

April 16, 2020

REGULAR MEETING AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
APRIL 16, 2020

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 607 E. ADAMS STREET, SUITE 801, SPRINGFIELD, IL

II. ROLL CALL AND CONFIRMATION OF A QUORUM

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD MARCH 19, 2020

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD MARCH 19, 2020?**

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. 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)

\* \* \*

**B. Illinois Criminal Justice Information Authority – proposed exemption**

Position Number	37015-50-05-000-00-01
Functional Title	Deputy Director/Chief of Staff
Incumbent	Charise Williams
Supervisor	Executive Director
Location	Cook County

**C. Illinois Department of Public Health – proposed exemption**

Position Number	40070-20-02-150-00-01
Functional Title	Deputy Chief Counsel
Incumbent	Vacant
Supervisor	Chief Legal Counsel
Location	Sangamon County

**D. Illinois Department of Agriculture – proposed exemption**

Position Number	40070-11-50-000-00-01 (exemption expires July 1, 2020)
Functional Title	Division Manager
Incumbent	Jeffrey Cox
Supervisor	Director
Location	Sangamon County

**E. Illinois Department of Financial and Professional Regulation – proposed exemption**

Position Number	40070-13-40-800-00-01 (exemption expires July 1, 2020)
Functional Title	Medical Cannabis Deputy Director
Incumbent	Vacant
Supervisor	Director of Professional Regulation
Location	Cook County

**F. Illinois Department of Public Health – proposed exemption**

Position Number	40070-20-31-000-00-01 (exemption expires July 1, 2020)
Functional Title	Division Chief
Incumbent	Alaine Ewing
Supervisor	Deputy Director of Health Promotion
Location	Sangamon County

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

- B: Deputy Director/Chief of Staff (CJIA)**
- C: Deputy Chief Counsel (DPH)**
- D: Division Manager (DOA)**
- E: Medical Cannabis Deputy Director (FPR)**
- F: Division Chief (DPH)**

**Proposed Rescission in accordance with Section 1.142(b) of the Rules of the Civil Service Commission**

Section 1.142(b) provides that the Commission may rescind the exemption of positions that no longer meet the requirements for exemption upon the recommendation of the Director of Central Management Services. The determination of rescission of Section 4d(3) exemptions rests with Civil Service Commission. Section 1.142(b) of the Commission Rules provides that 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 ensure responsive and accountable administrative control of the programs of the agency.

Item	Agency / Position #		Functional Title	Incumbent
G	CJIA	37015-50-05-000-10-01	Strategic Policy Advisor	Vacant

**WILL THE COMMISSION RESCIND THE EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITION?**

- G: Strategic Policy Advisor (CJIA)**

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;

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- 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; and
- f) The relation of the class specifications to any applicable collective bargaining agreement.

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

- Volunteer Services Coordinator I (revise)**
- Volunteer Services Coordinator II (revise)**
- Volunteer Services Coordinator III (revise)**
- Disability Rights Manager (create)**

**Classification Analysis:** “The Illinois Department of Natural Resources (DNR) requested revisions to the Volunteer Services Coordinator II (VSC 2) class specification to include language that permits the requirement of possession of a current, valid Firearms Owner Identification (FOID) card for certain positions allocated to that class. When in service to state firearm safety education courses, it is designated the operational responsibility of the DNR VSC 2 class to transport firearms and ammunition to various locales for use by course instructors and participants; this position thus requires a FOID card. Requirement of the FOID card must be declared on the class specification so that it may in turn appear on the official position descriptions of the appropriate DNR positions. It is also beneficial for operational flexibility to include this stipulation in the Volunteer Services Coordinator III (VSC 3) level class specification. The following statements are proposed to be added to the VSC 2 and VSC 3 class specifications:

‘May require ability to qualify for and possess a valid Firearms Owner Identification (FOID) card. Incumbents of positions requiring valid FOID card possession are subject to agency discipline processes in the event of card revocation.’

‘May require evidence of completion of an approved firearms and ammunition safety course.’

Statements beginning with ‘may require...’ in a class specification allow for a specific requirement to appear on the official position descriptions of those positions where it must appear to comply with the law, without mandating that specific requirement for all positions that are allocated to the same classes. Each of the VSC class specifications were reviewed and revised to update language for clarification and ease of reading. Part of this update includes clarification on lead worker and working supervisor responsibilities. Currently, language exists in the VSC 2 class reflecting supervision of staff, but no such supervisory language is found in the next higher-level class of VSC 3. Organizational hierarchy and conditions imposed by current effective collective bargaining agreements stipulate that the

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VSC 2 class be recognized as a lead worker and the VSC 3 class be recognized as a working supervisor. These job features are now represented in the Distinguishing Features of Work and the Illustrative Examples of Work and will help to improve progressive level distinction for this classification series.

All VSC classes and positions were reviewed for this proposal and each of the user agencies contributed to this report. The Illinois Guardianship and Advocacy Commission (IGAC) utilizes the VSC 3 class for a group of positions with other distinct responsibilities. IGAC includes the Human Rights Authority (HRA) division, composed of geographically defined regional authority panels which are statutorily authorized to investigate alleged violations of the rights of persons with disabilities. IGAC proposed, and CMS concurs, that creation of a new class dedicated to managing the operations and activities of a regional authority is feasible and beneficial to all parties. The proposed class, Disability Rights Manager (DRM), would become the inheritor class for the IGAC VSC 3 positions.

Panel members of regional authorities are vetted through a process of application, interview, and selection when a vacancy occurs for which they may qualify, per statute, and serve voluntarily without compensation, but are authorized to be reimbursed for actual expenses incurred while performing their duties. Currently, each panel is led by a VSC 3 who manages and directs its operations and activities. The scope and breadth of the responsibilities and duties performed by those IGAC VSC 3 incumbents is unique and expansive, and crucial to the HRA's mission of representing and protecting the rights of persons with disabilities. Finally, interpretation and application of the education and experience requirements of the current VSC 3 class specification has proven unsuitable for effective recruitment of qualified candidates for IGAC and the proposed and dedicated Desirable Requirements will remedy that problem."

**WILL THE COMMISSION APPROVE THE CREATION AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE MAY 1, 2020?**

- B. Volunteer Services Coordinator I (revise)**
- Volunteer Services Coordinator II (revise)**
- Volunteer Services Coordinator III (revise)**
- Disability Rights Manager (create)**

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

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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?**

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IX. RECONVENE THE REGULAR OPEN MEETING

X. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

**DA-6-20**

Employee	Michael L. Malone	Appeal Date	8/07/19
Agency	Corrections	Decision Date	4/03/20
Appeal Type	Discharge	Proposal for Decision	5-day suspension.
ALJ	Thomas Klein		

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

XI. APPEALS TERMINATED WITHOUT DECISIONS ON THE MERITS

**DA-36-20**

Employee	Michael D. Hanson	Appeal Date	3/25/20
Agency	Human Services	Decision Date	4/10/20
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Thomas Klein		

**DA-37-20**

Employee	Krista Whitlock	Appeal Date	4/03/20
Agency	Corrections	Decision Date	4/10/20
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Thomas Klein		

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

XII. STAFF REPORT

XIII. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held at 11:00 a.m. on Thursday, May 21, 2020 in the Springfield office of the Commission.**

XIV. MOTION TO ADJOURN