

December 19, 2014

REGULAR MEETING MINUTES
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

Garrett P. FitzGerald, Chairman; James B. Anderson, Anita M. Cummings, Susan Moylan Krey, and Casey Urlacher, Commissioners; Andrew Barris, Assistant Executive Director; Roneta Taylor (by telephone), John Logsdon (by telephone), Chris Nichols (by telephone), Jayne Bethard (by telephone), and Sherry Campbell (by telephone), Illinois Department of Central Management Services; and Emily Gibellina, House Republicans.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD NOVEMBER 21, 2014

IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER CUMMINGS, AND THE MOTION ADOPTED 5-0 TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD NOVEMBER 21, 2014.

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

At this time, in accordance with the Open Meetings Act and the Rules of the Civil Service Commission, Assistant Executive Director Andrew Barris 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. Report on Exempt Positions from Department of 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)

Staff Analysis: Assistant Executive Director Barris explained that the revision to the Educator class was requested due to changes to the Illinois School Code regarding certification and licensure and the need to replace obsolete language like “GED” to “High School Equivalency Certificate” and “Mental Retardation” to “Intellectual Disabilities.”

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

Staff Analysis: Assistant Executive Barris indicated that Central Management Services wanted to withdraw the proposed class from the agenda. Commissioner Krey asked John Logsdon if the classes would be brought back before the Commission and he indicated that they would be resubmitted once they were modified to accommodate differences between the union, agency and/or CMS.



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

Staff Analysis: Assistant Executive Director Barris explained that the creation of these classes was requested due to the terms of the master contract with the Illinois State Employees Association (ISEA). Barris asked John Logsdon at Central Management Services Technical Services what type of investigations Corrections Intelligence Program Unit Manager and Corrections Investigations Program Administrator classes were responsible for in the Department of Corrections and were the investigations akin to “Internal Affairs” investigations. Logsdon indicated that the classes would supervise those types of investigations. Barris asked about the possible relationship between the Firearms Eligibility Administrator class and the previously approved classes regarding Firearms Eligibility Analysts that were requested and approved in 2013. Logsdon stated that the Administrator class would supervise the Analysts. Given that the positions within the class were covered by collective bargaining agreements, an agreement regarding the proposals was reached through collective bargaining, and Logsdon represented that there would be no increase in pay due to the proposals, Staff indicated approval of these requests.

IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER ANDERSON, AND THE MOTION ADOPTED 5-0 TO APPROVE THE REVISION AND CREATION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE JANUARY 1, 2015:

B. Educator (revision)

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

IT WAS MOVED BY COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 TO APPROVE THE WITHDRAWAL OF ITEM C:

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

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



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VII. MOTION TO CLOSE A PORTION OF THE MEETING

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER KREY, 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.

FITZGERALD	YES	ANDERSON	YES
CUMMINGS	YES	KREY	YES
URLACHER	YES		



VIII. RECONVENE THE OPEN MEETING

Upon due and proper notice the regular open meeting of the Illinois Civil Service Commission was reconvened at 160 North LaSalle Street, Suite S-901, Chicago, Illinois at 11:16 a.m.

PRESENT

Garrett P. FitzGerald, Chairman; James B. Anderson, Anita M. Cummings, Susan Moylan Krey, and Casey Urlacher, Commissioners; and Andrew Barris, Assistant Executive Director.

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.

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		



IT WAS MOVED BY COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE FOR A 90-DAY SUSPENSION PLUS THE DURATION OF HER SUSPENSION PENDING DISCHARGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION DATED DECEMBER 5, 2014.

**FITZGERALD YES ANDERSON YES
 CUMMINGS YES KREY YES
 URLACHER YES**

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	Dismissed; withdrawn.
ALJ	Andrew Barris	Decision	

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL AS IT WAS WITHDRAWN.

**FITZGERALD YES ANDERSON YES
 CUMMINGS YES KREY YES
 URLACHER YES**

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

Assistant Executive Director Barris reported that after review of the Closed Meeting Minutes, the need for confidentiality still exists as to all those Minutes.

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 THAT AFTER REVIEW OF CLOSED MEETING MINUTES PURSUANT TO THE OPEN MEETINGS ACT, THE NEED FOR CONFIDENTIALITY STILL EXISTS AS TO ALL THOSE MINUTES.



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

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 THAT THE DESTRUCTION OF THE AUDIO VERBATIM RECORDINGS OF CLOSED SESSIONS PRIOR TO JULY 1, 2012¹ IS APPROVED IN ACCORDANCE WITH THE OPEN MEETINGS ACT.

XIV. STAFF REPORT

- No discussion.

XV. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held Friday, January 16, 2015 at 1:30 p.m. in the Commission's Springfield office.

XVI. MOTION TO ADJOURN

IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER ANDERSON, AND THE MOTION ADOPTED 5-0 TO ADJOURN THE MEETING AT 11:22 A.M.

¹ The Commission voted on July 15, 2011 to maintain verbatim recordings for a minimum of 24 months before destruction.

