

November 21, 2014

REGULAR MEETING AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
November 21, 2014

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 OCTOBER 17, 2014

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD OCTOBER 17, 2014?**

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.....	137.....	18
Agriculture .....	364.....	20
Arts Council .....	15.....	2
Capitol Development Board.....	48.....	0
Central Management Services.....	1,402.....	115
Children and Family Services .....	2,654.....	49
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	363.....	70
Commerce Commission .....	69.....	0
Corrections.....	10,890.....	99
Criminal Justice Authority .....	53.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	9.....	1
Emergency Management Agency.....	81.....	5
Employment Security.....	1,280.....	30
Environmental Protection Agency.....	802.....	17
Financial & Professional Regulation.....	438.....	49
Gaming Board .....	159.....	6
Guardianship and Advocacy .....	104.....	8
Healthcare and Family Services .....	2,085.....	26
Historic Preservation Agency.....	157.....	14
Human Rights Commission.....	14.....	2
Human Rights Department.....	138.....	9
Human Services .....	12,109.....	75
Illinois Torture Inquiry Relief Commission .....	3.....	1
Independent Tax Tribunal .....	1.....	0
Insurance .....	238.....	16
Investment Board .....	4.....	2
Juvenile Justice.....	1,002.....	24
Labor.....	90.....	11
Labor Relations Board Educational.....	11.....	2
Labor Relations Board State.....	18.....	2
Law Enforcement Training & Standards Bd. ....	17.....	2
Lottery.....	135.....	7
Military Affairs .....	123.....	3
Natural Resources .....	1,225.....	30
Pollution Control Board .....	22.....	2
Prisoner Review Board.....	17.....	0
Property Tax Appeal Board.....	31.....	1
Public Health.....	1,154.....	42
Racing Board.....	2.....	1
Revenue.....	1,721.....	54
State Fire Marshal .....	129.....	12
State Police.....	1,095.....	7
State Police Merit Board .....	5.....	2
State Retirement Systems.....	95.....	3
Transportation .....	2,212.....	0
Veterans' Affairs .....	1,370.....	9
Workers' Compensation Commission.....	131.....	11
<b>TOTALS .....</b>	<b>44,233.....</b>	<b>865</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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**C. Illinois Department of Human Services – proposed exemption (continued from October 17, 2014)**

Position Number	40070-10-96-444-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Division of Family & Community Services
Functional Title	Associate Director-Office of Adult Services and Basic Supports
Incumbent	Vacant
Supervisor	Assistant Director, Division of Family & Community Services, who reports to the Director, Division of Family & Community Services, who in turn 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.”

**D1. Illinois Department of Employment Security – proposed exemption**

Position Number	40070-44-01-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of the Director
Functional Title	Chief of Staff
Incumbent	Vacant
Supervisor	Director
Location	Cook County

**D2. Illinois Department of Employment Security – proposed exemption**

Position Number	40070-44-00-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of the Director
Functional Title	Education Institutions Program Manager
Incumbent	Vacant
Supervisor	Director
Location	Cook 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.”

**E1. Illinois Department of Juvenile Justice – proposed exemption**

Position Number	40070-27-00-300-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Aftercare
Functional Title	Resource Development Administrator
Incumbent	Vacant
Supervisor	Deputy Director of Aftercare, who reports to the Director
Location	Cook County

**E2. Illinois Department of Juvenile Justice – proposed exemption**

Position Number	37015-27-00-001-00-02
Position Title	Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Executive Staff Assistant to the Chief of Intergovernmental Relations
Incumbent	Vacant
Supervisor	Chief of Intergovernmental Relations, who reports to the Chief of Staff, who reports to the Director
Location	Sangamon County

**E3. Illinois Department of Juvenile Justice – proposed exemption**

Position Number	40070-27-10-000-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	School District #428
Functional Title	Assistant School District Superintendent
Incumbent	Vacant
Supervisor	School District Superintendent, who reports to the Deputy Director, Division of Program Services, who in turn reports to the Director
Location	Sangamon County

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

- C: Associate Director-Office of Adult Services and Basic Supports (Human Services)**
- D1: Chief of Staff (Employment Security)**
- D2: Education Institutions Program Manager (Employment Security)**
- E1: Resource Development Administrator (Juvenile Justice)**
- E2: Executive Staff Assistant to the Chief of Intergovernmental Relations (Juvenile Justice)**
- E3: Assistant School District Superintendent (Juvenile Justice)**

**F. Proposed Rescissions in accordance with Section 1.142(b) of the Rules of the Civil Service Commission**

On October 21, 2014 the Executive Director sent notice to the Director of Central Management Services of the proposed rescissions of 40 current 4d(3) exempt positions which may no longer meet the requirements for exemption. According to information provided by Central Management Services, these positions were granted exempt status but have been vacant for an extended period of time, the positions have been included in bargaining units certified by the Illinois Labor Relations Board, there were additional/identical employees in the positions, or the position description has changed. Each affected agency director was also provided with a courtesy notice of this proposed action. After resolving a number of issues with most of the proposed rescissions, the following is a list of the positions that will now be put forth before the Commission for formal consideration of rescission of their exemption. Section 1.142(b) also provides that withdrawal of exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status positions which will ensure responsive and accountable administrative control of the programs of the agency.

<b>Item</b>	<b>Position #</b>	<b>Agency</b>	<b>Functional Title</b>
F1	40070-37-60-010-06-01	Central Mgmt Services	Regional Client Manager for Region 6 (Central)
F2	40070-42-10-600-00-01	Comm & Econ Opportunity	Regional Manager (West Central Region)
F3	00502-29-01-700-51-01	Corrections	Legislative Liaison
F4	40070-46-30-200-00-01	Environ Protection	Policy and Outreach (Upstate)
F5	40070-48-52-000-00-01	Historic Preservation	State Historian / Manager, ALPLM Research & Collections
F6	40070-20-06-205-00-51	Public Health	Regional Health Officer – Marion
F7	00501-25-04-000-02-01	Revenue	Legislative Liaison
F8	40070-25-45-000-00-01	Revenue	Human Resources Director

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

- F1: Central Management Services-Regional Client Manager (Central)**
- F2: Commerce & Economic Opportunity-Regional Manager (West Central Region)**
- F3: Corrections-Legislative Liaison**
- F4: Environmental Protection Agency-Policy and Outreach (Upstate)**
- F5: Historic Preservation Agency-State Historian/Manager Research and Collections**

- F6: Public Health-Regional Health Officer, Marion**
- F7: Revenue-Legislative Liaison**
- F8: Revenue-Human Resources Director**

VI. 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.

**B. None submitted**

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

VII. CONSIDERATION OF THE SEPTEMBER 22, 2014 RESPONSE OF THE DIRECTOR OF CENTRAL MANAGEMENT SERVICES REGARDING GRIEVANCE COMMITTEE ACTIVITY PURSUANT TO SECTION 303.30 OF THE PERSONNEL RULES (continued from October 17, 2014)

VIII. 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?**

IX. RECONVENE THE REGULAR OPEN MEETING

X. 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>9/30/14</b>	<b>10/31/14</b>	<b>10/31/13</b>
Aging	0	<b>0</b>	1
Agriculture	0	<b>1</b>	0
Children and Family Services	0	<b>2</b>	0
Healthcare and Family Services	0	<b>0</b>	1
Historic Preservation Agency	1	<b>0</b>	1
Human Services	4	<b>4</b>	0
Natural Resources	8	<b>10</b>	1
Revenue	0	<b>0</b>	1
Workers' Compensation Commission	0	<b>1</b>	0
<b>Totals</b>	13	<b>18</b>	5

XI. INTERLOCUTORY APPEALS

S-32-14<sup>A</sup>

Employee	Jowanna M. Young	Appeal Date	03/19/14
Agency	Human Services	Decision Date	10/23/14
Type	Suspension	ALJ	Andrew Barris
Issue(s)	Default (failure to participate at telephone status conference)	Proposal for Decision	Dismiss for default subject to approval of Commission.

<sup>A</sup> S-32-14 and DA-33-14 were consolidated on October 23, 2014



**DA-33-14**

Employee	Jowanna M. Young	Appeal Date	03/19/14
Agency	Human Services	Decision Date	10/23/14
Type	Discharge	ALJ	Andrew Barris
Issue(s)	Default (failure to participate at telephone status conference)	Proposal for Decision	Dismiss for default subject to approval of Commission.

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

**DA-47-14**

Employee	Tana L. Logue	Appeal Date	06/18/14
Agency	Veterans' Affairs	Decision Date	10/30/14
Type	Discharge	ALJ	Andrew Barris
Issue(s)	Default (failure to appear at hearing and failure to respond to Motions to Dismiss	Proposal for Decision	Dismiss for default subject to approval of Commission.

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

**DA-10-15**

Employee	Elizabeth Lampkin	Appeal Date	09/02/14
Agency	Human Services	Decision Date	10/30/14
Type	Discharge	ALJ	Daniel Stralka
Issue(s)	No jurisdiction (employee was not certified at time of discharge)	Proposal for Decision	Dismiss for no jurisdiction subject to approval of Commission.

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

XII. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

**DA-30-14**

Employee	Timothy M. Holcomb	Appeal Date	03/13/14
Agency	Transportation	Decision Date	10/30/14
Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

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

**DA-11-15**

Employee	Dale P. Schaaff	Appeal Date	09/02/14
Agency	Human Services	Decision Date	11/07/14
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?**

XIII. MEETING SCHEDULE FOR CALENDAR YEAR 2015 (continued from October 17, 2014)

XIV. STAFF REPORT

XV. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held at 11:00 a.m. on Friday, December 19, 2014 at the Commission's Chicago office.**

XVI. MOTION TO ADJOURN