

April 16, 2020

REGULAR MEETING MINUTES  
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

Chairman Timothy D. Sickmeyer (by telephone); G.A. Finch (by telephone), David Luechtefeld (by telephone), and Vivian Robinson (by telephone), Commissioners; Thomas Klein, Executive Director, Andrew Barris, Assistant Executive Director and Sabrina Johnson, Exemption Monitor; Sheila Tapscott (by telephone), Sarah Kerley (by telephone), and Chris Nickols (by telephone), Illinois Department of Central Management Services; Rebecca Shuster (by telephone), Illinois Department of Agriculture; Robin Murphy (by telephone), Illinois Criminal Justice Information Authority; Tyler Hanners (by telephone) and Brandon Purcell (by telephone), Illinois Department of Financial and Professional Regulation; Teresa Parks (by telephone) and Jon Burnet (by telephone), Guardianship and Advocacy Commission; and Marina Bergamo (by telephone), Office of the Executive Inspector General.

Executive Director Klein confirmed there was a quorum in light of the Governor's Executive Order suspending the Open Meetings Act in part.

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

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER ROBINSON, AND THE MOTION ADOPTED 4-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD MARCH 19, 2020.**

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

In accordance with the Open Meetings Act and the Rules of the Civil Service Commission, Executive Director Thomas Klein 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. 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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**B. Requests for 4d(3) Exemption**

- Exemption Monitor Sabrina Johnson indicated that Item B was a request for a Deputy Director/Chief of Staff within the Office of the Executive Director at the Criminal Justice Information Authority, a position that reported to the Executive Director. This position developed and implemented agency policies and procedures, served on the Director’s executive staff for planning and coordinating short and long-term goals and objectives, and served as a liaison to the Governor’s Office, the Lieutenant Governor’s Office and the public. Staff recommended this exemption request be granted.

**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

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 4-0 TO GRANT THE 4d(3) EXEMPTION REQUEST FOR THE FOLLOWING POSITION:**

**B: Deputy Director/Chief of Staff (CJIA)**

- Exemption Monitor Sabrina Johnson indicated that Item C was removed from the Agenda at the request of Central Management Services (CMS). CMS indicated the position is pending approval of the OEIG at this time.

**C. Illinois Dept. of Public Health – proposed exemption (removed from Agenda)**

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

- Exemption Monitor Sabrina Johnson indicated that Items D, E and F are positions that involve medical cannabis and these 4d(3) exempt positions expire July 1, 2020. Item D was a Division Manager at the Department of Agriculture, Item E was a Medical Cannabis Deputy Director at the Department of Financial and Professional Regulation and Item F was a Division Chief at the Department of Public Health. These positions were included within the Compassionate Use of Medical Cannabis Program Act. Staff recommended these exemption requests be granted.

**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 Dept. 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

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

- 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.

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- Exemption Monitor Sabrina Johnson indicated that Item G was a rescission request for the Strategic Policy Advisor at the Criminal Justice Information Authority (CJIA). This exemption was approved May 2019. The Department of Central Management Services requested this rescission and CJIA does not have any objection to this request. Staff recommended rescission of the exemption.

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

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0 TO RESCIND THE 4d(3) EXEMPTION 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;
- 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.

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

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

Regarding Item B, Assistant Executive Director Andrew Barris indicated the revisions addressed the requirement that certain employees in the classes have a FOID card as well as creating a new class to specifically address supervisory responsibilities. The proposed revision and creation of the classes were agreed to through collective bargaining and the revisions would not result in an increase in compensation.

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0 TO APPROVE THE CREATION AND REVISION OF THE FOLLOWING CLASS SPECIFICATIONS 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)**

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0 TO DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED 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**

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**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0 TO DISAPPROVE ANY AMENDMENTS TO PERSONNEL RULES RECEIVED BY THE COMMISSION STAFF BUT NOT CONTAINED IN THIS AGENDA TO ALLOW ADEQUATE STUDY.**

**VIII. MOTION TO CLOSE A PORTION OF THE MEETING**

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, 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>SICKMEYER</b>	<b>YES</b>	<b>FINCH</b>	<b>YES</b>
<b>LUECHTEFELD</b>	<b>YES</b>	<b>ROBINSON</b>	<b>YES</b>

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IX. RECONVENE THE OPEN MEETING

Upon due and proper notice, the regular open meeting of the Illinois Civil Service Commission was reconvened at 607 E. Adams Street, Suite 801, Springfield, IL at 11:20 a.m.

ROLL CALL AND CONFIRMATION OF A QUORUM

Chairman Timothy D. Sickmeyer (by telephone); G.A. Finch (by telephone), David Luechtefeld (by telephone), and Vivian Robinson (by telephone), Commissioners; Thomas Klein, Executive Director, Andrew Barris, Assistant Executive Director and Sabrina Johnson, Exemption Monitor.

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		

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.**

**SICKMEYER      YES                  FINCH                  YES  
LUECHTEFELD   YES                  ROBINSON              YES**

XI. APPEALS TERMINATED WITHOUT DECISION 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		



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**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSALS FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE FOR THE REASONS SET FORTH IN THE PROPOSALS FOR DECISION.**

<b>SICKMEYER</b>	<b>YES</b>	<b>FINCH</b>	<b>YES</b>
<b>LUECHTEFELD</b>	<b>YES</b>	<b>ROBINSON</b>	<b>YES</b>

XII. STAFF REPORT

Executive Director Thomas Klein reported that Staff continue to work remotely as much as possible to perform the essential functions of the Commission.

Assistant Executive Director Barris explained the procedure for filing Statements of Economic Interest.

Exemption Monitor Sabrina Johnson indicated she received a total of 110 clarified position descriptions from CMS during the period January to March 2020. In this timeframe there were three positions pending that will be handled in a timely matter.

XIII. ANNOUNCEMENT OF NEXT MEETING

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

XIV. MOTION TO ADJOURN

**IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER ROBINSON, AND THE MOTION ADOPTED 4-0 TO ADJOURN THE MEETING AT 11:31 A.M.**