

February 19, 2016

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
February 19, 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 JANUARY 15, 2016

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD JANUARY 15, 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.....	144.....	18
Agriculture	336.....	20
Arts Council	11.....	2
Capitol Development Board.....	46.....	0
Central Management Services.....	1,424.....	115
Children and Family Services	2,545.....	49
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	303.....	69
Commerce Commission	64.....	0
Corrections.....	11,758.....	98
Criminal Justice Authority	53.....	7
Deaf and Hard of Hearing Comm.....	6.....	1
Developmental Disabilities Council.....	9.....	1
Emergency Management Agency.....	75.....	6
Employment Security.....	1,192.....	32
Environmental Protection Agency.....	715.....	18
Financial & Professional Regulation.....	430.....	49
Gaming Board	173.....	6
Guardianship and Advocacy	99.....	8
Healthcare and Family Services	1,973.....	26
Historic Preservation Agency.....	135.....	17
Human Rights Commission.....	14.....	2
Human Rights Department.....	128.....	9
Human Services	13,160.....	75
Illinois Torture Inquiry Relief Commission	2.....	1
Independent Tax Tribunal	1.....	0
Insurance	252.....	16
Investment Board	3.....	2
Juvenile Justice.....	1,086.....	26
Labor.....	83.....	11
Labor Relations Board Educational.....	9.....	2
Labor Relations Board State.....	15.....	2
Law Enforcement Training & Standards Bd.	19.....	2
Lottery.....	138.....	8
Military Affairs	131.....	3
Natural Resources	1,185.....	31
Pollution Control Board	19.....	2
Prisoner Review Board.....	21.....	0
Property Tax Appeal Board.....	33.....	1
Public Health.....	1,139.....	40
Racing Board.....	2.....	1
Revenue.....	1,591.....	53
State Fire Marshal	122.....	12
State Police.....	1,045.....	10
State Police Merit Board	6.....	2
State Retirement Systems.....	102.....	3
Transportation	3,576.....	0
Veterans' Affairs.....	1,386.....	10
Workers' Compensation Commission.....	121.....	11
TOTALS	46,884.....	877

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 Juvenile Justice – proposed exemption (continued from January 15, 2016 meeting)

Position Number	40070-27-00-100-00-02
Functional Title	Compliance Coordinator
Incumbent	Vacant
Supervisor	Deputy Director of Operations who reports to the Director
Location	Kane County

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

D. Illinois Department of Corrections – proposed exemption (continued from January 15, 2016 meeting)

Position Number	40070-29-08-000-01-01
Functional Title	Chief Labor Counsel
Incumbent	Vacant
Supervisor	Governor’s Office Chief Labor Counsel
Location	Sangamon County

CMS Recommendation: “This position does meet 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.”

E. Illinois Department of Human Services – proposed exemption (continued from January 15, 2016 meeting)

Position Number	40070-10-00-000-00-01
Functional Title	Chief Labor Counsel
Incumbent	Vacant
Supervisor	Governor’s Office Chief Labor Counsel
Location	Sangamon County

CMS Recommendation: “This position does meet 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.”

F. Illinois Department of Children and Family Services – proposed exemption

Position Number	40070-16-03-300-00-01 ^A
Functional Title	Deputy General Counsel/Contracts
Incumbent	Erica Kirkwood
Supervisor	General Counsel who reports to the Chief Deputy Director who reports to the Director
Location	Cook County

CMS Recommendation: “This position does meet 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.”

G. Illinois Department of Children and Family Services – proposed exemption

Position Number	40070-16-03-500-00-01
Functional Title	Assistant General Counsel/Administrative Hearings-Litigation
Incumbent	Donald Jonker
Supervisor	General Counsel who reports to the Chief Deputy Director who reports to the Director
Location	Joliet County

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

H1. Illinois Dept. of Commerce and Economic Opportunity – proposed exemption

Position Number	40070-42-10-600-00-01 ^B
Functional Title	Regional Economic Development/West Central Region
Incumbent	Vacant
Supervisor	Regional Economic Development Deputy Director who reports to the Director
Location	Sangamon County

H2. Illinois Dept. of Commerce and Economic Opportunity – proposed exemption

Position Number	40070-42-00-090-05-01 ^C
Functional Title	Assistant Deputy Director, Office of Trade and Investment
Incumbent	Vacant
Supervisor	Deputy Director, Office of Trade and Investment who reports to the Director
Location	Cook County

^A This position number is already 4d(3) exempt but the position description was clarified with a substantial change in duties. After review, Staff notified the agency that the position must be resubmitted for consideration.

^B Previous exemption was rescinded on February 20, 2015 due to extended vacancy.

^C Previous exemption was rescinded on November 15, 2013 due to extended vacancy.

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) exemptions.”

I1. Illinois Department of Human Services – proposed exemption

Position Number	40070-10-76-000-20-01
Functional Title	Regional Administrator, Division of Mental Health
Incumbent	Vacant
Supervisor	Director of Mental Health who reports to the Assistant Secretary who reports to the Secretary
Location	Cook County

I2. Illinois Department of Human Services – proposed exemption

Position Number	40070-10-76-000-40-01
Functional Title	Chief of Staff, Division of Mental Health
Incumbent	Vacant
Supervisor	Director of Mental Health who reports to the Assistant Secretary who reports to the Secretary
Location	Sangamon County

CMS Recommendation: “These positions do meet the reporting criteria of the Commission Rules and considering the similarity of the requested positions 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?

- C: Compliance Coordinator (Juvenile Justice)**
- D: Chief Labor Counsel (Corrections)**
- E: Chief Labor Counsel (Human Services)**
- F: Deputy General Counsel/Contracts (Children and Family Services)**
- G: Assistant General Counsel/Administrative Hearings-Litigation (Children and Family Services)**
- H1: Regional Economic Development/West Central Region (Commerce and Economic Opportunity)**
- H2: Assistant Deputy Director, Office of Trade and Investment (Commerce and Economic Opportunity)**
- I1: Regional Administrator, Division of Mental Health (Human Services)**
- I2: Chief of Staff, Division of Mental Health (Human Services)**

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 have been submitted for revision by the Director of the Illinois Department of Central Management Services (CMS):

B. Child Protection Associate Specialist
Child Protection Specialist

CMS Classification Analysis: “The Department of Children and Family Services (DCFS) has determined to expand the number of degree types and curricula that may be deemed acceptable to achieve qualifying grades for employment eligibility for positions allocated to the Child Protection Specialist and Child Protection Associate Specialist classes, which are part of the State of Illinois Classification Plan. The objective of the request is to enhance recruitment efforts to attract the interest of individuals with education backgrounds in criminal justice and law enforcement because these fields of study are relevant and related to the functions and responsibilities of these classes. The agency wishes to attract a large enough pool of applicants from which to select quality, capable job candidates. To these ends, DCFS and the Department of Central Management Services (DCMS) have agreed to modify the desirable requirements of both the Child Protection Specialist and Child Protection Associate Specialist class specifications to include the acceptance of a degree in criminal justice, a degree in criminal justice administration or a degree in law enforcement as degrees that qualify a candidate as possessing the necessary required education for positions in the Child Protection Associate Specialist class and the Child Protection Specialist class that may become available for hire in the future. The elements of this proposal represent the combined efforts of DCFS and DCMS to achieve better recruitment and retention of qualified workers in the Child Protection Specialist series.

The Child Protection Advanced Specialist is not being revised. However, it is found on the same document as that of the Child Protection Associate Specialist and Child Protection Specialist. This set of three classes was written as a series standard. The Department of Children and Family Services has affirmed the content of this class as current and so the effective date of the Child Protection Advanced Specialist class specification will be updated in accordance with this and the revisions to the other two classes in the series.”

WILL THE COMMISSION APPROVE THE REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON MARCH 1, 2016?

B. Child Protection Associate Specialist
Child Protection Specialist

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. 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	12/31/15	1/31/16	1/31/15
Arts Council	0	0	1
Central Management Services	1	2	1
Children and Family Services	0	0	3
Healthcare and Family Services	2	4	6
Human Services	13	11	7
Insurance	1	1	1
Juvenile Justice	1	1	0
Natural Resources	18	13	9
State Retirement Systems	3	3	0
Transportation	5	5	3
Veterans' Affairs	0	0	0
Workers Compensation Commission	3	3	0
Totals	47	43	31

XI. INTERLOCUTORY APPEAL

DA-27-16

Employee	Bobby L. Stoye	Appeal Date	12/21/15
Agency	Revenue	Decision Date	01/26/16
Type	Discharge	ALJ	Andrew Barris
Issue(s)	Motion to Dismiss for Default; failure to appear at hearing	Proposal for Decision	Grant the Motion to Dismiss for Default.

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

XII. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

DA-22-15

Employee	Leah P. Shaikh	Appeal Date	11/03/14
Agency	Human Services	Decision Date	02/03/16
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
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-12-16

Employee	Kate A. Abitogun	Appeal Date	8/31/15
Agency	Public Health	Decision Date	1/26/16
Appeal Type	Discharge	Proposal for Decision	Dismissed; settled.
ALJ	Andrew Barris		

DA-21-16

Employee	Brian K. Goodwin	Appeal Date	10/19/15
Agency	Children & Family Services	Decision Date	02/08/16
Appeal Type	Discharge	Proposal for Decision	Dismissed; withdrawn.
ALJ	Andrew Barris		

DA-25-16

Employee	Artemio Farrell-Perez	Appeal Date	11/23/15
Agency	Human Services	Decision Date	02/09/16
Appeal Type	Discharge	Proposal for Decision	Dismissed; withdrawn.
ALJ	Daniel Stralka		

DA-35-16

Employee	Tracy M. Redmon	Appeal Date	1/21/16
Agency	Human Services	Decision Date	1/29/16
Appeal Type	Discharge	Proposal for Decision	Dismissed; withdrawn.
ALJ	Andrew Barris		

S-32-16

Employee	Tracy M. Redmon	Appeal Date	1/06/16
Agency	Human Services	Decision Date	1/26/16
Appeal Type	Suspension	Proposal for Decision	Dismissed; withdrawn.
ALJ	Andrew Barris		

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

XIV. CHAIRMAN REPORT

XV. STAFF REPORT

XVI. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held at 11:00 a.m. on Friday, March 18, 2016
at the Commission's Chicago office.**

XVII. MOTION TO ADJOURN