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held at 1:30 p.m. on Friday, November 18, 2016 at the Commission's Springfield office.**

XVI. MOTION TO ADJOURN