

December 19, 2014

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
December 19, 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 NOVEMBER 21, 2014

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD NOVEMBER 21, 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.....	138.....	18
Agriculture.....	346.....	20
Arts Council.....	15.....	2
Capitol Development Board.....	48.....	0
Central Management Services.....	1,403.....	115
Children and Family Services.....	2,647.....	49
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	360.....	70
Commerce Commission.....	69.....	0
Corrections.....	10,872.....	99
Criminal Justice Authority.....	52.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	9.....	1
Emergency Management Agency.....	81.....	5
Employment Security.....	1,272.....	30
Environmental Protection Agency.....	801.....	17
Financial & Professional Regulation.....	442.....	49
Gaming Board.....	158.....	6
Guardianship and Advocacy.....	106.....	8
Healthcare and Family Services.....	2,070.....	26
Historic Preservation Agency.....	154.....	14
Human Rights Commission.....	14.....	2
Human Rights Department.....	138.....	9
Human Services.....	12,098.....	75
Illinois Torture Inquiry Relief Commission.....	3.....	1
Independent Tax Tribunal.....	1.....	0
Insurance.....	240.....	16
Investment Board.....	4.....	2
Juvenile Justice.....	1,000.....	24
Labor.....	91.....	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.....	1,188.....	30
Pollution Control Board.....	22.....	2
Prisoner Review Board.....	17.....	0
Property Tax Appeal Board.....	31.....	1
Public Health.....	1,148.....	42
Racing Board.....	2.....	1
Revenue.....	1,715.....	54
State Fire Marshal.....	128.....	12
State Police.....	1,095.....	7
State Police Merit Board.....	5.....	2
State Retirement Systems.....	94.....	3
Transportation.....	2,204.....	0
Veterans' Affairs.....	1,353.....	9
Workers' Compensation Commission.....	130.....	11
TOTALS.....	44,079.....	865



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. None submitted

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.

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

B. Educator (revision)

CMS Classification Analysis: “Pursuant to changes to the Illinois School Code (105 ILCS 5/21B-20), effective July 1, 2013, the Illinois State Board of Education (ISBE) transitioned educators and school personnel from a certification system to a licensure system, in an effort to simplify and clarify understanding of credentials within its purview. Class specification revisions essentially replace obsolete ‘certification’ language with corresponding new licensure and endorsement language.

The system changeover reduces numerous certifications to three licenses. They are:

- Professional Educator License (PEL)
- Educator License with Stipulations (ELS)
- Substitute Teaching License (STL)

PEL and ELS carry endorsements which further identify a license-holders’ area(s) of qualification in which he/she may serve, such as grade-level ranges and content/subject-matter of instruction. Both the ELS and STL will be addressed by forthcoming classes.



There is one significant change to the Desirable Requirements section of the Educator class specification. The current stated requirements include a bachelor's degree. ISBE confirms that possession of a bachelor's degree (for which ISBE screens through the granting universities) is a mandatory minimum requirement for the issuance of the new Professional Educator License, thus, the language was changed from requiring a bachelor's degree to:

'Requires possession of a current and valid ISBE-issued Professional Educator License with endorsement appropriate to the content area, grade level, and instructional area in which the individual is approved to work.'

Two additional class specification language changes of note include the following:

Reference to 'GED' (General Education Development) was changed to 'High School Equivalency Certificate' as references to GED will be removed from statute language because it is considered a 'brand name' and other testing options are now available.

References to 'Mental Retardation' have been struck from Illinois law and replaced with the term 'Intellectual Disabilities,' and the class specification reflects that change."

C. Gaming Shift Supervisor (creation)
Gaming Unit Supervisor (creation)
Gaming Operations Supervisor (creation)

CMS Classification Analysis: "In accordance with terms agreed to between AFSCME collective bargaining representatives and the State of Illinois, and pursuant to the certification by the Illinois State Labor Relations Board into collective bargaining of selected Senior Public Service Administrator (SPSA) and Public Service Administrator (PSA) positions located with the Illinois Gaming Board, the Department of Central Management Services (CMS) has agreed to transition these positions from the aforementioned SPSA and PSA classes newly successor classes.

These positions in the Illinois Gaming Board (IGB) are sworn peace officers, acting in a supervisory capacity, which are responsible for on-site law enforcement, inspections and investigations for the Board. The different areas of concentration are installed as options within the class specification:

Option A: Investigations

Investigations option positions are characterized by a concentration in the conduct of suitability background investigations of applicants for Owners Licenses, Suppliers Licenses, Key Persons designations, Occupational Licenses, and all levels of video gaming licenses. Investigations positions examine an applicant's business practices, financial history, financial stability, education history, employment history and criminal, civil and administrative litigation history. Out of state travel is required to conduct the investigations, exchange information and meet with other jurisdiction authorities. Investigations responsibilities extend to alleged violations of the Riverboat Gaming Act, the Video Gaming Act, Illinois Gaming Board Adopted Rules and Owner Licensees' Internal Control Systems.



Option B: Enforcement

Enforcement option positions are characterized by a focus on the physical presence of agents in dock site (riverboat casino gaming) and video gaming locations throughout Illinois during all hours of operation in the gaming day. The Enforcement Division is responsible for the on-site enforcement of all regulations related to currently licensed gambling establishments' activities such as cash drops, chip inventories, placement of surveillance equipment, payoff percentages of electronic gaming devices, underage gambling and filing of federally required cash transaction reports. Agents also investigate alleged thefts, embezzlement, money laundering, structuring, cheating and illegal modifications of any gaming device. The presence of the agents and their powers of arrest are intended to provide a safe and secure environment for gaming patrons and personnel.

The different administrative levels are as follows:

- The *Gaming Shift Supervisors* are responsible for supervising gaming agents and police agents on their assigned gaming shift providing an on-site law enforcement and investigative presence at gaming locations or conduct and supervise background investigations and alleged violations of gaming regulations. The Gaming Shift Supervisors report to the Gaming Unit Supervisors.
- The *Gaming Unit Supervisors* are responsible for the oversight of all of the assigned subordinate staff agents on all shifts in that particular unit, squad, site or territory. The Gaming Unit Supervisors report to the Gaming Operations Supervisors.
- The *Gaming Operations Supervisors* coordinate the investigations and operations of up to five teams or units of agents grouped by location or territory. The Gaming Operations Supervisors report to the Division Manager of either Investigations or Enforcement, each position an SPSA option 7 sworn officer exempt from the Personnel Code.

The proposed successor classes are all modifications of the SPSA and PSA option 7 (law enforcement, corrections, regulatory investigations) and these positions will be reclassified into newer, more appropriately descriptive class specifications than the current Senior Public Service Administrator and Public Service Administrator.”

D. Corrections Intelligence Program Unit Manager (creation)
Corrections Investigations Program Administrator (creation)
Firearms Eligibility Administrator (creation)

CMS Classification Analysis: “Pursuant to terms of the master contract with the Illinois State Employees Association (ISEA), the Department of Central Management Services (CMS) agreed to develop successor classes to Public Service Administrator (PSA) positions which have been certified into the VR-704 bargaining unit.



This proposal deals with positions designated as Public Service Administrators with the title option 7 representing a group of positions in the Corrections, Law Enforcement and Regulatory Enforcement fields. Among this group are a set of positions within the Department of Corrections Intelligence and Internal Investigations Bureau that coordinate and manage the internal investigations program and the intelligence program (as a set of regional units) and supervise Internal Security Investigators and Intelligence Specialists involved in the investigations and information gathering. Attached are the class specifications Corrections Investigations Program Administration and Intelligence Program Unit Manager, which are designed to accommodate the removal (from the broader PSA class) and reclassification of these positions.

Additionally, within the Illinois State Police, the Firearms Owners Identification (FOID) Program and Concealed Carry Licensing (CCL) program supervisors are closely related PSA option 7 positions, and require a successor class. Attached is the Firearms Eligibility Administrator which is designed as an administrator that covers both the FOID and CCL program supervision and administration functions.

The PSA option 7 positions certified into the VR-704 bargaining unit are considered to be intermediate administrators which are recognized in the contract as individuals with 'regional, divisional, or facility-wide authority' who are subordinate to an agency head and 'superior to first-level supervisors outside the bargaining unit.' More specific details regarding these administrators/supervisors can be found in the VR-704 contract in Article 1. The attached class specifications will serve to establish a more detailed and accurate description of the work, education, experience and knowledge requirements of these positions.

WILL THE COMMISSION APPROVE THE REVISION AND CREATION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE JANUARY 1, 2015?

- B. Educator (revision)**
- C. Gaming Shift Supervisor (creation)**
Gaming Unit Supervisor (creation)
Gaming Operations Supervisor (creation)
- D. Corrections Intelligence Program Unit Manager (creation)**
Corrections Investigations Program Administrator (creation)
Firearms Eligibility Administrator (creation)

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



December 19, 2014

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	10/31/14	11/30/14	11/30/13
Aging	0	0	1
Agriculture	1	0	0
Central Management Services	0	1	0
Children and Family Services	2	0	1
Healthcare and Family Services	0	2	0
Human Services	4	2	0
Natural Resources	10	5	1
Workers Compensation Commission	1	1	0
Totals	18	11	3

X. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

DA-38-14

Employee	Nasthsa Hawkins-Boyd	Appeal Date	04/15/14
Agency	Human Services	Decision Date	12/05/14
Type	Discharge	Proposal for Decision	90-day suspension plus the duration of her suspension pending discharge
ALJ	Andrew Barris		

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



XI. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

DA-23-15

Employee	Alexander C. Rickman	Appeal Date	11/05/14
Agency	Corrections	Decision Date	11/19/14
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?

XII. REVIEW OF CLOSED MEETING MINUTES PURSUANT TO OPEN MEETINGS ACT

AFTER REVIEW OF THE CLOSED MEETING MINUTES PURSUANT TO THE OPEN MEETINGS ACT, WILL THE COMMISSION AGREE THAT THE NEED FOR CONFIDENTIALITY STILL EXISTS?

XIII. APPROVAL OF THE DESTRUCTION OF THE AUDIO VERBATIM RECORDINGS OF CLOSED SESSIONS PRIOR TO JULY 1, 2012 IN ACCORDANCE WITH THE OPEN MEETINGS ACT

WILL THE COMMISSION APPROVE THE DESTRUCTION OF THE AUDIO VERBATIM RECORDINGS OF CLOSED SESSIONS PRIOR TO JULY 1, 2012^A IN ACCORDANCE WITH THE OPEN MEETINGS ACT?

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, January 16, 2015 at the Commission's Springfield office.

XVI. MOTION TO ADJOURN

^A The Commission voted on July 15, 2011 to maintain audio verbatim recordings for a minimum of 24 months before destruction.

