

March 21, 2014

REGULAR MEETING MINUTES  
ILLINOIS CIVIL SERVICE COMMISSION  
March 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

Garrett P. FitzGerald, Chairman; James B. Anderson, Susan Moylan Krey, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director; Andrew Barris, Assistant Executive Director; Justin Cajindos (by telephone), Governor's Office; Elizabeth Whitehorn, Mark Magill (by telephone) and Mike Quinlan (by telephone), Illinois Department of Central Management Services; Cheryl Bluhm (by telephone) and Jared Thornley (by telephone), Illinois Department of Agriculture; Era Laudermilk (by telephone), Illinois Department of Juvenile Justice; Matthew Bilinsky (by telephone), Illinois Department of Revenue; Ronald Cooley, Illinois State Police Merit Board; and Beth Duesterhaus (by telephone), Administrative & Regulatory Shared Services Center.

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

**IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 4-0 TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD FEBRUARY 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, Executive Director Daniel Stralka offered an opportunity for any person to address members of the Commission. Hearing no response, the meeting proceeded to the next agenda item.

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V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

**A. Report on Exempt Positions from Illinois Dept. of Central Management Services**

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	137.....	18
Agriculture.....	330.....	18
Arts Council.....	16.....	2
Capitol Development Board.....	45.....	0
Central Management Services.....	1,450.....	114
Children and Family Services.....	2,665.....	51
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	367.....	67
Commerce Commission.....	71.....	0
Corrections.....	10,812.....	99
Criminal Justice Authority.....	54.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	84.....	5
Employment Security.....	1,356.....	30
Environmental Protection Agency.....	788.....	17
Financial & Professional Regulation.....	419.....	45
Gaming Board.....	146.....	6
Guardianship and Advocacy.....	103.....	7
Healthcare and Family Services.....	2,036.....	25
Historic Preservation Agency.....	154.....	16
Human Rights Commission.....	13.....	2
Human Rights Department.....	139.....	9
Human Services.....	11,582.....	76
Illinois Torture Inquiry Relief Commission.....	5.....	1
Insurance.....	218.....	16
Investment Board.....	3.....	2
Juvenile Justice.....	979.....	21
Labor.....	84.....	11
Labor Relations Board Educational.....	9.....	2
Labor Relations Board State.....	17.....	2
Law Enforcement Training & Standards Bd.....	18.....	2
Lottery.....	142.....	6
Military Affairs.....	119.....	3
Natural Resources.....	1,087.....	30
Pollution Control Board.....	21.....	2
Prisoner Review Board.....	16.....	0
Property Tax Appeal Board.....	28.....	1
Public Health.....	1,072.....	42
Racing Board.....	2.....	1
Revenue.....	1,772.....	53
State Fire Marshal.....	134.....	12
State Police.....	1,094.....	6
State Police Merit Board.....	5.....	1
State Retirement Systems.....	94.....	2
Transportation.....	2,162.....	0
Veterans' Affairs.....	1,250.....	9
Workers' Compensation Commission.....	133.....	11
<b>TOTALS.....</b>	<b>43,250.....</b>	<b>850</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)

\* \* \*

**C. Requests for 4d(3) Exemption**

Executive Director Daniel Stralka reported the following:

- As to Item C, this request is from the Department of Agriculture and was continued for the second time last month when the Commission was unable to reach a consensus after questioning the agency representative. It is for an Assistant State Fair Manager, a position that reports to the State Fair Manager who reports to the Assistant Director who reports to the Director. As previously noted, the State Fair Manager was first granted exempt status in 2003. Now, the agency is splitting the responsibilities for running the State Fair between the State Fair Manager who would retain principal policy responsibility for traditional fair activities and this new position which would have principal policy responsibility for the entertainment portion of the fair. The Staff had tentatively recommended approval based on the amount of independent authority that the agency vested in this position to make decisions in this limited regard and commit the expenditure of agency funds. Staff also indicated that it found the promotional activities less convincing since the agency already has two other positions involved in promotional activities that are 4d(3) exempt.

After the February meeting, Staff sent the agency an email detailing many of the issues that arose. The agency responded and a copy of those responses was sent to each Commissioner. Commissioner Krey indicated that she reviewed the agency's response and felt that the agency was splitting hairs. There was simply not enough principal policy-making authority. Jared Thornley, Chief of Staff-Department of Agriculture, replied by noting the importance and difficulty of putting on a unique event as the State Fair. It is an agriculture-based event but driven by the entertainment. The agency's goal is to continue to grow the event and this means having one manager for the agriculture side and another for the entertainment side. Commissioner Anderson indicated he was comfortable with this request based on its responsibility to negotiate entertainment contracts. He found the position's authority to bind the agency important. Commissioner Anderson was satisfied with the substance of the agency's response which he found lacking at the last meeting. Chairman FitzGerald asked the agency to confirm that it was this position that will be selecting the entertainment for the State Fair. Cheryl Bluhm replied that the position would be heavily involved in the negotiation to secure the entertainment acts for the State Fair.

- As to Item D, this request is for the Electric Vehicle Coordinator at the Department of Commerce and Economic Opportunity, a position that reports to the Director. This position was first granted a temporary exemption in 2009 as the Sustainability Manager, and that was extended for two years in 2011. It came back before the Commission this past November with a new title and position description. PA 97-0089 created the Electric Vehicle Advisory Council and this Electric Vehicle Coordinator who is the point person for electric vehicle related policies and activities in the State. While the Act made it clear that this could be an existing position, the agency elected to create a new position.

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There were some outstanding issues related to the request which led to a six-month extension of the exemption until they were worked out. These included the scope of the public act since it calls for a “Final Report” which was issued on December 31, 2011. Staff had a concern that the Council would cease to operate after the Final Report but it has continued to meet subsequent to the Final Report which indicates it is an ongoing entity. Considering this and the statutory creation of the position, Staff recommended approval of this request.

- As to Item E, the Department of Healthcare and Family Services has requested that this be continued to the April meeting.
- As to Item F, this request is from the Illinois State Police Merit Board and is for a Fiscal/Human Resources Administrator, a position that reports to the Executive Director. This position will have principal policy development and administration responsibilities for the fiscal and human resources programs of the Merit Board, functions that the Commission has historically found to support an exemption. For that reason, Staff recommended approval of this request. Ron Cooley added that the untimely passing of the incumbent led to the need to create a combination fiscal/human resources position for the agency, noting he has been performing these functions since that occurred. Commissioner Krey inquired if the agency has been able fill the position to which Ron Cooley indicated they are securing applications.
- As to Item G, this request is for the Assistant Chief Fiscal Officer for Strategic Processes for the Administrative and Regulatory Shared Services Center, a position that reports to the Chief Fiscal Officer who reports to the Shared Services Center Director. The Shared Services Centers was an initiative created by Executive Order in 2006. The concept was to centralize a number of transactional processes for related agencies in five Shared Services Centers. These included processes such as payroll, benefits and personnel administration. As originally presented to the Commission, there would be four or five exempt positions in each of the Centers followed by, over an unspecified period of time, a reduction in exempt positions in the agencies they serve.

Only two of the contemplated five Shared Services Centers were ever created. Each of these ended up with seven to ten exempt positions. The initiative stagnated to the point it became unclear if it would be abandoned in its entirety. The anticipated reduction of exempt positions in the agencies served by the Shared Service Centers never materialized. Open positions in the Centers would be vacant for extended periods of time such that several had their exemptions rescinded. The position before the Commission today was first granted an exemption in 2007, but the exemption was subsequently rescinded in 2010 due to extended vacancy. The Administrative and Regulatory Shared Services Centers now has only six exempt positions, three of which are presently vacant.

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The agency indicated that a policy determination has been made to continue the operation of this Shared Services Center. This particular position was responsible for general accounting and other related financial reporting responsibilities for assigned agencies. Since there has not been any substantive change in the position description, Staff recommended approval of this request.

As noted already, the agency stated that a decision has been made regarding the future of this Shared Services Center. It is unknown if that applies to the Public Safety Shared Services Center, if the original plan for three additional Shared Services Centers is being resurrected, or any of the particularities regarding that decision. Staff advised both the agency and Central Management Services that it would like additional information about this policy decision to move forward with the Shared Services Centers as it may have an impact on exempt positions. Hopefully this can occur before the next Shared Services Center exemption request is submitted to the Commission.

Matthew Bilinsky added that GAAP reporting is the most difficult job that the fiscal side of the Shared Services Centers performs and that is what this position is responsible for. He also noted that the number of agencies served by the Administrative and Regulatory Shared Services Centers has increased to the following eight:

- Insurance
- Financial and Professional Regulation
- Revenue
- Central Management Services
- Lottery
- Gaming Board
- Racing Board
- Illinois Health Insurance Exchange Authority

Commissioner Krey inquired why these positions were vacant so long that they had their exemptions rescinded. Matthew Bilinsky noted that it was difficult to find candidates back then because it required qualified employees to vacate Union positions. He added that there were some non-Code positions created in the interim from which qualified candidates may emerge. Commissioner Krey asked if there are candidates available now. Matthew Bilinsky replied that the agency hopes to post this position even though internal candidates have been identified.

- As to Item H, this request is for a Chief Financial Officer at the Department of Juvenile Justice, a position that reports to the Director. This position has principal policy development and implementation responsibilities for all fiscal and budget programs within the agency. As previously noted, such program responsibilities have historically supported exempt status so Staff recommended approval of this

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request. Era Laudermilk, Chief of Staff-Department of Juvenile Justice, added that this is another step in the process of the agency becoming independent from the Department of Corrections. Executive Director Stralka asked about the relationship between this position and exempt fiscal positions in the Public Safety Shared Services Centers. Era Laudermilk replied that this position would be the lead liaison to those positions. She added that it was important for the agency's management team to have someone with a fiscal background that reported solely to them when making policy decisions on behalf of the agency.

**IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER ANDERSON, AND THE MOTION ADOPTED 4-0 TO CONTINUE TO APRIL 18, 2014 THE REQUEST FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITION:**

**E: Deputy Director for New Initiatives, Healthcare & Family Services**

**IT WAS MOVED BY COMMISSIONER ANDERSON, SECONDED BY CHAIRMAN FITZGERALD, AND THE MOTION MADE TO GRANT THE REQUEST FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITION. BY A VOTE OF 2-2 THE MOTION FAILED:**

**C: Assistant Illinois State Fair Manager, Agriculture**

Chairman Fitzgerald inquired whether the agency has appointed anyone to the position. Jared Thornley, Illinois Department of Agriculture, replied that they are still reviewing candidates.

**IT WAS MOVED BY COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 4-0 TO CONTINUE TO APRIL 18, 2014 THE REQUEST FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITION:**

**C: Assistant Illinois State Fair Manager, Agriculture**

**IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 4-0, TO GRANT THE REQUEST FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITIONS:**

**D: Electric Vehicle Coordinator, Commerce & Economic Opportunity**

**F: Fiscal Officer/Human Resources Administrator, State Police Merit Board**

**G: Assistant CFO-Strategic Processes, Administrative & Regulatory Shared Services Center, Revenue**

**H: Chief Financial Officer, Juvenile Justice**

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**The following 4d(3) exemption requests were continued to the April 18, 2014 meeting on March 21, 2014 :**

**C. Illinois Dept. of Agriculture**

Position Number	40070-11-12-000-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Illinois State Fair
Functional Title	Assistant Illinois State Fair Manager
Incumbent	Vacant
Supervisor	Illinois State Fair Manager who reports to the Assistant Director, who in turn reports to the Director
Location	Sangamon County

**E. Illinois Department of Healthcare and Family Services**

Position Number	40070-33-00-900-00-21
Position Title	Senior Public Service Administrator
Bureau/Division	Office of the Director
Functional Title	Deputy Director for New Initiatives
Incumbent	Vacant
Supervisor	Director
Location	Cook County

**The following 4d(3) exemption requests were granted on March 21, 2014:**

**D. Illinois Department of Commerce and Economic Opportunity**

Position Number	40070-42-70-000-10-01 (exemption expires 4/18/14)
Position Title	Senior Public Service Administrator
Bureau/Division	Energy and Recycling
Functional Title	Electric Vehicle Coordinator
Incumbent	Kate Tomford
Supervisor	Director
Location	Cook County

**F. Illinois State Police Merit Board**

Position Number	37015-50-33-100-50-01
Position Title	Public Service Administrator
Bureau/Division	Fiscal/Human Resources
Functional Title	Fiscal Officer / Human Resources Administrator
Incumbent	Vacant
Supervisor	Executive Director
Location	Sangamon County



**G. Illinois Department of Revenue**

Position Number	40070-25-42-410-00-01 (exemption rescinded 11/18/11)
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative & Regulatory Shared Services Center
Functional Title	Assistant CFO-Strategic Processes
Incumbent	Vacant
Supervisor	Chief Financial Officer, Administrative & Regulatory Shared Services Center
Location	Sangamon County

**H. Illinois Department of Juvenile Justice**

Position Number	40070-27-00-110-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director's Office
Functional Title	Chief Financial officer
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

VI. CLASS SPECIFICATIONS

- None submitted

**IT WAS MOVED BY COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER KREY, AND THE MOTION ADOPTED 4-0 TO DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY.**

VII. MOTION TO CLOSE A PORTION OF THE MEETING

**IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE THE MOTION ADOPTED 4-0 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.**

<b>FITZGERALD</b>	<b>YES</b>	<b>ANDERSON</b>	<b>YES</b>
<b>CUMMINGS</b>		<b>KREY</b>	<b>YES</b>
<b>URLACHER</b>	<b>YES</b>		

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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 11:35 a.m.

PRESENT

Chairman Garrett P. FitzGerald; James B. Anderson, Susan Moylan Krey, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director; 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. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports

<b>Agency</b>	<b>01/31/14</b>	<b>2/28/14</b>	<b>2/28/13</b>
Children and Family Services	0	<b>0</b>	3
Corrections	0	<b>0</b>	1
Employment Security	0	<b>0</b>	1
Healthcare and Family Services	0	<b>0</b>	2
Insurance	0	<b>0</b>	1
Natural Resources	0	<b>0</b>	1
Public Health	0	<b>0</b>	1
Revenue	0	<b>0</b>	5
State Retirement Systems	0	<b>0</b>	1
Transportation	0	<b>0</b>	7
Veterans' Affairs	0	<b>0</b>	4
<b>Totals</b>	0	<b>0</b>	27

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X. INTERLOCUTORY APPEALS

**S-13-14**

Employee	Peter C. Vines	Appeal Date	12/17/13
Agency	State Police	Decision Date	03/07/14
Appeal Type	Suspension	Proposal for	Grant Motion to Dismiss.
ALJ	Daniel Stralka	Decision	

**IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER ANDERSON, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE ADMINISTRATIVE LAW JUDGE'S PROPOSAL TO GRANT THE MOTION TO DISMISS AS THE APPEAL WAS NOT FILED FOR A DISCIPLINARY SUSPENSION PURSUANT TO SECTION 302.660 OF THE PERSONNEL RULES, BUT A SUSPENSION PENDING DISCHARGE PURSUANT TO SECTION 302.710 OF THE PERSONNEL RULES AND THEREFORE THE COMMISSION HAS NO JURISDICTION OVER THIS MATTER.**

<b>FITZGERALD</b>	<b>YES</b>	<b>ANDERSON</b>	<b>YES</b>
<b>CUMMINGS</b>		<b>KREY</b>	<b>YES</b>
<b>URLACHER</b>	<b>YES</b>		

**DA-23-14**

Employee	Robert J. Frasco	Appeal Date	02/03/14
Agency	Central Management Svcs.	Decision Date	03/07/14
Appeal Type	Discharge	Proposal for	Dismissed for default (no show at hearing).
ALJ	Andrew Barris	Decision	

**IT WAS MOVED BY COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE ADMINISTRATIVE LAW JUDGE'S PROPOSAL TO DISMISS THE APPEAL FOR DEFAULT BECAUSE FRASCO FAILED TO PARTICIPATE AT THE MARCH 5, 2014 HEARING DATE.**

<b>FITZGERALD</b>	<b>YES</b>	<b>ANDERSON</b>	<b>YES</b>
<b>CUMMINGS</b>		<b>KREY</b>	<b>YES</b>
<b>URLACHER</b>	<b>YES</b>		

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

DA-20-13

Employee	Frank J. Roman III	Appeal Date	11/27/12
Agency	State Police	Decision Date	03/07/14
Appeal Type	Discharge	Proposal for Decision	90-day suspension plus duration of suspension pending discharge.
ALJ	Daniel Stralka		

**IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER ANDERSON, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE FINDINGS OF FACT OF THE ADMINISTRATIVE LAW JUDGE'S PROPOSAL FOR DECISION AND PARTIALLY AFFIRM AND ADOPT THE CONCLUSIONS OF LAW, WHILE MODIFYING THE RECOMMENDATION THAT A 90-DAY SUSPENSION IS THE APPROPRIATE LEVEL OF DISCIPLINE. THE COMMISSION HAS DETERMINED THAT THE WRITTEN CHARGES FOR DISCHARGE HAVE BEEN PROVEN. HOWEVER, THE COMMISSION FINDS THAT THE ADMINISTRATIVE LAW JUDGE PLACED AN INSUFFICIENT EMPHASIS ON A NUMBER OF FACTORS THAT FAVOR A GREATER PENALTY WHEN DETERMINING THE LEVEL OF DISCIPLINE TO IMPOSE.**

- 1. ROMAN WAS UNABLE TO PROVIDE ANY CREDIBLE EXPLANATION FOR ADJUSTING THE VIEW OF THE LASALLE STREET ENTRANCE CAMERA TO EXCLUDE THE POLICE DESK, HIS ASSIGNED POST. THE CONCLUSION TO BE DRAWN FROM ROMAN'S ACTION IS THAT HE WANTED TO AVOID BEING OBSERVED AT HIS ASSIGNED POST. THE DELETERIOUS EFFECT THIS HAS ON SECURITY OF THE BUILDING WAS ESTABLISHED TWICE; ONCE WHEN GUARD LEWIS PANNED THE CAMERA OUT AND ROMAN WAS NOT AT THE POLICE DESK, AND THE SECOND TIME WHEN THE EMPLOYEE ENTERED AND NEGLECTED TO SWIPE THEIR ACCESS CARD AT THE POLICE DESK. A SECURITY LAPSE OF THIS NATURE NEED NOT RESULT IN AN ACTUAL SECURITY BREACH FOR IT TO WARRANT AN EMPLOYEE'S DISCHARGE.**
- 2. ROMAN HAS SIGNIFICANT DISCIPLINARY HISTORY WHICH INCLUDES OFFENSES THAT INDICATE A LACK OF TRUSTWORTHINESS. THE ILLINOIS STATE POLICE IS NOT REQUIRED TO EMPLOY THOSE WHO CANNOT BE TRUSTED TO PERFORM THEIR REQUIRED DUTIES. THIS IS CORROBORATED BY THE FINDINGS OF FACT IN THE PROPOSAL FOR DECISION THAT ROMAN'S TESTIMONY WAS NOT CREDIBLE.**

**3. ROMAN’S OWN TESTIMONY THAT HE VACATED HIS POST WHILE ON DUTY. EVEN THOUGH IT APPEARS TO BE SOMETHING OF AN ACCEPTED PRACTICE ON THE FIRST SHIFT, IT IS MORE EVIDENCE OF ROMAN’S LACK OF DEDICATION TO HIS ASSIGNMENT.**

**CONSIDERING THESE FINDINGS AND THE NATURE OF THE OFFENSES, THEY REFLECT A SUBSTANTIAL SHORTCOMING THAT RENDERS ROMAN’S CONTINUANCE IN HIS POSITION DETRIMENTAL TO THE DISCIPLINE AND EFFICIENCY OF THE SERVICE AND THAT LAW AND SOUND PUBLIC OPINION RECOGNIZE AS GOOD CAUSE TO REMOVE HIM FROM HIS POSITION. THE DISCHARGE IS UPHELD.**

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

**DA-5-14**

Employee	Robyn D. Byrd	Appeal Date	10/02/13
Agency	Human Services	Decision Date	03/07/14
Appeal Type	Discharge	Proposal for Decision	90-day suspension plus duration of suspension pending discharge.
ALJ	Andrew Barris		

**IT WAS MOVED BY COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER KREY, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE ADMINISTRATIVE LAW JUDGE’S PROPOSAL THAT THE WRITTEN CHARGES HAVE BEEN PARTIALLY PROVEN AND WARRANT THE 90-DAY SUSPENSION FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION DATED MARCH 7, 2014.**

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

**XII. APPEALS DISMISSED WITH NO DECISION ON MERITS**

**DA-37-13**

Employee	Floyd Crenshaw	Appeal Date	04/02/13
Agency	Corrections	Decision Date	02/28/14
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; settled.
ALJ	Andrew Barris		

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**DA-15-14**

Employee	Samantha McIntosh	Appeal Date	12/27/13
Agency	Corrections	Decision Date	02/28/14
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris		

**DA-24-14**

Employee	Alejandra Limberg	Appeal Date	02/03/14
Agency	Veterans' Affairs	Decision Date	02/24/14
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris		

**IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER ANDERSON, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE ADMINISTRATIVE LAW JUDGE'S PROPOSALS TO DISMISS THE APPEALS.**

<b>FITZGERALD</b>	<b>YES</b>	<b>ANDERSON</b>	<b>YES</b>
<b>CUMMINGS</b>		<b>KREY</b>	<b>YES</b>
<b>URLACHER</b>	<b>YES</b>		

**XIII. STAFF REPORT**

Executive Director Daniel Stralka reported that:

- Commissioners should have received their Statements of Economic Interest. He reminded them to complete and deliver signed originals to him as the Ethics Act mandates he review them. Upon completion, Executive Director Stralka will timely file them with the Secretary of State and returned a stamped copy to each Commissioner.
- There has been no progress to report on finding a replacement fiscal officer for the Commission. He will continue to perform those functions for the time being.
- He and Assistant Executive Director Barris have had further discussions regarding the making of audio recordings of Commission meetings to assist in the preparation of meeting minutes. It was their conclusion that it would not appreciably benefit the Commission at this time and would not be proceeding any further with the idea.
- The Illinois State Police Merit Board (ISPMB) advised him that they were considering a proposal to their statutory language that would extend the time they would have to schedule an initial disciplinary hearing from 30 days to 45 days. They had been encountering scheduling problems with their Administrative Law Judges which prompted them to explore this option. The ISPMB inquired if we had been

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having similar issues. The Commission has not been having any such issues since it places the highest priority on meeting this statutory mandate, but had indicated to the ISPMB that this issue would be brought before the Commissioners for discussion. After additional discussion in which all Commissioners participated, it was the consensus not to seek such a change in the Personnel Code on behalf of the Commission but to monitor progress of any such effort by the ISPMB.

- The Commission appropriation hearings before the General Assembly are currently scheduled for the week of March 31.
- The annual ethics training materials were sent to them with the materials for this month's meeting. Signed Acknowledgement of Participation forms must be returned to him as Ethics Officer by the end of the year.

Commissioner Anderson brought up an issue regarding exemption requests and inquired if Commission staff could produce a brief presentation to the Commissioners on the way it conducts its Staff analysis. Chairman Fitzgerald seconded this request. A general discussion regarding this process ensued in which all Commissioners participated. It was the consensus of the Commissioners that the Staff is to make a presentation at either the April or May meeting to the Commissioners, and that the Staff is to inquire of Central Management Services if its Technical Services unit would prepare a similar presentation for the Commissioners as to how they evaluate such requests on behalf of its Director.

#### XIV. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held Friday, April 18, 2014 at 11:00 a.m. in the Commission's Chicago office.

#### XV. MOTION TO ADJOURN

**IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 4-0 TO ADJOURN THE MEETING AT 11:55 A.M.**