

December 21, 2017

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
DECEMBER 21, 2017

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 N. LASALLE STREET, SUITE S-901, CHICAGO, IL AND 607 E. ADAMS STREET, SUITE 801, SPRINGFIELD, IL BY INTERACTIVE VIDEO CONFERENCE

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD NOVEMBER 16, 2017

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD NOVEMBER 16, 2017?

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>
Abraham Lincoln Presidential Library & Museum	58	13
Aging.....	134	19
Agriculture	335	18
Arts Council	11	2
Capitol Development Board	32	0
Central Management Services	884	73
Children and Family Services.....	2,579	53
Civil Service Commission.....	4	0
Commerce & Economic Opportunity	243	66
Commerce Commission	59	0
Corrections	12,126	109
Criminal Justice Authority.....	51	7
Deaf and Hard of Hearing Comm	4	1
Developmental Disabilities Council	6	1
Emergency Management Agency.....	68	8
Employment Security	1,057	29
Environmental Protection Agency.....	610	18
Financial & Professional Regulation	377	48
Gaming Board	150	5
Guardianship and Advocacy	103	8
Healthcare and Family Services	1,673	26
Human Rights Commission.....	14	2
Human Rights Department	120	10
Human Services.....	12,823	82
Illinois Torture Inquiry Relief Commission	3	1
Independent Tax Tribunal	1	0
Innovation and Technology	1,178	57
Insurance	210	17
Investment Board	4	2
Juvenile Justice.....	955	28
Labor	74	11
Labor Relations Board Educational	10	3
Labor Relations Board State.....	13	2
Law Enforcement Training & Standards Bd.	23	3
Lottery	144	8
Military Affairs.....	129	3
Natural Resources.....	1,143	33
Pollution Control Board	16	2
Prisoner Review Board.....	18	1
Property Tax Appeal Board.....	32	1
Public Health	1,098	40
Racing Board.....	2	1
Revenue.....	1,375	45
State Fire Marshal	129	12
State Police.....	985	10
State Police Merit Board	7	2
State Retirement Systems	95	3
Transportation	2,235	0
Veterans' Affairs	1,263	10
Workers' Compensation Commission.....	126	12
TOTALS.....	44,789	905



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 Natural Resources – proposed exemption

Position Number	40070-12-32-000-00-01
Functional Title	Division of Parks and Recreation
Incumbent	Vacant
Supervisor	Deputy Director-Land Management 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.”

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

C: Division of Parks and Recreation (Natural Resources)

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 abolishment, creation and revision by the Director of the Illinois Department of Central Management Services:

- B. Construction Supervisor 1 (abolish)**
- Construction Supervisor 2 (abolish)**
- Construction Supervisor (create)**



Classification Analysis: “The Department of Central Management Services (DCMS), Bureau of Personnel, Division of Technical Services has instituted procedures to examine each of the class specifications currently active in the State of Illinois Classification Plan for accuracy and contemporary relevance. In the interest of fulfilling the mandate to administer the Position Classification Plan found in Title 80, Subchapter B, Chapter I, Part 320 of the Illinois Administrative Code, the DCMS Class Studies Unit has launched a comprehensive update strategy for all classes and the featured objectives are: a) to reduce the number of class specifications that have lain dormant or disused (i.e., classes with no incumbents for at least two years or classes without established positions) by abolishing the classes that are identified as such; and b) to bring up-to-date all content of each class specification under the Personnel Code that is currently in use by various state agencies.

The DCMS Division of Technical Services Class Studies Unit has conducted a review of the Construction Supervisor I and Construction Supervisor II class specifications as titles that fall under the objectives indicated above. The Construction Supervisor I class has not been used since 2/27/2009, and the Construction Supervisor II class has not been used since 5/31/2012. The Department of Natural Resources (DNR) has been the sole user agency of these classes and was consulted in the course of this study. The DNR has indicated that it has no future need for the Construction Supervisor I class, but would prefer to utilize a single supervisory class making use of the duties, responsibilities and requirements expressed in the Construction Supervisor II class. A new class specification, Construction Supervisor, was developed in consultation with the Department of Natural Resources and is proposed as a successor class to the Construction Supervisor II. This new class will adequately provide for the on-site supervisory needs of the user agency's construction and maintenance projects. Consequently, the Construction Supervisor I and Construction Supervisor II class specifications are recommended to be abolished.”

C. Financial Institutions Examiner Trainee (revise)

Financial Institutions Examiner 1 (revise)

Financial Institutions Examiner 2 (revise)

Financial Institutions Examiner 3 (revise)

Classification Analysis: “During the application grading process, the Illinois Department of Central Management Services (DCMS), Bureau of Personnel, Examining and Counseling Division discovered a discrepancy in the Financial Institutions Examiner series and requested that the DCMS, Bureau of Personnel, Technical Services Division initiate a study to address this discrepancy. The discrepancy in question is described on the class specification under the Desirable Requirements, Education and Experience section, which states the minimum level of required experience to qualify for the Financial Institutions Examiner II (FIE 2) and the Financial Institutions Examiner III (FIE 3) titles. The FIE 2 and FIE 3 are currently both requiring three years of professional experience in a financial institution to qualify for eligibility in these titles. The DCMS Technical Services Division researched the class study history files that are retained for this series and discovered that previously this series had been revised, and the FIE 3 class specification was inadvertently changed to reflect the same required experience level as the FIE 2. DCMS Technical Services has now corrected this previous error and consequently update the class specifications for the series overall to reflect the most



current position functions utilized for the Financial Institutions Examiner Trainee, the Financial Institutions Examiner I, the Financial Institutions Examiner II and the Financial Institutions Examiner III levels within the user agency.”

D. Juvenile Justice Specialist Intern (revise)
Juvenile Justice Specialist (revise)
Juvenile Justice Supervisor (revise)
Juvenile Justice Chief of Security (revise)

Classification Analysis: “Effective January 1, 2018, Public Act 100-0019 will redefine requirements for positions subject to the Juvenile Justice Act, [730 ILCS 5/3-2.5-15 (b)]. Positions affected are those that participate or assist in the rehabilitative and vocational training of delinquent youths, supervise the daily activities involving direct and continuing responsibility for the youths' security, welfare and development, or participate in the personal rehabilitation of delinquent youth by training, supervising and assisting lower level personnel who perform such duties. Public Act 100-0019 changes the base requirements from *either a bachelor's degree from an accredited college or university with a specialization in criminal justice, education, psychology, social work or a closely related social science, or a bachelor's degree from an accredited college or university in another field of study and at least two years of experience in the field of juvenile matters* to any bachelor's or advanced degree from an accredited college or university.

The classes of Juvenile Justice Chief of Security, Juvenile Justice Supervisor, Juvenile Justice Specialist and Juvenile Justice Specialist Intern perform functions in at least one of the areas cited in the second sentence in the above paragraph. All four classes consistently include the base level requirements highlighted in italics above; the requirements differ from the Juvenile Justice Specialist Intern by completion of a training program for the Juvenile Justice Specialist and the number of years of professional staff experience for the Juvenile Justice Supervisor (2) and the Juvenile Justice Chief of Security (3). In order to comply with Public Act 100-0019, the base requirements for the classes have been modified to reflect the following: ‘Requires a bachelor's degree from a recognized college or university.’”

WILL THE COMMISSION APPROVE THE ABOLISHMENT, CREATION AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON JANUARY 1, 2018?

- B. Construction Supervisor 1 (abolish)**
Construction Supervisor 2 (abolish)
Construction Supervisor (create)

- C. Financial Institutions Examiner Trainee (revise)**
Financial Institutions Examiner 1 (revise)
Financial Institutions Examiner 2 (revise)
Financial Institutions Examiner 3 (revise)



- D. Juvenile Justice Specialist Intern (revise)**
- Juvenile Justice Specialist (revise)**
- Juvenile Justice Supervisor (revise)**
- Juvenile Justice Chief of Security (revise)**

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

VII. 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?

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. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	10/31/17	11/30/17	11/30/16
Aging	1	1	0
Agriculture	2	1	0
Arts Council	0	2	0
Central Management Services	7	6	0
Commerce and Economic Opportunity	0	1	0
Employment Security	2	7	0
Financial and Professional Regulation	3	3	0
Gaming Board	2	1	1
Guardianship & Advocacy	1	1	1
Healthcare and Family Services	4	8	1
Historic Preservation Agency	3	0	0
Human Services	20	19	9
Innovation & Technology	6	7	0
Insurance	1	1	1
Labor Relations Board-Educational	2	2	0
Natural Resources	15	24	7
Property Tax Appeal Board	1	1	0
State Fire Marshal	1	2	1
State Police	7	6	0
State Retirement Systems	1	1	0
Transportation	5	7	2
Veterans' Affairs	0	3	0
Workers' Compensation Commission	0	1	1
Totals	84	105	24



XI. INTERLOCUTORY APPEALS

RV-16-18

Petitioner	William L. Grant, II	Appeal Date	09/15/17
Agency	Central Mgmt. Services	Decision Date	11/29/17
Type	Rule Violation	ALJ	Andrew Barris
Issue(s)	Failure to file information requested by Commission	Proposal for Decision	Dismissed for default subject to approval of Commission.

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

DA-17-18

Employee	Monica L. Barry	Appeal Date	09/27/17
Agency	Central Mgmt. Services	Decision Date	11/28/17
Type	Discharge	ALJ	Andrew Barris
Issue(s)	Motion to Dismiss for no jurisdiction (employee resigned and appeal untimely filed)	Proposal for Decision	Grant Motion to 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 DECISION RESULTING FROM APPEALS

DA-42-17

Employee	Demetrius Norton	Appeal Date	05/12/17
Agency	Corrections	Decision Date	11/30/17
Appeal Type	Discharge	Proposal for Decision	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?



XIII. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

DA-4-18

Employee	Morgan Knazze	Appeal Date	07/19/17
Agency	Corrections	Decision Date	11/28/17
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; settled.
ALJ	Andrew Barris		

S-6-18

Employee	Laura J. MacQueen	Appeal Date	08/09/17
Agency	Corrections	Decision Date	12/15/17
Appeal Type	Suspension	Proposal for Decision	Dismissed subject to approval of Commission; settled.
ALJ	Daniel Stralka		

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

XIV. 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?

XV. APPROVAL OF THE DESTRUCTION OF THE AUDIO VERBATIM RECORDINGS OF CLOSED SESSIONS PRIOR TO JULY 2015 IN ACCORDANCE WITH THE OPEN MEETINGS ACT

WILL THE COMMISSION APPROVE THE DESTRUCTION OF THE AUDIO VERBATIM RECORDINGS OF CLOSED SESSIONS PRIOR TO JULY 2015^A IN ACCORDANCE WITH THE OPEN MEETINGS ACT?

XVI. STAFF REPORT

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



December 21, 2017

XVII. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held at 11:00 a.m. on Thursday, January 18, 2018 by interactive video conference in the Springfield and Chicago offices of the Commission.

XVIII. MOTION TO ADJOURN

